
Appeal Decision

Site visit made on 27 May 2021

by Richard Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2021

Appeal Ref: APP/N1540/D/21/3270381
132 Aynsley Gardens, Harlow CM17 9PE

- 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 Paul Kane against the decision of Harlow District Council.
 - The application Ref HW/HSE/20/00532, dated 10 November 2020, was refused by notice dated 6 January 2021.
 - The development proposed is front dormer to facilitate loft conversion.
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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 host property and area.

Reasons

3. This 2-storey corner property sits at the end of a row of similar properties at the entrance into this part of Aynsley Gardens, a residential cul-de-sac that is part of a much larger housing development on the periphery of the town. Front elevations and roofs of dwellings are staggered and set back in places within the row and I observed none of the roofs had been similarly extended or altered. There were a few limited examples of gable features at roof level in the cul-de-sac, including a small pair of unobtrusive shallow catslide dormers on the eaves of a 3-storey building but all of these appeared to be part of the original design of those buildings and are perceived as such. Additional development in roof slopes and dormer windows were not prevailing features of the roofscape in this part of the gardens.
4. In any event, the proposal would introduce a much larger catslide style dormer window into one of the smaller roof slopes within the cul-de-sac. Sited centrally between the staggered and taller roof of No. 131 and the host property, and extending to just below the ridge, the combination of its size, projection and the resultant juxtaposition of different roof pitches and forms would appear incongruous with the unaltered existing arrangement of roof slopes within the row. Given the layout of the cul-de-sac and the prominent corner location of the host property such incongruity would be clearly conspicuous from the public realm and surrounding properties.
5. Further, the triple casement fenestration would be greater than the double casement in the first floor which displayed some clear rhythm in its

arrangement. The dormer window would be offset from the existing middle first floor window and with such wide tiled cheeks and Velux windows set higher on either side, visually, the position and proportion of the dormer and other windows would not respond appropriately to the existing windows as required by the Council's design guidance¹.

6. For these reasons and in such a context the proposal would not be a high quality of design and would cause harm to the character and appearance of the host property and area. It would therefore conflict with Policy PL1 of the Harlow Local Development Plan 2020 insofar as it would not be a high standard of urban and architectural design, does not respond appropriately to its surrounding context and character and would not be visually attractive, having regard to and amongst other things, the Council's design guidance.

Other Matters

7. I acknowledge the appellant's desire to improve the living accommodation for a growing family and that options appear to be limited to that proposed due to the internal structure of the property. However, the benefits to the appellant in such terms and any other small-scale economic benefits from construction would not outweigh the harm and conflicts that I have identified.
8. In reaching this view I have also had regard to the examples of other loft conversions in the wider area including significant flat roof box projecting dormer windows and other development² within roof slopes. Properties in Denby Grange and Davernport however are of a different and more traditional character and appearance with significantly larger roof slopes. Such features also appear to be integral to the original design of those dwellings and integral to the style, character and appearance of that particular housing development.
9. Examples of similar development in Pilkingtons and at No. 57 Denby Grange date from 2006 to 2008, are therefore of some age and would have been considered under a different adopted development plan that has not been put before me. At No.30 Aynsley Gardens permission appears to have been granted in 2016 for a loft conversion and front dormers but on the photograph provided that development appears as 2 modest pitched roof dormer windows either side of an existing gable projection. In all cases I have not been provided with the full details so also cannot be certain they are directly comparable to the proposal before me. I must also consider the proposal on its own merits and thus none of these other considerations, on their own or in combination, alter my view.

Conclusion

10. For the reasons set out above, the proposal would conflict with the development plan, when read as a whole. Material considerations do not indicate that a decision should be taken other than in accordance with that plan. I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR

¹ Harlow Design Guide 2011 – Dormer Windows and Roof Forms 4.12.29.

² Figures 4, 5 and paragraphs 6.10 of appellant's statement of case.