



Appeal Decision

Site visit made on 25 August 2026

by **Stephen Hawkins MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 September 2026

Appeal Ref: APP/R5510/C/25/3358341

29 Grange Road, Hayes UB3 2RP

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Harpreet Singh Khalsa against an enforcement notice issued by the Council of the London Borough of Hillingdon.
 - The notice was issued on 26 November 2024.
 - The breach of planning control as alleged in the notice is without planning permission, erection of a rear dormer extension, 3 x front roof lights and conversion of roof from hip to gable end.
 - The requirements of the notice are: (i) Demolish the rear roof dormer extension, 3 x front rooflights and conversion of roof from hip to gable end situated to the rear of the property and return to pre-existing condition. (ii) Remove from the land all the debris, items, fixtures and fittings, building materials, plant and machinery resulting from the works listed above.
 - The period for compliance with the requirements is three months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (f) and (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.
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Decision

1. It is directed that the enforcement notice is varied by substituting '*three (3) months*' with '*six months*' as the period for compliance. Subject to this variation, the appeal is dismissed, the enforcement notice 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.

Preliminary Matters

2. The appeal property contains a semi-detached house. An appeal against the Council's refusal of a planning application which included erecting a rear dormer and hip to gable roof extension at the property was dismissed in November 2021.¹ This application is related to the enforcement notice, which attacks the dormer and hip to gable roof extension along with the installation of three rooflights. However, a period of more than two years passed following determination of the appeal before the notice was issued. Therefore, having regard to s174(2AB) of the Act (as amended) the ground (a) appeal is not barred.
3. My decision takes the revised National Planning Policy Framework (the Framework), which came into force during the course of the appeal, into account.

¹ Appeal Ref: APP/R5510/D/21/3274310

Ground (a) appeal

Main Issue

4. The main issue in this ground of appeal is whether the development preserves the character or appearance of the Hayes Village Conservation Area (CA).

Reasons

Character, appearance of the CA

5. The property is situated on the west side of Grange Road, which forms part of an established residential area and largely consists of a row of pairs of semi-detached houses, well-balanced in appearance and incorporating front bay windows along with hipped main roofs, arranged in a staggered fashion. A pair of houses further along the row however have hip to gable roofs and closer to the property are two detached bungalows.
6. One of the defining features of the CA is its public open spaces, including formal areas such as Barra Hall Park and the Norman Leddy Memorial Gardens, as well as less formal ones. The significance of the CA is derived in no small measure from these distinctive areas of interconnected open and wooded green spaces, as well as from the varied townscape of historic buildings and building groups dating from the medieval period up to the 20th Century.
7. The property faces towards the Norman Leddy Memorial Gardens. Together with neighbouring properties in the row, it forms part of the background to the well planted verge between this part of Grange Road and Wood End Road and the green open space beyond. The CA Appraisal document refers to the wide grassy verges and planting, along with the brick wall opposite the row-a surviving boundary of the now demolished Wood End House-as significant features of this part of Grange Road.
8. The Inspector in the previous appeal found that the hip to gable extension contrasts with the hipped roof of the neighbouring attached house, unbalancing the symmetry of the pair of properties and appearing awkward and obtrusive, harming the original form and appearance of the property. They also found that the dormer appeared overlarge and bulky and as a disproportionate addition in local views. The Inspector went on to find that the property and its altered roof form are in a prominent position, visible through gaps in the verge vegetation and notwithstanding some variety in built form and scale on Grange Road, have a negative visual impact on the CA by harming the symmetrical rhythm of the street scene.
9. The previous appeal decision is a material consideration. Although I am not bound by that decision, there would have to be very clear reasons for my reaching significantly different findings to those of the previous Inspector in this matter. The development is substantially similar to in the previous appeal. There is little in the appellant's evidence which was not considered by the previous Inspector in their assessment of the effect of the development on the character and appearance of the CA. There is also scant evidence of any material change in the circumstances having occurred at or in relation to the property since the previous appeal was determined.

