
Appeal Decision

Site Visit made on 16 November 2021

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2021

Appeal Ref: APP/N1540/D/21/3280122

43 Woodhill, Harlow CM18 7JT

- 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 Kris Felisiak against the decision of Harlow Council.
 - The application Ref HW/HSE/21/00279, dated 11 May 2021, was refused by notice dated 2 July 2021.
 - The development proposed is demolition of existing garage & WC and construction of 2 storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garage & WC and construction of 2 storey side extension at 43 Woodhill, Harlow, CM18 7JT in accordance with the terms of the application, Ref HW/HSE/21/00279, dated 11 May 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (1:1250), Site Plan (1:500), ATAC.W.21.1, ATAC.W.21.2, ATAC.W.21.3, ATAC.W.21.4, ATAC.W.21.5.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Preliminary Matters

2. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). Accordingly, both parties were invited to provide representations in relation to the revised Framework. I have taken these representations into account and had regard to the revised Framework in considering this appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

4. The host property is a two-storey semi-detached property with an existing single storey garage attached to the side. There is a shared pedestrian access between the host property and 42 Woodhill (No 42). The surrounding area

comprises a mixture of semi-detached, detached and terraced properties. A few of these have been extended. Indeed, there are examples of properties which have been extended at two-storey level in similar manner to the proposed development, including at 10 and 41 Woodhill.

5. The proposed development is for a two-storey side extension which would comprise a garage at ground floor level. The extension would be set back slightly from the existing front elevation of the host property and would also have a slightly lower roof height. As such, it would be subservient to the host property.
6. The proposed development would extend up to the boundary with the shared pedestrian access, however, the pedestrian access would ensure that a gap is retained between the host property and No 42. Taking this gap into account, along with the subservient design of the extension, the proposed development would integrate well in the street scene. In addition, noting that other properties have been extended in a similar manner to that proposed, the character of the surrounding area is not particularly 'open'. As such, there would be no harm in this regard.
7. The garage would have an open front. Whilst this is not a common feature of other garages in the surrounding area, it would not result in any significant visual harm, given the existing character of residential development in the surrounding area is not particularly uniform in general terms.
8. For these reasons, the proposed development would not harm the character and appearance of the host property or surrounding area. As such, it would accord with Policy PL1 of the Harlow Local Development Plan (2020), which requires in part that development reflects local distinctiveness.
9. The Council's SPD (2011)¹ states at paragraph 4.12.22 that side extensions on semi-detached properties should be at least one metre from the side boundary, in order to maintain their open design, avoid terracing effects and to allow pedestrian access to the rear. Whilst the development would not retain a gap of one metre to the boundary, it would maintain the open design, avoid terracing effects and maintain pedestrian access to the rear. Furthermore, figure 4.90 of the SPD (2011) states that a minimum of 1 metre must 'normally' be retained. This indicates that there may be instances where site-specific circumstances may dictate otherwise, such as in this case. For these reasons the proposed development would comply with Principle DG48 of the SPD (2011), which sets out how proposed side extensions should be assessed.
10. The proposed development would also comply with Framework Paragraph 130, which requires that new development is sympathetic to local character.

Conditions

11. Condition 2, listing the approved plans, is necessary in the interest of certainty.
12. Condition 3, requiring matching materials, is necessary in order to ensure that the development is in keeping with the character and appearance of the surrounding area.

¹ Harlow Design Guide Supplementary Planning Document (October 2011)

13. These conditions accord with the advice contained in the Planning Practice Guidance (PPG).

Conclusion

14. For the above reasons, and having had regard to all other matters raised, the appeal is allowed.

Luke Simpson

INSPECTOR