



Appeal Decision

Site visit made on 15 June 2026

by **V Goldberg BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24th June 2026

Appeal Ref: APP/R5510/C/25/3364685

83 Freemans Lane, Hayes UB3 2NJ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Harinder Singh against an enforcement notice issued by the Council of the London Borough of Hillingdon.
 - The notice was issued on 20 March 2025.
 - The breach of planning control as alleged in the notice is: Without planning permission, the erection of a rear dormer roof extension, incorporating the erection of a hip to gable end with new gable end window and front porch ("the breach").
 - The requirements of the notice are to:
 - i. Remove the gable end dormer roof extensions, as well as the newly installed rooflights, and reinstate the pre-existing hipped roof as depicted on the drawing labelled PRE- Existing Elevations, Drawing No 2024/161-02 submitted with planning application reference 19257/APP2024/2805.
 - ii. Demolish the front porch approximate position hatched purple on the attached plan.
 - iii. Remove from the land all the debris, items, fixtures and fittings, building material, plan and machinery resulting from the works listed 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), (f), (g) of the Town and Country Planning Act 1990 (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 Act.
 - **Summary of Decision: The appeal is dismissed and the enforcement notice is upheld with a variation in the terms set out below in the Formal Decision.**
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The Enforcement Notice

1. Section 173 of the Act requires an Enforcement Notice (EN) to specify the steps that the Council requires to be taken, or the activities which they require to cease, to remedy the breach of planning control or injury to amenity, as the case may be. Consequently, the steps set out in section 5 of the EN must align with the allegation. To achieve this, Step i) is varied to require the removal of the 'rear dormer roof extension, incorporating hip to gable end' to be consistent with the wording of the allegation. The gable end window does not need to be included as the removal of the hip to gable extension would include removal of the window.
2. These variations would not result in injustice to either party, as the appellant has understood that the EN seeks the removal of the rear dormer roof extension, incorporating hip to gable end, despite the allegation not aligning with the requirements. The variation does not therefore alter the substance of the alleged breach or expand the scope of the EN but merely ensures that the requirements properly reflect the allegation to which they relate and provides precision.

Appeal on Ground (a) and the Deemed Application for Planning Permission

3. An appeal under ground (a) is that planning permission should be granted for the matter alleged. The main issue is the effect of the development on the character and appearance of the dwelling and the significance of the Conservation Area.

Reasons

4. The appeal site lies within the Hayes Village Conservation Area (CA). The significance of the CA derives in part from its cohesive historic townscape, including its traditional building forms and materials, which collectively make a positive contribution to its historic architectural character and appearance. Freemans Lane makes a positive contribution to the significance of the CA. The section of the lane within which the appeal site is located is described in the Hayes Village Conservation Area Appraisal¹ as an “interesting, largely unaltered group of seven semi-detached properties in a loosely mock-Tudor style, arranged symmetrically along the street frontage”. The group is characterised by unaltered hipped roof forms, which create a consistent rhythm and pattern that contributes positively to the character and appearance of the CA.
5. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
6. The rear dormer roof extension and hip-to-gable alteration unbalance the semi-detached pair and appear visually dominant within the roofscape. In addition, the loss of the hipped roof erodes the consistent roofscape rhythm, while the scale and form of the rear dormer introduce an incongruous and disproportionately large addition that fails to respect the form and proportions of the host dwelling and the wider group of largely unaltered properties. As a result, the alterations at roof level result in harm to the character and appearance of the host dwelling and fail to preserve or enhance the character and appearance of the CA.
7. I note that properties to the rear of the appeal site feature gable ends and rear dormer extensions; however, these properties do not lie within the CA and are not read as part of the street scene or the cohesive group of semi-detached pairs of which the appeal site forms part. Consequently, they do not justify similar alterations to the appeal property within the CA. Whilst the alterations to the roof retain the characteristic front gable, the cumulative impact of the hip-to-gable alteration and rear dormer nonetheless undermines the symmetry and consistent roof form that are key characteristics of this largely unaltered group.
8. The appellant asserts that the roof extension is not prominent in public views; however, the hip-to-gable alteration is prominent due to its visibility from Freemans Lane, where it disrupts the established symmetry and hipped roof form of the semi-detached pair. Even where views of the rear dormer are more limited, the alterations to the roof are appreciable within the CA and contribute to the erosion of the consistent roofscape that characterises this largely unaltered group.
9. While the hip-to-gable alteration is finished in brown roof tiles that broadly match the appearance of the adjoining semi-detached property, the rear dormer is clad in bright red tiles. These appear visually stark and discordant when viewed against

