



Appeal Decision

Site visit made on 18 May 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 June 2020

Appeal Ref: APP/N1540/W/20/3245526
127 Abbotsweld, Harlow CM18 6TH

- 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 & Mrs J & R Thurston against the decision of Harlow District Council.
 - The application Ref HW/FUL/19/00287, dated 11 July 2019, was refused by notice dated 16 September 2019.
 - The development proposed is erection of end of terrace three bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development proposed on:
 - The character and appearance of the appeal site and surrounding area; and,
 - The availability of on-street parking in the vicinity of the appeal site.

Reasons

Character and Appearance

3. The appeal site comprises an end-terrace dwellinghouse located on the edge of a residential estate. The five houses in the terrace share common design features such as window size and placement and are of uniform width with their front walls aligned with one another. While there are differences in their appearance, for example in the size and style of front porches, overall they present a consistent appearance to the Abbotsweld street scene.
4. The proposed dwelling would be set back from the established building line. It would be wider than the existing houses in the terrace, with a two-storey side projection that is not a feature of the houses in the terrace, and nor did I observe a similar feature to other houses in Abbotsweld during my visit. The size, siting and style of the windows to the front elevation of the house would also differ from those of the existing terrace.
5. While there is some variance overall in the design of dwellings in the vicinity of the appeal site, there is clear uniformity within the design of the terrace, and within the wider group of buildings which share similar proportions and materials. During my visit I observed that properties in each neighbouring terrace also shared common characteristics within their rows, and I find that this uniformity is the predominant characteristic of the area.

6. While the appeal site is not in an area of protected character, I find the overall uniformity to be so consistent that the appearance and scale of the proposed dwelling would result in it appearing incongruous within its setting. This effect would not be adequately mitigated by using materials of matching external appearance to the existing properties in the terrace. The incongruous appearance of the development proposed would be harmful to the overall uniform appearance of the terrace, and the wider area.
7. The appellant argues that the property is not in a prominent location within the street scene due to its location at the end of a terrace and the setback from the terrace's frontage. However, I consider that the proposed dwelling would be a prominent feature from the public footpath entering the estate near the appeal site, and would appear particularly out of keeping with the clear uniform character of the area when viewed in this context.
8. The development proposed would therefore be harmful to the character and appearance of the appeal site and of the surrounding area. It would conflict with Policies H10 and BE1 of the Adopted Replacement Harlow Local Plan July 2006 (the LP) and guidance in the Harlow Design Guide Supplementary Planning Document October 2011. Together these require, amongst other things, that new development not have an unacceptable adverse effect on the character of the locality or the appearance of the street scene.

Parking

9. Policies H10 and T9 of the LP require, amongst other things, that new residential development meets the standards set out in the Essex County Council Parking Standards Design and Good Practice September 2009 (the Parking Standards) to preserve the amenities of the existing area. The Parking Standards require that new dwellings of two or more bedrooms provide a minimum of two off-street parking spaces. The appeal proposal makes no provision for off-street parking, and is therefore in conflict with LP policies H10 and T9.
10. The appellants have provided a Transport Statement (the TS) produced by Fieldgate Consultants Ltd which concludes that overnight parking, which represents the likely highest parking demand, within 200 metres of the site allowed for the additional parking of one car on Abbotsweld associated with the development proposed.
11. Additional parking was also identified in the neighbouring streets of Finchmore and Bishopsfield. However, I consider that future residents would be unlikely to want to consistently park in neighbouring streets both for the sake of convenience and to prevent their car being vulnerable to theft. I therefore only place limited weight on the availability of these spaces.
12. During my visit I saw that the road in the vicinity of the site was heavily parked, with cars parked partially on the pavement on both sides of the street in places. This included the pavement alongside and in front of nos. 104-107 Abbotsweld where the TS identified the street as too narrow for parking on both sides but recorded several cars parking there on both nights of the parking survey.
13. My site visit was conducted mid-morning at a time when parking would typically be expected to be light in a residential area such as this. Due to the recommendations in place due to the COVID-19 pandemic parking in the

vicinity of the appeal site was undoubtedly heavier than would usually be the case at that time of day. However, I have no reason to think that the parking situation that I saw was anything other than representative of the peak local demand for parking in this part of Abbotsweld as recorded in the TS survey.

14. The appellants have suggested that the development could be treated as car-free given the proximity to services, shops and public transport. The Parking Standards do acknowledge that a reduction in the standard may be considered within an urban area that has good links to sustainable transport. However, even allowing for this level of accessibility the existing level of on-street parking remains an issue in the area.
15. The appellants have also brought to my attention that the most recent census records that 22% of local households do not have access to a vehicle. However, as there is no mechanism before me that would prevent ownership of vehicles by occupants of the proposed dwelling, I can only give this limited weight.
16. I consider that a total absence of parking provision would exacerbate the existing parking situation in the vicinity of the site, displacing existing parking, causing congestion as drivers seek parking spaces and resulting in harm to the amenities of existing residents.
17. I therefore find that the appeal proposal would conflict with LP Policies T9 and H10 and the Parking Standards, the requirements of which are set out above.

Other Matters

18. The Council's second reason for refusal states that the development would undermine highway safety. Essex County Council, in their role as the local highway authority, have withdrawn their objection on highway safety grounds following review of the TS. The Council have confirmed that they maintain their objection on parking grounds. I have determined the appeal accordingly.
19. The Council initially also refused permission for the development proposed due to lack of information regarding the impact to trees and green infrastructure. Following submission of the Arboricultural Impacts Assessment prepared by OMC Associates, the Council have stated that their concerns could be addressed by a suitably worded condition, if planning permission were to be granted. I see no reason to disagree with this.
20. I note comments from third parties relating to potential loss of light, overlooking and loss of privacy. However, the Council did not find that these matters would result in unacceptable harm to neighbouring occupiers, and I see no reason to disagree with this conclusion. Concerns regarding disruption during construction were also raised, but this would be a temporary harm and could be minimised by a condition, were I minded to allow the appeal.

Conclusion

21. For the reasons given above I conclude that the appeal should be dismissed.

M Chalk

INSPECTOR