
Appeal Decision

Site visit made on 4 June 2020

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th June 2020

Appeal Ref: APP/N1540/D/20/3244708

1 Endway, Linford End, Harlow CM19 4LW

- 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 Adam Root against the decision of Harlow District Council.
 - The application Ref HW/HSE/19/00364, dated 9 September 2019, was refused by notice dated 14 November 2019.
 - The development proposed is erection of a brick double garage and formation of a new crossover including hard and soft landscaping.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The area is characterised by a mix of dwelling styles. However, overall, the properties along Three Horseshoes Lane have open frontages with low vegetation creating a spacious pleasant character. 1 Endway is a semi-detached two storey dwelling located on a corner plot, with both its side and front elevation facing onto the road.
4. Whilst the existing vegetation and fencing along the front and side boundary of the site does enclose the space to some extent, the mature landscaping contributes to the pleasant open character along Three Horseshoes Road.
5. The proposed garage would be positioned within the front garden of the existing dwelling, along the boundary with Three Horseshoes Road. It would extend along the front boundary and the shared boundary with 2 Linford End and leave limited space for any screening and therefore the proposal would be reliant on the existing hedge which lies outside of the appeal site.
6. I appreciate that, having regard to the size of the plot, the scale of the garage would not be disproportionate to the host dwelling. Nonetheless, the introduction of the built form of a detached garage with its position forward of the existing dwelling, despite its scale and height, would introduce an incongruous and dominant form of development which would be detrimental to the overall character and appearance of the area.

7. Landscaping has been indicated along the side boundary, adjacent to Linford End, which is located behind the existing 1.8m fence. This would provide a degree of screening of the proposed development along Linford End. However, by virtue of its position forward of the dwelling, the garage would be visible from Three Horseshoes Road.
8. The appellant has suggested that a condition could be imposed to require the retention or replacement of the existing hedge. The site location plan indicates that the existing landscaping adjacent to Three Horseshoes Road is outside of the appeal site. Therefore, it is not possible to control its retention. Given the position of the garage within the site there would be insufficient space for any further landscaping to be established along this front boundary.
9. I have had regard to the appellant's intention to re-orientate their garden so that the existing garage and parking area will be removed and become private garden. However, this does not alter the harm to the character of the area that would result from the introduction of a garage within the area to the front of the dwelling.
10. The proposal would result in the creation of additional hardstanding to facilitate parking and turning. However, I am content that this would not be detrimental to the overall character of the area, as the other dwellings fronting Three Horseshoes Road currently have parking areas within their frontage and therefore the proposal would not be dissimilar.
11. The appellant submits that the Council's assertion about precedent should not be considered. I appreciate that there are other open frontage areas in the immediate area. Nevertheless, I have judged this scheme on its individual merits and have found that a garage in this location would be harmful.
12. The appellant has referred me to an example of another garage at Oakdene. I have carefully considered this. However, in contrast to the appeal scheme it is an integral garage and is set back from the road frontage. As such it does not detract from the open character of the area. Therefore, this example does not alter my assessment of the appeal scheme.
13. I therefore conclude that the scheme would have a harmful effect on the character and appearance of the area. It would be in conflict with policy BE1 of the Adopted Replacement Harlow Local Plan which seeks to ensure that new development enhances and protects local character.

Conclusion

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

G. Pannell

INSPECTOR