¹ Adopted in September 2015

the prevailing roof materials of the host dwelling and the wider group and fail to integrate with the established roofscape. As a result, this exacerbates the visual harm caused by its scale and form and further detracts from the character and appearance of the CA. Although the appellant has suggested that a condition could be imposed requiring the dormer to be re-clad in more sympathetic roof tiles, such a measure would not address the fundamental harm arising from the excessive scale, bulk and form of the dormer itself.

10. Section 177(1) of the Act allows me to grant planning permission in respect of the matters stated in the Notice as constituting a breach of planning control, whether in relation to the whole or any part of those matters or in relation to the whole or any part of the land to which the Notice relates. In this context, the appellant asserts that the Council's identified harm can be addressed through a revision to the constructed rear dormer. Specifically, it is proposed that the dormer be divided into two evenly spaced sections along the roof slope. An amended plan has been provided detailing this change (Drawing No: 2024/161 -07).
11. This 'alternative scheme' forms part of the matters alleged in the Notice, as it seeks to amend the unauthorised rear dormer roof extension which constitutes part of the breach. As such, I am able to consider it under Section 177(1) of the Act.
12. Whilst the appellant contends that the alternative scheme would achieve compliance with Policy DMHD1 of the Local Plan (Part 2), the rear dormer roof extension, by reason of the inclusion of the hip-to-gable element, fails to comply with criterion E(ii), which states that the Council will not support proposals to convert an existing hipped roof to a gable.
13. Consequently, whilst the alternative scheme represents an improvement compared to the existing rear dormer, the scale and form of the alternative scheme comprising rear dormers, when taken together with the hip-to-gable extension, would still result in a disproportionately large addition to the roof. This would fail to respect the form and proportions of the host dwelling and would appear at odds with the established character of the wider group of largely unaltered properties. I therefore find that the alternative scheme in respect of the alterations to the original roof, would not overcome the identified harm to the character and appearance of the dwelling, nor would it preserve the significance of the Conservation Area.
14. With regard to the porch, whilst it is relatively small and remains secondary to the main dwelling and has been designed to replicate the porch of the adjoining semi-detached property, the extensive use of white uPVC results in it appearing incongruous within the street scene. This is because other porches along Freemans Lane either incorporate a greater degree of glazing, resulting in a lighter and more recessive appearance, or where uPVC is used, it is not as extensive as that employed on the appeal site. As a result, the porch fails to conserve or enhance the character and appearance of the CA.
15. Paragraph 212 of the Framework advises that, when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. In this case, having regard to the scale and nature of the development and alternative scheme, the identified harm to the significance of the CA would be less than substantial. Paragraph 215 of the Framework states that such harm should be weighed against the public benefits of the development.

16. The appellant has not identified public benefits arising from the development or alternative scheme. Whilst the provision of additional living accommodation would primarily amount to a private benefit, the improvement of the housing stock could, in principle, be regarded as a public benefit. Nevertheless, even if such weight were to be attributed, given the scale and nature of the development, this benefit would attract only limited weight. It would therefore be insufficient to outweigh the less than substantial harm to the significance of the CA identified above.
17. For the above reasons, the development and alternative scheme have an unacceptable effect on the character and appearance of the dwelling and the significance of the CA. It therefore fails to preserve or enhance the character or appearance of the CA and conflicts with the duty under 72(1) of the Act. It is therefore contrary to Policies HE1 and BE1 of the Hillingdon Local Plan: Part 1- Strategic Policies², Policies DMHB12, DMHB11, DMHB4 and DMHB1 of the Hillingdon Local Plan: Part 2- Development Management Policies³ (Local Plan -P2) and Policies D4 and HC1 of the London Plan 2021. Collectively these policies aim to conserve and enhance conservation areas and require high quality good design that harmonises with local context taking into account scale and mass.

