



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 February 2026

Appeal Ref: APP/T5150/C/23/3336133

54 College Road, Wembley HA9 8RJ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Vehap Ferati against an enforcement notice issued by the Council of the London Borough of Brent.
 - The notice was issued on 22 November 2023.
 - The breach of planning control as alleged in the notice is without planning permission, the erection of an outbuilding in the rear garden of the premises.
 - The requirements of the notice are to:
STEP 1 Demolish the outbuilding in the rear garden of the premises.
STEP 2 Remove all items, debris, and materials, 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) and (f) 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 an outbuilding in the rear garden at 54 College Road, Wembley HA9 8RJ as shown on the plan attached to the notice and subject to the following condition:
 - 1) The outbuilding hereby permitted shall not be used other than for purposes incidental to the dwelling known as 54 College Road.

Preliminary Matters

2. I have been appointed to determine three other appeals at the appeal property, references APP/T5150/C/23/3336131/3336132/3336134. Those appeals are the subject of separate decisions.
3. Since the appeal was made the Council have adopted the Residential Extensions and Alterations Supplementary Planning Document January 2025 (SPD) which the appellant provided, and I have had regard to.

The appeal on ground (a) the deemed planning application

Main issues

4. The main issues are the effect of the outbuilding on (i) the character and appearance of the area and (ii) the living conditions of the occupiers of neighbouring houses with particular regard to outlook.

Reasons

Character and appearance

5. The outbuilding is located towards, but somewhat unusually, not at the end of the garden and occupies the entire width. At my visit I noted outbuildings in the gardens of surrounding properties of varying size and design and having regard to the aerial image provided by the appellant, there are evidently outbuildings of a similar scale within the gardens of houses in the vicinity of the appeal site.
6. The outbuilding has a straightforward appearance, with a flat roof form and render finish. The outbuilding is fairly large, relative to the house and there is no dispute that it does not comply with the SPD. Nevertheless and notwithstanding the space to the rear, viewed from within the garden, the overall height and scale of the outbuilding is not appreciable, and I do not find that it represents an unduly large or overbearing feature, particularly as there remains a reasonable amount of outside amenity space between the house and outbuilding.
7. The outbuilding is scarcely visible from the public highway and consequently, there is no harm to the street scene. The principal views of the outbuilding are from the gardens and windows of the neighbouring houses 52 and 56 College Road. Having regard to the variety of outbuildings in the rear gardens of surrounding properties, the outbuilding merely adds to this variety and does not look out of keeping in this domestic context.
8. Consequently, there is no harm to the character and appearance of the area and no conflict with the overall design aims of policies BD1 and DMP1 of the London Borough of Brent Local Plan 2019-2041 Adopted February 2022 (Local Plan).

Living conditions

9. The outbuilding is located in very close proximity to the shared boundaries with Nos.52 and 56 however, whilst it projects above the fence by a reasonable amount, it does not extend along the entire length of those boundaries. Consequently, although the outbuilding will be seen from the neighbouring houses and their gardens, given its distance from the rear of the houses and as views from the gardens are otherwise largely unobstructed, there is no materially harmful overbearing impact on the outlook from within either the houses or gardens.
10. Therefore, there is no conflict with Policy DMP1 of the Local Plan which sets out that development will be acceptable provided that it is, amongst other things, of a scale, detailing and design that provides high levels of internal and external amenity. There is also no conflict with the amenity protection aims of the SPD.

Other Matters

11. Concerns were raised by a third party about the ability to maintain the outbuilding and boundary given its proximity to the boundary. However, whilst such concerns are understandable these are private matters which have no bearing on the planning merits of the development and could not justify the dismissal of the appeal.

Conditions

12. The Council has not suggested any conditions. A time limit or plans condition is not necessary since the outbuilding is externally complete.
13. The outbuilding was not complete internally, nor in use at the time of my visit and the appellant has not explained what the intended use is. Accordingly, a condition restricting the use to ensure that the outbuilding remains incidental to the dwelling at No.54 is reasonable and necessary, for the avoidance of doubt and in the interests of the living conditions of neighbouring occupiers.

Conclusion

14. For the reasons given above, I conclude that the appeal succeeds on ground (a). I shall grant planning permission for the erection of an outbuilding in the rear garden as described in the notice. The enforcement notice will be quashed.
15. In these circumstances the appeal on ground (f) does not fall to be considered.

Felicity Thompson

INSPECTOR