



Appeal Decision

Site visit made on 16 July 2026

by Zoë Franks Solicitor

an Inspector appointed by the Secretary of State

Decision date: 27 August 2026

Appeal Ref: APP/T5150/C/23/3327078

53 Manor Drive, WEMBLEY, HA9 8EB

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Mubarak Ali against an enforcement notice issued by the Council of the London Borough of Brent.
 - The notice was issued on 23 June 2023.
 - The breach of planning control as alleged in the notice is the erection of extensions onto existing extensions to the rear premises.
 - The requirements of the notice are to: Step 1 Demolish the extensions onto existing extensions to the rear 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 6 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(c), (d), (f) and (g) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Preliminary matter

2. There is not a ground (a) appeal and the planning merits of the development, including its character and appearance and comparison with neighbouring developments, will not be considered in this decision.

Ground (c)

3. An appeal on this ground is on the basis that the alleged development does not constitute a breach of planning control.
4. The appellant accepts that he has undertaken additional works to the existing extensions. There are two structures which have walls and a roof and, as building operations, fall within the definition of development under section 55 of the Town and Country Planning Act 1990. As such, planning permission would have been required for the development. The stated intended use as a conservatory and for storage, and the materials used do not alter the fact that it is development.
5. Class A (f), Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 permits the enlargement, improvement or other alteration of a dwellinghouse subject to the enlarged part having a single storey and not extending beyond the rear wall of the original dwellinghouse by more than 3 metres (where it is not a detached house). The house has already been extended under permission reference 13/0267, and indeed the extension closest to no.51 is located behind the position of the original

detached garage, and not the original dwellinghouse in any event (and does not therefore fall within Class A(f)). The appellant has not shown that the development closest to no.55 does not enlarge the dwellinghouse by more than 3 metres from the rear wall of the **original** dwellinghouse as stated by the Council. It does not therefore meet the requirements of Class A (f).

6. A larger rear extension can be permitted under Class A (g) provided that the conditions in paragraph A.4 are met. This requires the householder to notify the local planning authority (LPA) of the proposals, and work cannot commence until the LPA notifies that no prior approval is required, gives prior approval or after 42 days have passed. This did not happen in this case and the development was not permitted under Class A (g).
7. For the reasons set out above, the appellant's appeal on ground (c) fails.

Ground (d)

8. This ground of appeal is that at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control constituted by those matters. To succeed on this ground the appellant would need to show on the balance of probabilities that the operational development as alleged in the notice had been substantially completed more than 4 years before the date of the notice (i.e. before 23 June 2019).
9. The appellant states: "Almost 70% of the work was done well before 4 years prior to the notice" and therefore accepts that the development was not completed by the relevant date. The aerial photographs appear to show that the works were carried out between April 2020 and March 2021 which is less than 4 years before the notice date.
10. As such the appellant has not shown that the works were substantially completed before the relevant date, and the appeal under ground (d) does not succeed.

Ground (f)

11. This ground is that the steps required by the notice to be taken exceed what is necessary to remedy the breach of planning control, or as the case may be, to remedy any injury to amenity which has been caused by such breach.
12. The purpose of the notice is to remedy the breach of planning control, and the requirements do more than to restore the building to the same condition that it was in prior to the breach. The notice does not therefore exceed what is required and the appeal under ground (f) fails.

Ground (g)

13. The appellant seeks an unspecified extension to the compliance period. However, the works required by the notice are not substantial or complex and 6 months is a proportionate timescale to allow for them to be arranged and undertaken as specialist expertise will not be needed.

Zoë Frank

INSPECTOR

