



Appeal Decision

Site visit made on 27 August 2025

by **F Harrison BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25th September 2025

Appeal Ref: APP/T5150/W/25/3367754

36 Uxendon Crescent, Wembley, Brent HA9 9TN

- 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 Imran Anjum against the decision of the Council of the London Borough of Brent.
 - The application Ref is 24/3091.
 - The development proposed is described as the construction of a front porch, a single-storey rear extension, a first-floor infill, a loft conversion from a hip to a gable roof, floor plan redesign, external landscaping, and all associated works for the existing semi-detached house, the property will be converted into a 6-bedroom House in Multiple Occupation (HMO).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Several revised plans have been submitted. The revised proposed floor plan shows a different internal arrangement of the accommodation and includes layouts for each of the rooms. The revised proposed elevations plan corrects an error regarding the scaling of the front porch and shows an amended window arrangement at the rear ground floor level. The revised proposed landscaping plan and proposed site plan shows landscaping, cycle and bin storage. Overall, the revised plans do not fundamentally alter the appeal proposal, would not alter the development description from that originally applied for and the Council and interested parties have had the chance to comment on them in their submissions. I have therefore had regard to the revised plans in my decision.
3. Since the Council determined the application, the Residential Extensions and Alterations Supplementary Planning Document (SPD) (2025) (REA SPD) has been adopted, which the Council confirm has superseded a previous SPD. The parties have had the opportunity to comment on the implications of the REA SPD for the appeal scheme, and I have taken it into account in my decision.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - the effect of the proposal on the living conditions of the occupiers of 34 and 38 Uxendon Crescent, with regard to outlook and daylight;

- whether acceptable living conditions for future occupiers of the proposed development would be provided;
- and whether the proposal would promote sustainable modes of transport.

Reasons

Character and appearance

5. The appeal property is a previously extended semi-detached dwelling within a residential street. Despite some differences in appearance, the properties on Uxendon Crescent nearest to the appeal site are in general harmony with each other and there is manifest uniformity in the roofscape, owing to the consistency in hipped roofs which creates a clear sense of balance that contributes positively to the character and appearance of the area.
6. The proposed front porch would be seen in the context of other porches of varying appearance. It would be modest in projection from the main elevation and given the size of the dwelling, the proposed height, width and depth of the porch would not dominate the main elevation of the appeal property. However, as set out in the REA SPD, roof design is a significant part of an area's character, and advises that hip to gable conversions should be considered against the roof design of any other extensions at the original property. The existing first floor extension would be modestly increased to the rear. However, owing to the proposed change in the roof of the main property, the first-floor extension hipped roof would no longer match.
7. The introduction of a gabled roof next to the hip of the first-floor extension roof would appear disjointed and have an awkward presence owing to the difference in ridge height. As such, there would be limited visual harmony and continuity between the first-floor extension and the main dwelling roof design and in doing so it would draw the eye. Together, the gable roof design with the first-floor hipped roof would not sit comfortably within the roofscape and predominance of hipped roofs nearby and would be a discordant feature that would detract from the otherwise harmonious character and appearance of the area.
8. Notwithstanding that the dormer extension at the rear would be set down from the ridge and set up from the eaves, the proposed window on the outward face would not align with those at the first floor. In doing so, the design of the dormer extension would not enhance the coherence of the elevational treatment at the rear of the main dwelling as intended. The proposed ground floor extension has been designed to provide additional bedrooms and maximise space to enhance quality of life. Nevertheless, the depth of the ground floor extension would harmfully exceed the advice in the REA SPD. Despite the sloping roof at the shared boundaries, it would appear as a dominant addition that would not be consistent with the form and scale of the existing property.
9. Overall, the proposed development would have a poor degree of integration with the existing dwelling and would unbalance the prevailing character and appearance of the area. This would be contrary to the advice in the SPD that extensions or alterations to existing extensions should be well designed and integrated with the main dwelling. The scheme would also not optimise site capacity as required by Policy D3 of the London Plan (2021) which includes a requirement for a design led approach to determine the most appropriate form of development that responds to a site's context. That would not be the case for the appeal scheme.

10. I have considered the other examples of roof extensions, of which there are several, and therefore a feature of the wider area. However, the context of the examples and the relationship with the street scene differs. None of the examples are located on Uxendon Crescent, nor are they in a location where there is characteristic uniformity in the roofscape. As such, they are not directly comparable with the appeal scheme. Therefore, any comparison with other examples does not indicate that the form of the proposal would sit comfortably within its setting.
11. In conclusion, the proposal would be unduly harmful to the character and appearance of the area and would be in conflict with Policies DMP1 and BD1 of the Brent Local Plan 2019-2041 (2022) (BLP). Amongst other things, these policies require the scale, detailing and design of a development to complement the locality, delivering high quality design.

