
Appeal Decision

by **Ken McEntee**

a person appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 28 January 2026

Appeal ref: APP/N5090/C/25/3366849
Land at 8 Eversleigh Road, Barnet, EN5 1NE

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeal is brought by Mr Eamon Sharkawi against an enforcement notice issued by the London Borough of Barnet.
- The notice was issued on 13 May 2025.
- The breach of planning control as alleged in the notice is: "Without planning permission, the construction of raised decking with access steps and associated railings and balustrades at the rear of the property".
- The requirements of the notice are: "1. Demolish the raised decking, access steps, and associated railings and balustrades and restore the site to its pre-existing condition prior to the breach of planning control as shown in drawing no. 2DI0-GA02 of planning application 25/0636/RCU. 2. Permanently remove all constituent materials resulting from the works in 1. above from the property".
- The time period for compliance with the requirements of the notice is "3 Months after this notice takes effect".
- The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 as amended.

Summary of decision: The appeal is dismissed and the enforcement notice is upheld without variation.

Reasons for the decision

1. The basis of the appellant's case for requiring more time to comply with the requirements of the notice, is to allow time for planning appeal (6000270) to be decided in respect of retrospective permission for the unauthorised development. He therefore requests that the compliance period be extended to 6 months. However, I note that appeal 6000270 was dismissed on 20 January 2026. That being the case, it follows there is no longer any reason to agree to the appellant's request. As more than 7 months have elapsed since this appeal was submitted and the compliance period will begin again from the date of this decision, the appellant will effectively have had more than 10 months in which to carry out the necessary works in order to comply with the requirements of the notice, which is some 4 months more than that requested. Therefore, there is no good reason before me to justify extending the compliance period further. The appeal fails accordingly.

Formal decision

2. For the reasons given above, the appeal is dismissed and the enforcement notice is upheld without variation.

K McEntee