



Appeal Decisions

Site visit made on 28 July 2026

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 August 2026

Appeal A Ref: APP/T5150/C/25/3364356 and Appeal B Ref: APP/T5150/C/25/3364357 266 Watford Road, Harrow, HA1 3TX

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- Appeal A is made by Mr Khalid Shafique, and Appeal B is made by Mr Atif Shafique, against an enforcement notice issued by the Council of the London Borough of Brent.
- The notice was issued on 14 March 2025.
- The breach of planning control as alleged in the notice is: Without planning permission, the alteration of the roof, involving the installation of new roof tiles (which do not match the previous/original roof tiles), front skylights, and a rear dormer window to dwelling house.
- The requirements of the notice are:
 - Step 1 – Remove all red tiles on the roof, including the tiles hanging on/cladding the dormer window.
 - Step 2 – Install green roof tiles, which replicate those originally used in the construction of the house, an example of which is shown in the attached photograph to this notice.
 - Step 3 – Ensure that the green roof tiles are designed to replicate those used in the construction of the house.
- The period for compliance with the requirements is 6 months after the notice takes effect.
- Appeal A 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). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
- Appeal B is proceeding on the grounds set out in section 174(2) (f) and (g) of the Town and Country Planning Act 1990 (as amended).

Summary Decision: Appeal A is allowed, the enforcement notice is quashed, and planning permission is granted in the terms set out below in the Formal Decision. Appeal B is dismissed but the enforcement notice is quashed as set out in the Formal Decision for Appeal A.

Background

1. The alterations to the roof were the subject of a lawful development certificate application (ref. 21/4128) but the development, as undertaken, fails to comply with a condition set out in Class B.2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO), which requires that the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. The requirements of the notice, to replace the red tiles with green tiles, seek only to remedy the breach of planning control resulting from the failure to comply with this condition. The requirements do not include the removal of the front skylights and rear dormer window, or the hip to gable extension, which is not mentioned in the allegations.

Appeal A - The appeal on ground (a) and the deemed planning application

2. An appeal on ground (a) is made on the basis that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted.

Main Issue

3. The main issue, having regard to the Council's reasons for issuing the notice, is the effect of the development on the character and appearance of the host dwelling and surrounding area.

Reasons

4. It is undisputed that the hip to gable and dormer roof extensions, and the installation of front skylights, would have been permitted by the GPDO, subject to the use of different materials. I afford this fact, together with the Council's decision to under enforce by seeking only to remedy the breach of the materials condition, significant weight. My consideration of the appeal therefore focuses primarily on the issue of the appearance of the roof tiles and dormer tiles used in the development.
5. The appeal site comprises a semi-detached house in a predominantly residential area, with a parade of shops opposite it. It is evident from the photograph attached to the notice, that prior to the alleged unauthorised development taking place, the dwelling had previously been extended to the side, either above a former garage that has been converted or with a two-storey flat roof extension replacing the former garage. The appearance of the original roof had also been altered by the addition of a side dormer window clad with grey tiles, a front roof light, and white fascias and soffits. Replacement windows without the arched feature that is present in other similar properties, and with black rather than green painted window surrounds were also present. As such, the symmetry of the original pair of semi-detached houses had long since been lost and would have been further diminished by the hip to gable extension and rear dormer that were permitted by the GPDO, subject to the use of matching materials.
6. It is also evident from the photographs dated 16 November 2022, at Appendix 2 of the Council's appeal statement, that windows with white frames had been replaced or painted a dark colour, and the recessed arched entrance had been removed and replaced with a non-recessed dark colour door, prior to the enforcement notice being issued. These changes resulted in a further loss of symmetry between the adjoining pair of houses.
7. The side wall of the gable roof extension is finished in white painted render that matches the remainder of the house. The main roof is finished in pantiles, as it was previously, albeit these are of a slightly different form to those they replaced and are red rather than green. The dormer cheek tiles are red rather than grey to match the previous dormer, or green to match the previous main roof. As such, the new roof and dormer materials are not similar in appearance to those that existed previously. However, as the whole of the roof has been retiled, the materials used in the roof extensions match those used in the remainder of the dwelling roof.
8. Whilst the red tiles sharply contrast with the green tiles on the roof of the adjoining house, most other buildings in the surrounding area also have red roof tiles, which comprise a mixture of concrete and clay pantiles and small flat tiles. There are a limited number of properties with green or grey roof tiles. Some of the properties with green tiles are in prominent positions on corner plots or opposite junctions, whereas others are randomly located amongst rows of red roofs. I noted that the condition and shade of green tiles in the area is varied, with some roofs having

had repairs undertaken using different colour tiles, some having red ridge tiles, some being very faded, and some having a shiny glazed finish.

9. I also noted during my visit, and from the photographs submitted, that many properties in the area, as a result of their age, have been re-roofed using tiles that are not the same material, shape, size, texture or colour as those that they are likely to have replaced or of those that exist on adjoining and surrounding properties. This includes the adjacent pair of semi-detached houses at 260 and 262 Watford Road, one of which has small red clay flat tiles and the other red pantiles.
10. I acknowledge that the dwelling is in a somewhat prominent position, however, due to its orientation, only the side elevation is visible when approaching from the roundabout. The contrasting red and green roof tiles on the adjoining semi-detached houses are only seen together in direct and close up views. Even if the roof tiles and dormer tiles were to be replaced with new green tiles, or painted green, it is highly unlikely that they would be an exact match in colour to the older, weathered tiles on the roof of the adjoining semi-detached house, which may also need to be replaced in the future.
11. Having regard to the wide variety of roof forms, roof materials and colours present in the immediate surrounding area, the loss of symmetry that had already occurred between the pair of semi's and that which would have resulted from the development regardless of the materials used, and the fact that the dwelling is within a row of dwellings excluded from the adjoining Conservation Area, indicating their lack of special interest, I do not consider the red tiles used in this case harmfully detract from the character of the appeal property or its surroundings.
12. I therefore conclude that the development accords with policies BD1 and DMP1 of the Brent Local Plan 2019-2041, and policy D3 of the London Plan 2021, which seek to ensure, amongst other things, that development is of high-quality design, appropriate in terms of scale, type and materials, and complements the locality. I also find no conflict with the National Planning Policy Framework or the Council's Residential Extensions and Alterations Supplementary Planning Document.

Conclusion

13. For the reasons given above, I conclude that Appeal A succeeds on ground (a). I shall grant planning permission for the development described in the notice. The appeals on grounds (f) and (g) do not therefore fall to be considered.

Formal Decisions

14. Appeal A 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 alteration of the roof, involving the installation of new roof tiles (which do not match the previous/original roof tiles), front skylights, and a rear dormer window to dwelling house, at 266 Watford Road, Harrow, HA1 3TX.
15. Appeal B is dismissed but the notice is quashed as set out in the Formal Decision for Appeal A.

R Bartlett INSPECTOR