Planning Inspectorate

Appeal Decision

Site visit made on 2 February 2026

by T A Bennett BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 February 2026

Appeal Ref: APP/N1540/C/24/3354116
16 Fennells, Harlow CM19 4RJ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mrs Ozlem Ulutop against an enforcement notice issued by Harlow District Council.
- The notice was issued on 3 October 2024.
- The breach of planning control as alleged in the notice is without planning permission, the construction of an extension to the east side of the dwelling.
- The requirements of the notice are to:
  (i) Remove the extension on the east side of the dwelling.
  (ii) Remove all resultant material from the land.
- The period for compliance with the requirement is: 3 months.
- The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary Decision: The appeal is allowed, the enforcement notice is quashed, and planning permission is granted in the terms set out below in the Formal Decision.

The Appeal on Ground (a) and the Deemed Planning Application

Main Issue

1. The main issue is the effect of the east side extension on the character and appearance of the host property and area.

Reasons

2. The appeal property is a detached dwelling set in a spacious plot. In this regard, it contrasts with the prevailing character of the surrounding residential area, which is predominantly comprised of rows of terraced properties in compact plots.

3. The side extension on the eastern elevation exceeds over half the width of the host dwelling's front elevation. However, given the generous and spacious plot size, the extension does not appear as a disproportionate addition to the host property. This is helped by several design factors. The mono-pitched roof form is significantly lower than the main ridge, ensuring that the extension remains subordinate and does not dominate the host property. The use of horizontal timber cladding, alongside the existing front porch, effectively breaks up the massing of the front elevation and adds visual interest. The cladding has also been painted white which successfully integrates the extension with the white render of the host dwelling.

4. Although the front elevation of the side extension lacks fenestration, the tall, close-boarded timber fence situated in front of the front elevation, further breaks up the frontage of the property. Consequently, the lack of fenestration on this elevation

does not appear unacceptably harmful in the streetscene or against the host dwelling. Moreover, if fenestration were to be included on this elevation it would appear odd given the close proximity of the tall front boundary fence which would severely limit any meaningful outlook from any window.

5. Whilst examples of large side extensions are limited within the wider streetscene, difference does not automatically equate to harm. As already outlined, the plot is unusually large compared to others in the area and comfortably accommodates the proposal without overdeveloping the site. It therefore causes no demonstrable harm to the character of the area.

6. For the reasons above, I conclude that the single storey side extension on the east elevation of the host property does not appear as an incongruous addition and does not adversely affect the character and appearance of the property and area. The development, therefore, accords with Policy PL1 of the Harlow Local Development Plan (2020) which seeks a high standard of urban and architectural design for all development, which is visually attractive. It also accords with the Harlow Design Guide Supplementary Planning Document (2011) which requires that proposals should not result in unacceptable harm to the character and appearance of the application dwelling or area and extensions should be visually subservient to the original dwelling.

Conclusion

7. For the reasons set out above, I conclude that the development accords with the development plan. The appeal on ground (a) therefore succeeds.

8. The development has already taken place and I have not found any harm caused by the development. As such, no conditions are necessary in order to make the development acceptable.

Formal Decision

9. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the construction of an extension to the east side of the dwelling at 16 Fennells, Harlow CM19 4RJ as shown on the plan attached to the notice.

T Bennett

INSPECTOR