

Planning and Building Control
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date: 17 December 2019
reference: ENF/1110/19

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Site: 152 Green Lane, Edgware, HA8 8EJ,
Complaint: Unauthorised Building Works

I refer to your complaint regarding a possible breach of planning control at the above address. I believe there are three main issues in the front porch, the roof tiles and the missing front dormer.

Front porch and front elevation altered, including loss of architectural features

Firstly issues regarding the construction, size and height of the front porch was dealt with under ENF/0818/18 and ENF/0315/18 in which it was felt the moderate changes required to make the porch fall under permitted development would not ultimately alter the overall impact of the front porch on the surrounding area.

I note your concerns that the alteration of the front elevation to facilitate the front porch resulted in the loss of the front curved windows, however if the owner was to make the moderate changes required to make the front porch fall under permitted development, these features would still be lost. Permitted development does not consider such loss of features and as such, I believe this issue should not be pursued further.

Roof tiles

I agree that roof tiles were shown on approved plans to match existing, however it has to be asked what is existing. While I appreciate that previously there were red tiles, the owners of 154 and 152 have both altered their tiles to the same meaning the full roof is now matching and considered 'existing'.

Further to this, if the Council were to make 152 alter their tiles to previous (same as time of application) the roof would be out of keeping with 154.

The Council cannot take action on 154 altering their tiles as this was not subject to any planning condition and was completed under permitted development.

Front dormer not constructed, with a second roof light in its place

I note that the proposed plans of 18/1876/HSE show a front dormer, however this has not been constructed and another roof light has instead been inserted. Front dormers are usually not deemed acceptable or in line with Barnet policy as stated within the delegated

report of 18/1876/HSE which states "it is acknowledged that the proposed front dormer would not comply with the Residential Design Guidance"

I am of the opinion the lack of the second front dormer (existing dormer on side of 154) is more in keeping with the character of the area, with other bungalows in the street also only having the one dormer.

The power for a local planning authority to take enforcement action is discretionary, and such action should only be taken where it is clear that significant harm is likely to result. Although a technical breach of control under the above Act has occurred, it is not considered to be of sufficient significance in this case to justify formal enforcement action. Following full investigation, I can advise that it has been decided that no further action will be taken in this instance, and the enforcement case is to be closed, subject to review by a enforcement manager.

I am sorry that I could not be of greater assistance to you. Nevertheless, I thank you for bringing the matter to my attention.

Yours faithfully,

Brett Sinclair
Planning Enforcement Officer
Planning Enforcement Team

