



Appeal Decision

Site visit made on 7 May 2024

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

an Inspector appointed by the Secretary of State

Decision date: 15th May 2024

Appeal Ref: APP/Q3820/D/23/3333268

**Heathermead, Turners Hill Road, Pound Hill, Crawley, West Sussex
RH10 7SL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Moin Vohora against the decision of Crawley Borough Council.
 - The application Ref is CR/2023/0492/FUL.
 - The development proposed is "Two storey extension over existing dwelling. Demolition of existing garage and proposed new garage".
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect that the proposed development would have on:
 - the character and appearance of the surrounding area,
 - the living conditions of the occupiers of 2 Green Bushes, regarding outlook, and sunlight and daylight, and
 - the integrity of the Arun Valley Special Area of Conservation, the Arun Valley Special Protection Area and the Arun Valley Ramsar Site (the Arun Valley site).

Reasons

Character and appearance

3. The appeal site is situated within a mainly residential area on the roughly south side of Turners Hill Road, opposite its junction with Newbury Road. The existing 2 bedroom bungalow is set back from the road in its leafy front garden, which includes a drive and turning area by the garages by its deep but lower front outshoot. The low profile bungalow at Windfall lies roughly east, the semidetached chalet style dwelling at 2 Green Bushes lies roughly west, and at the back lie the detached mostly 2 storey dwellings at 23 and 24 Mayfield. The mainly 3 storey flats on the opposite side of the partly tree edged Turners Hill Road are set well back from that road, and the taller flats by the junction with Balcombe Road respect their corner siting. So, whilst the locality includes dwellings in a range of ages, types and styles, the spaciousness and leafiness in the nearby part of Turners Hill Road, and in the nearby streets, contributes positively to the local suburban character.

4. The simple form, scale and low eaves of the mid C20 appeal dwelling, the layout and proportions of its window and door openings, and its features, including its shallow recessed storm porch, are important to its character and appearance. The proposal would include a tile hung hipped and barn-hipped roofed first floor extension with varied eaves heights and a catslide over the existing roughly L-plan dwelling, a shallow 2 storey front extension beyond the existing front outshoot, and an attached pair of hipped roofed garages. The upper floor rooms would be partly within the roof spaces and they would be largely lit by front gabled part dormers.
5. The proposal would change the existing bungalow to a house, but the various roof forms, eaves heights, and gabled part dormers would fail to moderate its substantial bulky form. Due to its depth, width and bulk, the proposal would erode the important spaciousness at the site, and along with its taller, deeper, and more prominent front outshoot, the extended dwelling would be discordant above the boundary treatments in the Turners Hill street scene, especially in south westward views. As the proposal's dissonant form and complex features would contrast starkly with the harmonious composition of most nearby dwellings, regardless of their age or style, the proposal would be incongruous.
6. As the existing and/or proposed vegetation at the site could not reasonably be controlled by condition for more than a few years, it could not be relied upon to screen the proposal in the long term.
7. Therefore, I consider that the proposed development would harm the character and appearance of the surrounding area. It would be contrary to Policy CH2 of the Crawley Borough Local Plan 2015-2030 (LP) which aims to retain and enhance successful places, LP Policy CH3 which seeks high quality design and respect for context, guidance in the Crawley Borough Council Urban Design Supplementary Planning Document (SPD), and the National Planning Policy Framework (Framework) which aims to achieve well-designed and beautiful buildings and places.

Living conditions

8. The first floor bedroom window in the east side of the dwelling at 2 Green Bushes faces the site, but the appeal dwelling is sited a little closer to the road than that neighbouring dwelling. The gable end of the dwelling at 2 Green Bushes is some way from the common boundary, and the appeal dwelling is a little further from it. So, whilst there is some tall vegetation near the common boundary, the outlook from the first floor bedroom window in the gable end of 2 Green Bushes is mainly open. Part of the proposal would be seen from that first floor window at 2 Green Bushes, but having regard to the distances and relationships between them, most of the outlook over and beyond the proposal would be open. So, the proposal would not be so overbearing or so oppressive that it would harm the outlook of the occupiers of 2 Green Bushes. Moreover, having regard to the orientation as well, the proposal would not cause an unacceptable loss of sunlight or daylight in the side facing first floor bedroom at 2 Green Bushes.
9. Thus, I consider that the proposal would not harm the living conditions of the occupiers of 2 Green Bushes, regarding outlook, and sunlight and daylight. It would satisfy LP Policy CH3 which aims to retain a good standard of amenity for existing and future occupants, guidance in the SPD, and the Framework which seeks a high standard of amenity for existing and future users.

The Arun Valley site

10. The appeal site is within the Sussex North Water Supply Zone. In determining this appeal, I am the competent authority for the purposes of The Conservation of Species and Habitats Regulations 2017 (as amended) (the Habitats Regulations).
11. Natural England has advised that the Sussex North Water Supply Zone includes supplies from a groundwater abstraction which cannot, with certainty, conclude no adverse effect on the integrity of the Arun Valley site. As it cannot be concluded that the existing abstraction within the Sussex North Water Supply Zone is not having an impact on the Arun Valley site, developments within this zone must not add to this impact. One way of dealing with this is water neutrality, that is, the use of water in the supply area is the same or lower after the development has taken place. A strategic approach is being developed to deal with water neutrality.
12. The proposal would increase the size of the appeal dwelling from a 2 bedroom dwelling to a much larger 4 bedroom dwelling with 2 more bathrooms. As the proposal would be likely to increase the number of people living in the dwelling by 2 or more people, the proposal would be likely to increase the use of water. Because the proposal is not directly connected with or necessary for the management of the Arun Valley site, it would be necessary for me to undertake an appropriate assessment of the implications of the proposal for the Arun Valley site in view of its conservation objectives. I could only grant planning permission if I were to ascertain in that appropriate assessment that the integrity of the Arun Valley site would not be adversely affected. However, as the proposal would not be acceptable for other reasons, it is not necessary for me to undertake an appropriate assessment.
13. So, whilst the appellant has referred to the Council's 'water neutrality statement', which allows for some applications including, amongst other things, householder applications, to be submitted without the requirement for further information to demonstrate water neutrality, I have not pursued the matter further with the parties.
14. Thus, I consider that the proposal, either alone or in combination with other plans or projects, would be likely to have a significant effect on the integrity of the Arun Valley site. It would be contrary to the Habitats Regulations, and the Framework which aims to conserve and enhance the natural environment.

Conclusion

15. Whilst the proposal would not harm the living conditions of the occupiers of 2 Green Bushes, this issue attracts neutral weight in the planning balance. So, that does not outweigh the harm identified in my first and third main issues.
16. I have found that the proposed development would be contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict.
17. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR