



Appeal Decision

Site visit made on 7 January 2026

by **N Armstrong BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 January 2026

Appeal Ref: APP/T5150/D/25/3375962

8 Priory Gardens, Wembley, Brent HA0 2QG

- 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 Harish Gadhvana against the decision of the Council of the London Borough of Brent.
 - The application Ref is 25/1419.
 - The development is described as “retention of extension, creating a bathroom, to the rear of the existing outbuilding in rear garden of dwellinghouse”.
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Decision

1. The appeal is allowed and planning permission is granted for the extension, creating a bathroom, to the rear of the existing outbuilding in rear garden of dwellinghouse at 8 Priory Gardens, Wembley, Brent HA0 2QG in accordance with the terms of the application, Ref 25/1419, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos 2025/058 -02, 2025/058 -03 and 2025/058 -04.
 - 2) The development hereby permitted shall only be used for purposes incidental to the enjoyment of the host dwelling known as 8 Priory Gardens, Wembley, Brent HA0 2QG, as shown on the plans hereby approved, and shall not be used for any other purpose.

Preliminary Matters

2. The description of the proposed development provided in the application form differs from that in the Council's decision notice. I have taken the description used in the decision notice for the banner heading above, as the appellant has relied on this in the appeal form, confirming that is what planning permission is sought for. I have removed wording not relating to acts of development in my decision.
3. I observed at the site visit that there is already an extension to the rear of the pre-existing outbuilding. It appears from the plans and evidence that this is the structure referenced in the planning application. I have dealt with the appeal on the basis that planning permission is being sought retrospectively for the construction of the extension.

Main Issue

4. The main issue is whether the development would be incidental to the host dwelling and its effect on the character of the area.

Reasons

5. The appeal site comprises a building to the rear garden area of a semi-detached dwelling. The site is located within a predominantly residential area of similar properties and adjoins the rear gardens of neighbouring dwellings.
6. The existing plans indicate that the pre-existing outbuilding is used as an exercise room/therapy room for a disabled person. I have limited information with regard to this use, and at the time of my visit the building was being used for storage. The appellant states that the outbuilding is used entirely for ancillary purposes related to the enjoyment of the dwelling. I have nothing before me to suggest that, similar to a home gym or other leisure use, an exercise room could not be used for purposes incidental to its host dwelling.
7. The proposed plans show the outbuilding would also be used for exercise/therapy room use. A shower room with sink and toilet has been constructed within the extension adjoining the larger outbuilding. The Council's Residential Extensions and Alterations Supplementary Planning Document (2025) (the SPD) states that provision of a toilet in an outbuilding may be acceptable. Such facilities would normally be expected within primary living accommodation. However, this does not suggest that the enlarged outbuilding would be used for separate residential purposes or that it would not be incidental to the use of the host dwelling. The rear garden area and outbuilding cannot be accessed without entering the dwelling, which would limit any separate or independent use.
8. In the absence of any compelling evidence to indicate otherwise, the development would be used for purposes incidental to the host dwelling. This would maintain a functional relationship with the dwelling, connected with the domestic and leisure purposes of the persons living within it. There is limited information before me to adequately demonstrate that the addition of the shower room would result in a nature and intensity of use that would be harmful to the character of the area. A planning condition can also be attached to a grant of permission that ensures the development would be used for incidental purposes only. The Council would also have the option to enforce any possible alternative use of the pre-existing outbuilding and the appeal scheme if deemed necessary.
9. For the above reasons, I conclude that the extension would be incidental to the host dwelling and it would not harm the character of the area. Therefore, it would not conflict with Policy DMP1 of the Brent Local Plan 2019-2041, which amongst other things, aims for development to be of a location, use and type that complements the locality.

Other Matters

10. The extension is located to the rear of the existing outbuilding, therefore it does not reduce the extent of useable space within the garden. Despite its flat roof design in comparison to the pitched roof outbuilding, and whilst the materials do not match the timber cladding of the pre-existing outbuilding, the proposed plan shows that external materials are to match existing external finish materials. Given its location and modest scale, the appeal scheme does not result in unacceptable harm to the character and appearance of the area. There is a minor conflict with the SPD in respect of height. However, this does not result in harm on the main issue. The Council have raised no concerns in this respect, or in terms of its overall design and appearance, and I have no reason to disagree.

11. In addition to the above matters, I have had regard to objections from neighbouring residents. Although the extension is close to the boundaries of adjoining properties, given the nature of the development and its scale, I do not find that it would result in significant or adverse effects on the living conditions of neighbouring residents. I have no compelling evidence that the facilities would have unacceptable effects arising from noise and odour. The existing landscaping to the rear boundaries in this area would also assist in reducing any potential impact of the development on neighbouring residents.
12. With regard to matters of suitable installation of the facilities, drainage and pipework subject to the Building Regulations and potential health risks, these are matters outside of my remit in this appeal, and the Council could pursue these further if required. Concerns over the Council's handling of the application and its retrospective nature are also outside of the remit of this decision.
13. I note the concern regarding the potential for future alternative development, including self-contained residential use, and that granting permission could set a precedent. Should a future application for other development be submitted, this would be assessed and determined on its own merits. As such, I am satisfied that my decision on this proposal would not harm the ability of the Council to exercise their judgement on relevant planning matters in future cases.
14. I have no compelling evidence before me to indicate that a childcare use operates from the property, or that the appeal scheme would be used in connection with any such use. I therefore give this very limited weight in my decision.

Conditions

15. I have had regard to the Council's suggested conditions, and I have considered these in light of the National Planning Policy Framework and the Planning Practice Guidance. A condition specifying the plans is necessary in the interests of certainty and enforceability. A condition is also necessary to ensure the development is used for purposes incidental to the host dwelling.

Conclusion

16. For the above reasons, the proposal would comply with the development plan taken as a whole and material considerations do not indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be allowed.

N Armstrong

INSPECTOR