

**REFERENCE NO: CR/2018/0778/FUL**

**LOCATION:** [44 JERSEY ROAD, BROADFIELD, CRAWLEY](#)  
**WARD:** Broadfield North  
**PROPOSAL:** ERECTION OF A CONSERVATORY TO THE FRONT AND SIDE OF PROPERTY.

**TARGET DECISION DATE:** 1 January 2019

**CASE OFFICER:** Ms Z. Brown

**APPLICANTS NAME:** Miss C Abernethy  
**AGENTS NAME:** Extra Windows Ltd

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**PLANS & DRAWINGS CONSIDERED:**

EXT 06, Elevations plan  
EXT 03, Existing And Proposed Side Elevations plan  
EXT 02, Existing And Proposed Elevations Plan  
EXT 01, Existing And Proposed Floor Plan  
CBC 001, Site location plan  
EXT 04, Block Plan

**CONSULTEE NOTIFICATIONS & RESPONSES:-**

None required.

**NEIGHBOUR NOTIFICATIONS:-**

23, 25, 46, 48, and 50 Jersey Road.

**RESPONSES RECEIVED:-**

Two letters of objection have been received stating that the proposal is “totally against the character” of Jersey Road and would be “aesthetically detrimental to the streetscene”. There are no other conservatories on the front of other properties on Jersey Road. The proposal would change the appearance of the house and would set a precedent for other properties to build on the front of their properties. Concerns were also raised over the potential loss of light on the front windows of the neighbouring property, a loss of privacy and increased noise. Concerns were also raised over the existing fence which runs around the front garden and a request made that an enforcement investigation be carried out. One objection states that there is an open plan covenant on the estate which should be enforced.

**REASON FOR REPORTING TO COMMITTEE:-**

The application has been called in by Councillor Quinn and Councillor Irvine.

## **THE APPLICATION SITE:-**

- 1.1 The application site relates to a 'back to back' two storey dwelling located on Jersey Road, within the neighbourhood of Broadfield. The property is brick built with a concrete tiled roof and forms part of a group of four dwellings. There is a small front garden on the southern elevation. A 1.8m high close boarded fence extends around the southern and eastern boundaries of the front garden, and there is a high hedge along the western boundary. The entrance to the property is from a porch on the eastern side elevation. The porch is attached to the porch for No. 46 Jersey Road. A set of glazed doors have been installed on the southern front elevation providing access to the front garden area.
- 1.2 A decked area has been installed in the front garden. There are no identified site constraints.
- 1.3 It should be noted that this application does not refer to the existing fence which extends around the perimeter of the front garden. The applicant has verbally stated that the fence has been erected for more than four years. There is no planning history regarding the fence and it has been referred to the Enforcement Officer for investigation.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 Planning permission is sought for the erection of a conservatory on the southern (front) elevation of the dwelling, which would also project beyond the east elevation. The proposed conservatory would project 2.8m from the southern (front) elevation of the dwelling, and 1.8m from the eastern (side) elevation, and would measure 3.7m in width, with an eaves height of 2.3m and a maximum height of 3m. The conservatory would provide additional ground floor living space.

## **PLANNING HISTORY:-**

- 3.1 No recent planning history for the site. However, the original permission for the estate LB/22/81 included a condition 3:

“Notwithstanding the provision of the Town and County Planning General Development Order (1977) no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most parts of the proposed buildings which front on a highway, unless permission is granted by the Local Planning Authority on an application in that behalf”.

## **PLANNING POLICY:-**

- 4.1 National Planning Policy Framework (July 2018) (NPPF)
  - Paragraph 11 – The presumption in favour of sustainable development. Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay. At the heart of the NPPF is a presumption in favour of sustainable development.
  - Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

## 4.2 Crawley Borough Local Plan 2015-2030

The relevant policies include:

- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the council will take a positive approach to approving development which is sustainable.
- Policy CH2: Principles of Good Urban Design in order to assist in the creation, retention or enhancement of successful places.
- Policy CH3: Normal Requirements of All New Development states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate "Secure by Design" principles and demonstrate how the Building for Life 12 criteria would be delivered. Development proposals must adhere to any relevant supplementary planning guidance produced by the council including residential extensions.