10. My attention was drawn to a hip to gable roof extension and rear dormer erected at 4 Grange Close. Even so, the circumstances in which those works originated are not comparable with the development. That property is not in the CA. Also, the Council had no opportunity to consider the planning merits of the works, which were permitted by the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended).² The previous Inspector noted that the development at 17 Grange Road *'harmonises well with the character of the road as it is of a comparable scale to neighbouring properties and features a hipped roof'*. Accordingly, neither of these examples weighs significantly in favour of granting permission for the development. No details were supplied of any other example developments for comparison.
11. Consequently, having undertaken my own assessment there is little sound reason to not share the previous Inspector's conclusion that the development harms the character and appearance of the house and the CA. This conflicts with Policy BE1 of the Hillingdon Local Plan Part 1-Strategic Policies, which requires new developments to, amongst other things, achieve a high quality of design, enhancing local distinctiveness. It also conflicts with Policy DMHB 4 of the Hillingdon Local Plan Part 2-Development Management Policies (LP), which requires alterations and extensions to buildings in Conservation Areas to preserve or enhance the character or appearance of the area. Furthermore, it conflicts with LP Policy DMHB 11, which requires new development to be designed to the highest standards, including by harmonising with the local context, as well as LP Policy DMHD 1, which requires that extensions to dwellings do not have an adverse cumulative impact on the character, appearance or quality of the street or wider area and respect the design of the original house, amongst other things.
12. However, LP Policy DMHB 12 is of little relevance, for similar reasons to those set out in the previous appeal. Nor is there conflict with the strategy for delivering good design in Policy D4 of the London Plan, given the modest scale of the development.
13. The appellant suggested that the hip to gable extension and front rooflights could be retained. This suggestion was made in the context of the ground (f) appeal. However, it is appropriate to consider whether planning permission should be granted for the hip to gable and front rooflights as they are part of the matters stated in the notice and so form part of the development in the deemed planning application arising from the ground (a) appeal. At s177(1), the Act provides that planning permission may be granted in respect of the whole or part of the matters stated in the notice as constituting a breach of planning control. Also, planning enforcement is meant to be a remedial measure. Accordingly, whether the planning difficulties could be overcome at less cost and disruption than total removal of the development is a relevant consideration.
14. Nevertheless, retaining the hip to gable extension would perpetuate the disruption in the sense of symmetry and visual imbalance to the pair of properties, with its consequent harm to the character and appearance of the house and the CA. Although not harmful to the CA in themselves, two of the rooflights are part of the hip to gable extension. The appellant also suggested reducing the size of the dormer after reinstating the hipped roof. Even so, in the absence of further details, I am not persuaded that this would overcome the objections to the as-built dormer.

² Council Ref: Ref: 10478/APP/2009/127

As a result, neither of the appellant's suggestions represents an obvious alternative to removal of the development.

Other Matters

15. The development has undoubtedly improved living accommodation at the property for the appellant and their family. However, this matter can only be afforded limited weight.
16. I acknowledge the appellant's concerns that they received inaccurate advice on the need for planning permission during the development and the considerable confusion and upset this has subsequently caused. Even so, Council Building Control teams are not required to advise on the need for planning permission. Whilst works at the property were approved under the Building Regulations, that has little relevance to the planning considerations. Nor can the Council's approach in the enforcement investigation have any bearing on my deliberations.

Planning Balance & Conclusion

17. The Framework requires that any harm to a designated heritage asset is treated as a matter of considerable importance and weight. It also requires that where development harms the significance of a designated heritage asset, the effect on the asset and its significance is weighed against any resulting public benefits. The development provides scant public benefit. Consequently, there is little which would outweigh the harm caused to the significance of the CA as a designated heritage asset.
18. The failure to preserve the character and appearance of the CA is in conflict with the Development Plan, taken as a whole. There are no material considerations which indicate the decision should be made other than in accordance with the Development Plan. Therefore, I conclude that the ground (a) appeal should not succeed.

Ground (f) appeal

19. The ground of appeal is that the notice requirements are excessive.
20. An enforcement notice can have the purpose of remedying the breach of planning control, including by restoring the land to its condition before the breach took place, or it can have the purpose of remedying any injury to amenity caused by the breach. Although the notice does not state as such, its purpose must be to remedy the breach. The notice requires no less than removal of the unauthorised development, following which the property would be restored to its condition before the breach took place.
21. The suggested alternatives of retaining parts of the unauthorised development have been considered above. In the context of the ground (f) appeal, any requirement which involved part of the unauthorised development remaining in situ would sustain part of the breach and would not achieve the purpose of the notice, as the property would not be restored to its condition before the breach took place. A requirement to submit a planning application for a smaller dormer would be lacking in certainty, as the appellant would be unable to tell from the notice what they must do to comply. No other alternative to the notice steps was suggested and to my mind, nothing short of those steps would remedy the breach.

22. Therefore, the notice requirements are not excessive and are proportionate, being the minimum actions necessary to remedy the breach and so achieve the purpose of the notice. The ground (f) appeal fails.

Ground (g) appeal

23. The ground of appeal is that the time specified for complying with the notice requirements falls short of what should reasonably be allowed.
24. The remedial works would entail the extensive reconfiguration of the roof of the house, also possibly affecting accommodation on other floors. It is highly likely that a temporary scaffold roof covering would need to be erected over the main roof before the works could commence and then remain in place for their duration, to ensure that the property remains weathertight. Consequently, whilst perhaps not great in scale the works would be reasonably involved and time-consuming, as well as being likely to involve a substantial financial commitment on the part of the appellant.
25. It is doubtful whether the works could commence shortly after the appeal decision, as in practice the appellant would firstly have to arrange for any necessary funding, search for and secure the services of a firm of suitably experienced building contractors and then wait for those contractors to become available once instructed. Even in the unlikely event that this all occurred fairly promptly, it is entirely possible that the contractors would find it challenging to complete the works within the three-month period specified in the notice.
26. In the circumstances, a six-month compliance period would be reasonable. This would afford sufficient time for the appellant to arrange for funding the works and to instruct their preferred contractors, as well as allowing a reasonable period for the contractors to become available and for them to carry out and complete the works. It would also offer the appellant an opportunity to explore the feasibility of erecting a smaller rear dormer after reinstating the hipped roof. As so extended, the compliance period would therefore strike an appropriate balance between remedying the breach as soon as practicable, whilst not placing a disproportionate burden on the appellant. The ground (g) appeal succeeds to that extent.

Conclusion

27. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice with a variation and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Stephen Hawkins

INSPECTOR