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## Appeal Decision

Site visit made on 23 September 2025

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 November 2025

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**Appeal Ref: APP/T5150/W/25/3369833**

**110-112 Igar 2 Hotel, Salusbury Road, Brent, London NW6 6PB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
  - The appeal is made by Mr Ibrahim Al Khalil against the decision of the Council of the London Borough of Brent.
  - The application Ref is 24/3199.
  - The development proposed is described as 'extension of existing Igar Hotel, including extensions to basement, ground, first and second floors. Reconfiguration of existing layout and ancillary works.'
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The appellant has provided additional information as part of the appeal. This includes a management plan and amended plans which indicate that several of the bedrooms would be single rather than double.
3. The Inspectorates Procedural Guide on Planning Appeals makes it clear that the appeal process should not be used to evolve a scheme. As such, I have not taken the additional and amended information into account in this instance.
4. This approach is supported by the Wheatcroft<sup>1</sup> and Holborn<sup>2</sup> principles where it is highlighted that a series of small, incremental proposed amendments to a scheme could result in a substantial difference or a fundamental change. I am additionally concerned about potential procedural failings were I to accept this new evidence, particularly given the comments of consultees who may not be fully aware that the appeal proposal is of a different nature to that which was originally put forward. Thus, there may be a procedural unfairness to these, and other, parties.

### Main Issues

5. The main issues are:
  - whether the proposed development would provide suitable living conditions for occupants with regard to floor space of bedrooms and shared facilities in regard to floor space and light;
  - the effect of the development on the living conditions of neighbouring occupants in regard to noise and disturbance;

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<sup>1</sup> Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]

<sup>2</sup> Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

- the effect of the development on the character and appearance of the host property and area and the significance of the Queen's Park Conservation Area (CA) as a designated heritage asset; and
- the effect of the development on the living conditions of the occupants of 114 Salusbury Road with regard to light and outlook.

## Reasons

### *Living conditions of occupants*

6. The building as existing provides temporary accommodation to homeless people within 22 bedrooms. The proposed development is for the extension and internal alterations to the building to increase the capacity of the facility to 33 bedrooms. Shared facilities include a kitchen and an open plan sitting and dining area at basement level.
7. Policy BH7 of the London Borough of Brent, Brent Local Plan 2019-2041 (BLP) requires that accommodation with shared facilities, is of acceptable quality and meets the needs of its occupants, including appropriate communal facilities. Paragraph 6.2.62 of the justification of policy BH7 also states that 'where self-contained rooms are proposed they will be assessed against the London Plan Policy D6 Housing quality and standards'.
8. In order to ensure individuals, have sufficient space to accommodate their needs Policy D6 of the London Plan 2021 states that double bedrooms should have a minimum floor area of 11 sqm. Based on the evidence before me six of the proposed double bedrooms would not meet the minimum space standards.
9. The submitted plans indicate that the building would have the capacity to accommodate up to approximately 53 individuals within 33 bedrooms, over several floors. As the building provides temporary accommodation to individuals that would otherwise be homeless. It is acknowledged that a pragmatic approach should be adopted when balancing the provision of communal facilities and maximising the capacity of the building in order to accommodate as many people as possible.
10. The majority of the bedrooms may be of an acceptable size. Still, it is reasonable to expect that occupants will also have suitable space in which to prepare food, dine and mix with fellow residents as social interaction is important for mental health and well-being.
11. As detailed above, a single kitchen and communal dining and sitting area is proposed in the basement. These communal rooms would not have windows and therefore no natural light or ventilation. It is acknowledged that it is unlikely that all occupants would use the communal facilities at the same time. However, there is likely to be points throughout the day, such as mealtimes where the use of communal facilities would be in demand. In light of this, considering the capacity of the building the communal facilities are insufficient and, given a lack of natural light and ventilation, of poor quality.
12. For the reasons detailed above the proposed development would fail to provide suitable living conditions for occupants with regard to floor space of bedrooms and shared facilities in regard to floor space and light. Therefore, it would conflict with Policy BH7 of the BLP and Policy D6 of the London Plan 2021 (LonP) which set minimum space standards and requires that accommodation with shared facilities is

of an acceptable quality meeting appropriate standards of needs of its occupants, including appropriate communal facilities.

#### *Noise and disturbance*

13. Based on the evidence before me, and my own observations, it is reasonable to suggest that the property could be used as a hotel and is currently in use as a facility that provides homeless accommodation. The proposed development would increase the capacity of the building, and it is acknowledged that good management practice must be put in place to manage occupant behaviour.
14. It is evident from the information before me that the host property is not directly comparable to a family dwelling, mainly because it provides individuals with a place of residence on a temporary basis. Notwithstanding this, the level of activity of those living within the facility is unlikely to be significantly greater than that of people staying in a hotel. I note that the facility has been in operation for some time and the Council has provided no substantive evidence to demonstrate that this use has resulted in disturbance to neighbouring properties.
15. Notwithstanding the above, criteria (c) of Policy BH7 of the BLP requires that accommodation with shared facilities includes management arrangements agreed with the Council in order to preserve the residential amenity of neighbouring occupants. In this instance an updated management plan was not provided in support of the application for planning permission. As such there is no substantive evidence before me to clearly demonstrate that the host building would be effectively managed in order to ensure that noise and disturbance would be controlled.
16. For the reasons detailed above there is insufficient evidence before me to demonstrate that the proposal would not have a harmful effect on the living conditions of neighbouring occupants in regard to noise and disturbance. Therefore, the development is in accordance with Policy BH7 of the BLP which requires that management arrangements for accommodation with shared facilities is agreed by the Council.

