



Appeal Decision

by Ken McEntee

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

Decision date: 4 November 2025

Appeal ref: APP/U5930/C/25/3368239

Land or premises at Basement & Ground floor, 267 High Road, Leyton, London, E10 5QN.

- 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 Idajet Demjani against an enforcement notice issued by the London Borough of Waltham Forest.
- The notice was issued on 13 May 2025.
- The breach of planning control as alleged in the notice is: "The erection of single storey side extension and metal railings enclosure fronting Adelaide Road to provide additional external seating area identified in yellow on the attached site plan".
- The requirements of the notice are: "1. Demolish in its entirety the single storey side extension and metal railings enclosure from the area identified in yellow on the site attached location plan; and 2. Remove associated furniture and fittings from the area identified in yellow on the site attached location plan. 3. Make good any damage caused to the rear of the Land as a result of the above requirement. 4. Remove from the land all resulting debris as a result of the above requirements".
- The time period for compliance with the requirements of the notice is "Within three months after the 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. In short, the main basis of the appellant's case for requesting more the time to comply with the requirements of the enforcement notice is in order to go through the process of submitting an application for a revised scheme. He requests that the compliance period be extended to 6 months for this purpose.
2. While I acknowledge the appellant's reasons for the request, I am mindful that more than 4 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 10 months in which to go through the planning application process and to carry out the necessary works to comply with the requirements of the notice. This is some 4 months more than that requested. Therefore, there does not appear to be any good reason before me 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