



Appeal Decision

Site visit made on 3 July 2024

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 August 2024

Appeal Ref: APP/N1540/D/24/3344232

30 Cooks Spinney, Harlow, CM20 3BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ayub Mia against the decision of Harlow District Council.
 - The application Ref is HW/HSE/24/00059.
 - The development proposed is two-storey side and rear extensions, demolition of existing garage and rebuild as adjoined ancillary annexe.
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Decision

1. The appeal is allowed and planning permission is granted for two-storey side and rear extensions, demolition of existing garage and rebuild as adjoined ancillary annexe at 30 Cooks Spinney, Harlow, CM20 3BJ, in accordance with the terms of the application Ref HW/HSE/24/00059, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: 24-00059 dwg 1684-01 Existing Floor & Location Plan; 24-00059 dwg 1684-06 Existing & Proposed Block Plan; 24-00059 dwg 1684-02 Existing Elevations; 24-00059; dwg 1684-03 Proposed Ground Floor Plan; 24-00059 dwg 1684-04 Proposed Floor & Roof Plan; and 24-00059 dwg 1684-05 Proposed Elevations.
 - 3) 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.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of both the existing dwelling and the streetscene.

Reasons

3. The appeal property is a detached two-storey dwelling, which is situated in a residential area. The dwelling has a somewhat plain appearance, which is consistent with other dwellings along this section of Cooks Spinney. The property is positioned at the end of the road adjacent to a public footpath, which runs to the front and side of the dwelling. A dense landscaped area largely screens the property from the footpath at the side.

4. The proposed extensions would lead to a substantial increase in the size of the property. A two-storey twin gabled extension would be constructed at the rear and a two-storey extension would be built on one side. In addition, the existing attached garage on the other side of the dwelling would be demolished and rebuilt for use as an annexe.
5. The Council considers that the proposal would be excessively large and would visually dominate the existing property. In addition, the Council argues that it would have an adverse impact on the streetscene, because of its scale.
6. Policy PL1 of the Harlow Local Development Plan (LDP) states (amongst other things) that the design of new development should be of a high standard that is visually attractive, that takes account of local character and responds to the scale, height and massing of the surrounding area.
7. Further guidance is contained in the Harlow Design Guide 2011 and its Addendum 2021. The guidance advises that residential extensions should be visually subservient and that rear extensions should generally be no greater than 4m in depth. However, the 2021 guidance also states that all planning applications for extensions and alterations will be considered on their individual merits (paragraph 4.2).
8. I consider that the above policy and guidance is consistent with paragraph 135 of the National Planning Policy Framework 2023 (The Framework), which also states (amongst other things) that development should add to the quality of the area and be visually attractive.
9. As previously stated, the proposed extensions would be substantial additions to the property and I agree that, in total, the proposal could not be described as subservient. However, that should not automatically mean that a proposal is unacceptable.
10. The existing building has no significant characteristics that constrain further development. The proposed extensions would complement the appeal dwelling in terms of their design, including the roof forms and proposed materials. Although the property is visible from the front, the side extension would not appear at odds with the dwelling or the streetscene. Furthermore, it is substantially screened from the public footpath at the side and the rear extension would be barely visible, if at all. With regard to the replacement garage, the new 'annexe' would appear as a relatively minor and subordinate extension.
11. For the above reasons, I consider that the proposal would not have an adverse impact on either the dwelling or the streetscene, and, therefore, it would not conflict with Policy PL1 of the LDP, as referred to above.

Conditions

12. The Council has suggested conditions in the event of the appeal being allowed. In addition to the standard conditions relating to the time for commencement and the listing of the approved plans, a condition is also imposed requiring the use of matching external facing materials. This is necessary to ensure a satisfactory external appearance.

Conclusion

13. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR