



Appeal Decision

Site visit made on 15 July 2025

by Stephen Hawkins MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 July 2025

Appeal Ref: APP/T5150/C/23/3325244

189 Chaplin Road, Wembley HA0 4UP

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Ms Bavani Satkunarajah against an enforcement notice issued by the Council of the London Borough of Brent.
 - The notice was issued on 26 May 2023.
 - The breach of planning control as alleged in the notice is without planning permission, the erection of a first-floor extension, which links the single storey rear extension with dormer window roof extension ('the unauthorised development').
 - The requirements of the notice are: 1. Demolish the first-floor extension, which links the single storey rear extension with dormer window roof extension. 2. Remove all debris and items arising from this demolition and remove all materials associated with the unauthorised development from the premises.
 - The period for compliance with the requirements is six months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) 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. 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 Matter

2. My decision takes into account the revised National Planning Policy Framework (the Framework), which came into force during the course of the appeal.

Ground (a) appeal

Main Issues

3. The main issues in this appeal are:
 - The effect of the first-floor extension on the character and appearance of the dwelling and the surrounding area.
 - The effect on the living conditions of occupiers of neighbouring residential property, having regard to outlook.

Reasons

Character and appearance

4. The appeal site contains a semi-detached, two storey dwelling. The enforcement notice attacks a first-floor extension ('the extension') erected at the rear of the dwelling, over part of a previous single storey addition. The dwelling has also previously been enlarged by a hip-to-gable roof and rear dormer. A two-storey addition is currently under construction at the side of the dwelling.
5. The dwelling occupies an established suburban residential setting, generally consisting of pairs of semi-detached two storey and single storey properties of similar age, architectural style and external materials, standing in comfortably sized plots. The dwelling and most of the neighbouring properties have a well-balanced appearance, incorporating stepped rooflines with comparable roof forms and having curving bay windows with projecting hipped features above on the principal elevations. These factors contribute to the pleasant and coherent suburban residential character and appearance of the surrounding area.
6. The extension is of relatively modest scale, protruding about 3 metres from the original rear elevation and being less than half the width of the dwelling. The extension nevertheless has a shallow angled, partly hipped, part lean-to roof form which, adjoining part of the rear dormer, appears largely separate from the main roof of the dwelling. The shallow angle and unequal shape of the extension roof and its juxtaposition to the main rear roof slope gives the extension an awkward, asymmetrical appearance which does not sit easily with the steeper angled, more equal roof slopes and balanced elevations typical of the dwelling and other residential properties in the vicinity. As a result, the extension fails to integrate satisfactorily with the dwelling and it appears as an unsympathetic and alien addition, at odds with the prevailing pattern of local development. Although there are limited public views of the extension, its harmful visual consequences are readily apparent from neighbouring residential property.
7. The Council's Residential Extensions and Alterations Supplementary Planning Document 2 (SPD) advises that the roof of a two-storey rear extension should match the original roof in terms of its design, shape and materials. The SPD also advises that it is often not possible to erect a two-storey rear extension where there is a rear dormer, as this can result in an unacceptable design. The failure of the extension to follow the SPD advice in this respect underpins my concerns regarding the visual harm caused.
8. In reaching my findings on this matter, I am mindful that there are a number of substantial residential extensions with varying roof forms in the surrounding area. However, as far as I could see, none of these extensions have a roof which is comparable to that of the appeal extension, or similar visual consequences. Moreover, as I was not provided with any details it is not possible to assess whether planning permission was granted for other extensions in the locality in similar circumstances to those which apply in this appeal.
9. Therefore, the extension causes unacceptable harm to the character and appearance of the dwelling and the surrounding area. This is in conflict with Policy DMP1 of the Brent Local Plan 2019-2041(LP), which requires development to, amongst other things, complement the locality in terms of its detailing and design.

It is also in conflict with LP Policy BD1, which requires development to be of the highest architectural and design quality.

Living conditions

10. In my estimation, the extension is about 4 metres from the nearest windows lighting habitable rooms in the rear elevation of the neighbouring attached property, 191 Chaplin Road (No 191). The outlook from ground floor windows at No 191 is already somewhat constrained by the single storey rear addition at the site. Even so, due to its depth, height and consequent scale, the extension is seen as a significant additional built feature from the nearest first floor window at the rear of No 191. This has led to occupiers of No 191 experiencing an appreciably more restrictive and oppressive sense of enclosure at the rear of their property and in so doing, has significantly and harmfully eroded the level of outlook they previously enjoyed.
11. The SPD advocates a 1:2 rule for two-storey extensions, so as to safeguard the living conditions of occupiers of neighbouring residential property. The depth of the extension is in excess of half the distance to the centre of the nearest windows of habitable rooms in the rear elevation at No 191. The failure to follow the 1:2 rule reinforces my concern over the harmful effect of the extension on the level of outlook previously enjoyed by occupiers of No 191.
12. In my estimation, the distance between the extension and the closest windows lighting habitable rooms in the rear elevation of the neighbouring property at 187 Chaplin Road (No 187), is much greater compared to at No 191. Having regard to the depth and scale of the extension, the distance to the windows in question is such that there has been little erosion in the level of outlook enjoyed by occupiers of No 187. Nor does the extension fail to follow the 1:2 rule in this respect. However, that does not alter my overall findings on this matter.
13. Therefore, the extension also causes unacceptable harm to the living conditions of occupiers of neighbouring residential property. This is in conflict with LP Policy DMP1, which requires development to, amongst other things, be of a scale, detailing and design which provides high levels of internal and external amenity.

Conclusion

14. The extension harms the character and appearance of the dwelling and the surrounding area, as well as the living conditions of occupiers of neighbouring residential property, in conflict with the Development Plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the Development Plan. Therefore, for the reasons given, I conclude that the appeal should not succeed. I shall uphold the enforcement notice 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