



Appeal Decision

Site visit made on 30 June 2026

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2026

Appeal Ref: APP/T5150/C/24/3356123

1 Basing Hill, Wembley HA9 9QS

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Nasar Akbare against an enforcement notice issued by the Council of the London Borough of Brent.
 - The notice was issued on 16 October 2024.
 - The breach of planning control as alleged in the notice is without planning permission, the erection of a single storey extension and raised decking to the rear of the premises.
 - The requirements of the notice are to:
 - STEP1 Demolish the single storey extension to the rear of the premises.
 - STEP2 Demolish the raised decking to the rear of the premises.
 - STEP3 Remove all items and debris, arising from the compliance with STEPS 1 and 2, 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 (e) of the Town and Country Planning Act 1990 (as amended).
-

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 single storey extension and raised decking to the rear at 1 Basing Hill, Wembley HA9 9QS as shown on the plan attached to the Notice.

The appeal on ground (e)

2. An appeal on this ground concerns whether the enforcement notice was properly served on everyone with an interest in the land.
3. The appellant's case on this ground is not clear and there is no evidence that any other person who should have been served with the Notice has not. Therefore, the appeal on ground (e) fails.

The appeal on ground (a) the deemed planning application

4. The main issues are (i) whether the single storey extension and raised decking preserve or enhance the character or appearance of the Barn Hill Conservation Area and (ii) the effect of the decking on the living conditions of neighbouring occupiers with particular regard to privacy and outlook.

Reasons

5. The Barn Hill Conservation Area is a consistently residential area. As set out in the Conservation Area Design Guide, its character and significance are derived from its

hillside setting and layout, and the architectural quality of the generally, mock Tudor style houses.

6. To the rear, the appeal property and those surrounding have been altered and extended such that there is little uniformity. The single storey extension in this case is constructed from timber with a flat roof and has a straightforward appearance, not dissimilar to a typical garden building, albeit adjoining an existing conservatory extension. Given its modest size and siting, the extension does not detract from or cause material harm to the character and appearance of the property.
7. The decking is of a straightforward domestic appearance and is a structure that is often a feature of domestic curtilages.
8. While the extension and decking will be visible in some views from the gardens and upper floor windows of the nearest neighbouring houses, there are no wider public views due to an existing fence and established vegetation on the broadly western boundary.
9. Overall, in this context, I do not find the development appears incongruous or unsympathetic and the effect on the Conservation Area is neutral.
10. Although not given as a reason for issuing the Notice, the Council in submissions stated that due to its height and location the decking causes overlooking and has an overbearing impact on outlook for neighbouring properties.
11. The appeal property sits at a lower ground level than the immediately neighbouring property due to the topography, and there is a relatively tall wall with fence above which forms the boundary between the properties. Consequently, when standing on the decking there are no views of the neighbouring garden. Given the modest height above ground and that there is no projection above boundary features, the decking does not have an overbearing impact on outlook.
12. 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, BHC1 and BD1 of the London Borough of Brent Local Plan 2019-2041 Adopted February 2022 or Policy D3 of the London Plan 2021. There is also no conflict with the aims of the National Planning Policy Framework to conserve and enhance the historic environment.
13. No conditions are necessary since the development is complete.

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 a single storey extension and raised decking to the rear as described in the Notice. The enforcement notice will be quashed.

Felicity Thompson

INSPECTOR