



Appeal Decision

Site visit made on 16 July 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 August 2025

Appeal Ref: APP/T5150/W/25/3362134

5A Neeld Parade, Wembley Hill Road, Wembley HA9 6QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Sivarupan P against the decision of the Council of the London Borough of Brent.
 - The application Ref is 24/0931.
 - The development proposed is the conversion of 3 bedroom maisonette to two self contained flats.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposed development would provide acceptable living conditions for future occupiers.

Reasons for the Recommendation

4. The appeal site comprises three storeys that are currently used as a single dwelling above a food establishment that occupies the ground floor. The building is part of a row of terraces that predominantly appears to have commercial units on the ground floor and residential uses above.
5. The proposed plans show a one bedroomed flat on the first floor with a three bedroomed flat split across the upper two floors. Policy BH11 of the Brent Local Plan 2022 (BLP) sets out criteria where the conversion of family sized dwellings to two or more other dwellings might be acceptable. The Council consider that the principle of the proposal would comply with requirements and I have no reason to disagree. However, it appears that the crux of the matter boils down to whether the three bedroomed flat would provide adequate space.
6. Both parties appear to agree that the gross internal floor area for the two storey three bedroomed flat with five bed spaces would be below the standards set out in Policy D6 of the London Plan 2021 (LP). This might not be by a significant amount, but D6 contains expressed minimums. There is no compelling evidence before me to justify why I should accept an amount below that. To do so would undermine the housing quality aims of the development plan. The proposal would therefore

provide unacceptable living conditions for future occupiers of the flat with regard to floor space.

7. The ceiling heights of each room of the proposed development would provide adequate space to be occupied in the manner that is demonstrated on the submitted plans. This would enable comfortable movement around each room and therefore would not cause harm to the living conditions of the future occupiers with regard to ceiling height.
8. Nevertheless, given the inadequate floor space proposed for the three bedroomed flat, I remain to be convinced that the proposed conversion of the existing family sized dwelling would result in the provision of an acceptable three bedroom dwelling. The proposal would therefore be contrary to what Policy BH11 of the BLP seeks to achieve and Policy D6 of the LP as I have set them out.

Conclusion and Recommendation

9. I have found a lack of harm relating to ceiling height, but this would be neutral and thus incapable of weighing in favour of the scheme. There would be harm and subsequent development plan conflict regarding internal floor space. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with the development plan. I therefore recommend the appeal be dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR