



Appeal Decision

by Stephen Hawkins MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2026

Appeal Ref: APP/N5090/C/25/3376212

65 Brackenbury Road, London N2 0SS

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Kreshnik Nela against an enforcement notice issued by the Council of the London Borough of Barnet.
 - The notice was issued on 11 November 2025.
 - The breach of planning control as alleged in the notice is the construction of a single storey side/rear infill extension not in accordance with approved application reference 24/5251/HSE.
 - The requirements of the notice are: 1. Modify the single-storey side/rear infill extension in order to ensure that it accords with details approved under planning permission reference 24/5251/HSE, specifically plans: GDP300/HP0-RevB - Site Location and Block Plans; GDP300/HP1-RevB - Existing and Proposed Floor Plans; GDP300/HP2-RevB - Existing and Proposed Front and Left Side Elevations; GDP300/HP3-RevB - Existing and Proposed Rear and Right Side Elevations. The works of modification to include: The replacement of the rendered brick/block exterior walls with brick walls constructed of red brick with bond and pointing to match that used on the original house. The reduction in height of the south-west facing flank wall and the remodelling of the roof.
 - The period for compliance with the requirements is three months.
 - The appeal is proceeding on the grounds set out in section 174(2)(g) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Preliminary matter

2. The appeal can be determined without the need for a site visit, as I have been able to reach a decision based on the information already available.

Ground (g) appeal

3. The ground of appeal is that the period specified for complying with the requirements of the enforcement notice falls short of what should reasonably be allowed.
4. The appeal property contains a mid-terrace two storey dwelling. The notice attacks a single storey side/rear infill extension erected at the property.
5. The appellant sought to extend the period allowed for complying with the notice requirements to nine months. However, subsequent to the issuing of the notice planning permission has been granted at appeal for development at the property which includes the single storey side/rear infill extension.¹ The appeal decision letter confirms that development has been carried out in accordance with the submitted drawings. At s180(1), the Act provides that where after service of an enforcement notice planning permission is granted for any development carried

¹ Appeal Ref: 6001599

out before the grant of that permission, the notice shall cease to have effect so far as inconsistent with that permission.

6. In the circumstances, the reasonableness or otherwise of the period allowed for complying with the notice is academic. The notice requirements have no effect against the permitted extension, having regard to s180(1). Accordingly, it is not necessary to consider whether the period for complying with those requirements should be extended beyond the three months specified.
7. The ground (g) appeal fails.

Conclusion

8. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice.

Stephen Hawkins

INSPECTOR