



Appeal Decision

Site visit made on 2 September 2025

by **Robert Naylor BSc (Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 September 2025

Appeal Ref: APP/R5510/C/23/3326773

27 Linksway, Northwood HA6 2XA

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (the 1990 Act) as amended.
- The appeal is made by Mr Sunil Pankhania against an enforcement notice issued by the Council of the London Borough of Hillingdon.
- The notice was issued on 27 June 2023.
- The breach of planning control as alleged in the notice is *without planning permission, the erection of a two-storey detached dwellinghouse (not in accordance with plans approved under planning permission reference 34565/APP/2018/3189), including the erection of a mansard roof with parapet walls, external lift overrun and central dome on main roof.*
- The requirements of the notice are:
 - (i) *Demolish and Remove the constructed mansard roof, including the associated parapet walls and re-build the roof in accordance with the roof profile approved under planning permission 34565/APP/2018/3189 dated 31/10/18; Drawing No. 1299/P/3 Rev. A*
 - (ii) *Demolish and Remove the constructed external lift overrun (as shown outlined in Blue on Plan attached to the Notice)*
 - (iii) *Demolish and Remove the constructed external central dome on the main roof (as shown outlined Green on Plan attached to the Notice)*
 - (iv) *Remove from the land all debris, items, building materials resulting from compliance with points (i) – (iii) above.*
- The period for compliance with the requirements is *Three (3) calendar months after this Notice takes effect.*
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the 1990 Act (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the 1990 Act.

Summary of Decision: Subject to corrections the appeal is allowed, the enforcement notice is quashed, and planning permission is granted in the terms set out below in the Formal Decision.

Formal Decision

1. It is directed that the enforcement notice (EN) is corrected by:

- Deleting Section 4. a) from the EN.
- Deleting the bracketed wording in Section 5. (ii) of the EN and reword as follows:

Demolish and Remove the constructed external lift overrun on the main roof.

- Deleting the bracketed wording in Section 5. (iii) of the EN and reword as follows:

Demolish and Remove the constructed external central dome on the main roof

2. Subject to these corrections, the appeal is allowed, the EN is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the erection of a two-storey detached dwellinghouse including the erection of a mansard roof with parapet walls, external lift overrun and central dome on the main roof at 27 Linksway, Northwood HA6 2XA.

Preliminary Matters

3. The appellant has indicated that since the application was determined by the Council, similar types of development have been allowed in the area both by the Council and on appeal by the Planning Inspectorate. The appellant has provided further information in respect of these decisions. I have given due consideration to the guidance in the 'Procedural Guide: Planning Appeals - England' (2025), and the 'Wheatcroft Principles' referred to in the guidance¹, along with other case law² in deciding whether to accept the updated information.
4. I consider the additional information does not alter the proposal before me as it is essentially the same as the scheme that was considered by the Council, but the additional details provide useful information in regard to the application of local policy within the area. As such the updated information has not been used to evolve the scheme³, moreover, to clarify the existing position. Consequently, I am satisfied the submitted details do not alter the consideration of the appeal, where anyone involved in the process would be prejudiced or impacted should I accept the updated details. Furthermore, the Council have also had the opportunity to consider the updated details but have provided no further comment.

Issues effecting the EN

5. Section 4. a) of the EN rehearses the alleged breach of planning control in the preceding section of the EN. As such, I have removed the superfluous wording as it is not necessary here. I am satisfied that no injustice would be caused to either party by doing so.
6. The plan attached to the EN provides a blue outlined section to highlight the position of the protruding lift shaft, and a green outline to highlight the glazed dome over the staircase to which the alleged breach of planning control relates. However, following the site visit it appears that the highlighted outlines are not shown in the correct positions in respect to the development as constructed. Caselaw⁴ provides that an inaccurate plan can be deleted without offending the Town and Country Planning (Enforcement Notices and Appeals) (England) Regulations 2002, so long as the site is or can precisely be described in words alone.
7. The EN can be corrected, by deleting the wording referencing the plan in sections 5. (ii) and 5. (iii) attached to the notice and the plan itself. Subject, to the addition of "*on the main roof*" at Section 5. (ii), it is clear from the notice, as a whole, that the Council is concerned with these external features alongside the main roof itself, and thus the plan is superfluous. Consequently, there would be no prejudice to either party arising from these corrections to the EN.

¹ Bernard Wheatcroft Ltd v SSE and Another (1982) 43 P. & C.R. 233.

² Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

³ Section 16 of the Procedural Guide: Planning Appeals – England June 2025

⁴ Wiesenfeld v SSE & Brent LBC [1992] JPL 556

Appeal on ground (a), the deemed planning application

Main issue

8. An appeal on ground (a) is that planning permission should be granted for the matters alleged in the EN. The EN is principally concerned with the effect of the development on the character and appearance of the host property, streetscene and the Copse Wood Estate Area of Special Local Character (ASLC).

Reasons

Character and appearance

9. The appeal site is located in the Copse Wood Estate ASLC (a non-designated heritage asset) and consists of a large, recently redeveloped detached property within a spacious plot. The surrounding area consists of large, detached gated properties with generous layouts set back from the roadside within a verdant setting.
10. Paragraph 216 of the National Planning Policy Framework (the Framework) states that the significance of a non-designated heritage asset should be taken into account in determining applications. In weighing applications that directly or indirectly affect non-designated heritage assets a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Policies DMHB 5 and DMHB 6 of the Hillingdon Local Plan: Part Two – Development Management Policies (HLP2), adopted January 2020 provides further details on the requirements for new houses within the ASLC, stating that new development should reflect and respect the existing character of the area.
11. In terms of its significance, the Copse Wood Estate ASLC is a planned residential estate with a distinct rhythm to its layout. The properties generally consist of grand, two and three storey detached dwellinghouses, set in generous plots, with a perceptible Arts and Crafts appearance. Nevertheless, the ASLC has been subject to considerable development over time, as detailed by the appellant, which includes the replacement of several dwellings. Whilst the grandiose pattern to development is retained, overall, there has been a noticeable erosion of the Arts and Crafts vernacular, as the replacement properties consist of designs and materials which are more modern in appearance. Subsequently, there is a greater variety in the mix of architectural styles and palettes within the ASLC.
12. Nevertheless, I would acknowledge that the predominant roof form within the area is one of hipped roof treatments. The existing building has sought an alternative design and incorporated a mansard treatment with a large crown roof, punctuated with dormer windows, thus providing bulk and mass at roof level. This is further emphasised by being set back from the parapet at eaves level when compared to the more traditional hipped roofs and eaves treatments of the existing Arts and Crafts properties in the ASLC. However, this is not a unique treatment within the estate, as several other properties⁵ have recently been approved with similar roof designs.
13. Overall, the mass, scale, design and layout of the main roof is representative of the larger buildings that exist in the area, which I noted on my site observations.

⁵ 18 Linksway APP/R5510/W/21/3274769; 25 Linksway 35311/APP/2023/2254 and 32 Linksway 35311/APP/2023/2254.

Whilst different, the roof appears proportional in the vicinity and thus comparable with the existing properties. Consequently, the mansard roof does not appear dominant, jarring, or out of keeping in that regard. Furthermore, the design has sought to reference the materiality in the local area, through the use of plain tiles at the roof level and has incorporated other traditional design features to provide a suitable appearance, albeit with more contemporary materials.

14. The appeal site also provides additions of an external lift shaft and domed roof light that protrude above the ridge line at the appeal site. Again, during my site visit I noted several other properties which exhibit protrusions at the roof level including rooflights, dormer windows, glazed lanterns and chimneys, thus the addition of these features is not unique. It is acknowledged that the external section of the lift shaft is wider and bulkier than that of a chimney, however the incorporation of appropriate materials, topped with ornate chimney pots, provides a more traditional 'chimney-like' appearance, making it less conspicuous visually. Furthermore, whilst protruding above the roofline the glazed domed roof light is relatively shallow and low-level, thus is only visible in glimpse views from public vantage points.
15. Overall, the appeal scheme does not detract from the character and appearance of the host property or the streetscene. Furthermore, the scheme, at the very least, preserves the significance of the Copse Wood Estate ASLC, a non-designated heritage asset. As a result, I find no conflict with policies BE1 and HE1 of the Hillingdon Local Plan: Part One – Strategic Policies, adopted November 2012; policies DMHB 5, DMHB 6, DMHB 11 and DMHB 12 of the HLP2; policies D4 and HC1 of the London Plan, adopted March 2021; nor the Framework. Collectively these require a high standard of design, whilst ensuring new development is sympathetically designed to respect and reflect the local context, amongst other things.

Conclusion

16. For the reasons given above, I conclude that the appeal should succeed on ground (a). Planning permission will be granted, and the corrected EN will be quashed. The appeal on ground (g) does not therefore fall to be considered.

Robert Naylor

INSPECTOR