



Appeal Decision

by Ken McEntee

a person appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 8 December 2022

Appeal ref: APP/F5540/C/22/3302885

Land at 13 St Dunstons Road, Feltham, TW13 4JY.

- 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 D Collison against an enforcement notice issued by the London Borough of Hounslow.
- The notice was issued on 17 June 2022.
- The breach of planning control as alleged in the notice is "Without planning permission the erection of a hip to gable and rear roof dormer extension to the Land".
- The requirements of the notice are: "i. Demolish the hip gable and rear roof dormer extension. ii. Restore the hipped roof of the property. iii. Remove all resultant debris associated with the above works from the Land".
- The time period for compliance with the notice is "3 months after 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.

Reasons for the decision

1. The appellant requests that the compliance period be extended to 12 months to allow time to go through the eviction process of the dormer room, particularly if the occupier is not compliant, and to then to arrange for a suitable contractor to carry out the works. He also contends it is envisaged that the works may then take a 3- month period to complete as a large portion of the wall will need to be reinstated as well as significant internal modifications, plumbing and electrical works. However, I while I note the appellant's reasons for requesting more time to comply with the notice, I am mindful that some 5 months have elapsed since the appeal was submitted with enforcement action suspended. As the compliance period will begin again from the date of this decision, the appellant will effectively have had some 8 months in which to go through the eviction process, to arrange for a contractor and to carry out the necessary works to comply with the requirements of the notice. I consider this period to reasonable and proportionate, and I am not satisfied there is good reason to extend the compliance period further. The ground (g) appeal fails accordingly.
2. However, while I am dismissing the appeal, should the appellant experience any genuine difficulties in meeting the compliance deadline, it will be open to him to submit a further request to the Council to use their powers under section

173(a)(1)(b) of the 1990 Act to extend the compliance period themselves, should they be satisfied there is justification for doing so.

Formal decision

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

K McEntee