



Appeal Decision

Site visit made on 25 October 2022

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 24 November 2022

Appeal Ref: APP/Q3820/W/22/3295047

Site at Nos. 24-30 inclusive, The Boulevard, Crawley RH10 1XP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 20, Class AB of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
 - The appeal is made by Mr H Schneck of Mountley Ltd against the decision of Crawley Borough Council.
 - The application Ref CR/2021/0841/CND, dated 11 November 2021, was refused by notice dated 9 February 2022.
 - The development proposed is "Prior Notification requirement under Part AB1 of the GPDO for a single storey roof extension to form 4 apartments".
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Decision

1. The appeal is dismissed.

Procedural matter

2. In its letter dated 3 November 2022, the Council advised that there has been a change in circumstances affecting the appeal site, which is that at the Council's Cabinet meeting of 2 November 2022, a new Queens Square and The Broadway conservation area was designated, and the appeal site falls within that new conservation area. The proposed conservation area had been referred to in the Council's representations. The appellant was given the opportunity to comment, but no response has been received within the timescale.

Reasons

3. In order to benefit from the provisions in Schedule 2, Part 20, Class AB of the GPDO the proposed development must not fall within any of the 'Development not permitted' that is set out in GPDO paragraph AB.1. GPDO paragraph AB.1 (p) (i) states that development is not permitted by Class AB if the land or site on which the building is located, is or forms part of article 2(3) land. GPDO Schedule 1, Part 1, paragraph 1.(a) states that land within an area designated as a conservation area under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (designation of conservation areas) is article 2(3) land.
4. As the appeal site falls within article 2(3) land, the development is not permitted by the GPDO.
5. For the reasons given, the appeal should be dismissed.

J Reid INSPECTOR