#### *Character and appearance*

17. The building is positioned within a three storey terrace. To the front the properties within the terrace are not altered to a material degree, and their design includes decorative window heads and plaster detailing, with feature key stones. To the rear, most buildings on the terrace have been extended, to varied degrees, in a mix of designs including paired pitched-roofed rear outriggers and simple flat roofed extensions.
18. The significance of the CA is derived in part by the quality of the Victorian architecture, as well as parkland and generous rear gardens that give the area a spacious, verdant quality. The properties on Salusbury Road, which includes Nos 110-112 form part of the CA where the linear pattern of development and the uniformity of the high quality traditional terraced properties make a positive contribution to the CA and enhances and emphasises its significant qualities.
19. The development would include the removal of several rear extensions that appear to have been added at different times and are unrelated in terms of design. The proposal also includes ground works to allow for the formation of basement level

accommodation and two flat roof rear extensions; with a raised courtyard in between. Each of the extensions would project several metres from the rear elevation of the building and the design would result in the removal of the rear outriggers that are paired with the neighbouring properties on either side.

20. The proposed development would disrupt the symmetry of the existing paired outriggers. However, subsequent extensions around and beyond these extensions has resulted in the loss of uniformity and visibility of these older extensions. In terms of scale the footprint of the proposed development would be similar to that of the existing extensions. The Queen's Park Conservation Area Design Guide (2013) (CADG) states that rear extensions should not project more than 3 metres from the rear elevation of a terrace and should be no higher than 3m. The proposed development would not comply with this requirement. However, the CADG is provided as guidance and is not a policy requirement. Given the size of existing extensions on the rear of both the host property and buildings in the vicinity the overall scale and massing of the development is considered acceptable.
21. In replacing several unrelated extensions with a simple cohesive design, the appeal scheme would reflect the scale of existing development while improving the uniformity of the rear of the building. As detailed above, there are examples of flat roofed extensions in the vicinity and in light of this the proposal would not appear out of place in this instance. Also, high rear boundary fence as well as mature trees and shrubs within the appeal site and neighbouring gardens would effectively screen the development from views from neighbouring properties. Proposed external materials include brick to match the existing building which would tie in the proposed scheme with the host property. As such the significance of the designated heritage asset would not be harmed.
22. For the reasons detailed above the proposal would respect the character and appearance of the host property to the extent that it would preserve the character and appearance of the CA. Hence, there would be no conflict with s72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy BHC1 of the BLP and Policy HC1 of the LonP which seek to sustain or enhance the significance of heritage assets and avoid harm and identify enhancement opportunities by integrating heritage considerations early in the design process.

#### *Light and outlook*

23. At the boundary with neighbouring property 114 Salusbury Road (No 114) the extension would project beyond the building line beyond of the existing extension and would be higher than the boundary fence.
24. The size guidance for rear extensions detailed within the CADG, detailed above, is also intended to protect the amenity of neighbouring occupants. However, in this instance the neighbouring building has a rear outrigger on the boundary with the appeal property and there are no windows on its end elevation.
25. Within the delegated report the Council state that the proposed extension would result in a loss of outlook and light to the neighbouring rear garden and windows. But, there is no substantive evidence before me to demonstrate that the appeal scheme would harm the living conditions of the occupants of No 114 in this regard.
26. Based on the evidence before me, including my site visit, the position of the windows on the rear elevation of No 114 and their relationship to the proposed

extension is such that it is unlikely that the proposal would have a harmful effect on light and outlook to the rear windows. Further, as a large portion of the shared boundary that would remain open, apart from the fence, the appeal scheme would not harm the living conditions of the occupants of No 114 in regard to their enjoyment of their rear garden space.

27. For the reasons detailed above the proposed development would not have a harmful effect on the living conditions of the occupants of 114 Salusbury Road with regard to light and outlook. Therefore, it is in accordance with Policy DMP1 of the BLP in regard to this main issue which requires that development provides a high level of external and internal amenity.

### **Other Matters**

28. The Council raised no concerns in regard to highways, ecology and trees. Based on the evidence before me I have no reason to disagree with the Council in regard to these matters.

### **Planning Balance**

29. The Framework states that the planning system should be genuinely plan led. The development plan is the starting point for decision making and I must make my decision in accordance with it unless other considerations indicate otherwise. In this case, the conflict with local policy in respect of the loss of a family home to the housing stock draws the scheme into conflict with the development plan read as a whole.
30. The need for homeless accommodation is not disputed by the main parties, and the proposed scheme would increase the capacity of an existing facility that provides homeless accommodation. There would also be associated economic benefits during construction.
31. However, the resultant building would fail to provide occupants with accommodation of an acceptable quality that would meet appropriate standards and the needs of its occupants. There is also insufficient evidence before me to demonstrate that the resultant facility would be suitably managed. This brings the appeal scheme into conflict with the development plan as a whole.

### **Conclusion**

32. For the reasons given above the appeal should be dismissed.

*C Livingstone*

INSPECTOR