Other Matters

18. The appellant has addressed the impact of the development on neighbouring amenity; however, this matter was not cited as a reason in the EN. Accordingly, it does not form part of my consideration in this appeal, which is confined to the matters set out in the EN.

Conclusion on ground (a)

19. For the reasons given above, I conclude that the development and alternative scheme are contrary to the development plan, and material considerations do not indicate that the appeal should be determined otherwise than in accordance with that plan. The appeal under ground (a) therefore fails.

Appeal on Ground (f)

20. An appeal on ground (f) is brought on the grounds that the steps required by the notice, exceed what is necessary to remedy any breach of planning control which may be constituted by the matters stated in the notice as constituting a breach of planning control, or, as the case may be, remedy any injury to amenity which has been caused by such breach.
21. The EN requires the demolition of the dormer roof extension, hip to gable end and front porch. Therefore, I am satisfied that the purpose of the EN is to remedy the breach of planning control. The appellant agrees with this view.
22. The appellant proposes to overcome the Council's perceived harm by altering the constructed rear dormer by splitting it into two evenly spaced sections along the roof slope. This alternative scheme was considered in the ground (a) appeal, and I have found that it does not overcome the harm identified.
23. As the Notice seeks to remedy the breach of planning control, it is not excessive. It would not be possible to vary it in the manner suggested by the appellant while still

² Adopted in November 2012

³ Adopted on 16 January 2020

achieving that purpose. No alternative or lesser steps have been identified that would address the breach of planning control. I therefore find that the steps required by the Notice do not go beyond what is necessary. As no lesser measures have been shown to achieve the same result, the appeal on ground (f) fails.

Appeal on Ground (g)

24. An appeal on ground (g) is brought on the grounds that the period specified for compliance falls short of what is reasonable. Specifically, the appellant seeks an extension from three to six months to ensure that the family is not placed in financial hardship. This is because it is claimed that the costs of the required work would not be insignificant.
25. Although the appellant seeks an extension of time on financial grounds, this has not been demonstrated. No substantive evidence has been provided to support the claim, and there is an absence of any documentation or detailed information relating to the appellant's financial circumstances or the anticipated costs of the works required to comply with the Notice. In the absence of such evidence, the request for an extended compliance period is unsubstantiated.
26. Whilst the appellant asserts that there would be no public interest in placing the family in financial hardship and that the needs of the occupants should be taken into account, the needs of the occupants have not been demonstrated. As such, only limited weight can be afforded to these assertions, and they do not justify an extension of the compliance period.
27. Furthermore, the removal of the rear dormer roof extension, hip-to-gable end and front porch comprises straightforward building works that do not appear unduly complex or onerous and could reasonably be completed within the compliance period specified in the EN. Accordingly, there is no justification to extend the time allowed for compliance.
28. In determining what constitutes a reasonable period for compliance, I have had regard to the planning harm identified, which arises from the unauthorised development. The three month period represents a proportionate balance between allowing sufficient time to comply and ensuring that the breach of planning control is remedied promptly.
29. On the evidence before me, I am not persuaded that the compliance period is unreasonably short or that an extension to six months is necessary. Accordingly, the appeal on ground (g) fails.

Formal Decision

30. It is directed that the EN is varied by:

- the deletion of the words "*Remove the gable end dormer roof extensions, as well as the newly installed rooflights, and reinstate the pre-existing hipped roof as depicted on the drawing labelled PRE- Existing Elevations, Drawing No 2024/161-02 submitted with planning application reference 19257/APP2024/2805*"

and substitute with the words:

“Remove the rear dormer roof extension, incorporating hip to gable end and reinstate the pre-existing hipped roof as depicted on the drawing labelled PRE- Existing Elevations, Drawing No 2024/161-02 submitted with planning application reference 19257/APP2024/2805” in requirement i) of section 5 of the EN.

31. Subject to the variation, the appeal is dismissed, the EN is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act, as amended.

V Goldberg

INSPECTOR