



Appeal Decision

Site visit made on 20 August 2019

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th October 2019

Appeal Ref: APP/Q3820/D/19/3228227

38 Saxon Road, Pound Hill, Crawley RH10 7SB

- 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 Ms Elliot against the decision of Crawley Borough Council.
 - The application Ref CR/2018/0937/FUL, dated 20 December 2018, was refused by notice dated 15 February 2019.
 - The development proposed is single storey rear extension, garage conversion, extension to porch, bin store, changes to side elevation windows.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development on the character and appearance of the building and surrounding area.
 - The effect of the development on the living conditions of 40 Saxon Road, with particular reference to outlook and overbearing impact.

Reasons

Character and appearance

3. 38 Saxon Road is a two storey dwelling with an attached garage, in a residential housing estate comprising similar two storey dwellings. Although there is a mix of gable fronted properties and dwellings with ridgelines that run parallel to the road there is a uniformity in the design of the entrance porches which have single pitched roofs and doorways facing the street. Whilst the estate is modern, with no outstanding architectural merit, the uniformity in the design of the entrance porches is a notable feature that adds to the character of the area.
4. The proposed alterations to the front of the property, including the extension to the porch would introduce a dual pitched roof and place the entrance door within the side elevation. In addition, it is proposed that the garage is converted, with the insertion of windows in the front elevation with a bin store constructed in front of the garage.
5. I do not consider that the alterations to the garage and introduction of a bin store in isolation would be detrimental to the character and appearance of the

area, whilst the windows proposed are not quite as deep as those on the main dwelling, the garage is a subservient structure and if converted would read as a single storey extension to the main dwelling.

6. The bin store would be a small structure which would serve to hide the bins from view. The parking area for the property is in front of these structures and the bin store would not be visible when vehicles were parked there.
7. However, the proposed front porch would result in an extension which is unlike any others I could see in the vicinity of the site. Its narrow obscure glazed window would dominate the front elevation of the property and the dual pitched extension would be contrary to the pattern of development within this close. In addition, the introduction of the front door within the side elevation would introduce an alien feature in the locality. Given that the existing porches add to the character of the area on account of their uniformity and balanced proportions the proposal would appear significantly at odds with the established character of the estate and would cause harm as a result.
8. I note the points made in the appellant's submission in relation to the overall size and projection of the porch, and I agree that the depth of the proposed porch would not be harmful to the character and appearance of the area, having regard to the staggered nature of the properties, however this does not overcome my concerns with regard to the design of the extension as set out above.
9. In conclusion the development would be detrimental to the overall character and appearance of the area, resulting in an incongruous feature within the street scene, contrary to policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 (2015) (LP) and the Urban Design Supplementary Planning Document (2016) (SPD) and the overall aims of the Framework which all seek to ensure good design.

Living Conditions

10. The proposed flat roofed rear extension would project beyond the existing rear garage and would be adjacent to the boundary of 40 Saxon Road. The existing garage already projects beyond the rear elevation of 40 Saxon Road. The flank wall of the garage projects marginally beyond a 45 degree angle, when measured from the nearside aperture of the adjacent ground floor window in No. 40 but not to an extent that would lead to any undue harm to the living conditions of neighbouring properties.
11. However, the additional projection would encroach further into the rear garden and, as a result, the flank wall of the proposed extension would project significantly beyond the 45 degree line from the nearest habitable room window in 40 Saxon Road contrary to the guidance set out within the SPD, which seeks to avoid dominance on neighbouring properties. Given the extent of that projection, and the proximity of the adjacent window I find that the proposal would have an overbearing impact when viewed from within the dwelling and the garden immediately to the rear and would lead to a loss of outlook when viewed from within the closest habitable room. In my view that would be harmful to the living conditions of neighbouring residents.
12. It has been put to me that a similar development could be built under permitted development, however no details are before me to consider.

Moreover, whilst it may theoretically be possible to erect an alternative extension under permitted development rights it is not clear if such an alternative would meet the needs of the appellants and there is nothing before me to indicate that such a scheme would actually be constructed if the appeal was to fail. Consequently, I have given little weight to the suggested fall-back and have considered the proposal on its own merits.

13. I have also noted the points made in relation to the depth of the extension and the remaining garden area, however this did not form part of the Council's reason for refusal and I am content that the proposed extension would not compromise the remaining garden area
14. Therefore, by virtue of its depth in proximity to the boundary, the proposed rear extension would have an overbearing impact and result in a loss of outlook when viewed from the neighbouring property at No. 40 such that it would have a detrimental effect on the living conditions of residents of that dwelling. Accordingly it would be contrary to policies CH2 and CH3 of the LP and the guidance contained within the SPD and the Framework which seek to ensure appropriate standards of amenity for existing occupiers.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

G. Pannell

INSPECTOR