



Appeal Decision

Site visit made on 24 January 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2023

Appeal Ref: APP/M5450/D/22/3310151

1 Bromefield, Stanmore, Harrow HA7 1AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Flavius Circiu against the decision of Harrow Council.
 - The application Ref P/2750/22, dated 27 July 2022, was refused by notice dated 21 September 2022.
 - The development proposed is described as a 'double storey wraparound extension, new front porch, roof alterations including loft conversion. (The proposed design is coordinated with a proposed design for No.3 Bromefield in order to achieve similar massing and appearance, including matching ridge heights.)'
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Decision

1. The appeal is allowed and planning permission is granted for a double storey wraparound extension, a new front porch, and roof alterations including a loft conversion at 1 Bromefield, Stanmore, Harrow HA7 1AA in accordance with the terms of the application, Ref P/2750/22, dated 27 July 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: AR-PL-1000, AR-PL-1001, AR-PL-1002, AR-PL-1003, AR-PL-1101 Rev B, AR-PL-1102 Rev B, AR-PL-1103 Rev B and AR-PL-1104 Rev B.
 - 3) The development hereby permitted shall be carried out in accordance with the flood risk mitigation measures contained in the Flood Risk Assessment by Aegaea (Ref: AEG0714_HA7_Harrow_01).

Procedural Matters and Background

2. In the description of this proposal, the appellant refers to a scheme on the other half of this semi-detached pair at 3 Bromefield ('No 3'), with which he states this design has been co-ordinated. That scheme, which is very similar to this one, is the subject of a separate appeal (Ref: APP/M5450/D/22/3310155) ('the adjacent proposal').
3. In its decision the Council states that there is no guarantee that the adjacent proposal will achieve planning permission, or that it will be completed. However, I note that both schemes were submitted at the same time and were prepared by the same company; that simultaneous appeals were lodged; that

both appeal statements reference the adjacent development; and that both schemes abut the shared boundary. I am dealing with both those appeals, and for the above reasons, I consider that if they are allowed, there is a strong likelihood that both would be implemented.

4. Whilst I have considered the above in my reasoning, in the description of the proposal in my formal decision I have included only those matters which are an act of development.
5. In its fourth reason for refusal the Council refers to the absence of a Flood Risk Assessment ('FRA'). However, an FRA by Aegaea was submitted as part of this appeal. In an email dated 17 January 2023 the Council found the FRA to be satisfactory and it therefore withdrew that objection. I have no reason to disagree with that assessment.

Main Issues

6. The main issues are the effect of the proposal on:
 - the character and appearance of the host property and the area; and
 - the living conditions at 3 Bromefield, with particular regard to outlook.

Reasons

Character and appearance

7. The Harrow Residential Design Guide Supplementary Planning Document 2010 ('SPD') sets out that extensions should harmonise with the scale and architectural style of the original dwellinghouse. It continues at paragraph 6.37 that side extensions, particularly on corner plots, have the potential to harm the character of the streetscene, and that they should have subordinate roofs, and be sited at least 1 metre from the boundary at first floor level.
8. The houses on Bromefield are typically detached or semi-detached, with hipped roofs, and display design features such as hanging tiles and full height bay windows. However, I observed that many have been substantially altered, often with large front porches, and two storey side and rear extensions.
9. That includes No 7 and No 11, and the detached house at No 5 next to this pair, which has an extended porch, along with side and rear extensions, including sections of flat roof. I do not have the full planning history of all those schemes, and some may pre-date the adoption of the SPD, but they nonetheless form part of the area's established and prevailing character.
10. The semi-detached pair at Nos 1 and 3, which sit on a lower section of Bromefield compared to the buildings to the south and have a lower ridge height, largely retain their original proportions. In the context of the area, and given the large block of flats at Hertford Court to the north, they appear very modest in scale. That conclusion is supported by the submitted site location and block plan, and by the 'birds' eye view' on the cover of the submitted Design and Access Statement, and its images at Section 3.
11. The proposed two storey side extension would have a hipped roof to reflect the form of the host, its width would be around half that of the host, its first floor would be set well back, and its side wall would step in at first floor level towards the rear. Its roof would also be set down compared to the proposed

- raised roof on the main part of the building. It would thus achieve a broadly subordinate appearance.
12. The original property's characteristic double height front bay window would be retained, and the building's walls would be finished in smooth white render, and its roof finished in dark grey roof tiles, to match the adjacent proposal.
 13. The proposed porch would be separated from the bay window in accordance with the SPD, and it would be broadly similar in appearance to others in Bromefield, including at No 5, and to the adjacent proposal. It would attach to this scheme's side extension. Owing to the plot's tapering side boundary, the front corner of that extension would not be set in from Brick Lane at first floor level, and at ground floor it would abut the boundary with Brick Lane for about 12 metres. However, as illustrated by the birds' eye view, there was previously a single storey outbuilding in this location.
 14. The host's main roofline would be raised by around 1 metre, and a rear dormer is proposed within its extended roof. According to the Council, that dormer would be set up from the eaves by around 1 metre and down from the extended main roof by around 0.8 metre. It would also be set in from the edge of the two storey side extension's roof. It would thus comply with the SPD's broad stance that dormers should be visually contained within the roof profile.
 15. For these reasons, whilst the host's main roofline would be raised, the scheme as a whole would achieve an articulated appearance, which would limit its perceived bulk, including in views from around Brick Lane, and it would respect the broad architectural style of the host. It would also be more in keeping with the scale and proportions of the generally much larger buildings nearby.
 16. Moreover, the scheme would largely mirror the form and proportions of the adjacent proposal. As a result, should that proposal be implemented, this pair would achieve a cohesive appearance.
 17. For those reasons, whilst the scheme's scale and its siting relative to the side boundary, would not fully reflect the advice in the SPD, the proposal would not appear incongruous in the streetscene, and it would not harm the character and appearance of the host property or the area.
 18. Amongst other things, and in general terms, London Plan 2021 ('LP') Policy D3 Parts D1) and D11), Harrow Core Strategy 2012 ('HCS') Policy CS1.B, and Harrow Development Management Policies 2013 ('HDMP') Policy DM1, require a high standard of design which respects the host building, and responds positively to local character and distinctiveness with regard to matters including scale, appearance, shape, bulk and proportions. The proposal would not conflict with those policies, nor with the National Planning Policy Framework ('Framework') requirement for high quality design which is sympathetic to the surrounding built environment.

Living conditions

19. The SPD states that rear extensions should not cause an unreasonable loss of amenity to neighbouring residents. It continues at paragraphs 6.59 and 6.60 that single storey extensions greater than 3 metres deep may be acceptable in special circumstances; and at paragraph 6.65 that, in order to avoid an overbearing visual impact, two storey rear extensions which abut the side boundary should adhere to the SPD's 45 degree code.

20. Where it would abut the boundary with No 3, drawing no. AR-PL-1103 Rev B indicates that the proposed single storey part of the rear extension would be 3.4 metres high. According to the Council's figures the rear extension would project 4.65 metres beyond the host's original rear wall at ground floor level and 3 metres at first floor. On the basis of the available evidence, having regard to No 3, the two storey rear extension would fail to comply with the SPD's 45 degree code.
21. However, whilst No 3 currently retains its original proportions to the rear, this scheme's form, depth and proportions would be very similar to the adjacent proposal. Consequently, if both were to be implemented, this scheme would have a minimal impact on the outlook from the proposed rear face of No 3 which would continue to be principally down that property's reasonably generous garden.
22. In the unlikely event that the scheme at No 3 is not implemented, there would undoubtedly be a greater impact on those occupiers. In particular, the scheme would be seen to the left from its nearby rear bay windows. However, the principal outlook from those rooms down that property's garden would not be affected. In the context of the area, the limited interruption to those occupiers' outlook would not go beyond what might be reasonably expected in this built-up area. Thus, even in this scenario, notwithstanding the conflict with some of the advice in the SPD, the scheme would not impact No 3's living conditions to a harmful degree.
23. As HCS Policy CS1.B primarily addresses local character it is of little relevance on this issue. However, the scheme would not conflict with LP Policy D3 Parts D7) and D10) which require development to deliver high quality design, with an appropriate outlook, privacy and amenity, and comfortable and inviting indoor and outdoor environments; nor with those parts of HDMP Policy DM1, which aim to achieve a high standard of privacy and amenity. Neither would it conflict with the Framework's requirement to create places with a high standard of amenity.

Conditions and conclusion

24. I have found that the scheme would not harm the character and appearance of the host property and the area; and that it would not harmfully impact the living conditions at No 3.
25. Turning to the matter of conditions, the standard time limit is necessary, as is, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans. As those plans set out details of new facing materials for the original property and the proposed extensions, the Council's suggested second condition requiring that the external surfaces match those in the existing building is neither necessary nor appropriate.
26. In its email dated 17 January 2023 the Council has suggested four further conditions relating to drainage matters. For my part, I note that, according to the FRA, the northern fringe of this site may be affected by fluvial flooding, and that a similar area may be at low to medium risk of flooding from pluvial sources.

27. I am mindful of the modest scale of this scheme, along with the Framework's stance that conditions should be kept to a minimum, should only be applied where they satisfy five tests, and that pre-commencement conditions should be avoided unless there is clear justification. Having regard to that approach, and as no new areas of paving are shown on the submitted plans, in order to reduce and mitigate flood risks, I consider that a single condition is necessary requiring that the development be carried out in accordance with the flood risk mitigation measures contained in the FRA.
28. Whilst the Council has also suggested a pre-commencement condition requiring the submission of sewage disposal details, its stance is inconsistent with the adjacent proposal where no such condition was suggested. I have no evidence that the existing system would not cope with the limited additional foul discharge as a result of this small scheme, and I have not therefore imposed that condition.
29. For all these reasons, and having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR