



Appeal Decision

Site visit made on 3 February 2025

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

an Inspector appointed by the Secretary of State

Decision date: 17th February 2025

Appeal Ref: APP/Q3820/D/24/3355801

14 Oakfields, Pound Hill, Crawley, West Sussex RH10 7FL

- 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 Gary Catterick against the decision of Crawley Borough Council.
 - The application Ref is CR/2023/0575/FUL.
 - The development proposed is First floor extension above existing garage.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Gary Catterick against Crawley Borough Council. This application is the subject of a separate Decision.

Main issue

3. The main issue is the effect that the proposed development would have on the living conditions of the occupiers of 16 Oakfields, regarding outlook.

Reasons

4. The appeal site is situated within a mainly residential estate within the Pound Hill neighbourhood. The estate includes a few basic 'house types' for its mainly 2 storey semidetached and detached dwellings with integral garages, which are mostly set back from the road by front gardens and/or drives.
5. The detached mainly 2 storey appeal dwelling includes a pitched roofed garage which adjoins the common boundary with the grounds of the neighbouring dwelling at 16 Oakfields. The appeal dwelling is set back much deeper into its plot than the dwelling at 16 Oakfields, and whilst the colours of its external materials differ from those at 16 Oakfields, both dwellings are the same basic house type and the same hand. As the roughly west side of the dwelling at 16 Oakfields lies beyond the path to its back garden, it is fairly close to the common boundary. The translucent roofed canopy above the ground floor openings in the back of the dwelling at 16 Oakfields is shallower than the depth by which the appeal dwelling projects beyond its 2 storey back.
6. The proposed pitched roofed first floor extension would be set back from the appeal dwelling's front and its ridge would be a little lower than the appeal dwelling's main ridge. However, because the proposal would be as wide as the garage, and its back wall would almost align with the back of the appeal dwelling,

its 2 storey plus gabled form would extend well beyond the back of the 2 storey dwelling at 16 Oakfields. So, due to its scale, form, siting, and orientation, the proposal would be unacceptably overbearing and oppressive in the outlook from the nearby first floor window at 16 Oakfields, and from the nearby ground floor opening in the back of that dwelling and its back garden close by despite the presence of the canopy. It would also be contrary to the Crawley Borough Council Urban Design Supplementary Planning Document (SPD), which advises that a 2 storey extension should not encroach into an area measured by drawing a 60° angle from the nearest edge of a neighbour's window or door aperture.

7. The Council has granted a certificate of lawful development for a proposed single storey rear extension at 16 Oakfields, but as that extension has not been built, it attracts little weight. Moreover, even if that extension were to be built, it would not overcome the harm that the proposal would cause to the outlook from the nearby first floor window in the back of the dwelling at 16 Oakfields.
8. Whilst the first floor extension over the garage at 26 Oakfields has not been built, there are similar extensions including those at 10 and 28 Oakfields. However, as those dwellings have different relationships with the neighbouring dwellings than those of the proposal before me, they provide little support for this damaging scheme. As no amended plans have been put to me, they cannot be considered. The other matters raised by the appellant including efficient use of land and the proposal's benefits would not, individually or cumulatively, overcome the harm that the proposal would cause.
9. Therefore, I consider that the proposed development would harm the living conditions of the occupiers of 16 Oakfields, regarding outlook. It would be contrary to Policy DD1 of the Crawley Borough Local Plan 2023 to 2040 which aims to retain a good standard of amenity for all existing and future occupants of land and buildings, guidance in the SPD, and the National Planning Policy Framework (Framework) which seeks a high standard of amenity for existing and future users.

Conclusion

10. 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.
11. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR