
Appeal Decision

Site visit made on 11 February 2020

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 10 March 2020

Appeal Ref: APP/N1540/W/19/3241581

4 Burnett Park, Harlow CM19 4SD

- 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 Kevin Pitt against the decision of Harlow District Council.
 - The application Ref: HW/FUL/19/00357, dated 3 September 2019, was refused by notice dated 29 October 2019.
 - The development proposed is the sub-division of existing dwelling to create 2no. two-bedroom properties with associated external bin stores and cycle storage.
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Decision

1. The appeal is allowed, and planning permission is granted for the sub-division of existing dwelling to create 2no. two-bedroom properties with associated external bin stores and cycle storage at 4 Burnett Park, Harlow CM19 4SD, in accordance with the terms of the application, HW/FUL/19/00357, dated 3 September 2019, subject to the attached schedule of conditions.

Procedural Matter

2. The evidence before me includes references to the new local plan. However, I have been unable to give these full weight on account of these not yet forming part of the adopted Development Plan.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the surrounding area.

Reasons

4. The appeal site contains a bungalow, with entrance doors being located on the side elevations. Part of the site is also being developed for an additional bungalow, which is under construction. The rest of Burnett Park contains a combination of houses and bungalows that are constructed to different designs. This varied character is also reflected in the surrounding area. Burnett Park is accessed from Parsloe Road, where it is also possible to view the rear elevations of dwellings in Thurstans.
5. The proposed dwellings would feature their main entrances on the side elevation, which is comparable to the bungalow in its current form. Whilst I acknowledge that most dwellings within the surrounding area feature main entrances on their front elevation, the surrounding character is very varied in terms of dwelling types, scale and palettes of materials. Furthermore, a nearby

- dwelling (adjacent to 6 Burnett Park) features its main door on the side elevation.
6. In consequence, the design of this dwelling would not appear to be unduly incongruous as it would be viewed against a backdrop of varied dwellings. Within the evidence before me, the development has been described as representing two ground floor flats. However, even if I were to agree with this analysis, the varied character as described previously would mean that the development would not appear incongruous.
 7. Whilst one dwelling would not have an elevation that faces the highway, the proposed development would be relatively well screened. This is due to the boundary treatments that exist within the appeal site, and elsewhere, in addition to an screening effect that would be generated from the adjacent bungalow that is being constructed.
 8. In consequence, the position of main entrances would not be prominent within the surrounding area. Furthermore, as there would not be any notable alterations to the front (street-facing) elevation of the bungalow, the overall effect on the character and appearance of the surrounding area would be relatively small.
 9. Whilst the proposal would result in the sub-division of the existing bungalow and garden, the evidence before me is indicative that this would not prevent the future occupiers of the proposed dwellings from experiencing satisfactory living conditions.
 10. Furthermore, views into the garden are currently limited and these would also be diminished by the bungalow being constructed nearby. In consequence, subject to the installation of appropriate boundary treatment being installed at the site, it is likely that views into the garden would not be readily apparent from the surrounding area, thereby reducing the impact on the overall character and appearance of the vicinity.
 11. In reaching this view, I have had regard to the fact that the property currently features boundary treatments that limit the view into the site. This further reduces the effect of the development on the character and appearance of the surrounding area.
 12. I therefore conclude that the proposed development would not have an adverse effect on the character and appearance of the surrounding area. The development, in this regard, would be in conformity with Policies BE1 and H12 of the Adopted Replacement Harlow Local Plan (2006); and the Harlow Design Guide Supplementary Planning Document (2011). These, amongst other matters, seek to ensure that new developments have a layout with appropriate visual relationships to surrounding areas; designed with regards to the context of the surrounding built environment; and be self-contained.

Other Matter

13. I acknowledge the comments made by the Council regarding the local housing supply. However, I also note that there is an objective within the National Planning Policy Framework to increase the supply of housing of varying typologies. This development would make a contribution to meeting this objective, albeit on a limited basis, and would not harm the character and appearance of the surrounding area.

Conditions

14. In addition to the standard implementation condition, a condition specifying the approved plans is necessary in the interests of precision.
15. A condition requiring the agreement of a landscaping strategy (including details of management) is necessary in the interests of securing a satisfactory effect on the character and appearance of the surrounding area. However, I have amended the wording suggested by the Council to remove references to demolition as this falls outside of the description of the proposed development. Furthermore, I am unpersuaded as to the need for these details to include information regarding functional services.
16. In order to ensure that there would be no adverse effect on the highway system, a condition requiring the implementation of the proposed car parking is necessary and reasonable. However, I have, in the interests of clarity, amended the wording suggested by the Council to include the appropriate plan number.

Conclusion

17. For the preceding reasons, I conclude that the appeal should be allowed, and planning permission granted.

Benjamin Clarke

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: BRD/18/071/001; and BRD/18/071/004.
- 3) No development, or other operations shall commence on site in connection with the development hereby permitted (including any tree felling, soil moving, temporary access construction and/or widening or any other operations involving the use of motorised vehicles or construction machinery) until full details of hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - Details and locations of hard surfacing;
 - A method statement for implementation and maintenance;
 - Details of replacement planting including planting plans and schedule of plants;
 - Details of all boundary treatments; and
 - Surface water and drainage connections
- 4) The vehicle parking as shown on plan BRD/18/071/004 shall be constructed with markings and from a sealed hard surface prior to the first occupation of the development hereby permitted and shall be retained thereafter.