



Appeal Decision

Site visit made on 17 December 2025

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2026

Appeal Ref: APP/T5150/C/24/3339417

7 Barn Rise, Wembley HA9 9NA

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mrs Salma Hamid Yousif against an enforcement notice issued by the Council of the London Borough of Brent.
 - The notice was issued on 15 January 2024.
 - The breach of planning control as alleged in the notice is without planning permission, the erection of a canopy extension to the side of the premises.
 - The requirements of the notice are to:
STEP 1 Demolish the canopy extension to the side of the premises.
STEP 2 Remove all items and debris, arising from that demolition, and remove all materials associated with the unauthorised development from the premises.
 - The period for compliance with the requirements is three months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (f) and (g) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the erection of a canopy extension to the side of the premises at 7 Barn Rise, Wembley HA9 9NA as shown on the plan attached to the notice.

The appeal on ground (a) the deemed planning application

Background

2. Since the enforcement notice was issued, planning permission was conditionally granted on appeal for the erection of a rear extension which included a side canopy affixed to the rear extension, reference APP/T5150/W/23/3328179. It is against this background that I have considered the appeal.
3. Although the Council questioned the lawfulness of the decision to include the canopy in the permission, since it seems that was a revision to the scheme they considered, this matter is not for my consideration in the context of this appeal.
4. The principal difference between the canopy as built, when the notice was issued, and that approved, is the omission of the white composite door to the front of the canopy facing the street. The Council confirmed in their submissions that given the planning permission, they have no in principle objection to the canopy subject to it being completed in accordance with the approved plans.

Main issues

5. The main issues are (i) whether the canopy extension preserves or enhances the character or appearance of the Barn Hill Conservation Area and (ii) the effect of the canopy extension on the living conditions of the occupiers of 9 Barn Rise with particular regard to outlook.

Reasons

6. As set out in the Barn Hill Conservation Area Character Appraisal, the Conservation Area is a consistently residential area, the character of which is derived from its hillside setting and layout, as much as from a wide variety of designs which have a distinctive mock-Tudor character.
7. The terms of the appeal on ground (a) derive directly from the alleged breach of planning control set out in the notice and as built. At my visit I saw that the approved white composite door has been installed.
8. Although there is a small gap between the top of the door and the timber frame, which is not shown on the approved plans, the development is not materially different from that approved.
9. The canopy is set well back from the front elevation and adjoins a similar shaped canopy at the neighbouring house. I have no reason to take a different view to the previous Inspector, that there is no materially harmful effect on the character and appearance of the property and therefore the character and appearance of the Conservation Area is preserved.
10. Similarly, whilst the canopy projects above the shared boundary with 9 Barn Rise, that is by a relatively modest amount and for a relatively short distance. As the previous Inspector also concluded, there is no harm to the living conditions of the occupiers of 9 Barn Rise as a result of an overbearing impact on outlook.
11. Accordingly, and since the character and appearance of the Conservation Area is preserved, there is no conflict with the design, heritage and amenity protection aims of policies DMP1 and BHC1 of the London Borough of Brent Local Plan 2019-2041 Adopted February 2022.
12. No conditions are necessary since the development is complete.

Other Matters

13. Comments from a third party about an outbuilding have no bearing on this appeal.

Conclusion

14. For the reasons given above, I conclude that the appeal succeeds on ground (a). I shall grant planning permission for the development as described in the notice. The enforcement notice will be quashed. In these circumstances the appeal on grounds (f) and (g) do not fall to be considered.

Felicity Thompson

INSPECTOR