Planning Inspectorate

Appeal Decision

by Stephen Hawkins MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 November 2026

Appeal Ref: APP/V5570/C/26/3377778
2-4 Highbury Corner, London N5 1RE

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Harvest N5 Limited against an enforcement notice issued by the Council of the London Borough of Islington.
- The notice was issued on 15 January 2026.
- The breach of planning control as alleged in the notice is without planning permission, the erection of a hoarding and an attached wooden framed roofed canopy enclosure at the rear of the property.
- The requirements of the notice are: (i) Remove in its entirety the hoarding and the attached wooden framed roofed canopy enclosure erected at the rear of the property. (ii) Remove all associated fixings, supports, posts, framing, panels, coverings, and any related structures installed in connection with the hoarding and enclosure. (iii) Restore the land to its condition prior to the unauthorised works being carried out. (iv) Remove from the land all resulting debris and materials associated with complying with the above steps.
- The period for compliance with the requirements is two 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).

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 premises contains a commercial building. The premises occupy a prominent location in the Highbury Fields Conservation Area. The notice attacks a hoarding and an attached covered structure, erected at the rear of the premises.

5. The appellant sought to extend the two-month period specified in the notice to six months.

6. As the appeal is made on ground (g) only, it is appropriate to take the time which has elapsed since the issuing of the notice into account when assessing the reasonableness of the compliance period. This is because the appeal was made solely to extend that period in the full knowledge that the notice would be upheld and the requirements would have to be complied with.

7. Set in the above context, the period which has elapsed since the appeal was made has afforded the appellant more than eight additional months in which to complete

any outstanding works to the upper floors of the building prior to removing the hoarding and attached structure as required by the notice. The appellant has thus already had longer for complying with the notice than the extended period they requested when making the appeal.

8. In any event, the Council submitted that the upper floor works were substantially completed by February 2024 and that the hoarding is no longer required in conjunction with such works, its current use along with that of the attached structure being for commercial storage. The appellant supplied little firm evidence to show otherwise. There is also little before me to indicate that removal of these small-scale, lightweight timber framed structures is likely to be other than a reasonably straightforward task which could probably be completed fairly quickly.

9. Therefore, there is little sound reason to support a further delay to complying with the notice requirements beyond the end of the period specified. The compliance period is not too short and is reasonable; an appropriate balance is struck between remedying the breach as soon as practicable, whilst also avoiding imposing a disproportionate burden on the appellant. Extending the compliance period on the other hand would serve little purpose other than to perpetuate the breach.

10. The ground (g) appeal fails.

Conclusion

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

Stephen Hawkins

INSPECTOR