## 4.3 Urban Design Supplementary Planning Document (adopted October 2016)

The Urban Design SPD is a non-statutory document which supplements the policies of the Local Plan and is applicable to this application. It is a material planning consideration. It contains guidelines on the standards the Council expects for alterations and extensions to dwellings (Part 3). In particular relevant guidance is as follows:

- An extension with good design in mind will relate appropriately to the parent dwelling's character and style, dimensions, materials and finishes of the parent dwelling and the character of the neighbourhood. Furthermore, when considering an extension it is important to think about the impact the development may have on your neighbours and the wider area.
- Development should incorporate materials and colours that match the existing dwelling or, where appropriate, contrast with it. If planning permission is granted for a development, the conditions laid out in the permission often detail any necessary steps required regarding materials and finishes.
- Extensions should consider existing roof pitches. A house extension with a roof pitch that is different to the existing one can look out of place, while an extension with a matching roof pitch will likely be more suitable.
- The roof form above an extension will contribute to the appearance of the extension and the dwelling as a whole. A roof design that sits in harmony with the existing roof will usually be more acceptable'.
- 'Front extensions and porches should be subservient to the rest of the house and should not extend across the whole width of the property. They should project no more than 1.5m from the original front wall of the main dwelling and be in keeping with the character of the area and property'

### **PLANNING CONSIDERATIONS:-**

The main considerations in the determination of this application are:

- The design & appearance of the proposed development and its impact on the dwelling & wider area
- The impact on the occupants of neighbouring properties and amenity

## The design & appearance of the proposed development and its impact on the dwelling & wider area

- 5.1 Jersey Road contains groups of 'back to back' two storey dwellings, terraced and semi-detached properties. All of the dwellings are brick built, with mono-pitched roof porches or pitched canopy roofs over the entrances. The majority of the dwellings do not have on-site parking, instead there are communal parking areas in front and to the rear of the properties. The 'back-to-back' properties facing Jersey Road have small grassed front gardens which contribute to softening and the openness of the street scene which is otherwise dominated by parking areas. The grassed front gardens are open, with boundaries demarcated by flower beds or shrubs. As a result, the streetscene feels largely open.
- 5.2 The application site faces Jersey Road with a front garden area. An unauthorised 1.8m high panel boarded fence has been erected around the front garden area, and glazed doors have been installed on the front elevation. However the property has not been extended. The boundary fence is out of character and dominant within the streetscene. It appears to breach an 'open plan' condition attached to the original permission for the estate (LB/22/81), and is the subject of an enforcement investigation.
- 5.3 The main considerations for the proposed front extension are its scale, width, height, design and the impact it has on the appearance of the dwelling, the streetscene of Jersey Road and general character of the area. Policy CH2 (Principles of Good Urban Design) of the Crawley Borough Local Plan states that all proposals for development are required to respond to and reinforce locally distinctive patterns of development and landscape character. Policy CH3 (Normal Requirements of All New Development) states that all proposals for new development are required to make a positive contribution to the area, be of high quality in terms of their urban and landscape design and relate sympathetically to their surroundings in terms of scale, density, height, massing, landscape, layout, details and materials. The Urban Design SPD states that an extension should relate appropriately to the parent dwelling's character and style, dimensions, materials and finishes. Specifically it states that a front extension can be one of the most significant alterations to the appearance of your house and to the street in which it stands. Therefore front extensions and porches should be subservient to the rest of the house and should not extend across the whole width of the property.
- 5.4 The proposed extension would project 2.8m from the front (southern) elevation of the dwelling, and 1.8m beyond the eastern side elevation. It would measure 3.7m in width, with an eaves height of 2.3m and a maximum height of 3m. The Urban Design SPD states that a front extension should not extend across the whole width of the property, and should project no more than 1.5m from the front elevation of the dwelling. The scale, width and projection of the proposed extension would be excessive and would not accord with the guidance contained within the Urban Design SPD. The proposal would be a dominant and bulky addition to the front of the dwelling, which would be detrimental to the appearance of the 'back-to-back' properties and the streetscene of Jersey Road, unbalancing the appearance of the dwellings, which are otherwise unchanged on the front elevations. The proposal would also still be extremely visible as it would be 1.2m higher than the existing panel boarded fence, which is unauthorised anyway and may be liable to enforcement action and removal.
- 5.5 There are no similar extension along this part of Jersey Road and the streetscene, and the proposal would not be sympathetic to the character of the property. Typically a conservatory style extension is positioned to the rear of the dwelling, and not the front as proposed. As a result the proposal is considered to a totally inappropriate addition to the dwelling and would fail to respect the character of the neighbouring properties.

