



Appeal Decision

Site visit made on 12 September 2023

by Nick Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2023

Appeal Ref: APP/N1540/D/23/3319863

Foleys, 14a School Lane, Harlow CM20 2QD

- 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 Barry Foley against the decision of Harlow District Council.
 - The application Ref HW/HSE/22/00550, dated 20 December 2022, was refused by notice dated 2 March 2023.
 - The development is a proposed two storey side & rear extension (including habitable rooms within the roof) and internal/external alterations.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the design of the proposed extension on the host dwelling, street scene and the heritage assets including the Grade II Listed Registered Park of Town Park (LRP) and character or appearance of the Netteswell Cross Conservation Area (CA).

Reasons

3. The existing dwelling comprises a detached building, clad in dark stained weatherboarding and formerly used as a garage to number 14 School Lane. Despite now being separated into a separate unit of accommodation, it still reads as a subordinate structure to number 14 and is a neutral component in the wider setting.
4. The property is set within the CA and affects the setting of the LRP. Both the CA and LRP are formed of a pleasantly landscaped parkland in a mix of formal and informal layouts with ample tree planting and ornamental shrubs. The parkland in the vicinity is criss-crossed by a variety of footpaths and narrow roadways. The boundaries of the two are not contiguous and characteristics of each are similar and frequently overlapping, yet still slightly different.
5. The CA is largely formed of the park, peppered by small clusters of modestly scaled buildings; most commonly around the Greyhound public house to the south and to the north around the junction with School Lane and Arbour Mews. The significance and special interest of the CA is this parkland setting, interspersed with a village style arrangement of buildings, commonly in a traditional vernacular.
6. The LRP encompasses a wider area of Town Park and largely excludes the buildings within it. Its special interest is as a planned park connected with the creation of the new town of Harlow. It features a mix of formal park and

natural setting. The incorporation of Netteswell Cross as a hamlet within the park is noted in the list description as a rare and early example of conservationist approach to planning.

7. The extension to the current modestly sized building is dramatic. It alters a diminutive structure, that reads as an outbuilding in the street scene, to an imposing three storey house. The extension disregards the existing building to the detriment of its modest scale and position within the street scene. The design and use of materials further disregards this setting. The dark stained weatherboarded cladding, catslide roof and dramatic height drawing no reference or design clues from its surroundings. It would have an adverse effect on the surrounding area and fails to preserve the character or appearance of the CA or the special interest of the LRP.
8. The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. It further requires me to have special regard to the desirability of preserving the setting of the LRP. The extension would cause less than substantial harm to the character and appearance of the CA by reason of its size, design and inappropriate use of materials for the scale of building. It also causes less than substantial harm to the setting of the LRP for the same reasons.
9. The development therefore fails to comply with Policies PL1, PL12 and WE5 of the Harlow Local Development Plan 2020, Harlow Design Guide Supplementary Planning Document 2011 and provisions of the National Planning Policy Framework (the Framework).
10. The Framework advises, at Paragraph 199, that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Accordingly, while less than the substantial harm referred to in Paragraph 201 of the Framework, the harm to the CA and LRP is nevertheless a matter of considerable importance in this case.
11. Paragraph 202 of the Framework also requires that, where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
12. The appellant has identified other examples of buildings in the locality of a similar size or using similar materials. However, modern buildings of a larger scale, including Arbour Mews and modern flat blocks, are set outside the CA and are not comparable. The use of weatherboarding is sporadically used to small service buildings or as a minor detail feature within parts of the CA, of which the existing building at the appeal site is an example, but this does not equate to the size of the resultant building proposed here. Finally, although I accept the existing dwelling is of a relatively small size, an increase in the amount of living space is not a public benefit, nor does it outweigh the harm to the CA or LRP.

Conclusion

13. For the reasons given above I conclude that the development would be detrimental the character and appearance of the existing building and street scene. It would fail to preserve the character and appearance of the CA and is detrimental to the setting of the LRP. I conclude that it conflicts with the policies of the development plan read as a whole, and the Framework. As such, the appeal is dismissed.

Nick Bowden

INSPECTOR