



Appeal Decision

by Ken McEntee

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

Decision date: 22 October 2025

Appeal ref: APP/U5360/C/25/3365738

Land at 91 Carysfort Road, Hackney, London, N16 9AD

- 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 Miss Nancy Ramsaran against an enforcement notice issued by the London Borough of Hackney.
- The notice was issued on 25 March 2025.
- The breach of planning control as alleged in the notice is: "Without planning permission, operational development consisting of the erection of two rear extensions and a covered area linking them."
- The requirements of the notice are: "1. Remove the two extensions and the covered area in their entirety as indicated in photo 1,2,3 and 4 in appendix 1; 2. Make good all damage to the Property resulting from the removal of the unauthorised works as listed above; 3. Upon completion of the above steps, remove all materials, debris, waste and equipment resulting from compliance with the other requirements of the notice from the property and its premises".
- The time period from compliance with the requirements of the notice is "18 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 as the occupier of the property is that more time is required to comply with the requirements of the notice as she is waiting for probate to be resolved on the property's late owner's (her aunt) estate, as she currently does not have authorisation to deal with her aunt's affairs in relation to the appeal property. However, I note she does not suggest an alternative time-period.
2. While I appreciate the appellant's reason for wanting the compliance period to be extended, I am also mindful that the Council has already granted a very generous time period of 18 months, and that more than 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 more than 23 months in which to take the necessary steps to remove the unauthorised extensions in order to comply with the requirements of the notice. I consider this period to be more than reasonable and also allows ample time for the issue of probate to be resolved. Therefore, I am not satisfied there is good reason to extend the compliance period further. The appeal fails accordingly.

3. However, as the Council point out, should the appellant experience any genuine difficulties, it is open to her to submit a request to the Council to use their powers under section 173A(1)(b) of the 1990 Act to extend the compliance period themselves, should they be satisfied there is justification for doing so.

Formal decision

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

K McEntee