5.6 To conclude, the scale, width, height and design of the proposed extension is considered to be detrimental to the appearance of the dwelling, would be an incongruous addition to the front elevation, and would adversely impact the streetscene of Jersey Road. The proposal would be extremely prominent and bulky on the front elevation of the dwelling and would not respect the consistent character and appearance of the properties within the immediate vicinity. The proposal is therefore contrary to Local Plan Policies CH2 and CH3, the NPPF which seeks sympathetic and high quality design, and the guidance found within the Urban Design SPD on front extensions.

#### The impact on the occupants of neighbouring properties and amenity

5.7 In regards to the impact on neighbouring property No. 48 Jersey Road to the west, the proposed extension would be positioned on the eastern side of the front elevation, and would project 2.8m from the front elevation of the dwelling. The Urban Design SPD states that a single storey extension should not encroach into an area measured 45 degrees from the nearest edge of a neighbour's. The proposal would not encroach into an area measured 45 degrees from the edge of the nearest window at No. 48 however, given its scale and height, it would have some overbearing impact on the front of the neighbouring property. Despite these concerns it is not considered that the proposal would cause demonstrable harm, which would warrant a reason for refusal on grounds of residential amenity. Overall the proposal is not considered to have any detrimental impact on the amenities enjoyed by occupants of the neighbouring property No. 48, and would accord with the relevant Local Plan policies, and the Urban Design SPD.

#### Other matters:

5.8 Objections have been raised to the existing unauthorised boundary fence and the covenant over the property. As highlighted above, the fence does not form part of this application and is the subject of an ongoing enforcement investigation.

5.9 In regards to the comments regarding the covenant on the property, it does not constitute a material planning consideration and any planning approval would not override its requirements. It should be noted that Officers have spoken to the Council's Property team, which has confirmed that the covenant could be enforced by either the beneficiary of the covenant or adjacent landowners, and that this would be a civil matter.

#### **CONCLUSIONS:-**

6.1 In conclusion it is considered that the proposed front extension, by virtue of its positioning, scale and design would be an incongruous addition to the front elevation of the dwelling, and would detrimentally impact the appearance of the dwelling and streetscene of Jersey Road, and would unbalance the front elevations of the 'back-to-back' properties. As a result the proposal would be contrary to Policies CH2 and CH3 of the Crawley Borough Local Plan (2015-2030), the guidance contained within the Urban Design SPD and the NPPF (2018).

#### **RECOMMENDATION RE: CR/2018/0778/FUL**

REFUSE - For the following reason:-

1. The proposed single storey front extension, by virtue of its positioning, scale and design, would be an incongruous addition to the front elevation of the dwelling, would fail to respect the character, design and appearance of the existing dwelling and would cause harm to the appearance of the 'back-to-back' properties and wider streetscene of Jersey Road. The proposal is therefore contrary to policies CH2 and CH3 of the Crawley Borough Local Plan (2015-2030), the guidance set out in the Urban

Design Supplementary Planning Document (2016) and the National Planning Policy Framework (2018).

## 1. NPPF Statement

In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by:

- Informing the applicant of identified issues that are so fundamental that it has not been/would not be possible to negotiate a satisfactory way forward due to the harm that would be/has been caused.

This decision has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in article 35, of the Town and Country Planning (Development Management Procedure) Order 2015.



# ArcGIS Web Map

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