
Appeal Decision

Site visit made on 3 January 2022

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS
an Inspector appointed by the Secretary of State.

Decision date: 12th January 2022

Appeal Ref: APP/N1540 /D/21/3285582
57, St. Johns Avenue, Harlow CM17 0BD

- 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 Matthew Knight against the decision of Harlow District Council.
 - The application Ref HW/HSE/21/00413, dated 13 July 2021, was refused by notice dated 15 October 2021.
 - The development proposed is described as 'the demolition of a garage, conservatory and a single storey rear extension and the construction of a two-storey rear extension and a single storey side extension'.
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Decision

1. The appeal is allowed, and planning permission is granted for a two-storey rear extension, single storey side and rear extension and a loft conversion at 57, St. Johns Avenue, Harlow, CM17 0BD in accordance with the terms of the application HW/HSE/21/00413, dated 13 July 2021, subject to the following conditions:
 - i. The development hereby permitted shall begin no later than three years from the date of this decision.
 - ii. The development hereby permitted shall be carried out in accordance with the following approved plans: ATAC.SJA.21.1; ATAC.SJA.21.2; ATAC.SJA.21.3C; ATAC.SJA.21.4C; ATAC.SJA.21.5B; ATAC.SJA.21.6; ATAC.SJA.21.7D; ATAC.SJA.21.8; ATAC.SJA.21.9C and ATAC.SJA.21.10.
 - iii. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The local planning authority (LPA) in its Decision Notice describes the proposed development as a two-storey rear extension, single storey side and rear extension and a loft conversion. I have determined the appeal on the basis of the above description as I consider it more accurately reflects the proposed

development, while accepting that it also includes the demolition of an existing garage, conservatory and a single storey rear extension.

Main Issue

3. The main issue is whether or not the proposal would preserve or enhance the character or appearance of the Harlow Garden Village Estate Conservation Area (CA).

Reasons

Character and appearance

4. The CA comprises mainly residential dwellings. The associated Conservation Appraisal 2013 (CAA) is a material consideration in the determination of the appeal.
5. The CA contains cohesive groups of houses exhibiting a distinctive garden village architectural style, set within generous landscaped plots. The CAA describes the buildings as collectively providing *'a significant example of early 20th century suburban design and layout'*.
6. The CAA characterises the CA as having dwellings laid out to a highly planned approach around central landscape features in order to create *'a series of street pictures'* and containing a collection of cohesive housing groups which exhibit a strong garden village character derived from unifying architecture and landscape features. Buildings are characterised by steep, pitched roofs punctuated by front gabled elevations and tall chimneys. Roofs have a consistency of materials and facades are often rendered with pastel colours which create distinctive but varied and attractive sets of housing groups.
7. The CAA notes the highly distinctive dwellings at St. Johns Ave (including the appeal property) and states that *'alterations to the front of dwellings within these groups should be sensitively managed as unsympathetic change to important unifying architectural and landscape features at the front of houses can upset the balance and visual harmony of the whole group'*.
8. The National Planning Policy Framework 2021 (the Framework) states that when considering the impact of a proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation.
9. The appeal building encapsulates many of the above characteristics of the CA. It forms a small group of two-storey, pastel-coloured dwellings with narrow gables and steep pitched roofs facing the Avenue. They form a distinctive collection of dwellings in the street scene adding positively to the significance of the CA as a whole.
10. The proposed development would lead to the demolition of later additions to the original dwelling (such as the conservatory) and would include the construction of a two-storey rear extension and a further single-storey rear and side extension.

11. The existing front facade would remain unchanged. The proposed single-storey side extension would be seen at an angle when viewed from the Avenue, but it would be set back from the front elevation and would have a limited length and height. It would replace the existing detached garage, albeit that it would be linked to the existing dwelling and closer to the Avenue. Materials would match the existing dwelling.
12. The Harlow Design Guide Supplementary Planning Document (SPD) states that in conservation areas, side extensions should be set back from the front elevation of the host property, should be set in from the side boundary by at least one metre and should be less than two thirds of the width of the main house. The proposed development accords with this guidance.
13. The rear extensions comprise a two-storey extension where the existing roof ridge would be extended and at the same height as the existing ridge. The two-storey extension would be set in from the sides of the existing dwelling by approximately 0.4 metres on each side. By setting it in in this way, it would assimilate well with the existing property and would not detract from the character and appearance of the CA.
14. The two-storey extension and the additional single-storey rear extension would hardly be seen from public viewpoints, if at all, and while these would alter the original layout of the dwelling, I do not consider that they would detract from its overall appearance or that of the CA, especially when seen in the context of the front elevation and where the latter is given great weight in the CAA.
15. Therefore, I conclude that the proposed development would preserve the character and appearance of the CA. It would accord with the design and conservation requirements of policies PL1, WE5 and PL12 of the LP, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act and with Chapter 16 of the Framework.

Other Matters

16. Concern is expressed by the occupant of 1 Manor Road over a loss of light to a kitchen window caused by the proposed extension. However, the LPA, in its officer report, notes that as there would only be less than 0.12 metres directly in front of the window in question, and as the window is south facing it would continue to receive a reasonable amount of sunlight and particularly sunlight from mid-day onwards. I see no reason to disagree with the LPA in this regard. Furthermore, I was able to see on my site visit that there is an existing high hedge outside the kitchen window.
17. This matter does not alter or outweigh my conclusion on the main issue.

Conditions

18. I have imposed the standard time condition and a condition to ensure the development is in accordance with the approved plans in the interests of certainty.
19. In addition, and notwithstanding the submitted plans, I have imposed a condition requiring the use of matching external materials to ensure that the proposal integrates acceptably with the existing building.

Conclusion

20. For the above reasons, I conclude that the appeal should be allowed.

Steven Hartley

INSPECTOR