

Appeal Decision

Site visits made on 23 August and 16 September 2016

by M C J Nunn BA BPL LLB LLM BCL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19th September 2016

Appeal Ref: APP/Q3820/D/16/3153549

24 Hexham Close, Crawley, West Sussex, RH10 7TE

- 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 Sid Teagle against the decision of Crawley Borough Council.
 - The application Ref: CR/2016/0188/FUL, dated 23 February 2016, was refused by notice dated 21 April 2016.
 - The development is described as "additional 2nd storey pitched roof front extension comprising bedroom, ensuite & study".
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Decision

1. The appeal is dismissed.

Reasons

2. The main issues are the effect of the proposal on (i) the character and appearance of the area, and (ii) the living conditions at No 25, in terms of daylight and sunlight. The appeal property, probably built in the 1960s or 1970s, is a two storey, detached dwelling within a cul-de-sac. The dwellings in the road date from the same era and are of varying designs, with a number similar to the appeal dwelling. Some of the properties in the road have been altered or extended. The road has an attractive open and spacious feel because of the landscaped front gardens and green verges.
 3. The dwelling, like others in the road, has a flat roofed front projecting garage, common in properties of this era. This scheme proposes constructing a first floor front extension over this structure. In my view, the scheme would, in many respects, improve the dwelling's appearance, softening the block-like and utilitarian form of the existing garage. The proposal has been designed to integrate satisfactorily with the host dwelling, and the pitched hipped roof, set below the main roof ridge, would achieve an appropriate degree of subservience to the host dwelling.
 4. Providing matching building materials are used, I am satisfied that the addition would be adequately assimilated within the locality. A precedent for such additions already exists. Other properties in the cul-de-sac have carried out similar first floor extensions over the garages without harming the area's pleasant character. On the first issue, I find the scheme would comply with Policies CH2 and CH3 of the Crawley Borough Local Plan ('the Local Plan') to
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the extent they require high quality design, and for developments to relate sympathetically to their surroundings.

5. Turning to the second issue, I observed that No 25 Hexham Close has a number of windows on its southern flank elevation, facing the appeal property. There is a full length glazed door serving the kitchen, as well as windows serving a WC, a prayer room, and a study /play area within the former garage. I accept that the WC cannot be considered a habitable room and also note that the kitchen has a main window to the rear elevation. However, in the other rooms, the flank windows are the main source of light.
6. It seems to me that the proposed extension, by virtue of its size, bulk and depth of forward projection, would seriously impair the daylight and sunlight to these flank windows. Given the orientation of the flank windows of No 25 facing south, a shadow would be cast as the sun moves during the day from east to west. I consider it inevitable that the proposal would severely curtail sunlight and daylight within these rooms. These rooms would experience a greater sense of overshadowing, making living conditions within them much less pleasant.
7. I note the appellant's point that other properties have had similar front additions approved. But it was clear from my site visit that these properties do not have the same positional relationship as Nos 24 & 25. In particular, many of the extended properties have staggered or 'offset' positions relative to each other, and differ in terms of their placement of flank windows. This means that similar overshadowing problems do not arise to the same degree.
8. The proposed flank windows serving the new en suite bathroom and existing bathroom would be obscure glazed so that any privacy concerns would be adequately addressed. However, this does not alter my opinion that the living conditions at No 25 would be materially harmed in terms of daylight and sunlight. Consequently, I conclude on the second issue that the proposal would conflict with Policy CH3 of the Local Plan which requires proposals to retain a good standard of amenity for all existing and future occupants of land and buildings.
9. To sum up, whilst the proposal is acceptable in relation to the first issue, it is unacceptable in relation to the second. Therefore, the appeal must be dismissed.

Matthew C J Nunn

INSPECTOR