
Appeal Decision

Site visit made on 3 January 2017

by S J Buckingham BA (Hons) DipTP MSc MRTPI FSA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th January 2017

Appeal Ref: APP/N1540/W/16/3158970
43A Red Lion Crescent, Harlow, CM17 9BN

- 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 Zieleniewski against the decision of Harlow District Council.
 - The application Ref HW/FUL/16/00300, dated 8 July 2016, was refused by notice dated 6 September 2016.
 - The development proposed is two storey three bedroom semi-detached house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. No 43 Red Lion Crescent sits in a cottage-style estate of modest houses, which derives its open and green character from the front gardens, mature hedges and trees, grassed verges and informal greens seen throughout the area. No 43 has an exceptionally wide front garden, and the appeal proposal is for the erection of an additional house, No 43A, within garden space to the side of the host building.
 4. The appeal site fronts onto one of the internal green spaces of the estate, and is flanked by Red Lion Lane, a grassed pedestrian route. Its lack of direct access onto any highway therefore limits the possibilities for providing off-street car parking as required by Adopted Replacement Harlow Local Plan 2006 (the LP). A parking plan submitted by the appellant, included in drawings 716-2-COM-23 Rev A and 716-RLC.dwg, shows the area of the green between the boundary with of No 43 and the garage and hardstanding area laid out to provide an additional two parking spaces. The surfacing material for these spaces has not been confirmed.
 5. The small green in front of the appeal site contains a mature specimen tree to the front and two smaller trees close to the appeal site. It has been reduced in size at the end adjoining the appeal site by the insertion of a set of four lock-up garages with access, facing an area of hardstanding capable of accommodating four vehicles. It is also notched to the south by a two-vehicle parking bay. However, due to its overall openness and the presence of grass and trees, it
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contributes positively to the character and appearance of the area by providing a breathing space from the built environment around and supporting the greened aspect of the area.

6. The proposed parking spaces would be clearly visible across the green, introducing a new area of hard surface into the gap between the garages and hardstanding and the boundary of No 43. This would thereby render the green more urban in appearance and reduce its openness and visual appeal, noticeably changing its character. This effect would be exacerbated by the presence of parked cars. The fact that the open and green characteristics of the space have already been harmed by the garages and hardstanding does not justify their further erosion. The provision of parking spaces on the green would therefore be harmful to the character and appearance of the area.
7. While on site I noted that although it was a weekday morning, the majority of off-street parking spaces close to the appeal site and within the wider area were occupied, and there was a high level of on-street parking. Given the layout of the wider estate and the pressures on parking, it is likely that granting planning permission to create additional parking spaces on an internal green space would create a precedent for further applications along the same lines, which would have an incrementally harmful effect on the character and appearance of the area as a whole.
8. As the appeal proposal would thereby harm the character and appearance of the area, it would conflict with Policy BE1 of the LP, which seeks new buildings which relate to their setting in order to strengthen, enhance, protect or create local character. It would also conflict with Policy NE7 of the LP which seeks to restrict development on internal open spaces to leisure, recreation and community uses which do not compromise the landscape principles of the town.

Other Matters

9. No evidence has been put before me to corroborate the appellant's suggestion that the Council does not have a five year deliverable housing land supply, nor that the housing to be provided in the period 2033 will not meet the predicted demand. I consider therefore that the benefit of providing a single additional dwelling in Harlow would not be sufficiently great to overcome the harm I have identified above.

Conclusion

10. For the reasons given above and taking into account matters raised, I conclude that the appeal should be dismissed.

S J Buckingham

INSPECTOR