



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: 17 February 2025

Appeal Ref: APP/Q3820/W/24/3349186

42 Chevening Close, Broadfield, Crawley RH11 9QU

- 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 Miss Paula Armsby against the decision of Crawley Borough Council.
 - The application Ref is CR/2020/0694/FUL.
 - The development is "An application for change of use from Council Land to Private Curtilage. The land has been in my possession for some 20 years. the area has been fenced for this time. If agreed an application for planning is sought for a single story side and rear extension of existing property".
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect that the development has on the character and appearance of the surrounding area.

Reasons

3. The appeal site is situated within a mainly residential estate in the Broadfield neighbourhood, which is separated from the highway land of the A23 Brighton Road dual carriageway (A23) to roughly east by a band of wooded amenity land that is within the control of the Council. The land edged red on plan numbered PA0356-01 shows 2 garages within the red line, but the appellant has confirmed that only the garage nearer to the appeal dwelling is within the appellant's control. The development includes the side and rear extension (the extension), which has been largely erected although its external wall finishes are incomplete, and the change of use of a strip of amenity land to residential.
4. The wooded amenity land is within the Tilgate/Worth Forest Rural Fringe, and it is designated as an area of Structural Landscaping in the Crawley Borough Local Plan 2023 to 2040 (LP). Due to their height and density, the trees within the amenity land provide the important sylvan backdrop that makes a positive contribution to the suburban character and verdant appearance of the estate, and for the same reasons, the woodland band screens the estate from the busy A23.
5. The Council says that in 1983 planning permission was granted for ERECTION OF 60 HOUSES WITH GARAGES OR GARAGE SPACES AND ANCILLARY ROADWORKS, that the permitted drawings show the trees adjacent to the site, that the curtilage was 1m from the side elevation of the house (that is, the appeal dwelling), and that there is no subsequent planning history for the site. The estate is mainly characterised by a range of mostly 2 storey pitched roofed dwellings with

a consistent character and appearance, which are mostly set back from the winding roads by front gardens and/or drives, with moderate back gardens and occasional parking and garage courts.

6. The semidetached appeal dwelling is situated on the rising ground at the end of a group of dwellings by the drive from a spur in Chevening Close. The appeal dwelling faces 2 pairs of garages and a parking court, its roughly east side is close to the amenity land, and the far end of its back garden adjoins a parking court that is reached from Chaldon Road.
7. The site includes an area of the amenity land that lies adjacent to the plot of the appeal dwelling as shown on the Council's records, which includes the land that runs roughly parallel to that plot from roughly the 2 storey front of the appeal dwelling to roughly the far end of its back garden. That amenity land is partly bounded by a tall timber fence. Part of the extension is within that part of the site. The appellant says that the land has been part of the appeal dwelling's grounds for many years, but there is no certificate of lawful development before me.
8. The area of amenity land within the site has been cut off from the adjoining woodland by the fence, cleared of vegetation, its landform has been altered to form part of the appeal dwelling's grounds, and part of the extension has intruded into that land. The built up and enclosed character and domestic appearance of that land, and the residential paraphernalia upon it, contrasts starkly with the undeveloped natural character and wooded appearance in the adjoining amenity land. The past pruning of overhanging branches has damaged the natural forms of the nearby trees that are important to the sylvan character and leafy appearance of this important historic landscape feature, to the detriment of the character and appearance of the estate.
9. As parts of the extension are within and close to the amenity land, in time, the Council could come under pressure to allow the severe pruning or felling of the nearby trees within the adjoining amenity land on the basis of the occupiers' living conditions, which it could find hard to resist. As such works would diminish the health and longevity of the nearby trees or cause their loss, it would erode their positive contribution to the sense of place. Moreover, as the width of the woodland band has been eroded, the development has diminished its effectiveness as a screen from the nearby A23. So, the development harms the character and appearance of the Tilgate/Worth Forest Rural Fringe to the detriment of the street scenes in the nearby streets including Chevening Close, Chaldon Road and the A23.
10. Due to its form and features, the mostly brick walled and tile roofed originally built appeal dwelling harmonises with the nearby dwellings. The lean-to side part of the tall but low-pitched roofed wrap around extension is more than half the width of the appeal dwelling, and its taller back gabled back part projects by about the same amount from the appeal dwelling's back. Whilst the side part of the extension is set back a little from the appeal dwelling's 2 storey front, the deepest part of the extension is about as deep as the appeal dwelling plus its front porch. Parts of the extension's walls would be cladded.
11. Because the extension's roof pitch is lower than that of the appeal building's main roof, its form is discordant. As the wide back gabled extension has a lop-sided relationship with the back of the appeal dwelling, it disrupts the appeal dwelling's

otherwise well-proportioned composition. Most of the extension's external materials are or would be out of character with those of the appeal dwelling. So, the extension harms the appeal dwelling's character and appearance. Moreover, due to its substantial scale and bulk, discordant form, and dissonant relationships with the appeal dwelling and the woodland, the extension is unacceptably incongruous in the views across the adjoining parking courts from the nearby parts of Chaldon Road and Chevening Close.

12. As the cladding would not be a living landscape feature, it would not respect its woodland context. Other options for the roof finish would not outweigh the harm that the development causes to the local character. As the former conservatory has gone, it attracts little weight. Few details of the other developments referred to in the appellant's representations have been put to me, so they provide little support. Nearby occupiers' living conditions were not concerns in the Council's reasons for refusal, and I agree. Moreover, the appellant's concerns about the Council's handling of the application are not relevant to my findings.
13. Therefore, I consider that the development harms the character and appearance of the surrounding area. It is contrary to LP Policy CL2 which seeks good urban design, LP Policy DD1 which seeks good design and respect for context, LP Policies GI1 and CL6 which aim to protect green infrastructure and Structural Landscaping respectively, LP Policy CL8 which seeks to maintain Crawley's compact nature and attractive setting, LP Policy OS1 which aims to not permit development that removes or affects open space unless all of 3 criteria are met, and guidance in the Crawley Borough Council Urban Design and Green Infrastructure Supplementary Planning Documents. It is also contrary to the National Planning Policy Framework (Framework) which seeks well-designed places, to retain trees wherever possible, and to maintain and enhance green infrastructure networks.

Conclusion

14. I have found that the development is contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict.
15. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR