
Appeal Decision

Site Visit made on 8 November 2021

by Martin Chandler BSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2021

Appeal Ref: APP/Q3820/D/21/3279317

77 Ditchling Hill, Southgate, Crawley RH11 8QL

- 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 & Mrs Charlish against the decision of Crawley Borough Council.
 - The application Ref CR/2021/0130/FUL, dated 17 February 2021, was refused by notice dated 30 June 2021.
 - The development proposed was originally described as: 'Householder planning application for single storey rear extension to 77 Ditchling Hill, Southgate, Crawley, RH11 8QL'
-

Decision

1. The appeal is allowed, and planning permission is granted for single storey rear extension, at 77 Ditchling Hill, Southgate, Crawley RH11 8QL, in accordance with application Ref: CR/2021/0130/FUL, dated 17 February 2021, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) The development hereby permitted shall be carried out in accordance with the following drawings: M219 170221 01 Rev A; M219 40; M219 41; M219 42; M219 43.
 - 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.

Preliminary Matter

2. In allowing the appeal I have removed the reference to 'householder planning application' as well as the site address from the description of development. This is to provide a more succinct description and in taking this action, I am satisfied that the interests of the parties have not been compromised.

Main Issues

3. The main issues are:
 - i) the effect of the proposal on the living conditions of the occupants of No 79 Ditchling Hill; and
 - ii) whether the proposal would provide suitable living conditions for future occupants.

Reasons

Living Conditions - Neighbours

4. The proposal would introduce a single storey extension to the rear of the property that would abut the shared side boundary with No 79 Ditchling Hill. The depth of the proposal would be such that it would infringe upon the 45-degree angle as identified within the Council's Urban Design Guide Supplementary Planning Document (2016) (SPD).
5. The SPD is clear that this test is applied to avoid indicative overshadowing. In this regard, the proposal would be located to the south-west of No 79 and as a consequence, it would have an effect on levels of sunlight received in the afternoon. However, the design of the proposal seeks to provide a demonstrably low eaves height by clipping the sides of the proposed flat roof. Accordingly, the eaves height would be comparable in height with a traditional boundary enclosure. The height of the extension would increase beyond the boundary and therefore the mass and bulk of the extension would be substantially greater than a boundary enclosure. However, this would be removed from the site boundary thereby reducing the overall impact of the extension.
6. The SPD confirms that contextual matters can influence how the test should be applied. In this regard, the adjacent opening for No 79 is large and the design of the extension seeks to limit the overall bulk of the structure on the boundary. Accordingly, in my judgement, the context of the proposal is such that the extension would not unduly compromise light levels or give rise to unacceptable overshadowing.
7. Consequently, I conclude that the proposal would not harm the living conditions for the occupants of No 79. It would therefore comply with Policy CH3 of the Crawley Borough Local Plan (2015) (LP) as well as guidance contained within the SPD. Taken together, these seek amongst other things, development which does not cause unreasonable harm to the amenity of the surrounding area.

Living Conditions – Future Occupants

8. The proposal would extend upon a substantial section of the existing rear garden. Accordingly, the resultant space would be smaller than that desired within the Council's SPD. However, the rear garden would remain as a very usable space and provide demonstrable amenity value. The property also benefits from a generous and private front garden area which also provides usable space. The SPD acknowledges that there may be exceptions in meeting external space standards. In this instance, due to the combination of the front and rear gardens, both of which offer private and usable amenity space, I am satisfied that the existing building would retain adequate external space.
9. Accordingly, I conclude that the proposal would provide suitable living conditions for future occupants. It would therefore comply with Policy CH3 of the LP as well as guidance contained within the SPD. Taken together, these seek amongst other things, development which retains a good standard of amenity for all existing and future occupants of land and buildings.

Conditions and Conclusion

10. In light of my findings set out above, conditions are necessary in the interests of precision and clarity to establish the time limit for the commencement of development as well as to list the approved drawings. In addition, to ensure a suitable finish for the proposed extension, a condition is necessary requiring the proposed materials to match those used in the existing building.
11. Subject to these conditions, the appeal should be allowed.

Martin Chandler

INSPECTOR