



Appeal Decision

Site visit made on 7 April 2025

by F P Tinsley MA (Hons) MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th May 2025

Appeal Ref: APP/T5150/W/25/3359075

10 Mordaunt Road, Brent, London NW10 8NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Sikander against the decision of the Council of the London Borough of Brent.
 - The application reference is Ref: 24/2481.
 - The development proposed is described as 'single-story rear extension.'
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Decision

1. The appeal is allowed, and planning permission is granted for - 'single-storey rear extension' at 10 Mordaunt Road, Brent, London NW10 8NU in accordance with the terms of the application, Ref: 24/2481, subject to the following conditions:
 1. This development must be begun within three years from the date of this permission.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Y2128-2024-A01- LOCATION AND BLOCK PLANS
Y2128-2024-A10- EXISTING PLANS
Y2128-2024-A11- EXISTING SECTION
Y2128-2024-A12- EXISTING ELEVATIONS
Y2128-2024-A20 REV 01- PROPOSED PLANS
Y2128-2024-A21- REV 01- PROPOSED SECTIONS
Y2128-2024-A22- REV 01- PROPOSED ELEVATIONS
 3. No development above ground level other than demolition works shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is the effect of the proposed single storey rear extension on the living conditions of the occupiers of 12A Mordaunt Road with regard to outlook and light.

Reasons

3. The appeal site consists of a vacant retail/commercial unit, formerly used as a laundrette. The area has a mixed character, with Harlesden Station located within 50 metres of the site on Acton Lane. The property sits at the end of a small parade of commercial units, adjoining a terrace of two-storey dwellings. The site backs onto the rear gardens of flats on Milton Avenue.
4. The neighbouring property at 8 Mordaunt Road (No.8) is a hot food takeaway with a single-storey rear extension that occupies most of the rear garden. The other neighbouring property at 12 Mordaunt Road (No.12) is a dwelling, comprising a residential flat on the ground floor (No.12A) and another flat on the first floor.
5. The proposal would involve demolishing the existing single-storey rear extensions and constructing a new single-storey extension. The new extension would span the full width of the plot and extend almost to the end of the garden, leaving a small yard area between the extension and the rear boundary fence.
6. The commercial properties in the parade to the east of the appeal site all have large single-storey rear extensions like that proposed.
7. My attention has been drawn to a previous appeal decision on the site (Appeal Ref: APP/T5150/W/24/3336695), which refused planning permission for a single storey rear extension on a similar footprint on the appeal site due to the adverse effect on the living conditions of the occupants of No.12A with particular regard to outlook and light.
8. The current scheme is different to the previous proposals and seeks to address the previous reasons for refusal. The main difference relevant to the main issue in this appeal is that the proposed height of the eaves along the boundary shared with No.12A would be reduced to 2 metres (m) from 3m on account of a part-sloping roof being proposed. This would be only marginally higher than the existing boundary fence and would be approximately the same height as the eaves of the existing flat side extension which will be removed as part of the proposed development.
9. I am satisfied that the proposal will not have a harmful effect of the light available to occupiers of No.12A. The sloping roof means that light to the side window on No.12A will now not be diminished compared to the previous proposal referred to above. There will be negligible difference to the existing situation or the appellant's fallback position where a fence or wall could be erected along the boundary up to 2m in height.
10. The sloping roof would also act to significantly improve the lighting available to the rear garden area of No. 12A compared to the previous proposal, and will act to prevent unacceptable levels of overshadowing considering the south facing aspect of the rear garden.
11. The revised design of the proposed rear extension compared to the previous proposal will reduce the apparent massing and bulk of the extension when viewed from No.12A. Subject to the use of appropriate materials that match the existing main building and which can be achieved by means of condition, the resulting relationship between the proposed extension and No.12A would be acceptable in

the context of what is an interface point between a predominately commercial area to the east and residential area to the west.

12. Accordingly, I conclude that the proposal would be acceptable and would not harm the living conditions of occupiers of No.12A with regard to outlook, overshadowing or increased sense of enclosure. The development would therefore comply with Policy DMP1 of the Brent Local Plan 2019-2041 (2022). This requires, amongst other things states development will be acceptable provided it is of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design that provides high levels of internal and external amenity and complements the locality.

Conditions

13. The National Planning Policy Framework states that conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and the development to be permitted, enforceable, precise, and reasonable in all other respects. I have reviewed the conditions proposed by the Council against the Framework and, where necessary, amended their wording to enhance effectiveness and precision.
14. To ensure certainty and clarity, I have imposed the standard conditions relating to the commencement of development and approved plans.
15. In the interests of safeguarding the character and appearance of the area and the living conditions of occupiers of No. 12A with regard to outlook, full details of the external facing materials to be used must be submitted to the Council for approval prior to the commencement of development above ground level, other than demolition works.

Conclusion

16. I have found that the proposal complies with the development plan and no material considerations have been identified which would indicate that the requirements of the development plan should be set aside.
17. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be allowed.

F P Tinsley

INSPECTOR