



Appeal Decision

by **Ken McEntee**

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

Decision date: 4 March 2026

Appeal ref: APP/Y5420/C/25/3375073

Land at 53 Elsdon Road, Tottenham, London, N17 6RY

- 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 Edward Riley against an enforcement notice issued by the London Borough of Haringey.
- The notice was issued on 2 October 2025.
- The breach of planning control as alleged in the notice is: "Change of use to a House in Multiple Occupation (C4) without planning permission".
- The requirements of the notice are: "Cease the use of the property as a House in Multiple Occupation".
- The time period for compliance with the requirements of the notice is "6 months, beginning with the date 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.

Procedural matters

1. I note that although the appellant acknowledges he cannot appeal on ground (a), much of his case is related to the planning merits of the unauthorised use of the appeal property. For the avoidance of doubt, in an appeal made on ground (g) my determination is limited solely to whether the time period to comply with the requirements of the notice is too short.

Reasons for the decision

2. The appellant suggests that the compliance period should be extended to 10 years. However, this would be tantamount to granting a temporary (in the extreme) planning permission, which I have no power to do in an appeal made on ground (g) only. The reason given by the appellant for requiring more time is to allow for submission of a planning application, and possible appeal, to regularise the use as an HMO. However, there is no evidence before me of any such application having been submitted, and whether one will be submitted in the future can only be considered as a matter of speculation at this stage. I am also mindful that some 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 some 10 months in which to cease the unauthorised use of the property as an HMO.

3. I note there are current occupiers who will have to move out of the property as a result of the enforcement notice. However, I consider that 10 months is more than a reasonable period of time for the occupiers to seek out alternative accommodation.
4. On the evidence before me, I am not satisfied there is good reason to justify extending the compliance period further. The appeal fails accordingly.
5. However, while I am dismissing the appeal, as the Council point out, should the appellant experience any genuine difficulties, it is open to him 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

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

K McEntee