



Appeal Decision

by Ken McEntee

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

Decision date: 4 June 2026

Appeal ref: APP/N5090/C/26/3377326

Land at Flat 2, 46 Dunstan Road, London, NW11 8AD

- 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 Mrs Hilary Levy against an enforcement notice issued by the London Borough of Barnet.
- The notice was issued on 2 December 2025.
- The breach of planning control as alleged in the notice is: "Without planning permission, the erection of railings on the roof of a single storey rear extension, as shown in the approximate position marked by a blue line on the plan attached at Appendix 01 and edged in red on the photograph attached at Appendix 02.
- The requirement of the notice is: "Permanently remove the railings from the roof of the single storey rear extension".
- The time period for compliance with the requirements of the notice is "2 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 appellant believes that the period to comply with the requirements of the notice is too short as he needs to obtain quotes and agree a timetable with the appointed builder. She also points out that the work will need to include installing a railing across the windows in order to meet building regulations. She therefore requests that the compliance period be extended to 6 months.
2. I acknowledge the appellant's reasons for this request, and I also note that the Council have stated they have no objection to such an extension. However, I am also mindful that some 5 months have elapsed since the appeal was submitted with enforcement action effectively suspended. As the compliance period will begin again from the date of this decision, the appellant will effectively have had some 7 months, which is 1 month more than that requested, in which to take the necessary steps to ensure the required works are carried out in order to comply with the notice. Therefore, on the evidence before me, there is no good reason to justify extending the compliance period further. The appeal fails accordingly.

Formal decision

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

K McEntee