Living conditions – occupiers of Nos 34 and 38

12. The proposed rear ground floor extension would be on the shared boundary with Nos 34 and 38. Both the neighbouring properties have been extended to the rear. Nevertheless, owing to the long linear gardens the occupiers currently have a generally open and unrestricted outlook towards their rear gardens.
13. While of a low height and partially screened by the existing boundary treatment, the rear extension would be of a significant length proximate to the shared boundaries. The sloped roofline of the rear-most portion of the extension would limit the vertical bulk of the extension closest to the boundary. However, the proposal would still result in a noticeable difference in the built form above a substantial length of the shared boundary. The physical and visual presence of the proposal would result in an uncharacteristic degree of enclosure. Given the prevailing sense of openness at the rear of these properties, the resultant narrowed outlook from the nearest ground floor windows, and the private outdoor space would be detrimental to the living conditions of the occupiers.
14. The harmful effect on outlook would be exacerbated at No 38 owing to the discernible difference in ground levels with the appeal property being at a higher level. The existing extension at No 34 and the proposed ground floor extension at the appeal site would result in a relatively narrow gap between properties. The resultant tunnelling effect would harmfully narrow the outlook from the closest ground floor window at No 34.
15. Nos 34 and 38 have south facing rear windows that are not unduly small. Given the modest size increase at the first-floor infill extension and the ground floor extension being single storey, the reduction in the amount of daylight these properties and gardens would receive would not be significant and would not diminish the living conditions of the occupiers. In coming to this conclusion, I have taken account that at No 34 daylight levels are already reasonably impacted by the existing rear extension to this property. Both parties refer to the 45-degree rule and the 1:2 test as a guide to assess whether the proposal would result in a loss of daylight. Irrespective of whether the tests would be met, neither are a specific requirement of the development plan and in any event, I have come to my own view.
16. Despite the rear ground floor rooms being communal spaces rather than the previously shown private bedrooms, there is no clear evidence that this would result in increased noise and disturbance to neighbouring occupiers. Moreover, a management plan has been submitted which could be secured through the

imposition of a condition that would ensure that the development delivers a high standard of amenity.

17. For the reasons given, the proposal would be harmful to the living conditions of the occupiers of Nos 34 and 38, with regard to outlook and would be in conflict with BLP Policy DMP1, which includes a requirement for the scale, detailing and design of a development to complement the locality and provide high levels of internal and external amenity.

Living conditions – future occupiers

18. The proposed bedrooms are well proportioned, and the revised proposed floor plan shows internal arrangements which indicate that there is sufficient space in each bedroom for a bed, bedside table, wardrobe/chest of drawers, sitting area and a desk and chair. The furniture would be suitably sized and arranged such that there would be a comfortable and functional layout in each bedroom. As such the bedrooms have been designed to maximise the usable internal circulation space in line with the advice in the HMO SPD (2022) The provision of a desk and chair would also allow future occupiers to work from home, as advised in the HMO SPD. The ensembles in each bedroom are shown to accommodate a toilet, basin and shower in a reasonably functional layout that is fit for purpose.
19. The revised proposed floor plan shows a kitchen and communal area on the ground floor and indicates that the kitchen has sufficient space for two sets of facilities in line with the HMO SPD guidance, as well as a table and chairs. The communal area is shown to accommodate two seating areas, including soft seating and further desk and chairs for homeworking capability. As such there would be appropriate communal facilities for the future occupiers so that they would not have to spend all of their time in their private rooms, improving social integration. Furthermore, the revised internal arrangement of accommodation relocates the bedrooms from the ground floor to the rear, removing any potential privacy issues with the outdoor amenity space and avoids the stacking of a communal space over a bedroom, reducing the potential for disturbance to occupiers.
20. Overall, acceptable living conditions for future occupiers of the proposed development would be provided, in accordance with BLP Policies DMP1 and BH7. Amongst other things, these policies require development to be of a design that provides a high level of internal amenity and that proposals for residential accommodation with shared facilities is of an acceptable quality for the needs of its occupants with appropriate communal facilities.

Sustainable modes of transport

21. The HMO SPD advises that parking provision for HMOs should be based on the number of bedrooms, with a maximum standard of one space per 10 beds. On this basis, no spaces should be provided at the appeal site. While the submitted plans do not show the number of car parking spaces at the site, there is ample space for several cars to park on the area of hardstanding in front of the property. Despite the appeal site's proximity to public transport, the proposed policy compliant cycle parking and even if the area of hardstanding were to incorporate an element of soft landscaping, the provision of any car parking spaces is contrary to the relevant standard for the appeal scheme.

22. While retaining car parking at the site would offer choice and flexibility to future occupiers who may have a requirement to own a car, it would not prioritise sustainable travel as required by the development plan and the National Planning Policy Framework. It is also indicated that the appeal scheme would prevent displacement parking on the street. However, there is no substantive evidence that parking could not safely take place on the street, if required, and I note that the Council's transport planning team state that Uxendon Crescent is not noted as being subject to parking pressures. Notwithstanding that car parking at the site already exists, BLP Policy BT2 is clear that the removal of parking spaces is encouraged in support of prioritising sustainable travel choice.
23. In conclusion, the proposal would not promote sustainable modes of transport and would be in conflict with BLP Policies BT1 and BT2, which prioritise active and sustainable travel over private motor vehicles and require developments to provide parking consistent with the relevant standard, encouraging the removal of surplus parking spaces.

Other Matters

24. It is not disputed that the use of the appeal property as an HMO would be acceptable in principle. The proposal is also said to provide affordable accommodation for young professionals, for which there is demand, contributing to the housing options in Brent. Although there would be no significant consequences for neighbouring occupiers living conditions regarding noise and disturbance, privacy and satisfactory bin storage could be achieved, these matters, and any other policy compliance including urban greening and outdoor amenity space, are neutral factors which weigh neither for nor against the appeal scheme. The Council's handling of the application has not affected my consideration of the planning merits of the case.

Conclusion

25. Although the proposal would provide acceptable living conditions for the future occupiers, it would be unduly harmful to the character and appearance of the area, would be harmful to the living conditions of the occupiers of Nos 34 and 38 and would not promote sustainable modes of transport. As such, my above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR