

Appeal Decision

Site visit made on 20 June 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd July 2023

Appeal Ref: APP/N1540/W/23/3316179

3 Juniper Road, Harlow, Essex, CM17 0FU

- 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 P Antoniadis against the decision of Harlow Council.
 - The application Ref HW/HSE/22/00466, dated 12 October 2022, was refused by notice dated 6 December 2022.
 - The development proposed is a canopy to cover patio in rear garden, projecting from back side of house into the garden.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The rear canopy is in place although it is not complete. The size of the structure is in keeping with the host dwelling and provides shelter and screening between this and the neighbouring gardens. Internally, the structure provides an attractive space which is likely to increase the use of this area of garden. However, externally, it is entirely at odds with the appearance and materials of these modern properties.
 4. The structure, being to the rear, is not prominent in public views. However, due to its height, it is clearly evident above the roadside wall. Its current discordant appearance does draw attention to it and it does detract from the character and appearance of the dwelling and the wider area.
 5. It is proposed that the side elevation be clad in white PVC fascia boards which would cover the currently exposed waterproof membrane above the fence height. The plans do not show the return elevation which is the most exposed part in public views. This section is particularly visually intrusive at present. The plans do not clearly demonstrate how the roof form and the eaves in this area would be finished. The opposite elevation does appear to have been finished with the roof felt extending downwards to cover the exposed timber. Whilst this provides an improved finish, the detailing and the finish remain poor.
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6. I am mindful that this is a rear garden structure and that it is not complete. I do not have concerns with the principle of a well-designed, high-quality canopy or enclosure in this location. However, whilst a condition could require that it be finished in alternative materials, the details submitted do not suggest that such alterations would lead to a satisfactory design solution. This is a modern house with modern and relatively uniform materials. Whilst there are a number of garden sheds with similar materials and felt roofs, these are low level and much less visible. Given the information submitted, I am not satisfied that a condition requiring alternative materials would overcome the current concerns. A more fundamental change to the design approach is likely to be necessary and goes beyond the reasonable requirements of a condition.
7. In conclusion, the structure currently has an unsatisfactory appearance that detracts from the character and appearance of this property and the surrounding area. It represents poor design. The plans and the measures put forward to improve this structure do not persuade me that the final form would address these concerns. It would not satisfy the design objectives, particularly those relating to the use of appropriate materials, within policy PL1 (a-c) of the Harlow Local Development Plan 2020, the Harlow Design Guide SPD 2011 and the Harlow Design Guide Addendum 2021. Whilst I have had regard to the benefits of such a structure to the living conditions of the residents, there are no matters that are sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR