



Appeal Decision

Site visit made on 17 September 2019

by Martin Small, BA (Hons), BPI, DipCM, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd October 2019

Appeal Ref: APP/B1415/D/19/3231481

26 Ironlatch Avenue, St Leonards-On-Sea, TN38 9JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr S Gerken against the decision of Hastings Borough Council.
 - The application Ref: HS/FA/19/00085 dated 6 February 2019, was refused by notice dated 4 April 2019.
 - The development proposed is loft conversion and extension, garage conversion and patio.
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Decision

1. The appeal is allowed and planning permission is granted for a proposed roof extension and loft conversion with the inclusion of front and rear dormer windows and roof lights within the side elevation, garage conversion and replacement and enlargement of the front porch and alterations to the fenestration of the property at 26 Ironlatch Avenue, St Leonards-On-Sea, TN38 9JE in accordance with the terms of the application Ref: HS/FA/19/00085 dated 6 February 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 6120/LBP/A Location Block Plan, 6120/EX Existing Layout and 6120/1/B Proposed Alterations and Improvements.
 - 3) Notwithstanding the description of the materials on the approved plan 6120/1/B, prior to their use on site specifications and samples of all external facing materials to be used for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and maintained in accordance with the approved details.

Procedural Matters

2. The description of the development in the banner heading is that on the application form. During the determination of the application the patio was removed from the proposals. I have used the amended description of the proposed development as it appears on the Council's decision notice and appellant's appeal form in my decision as it more comprehensively describes the development.

3. I observed at my site visit that the garage door shown on the submitted drawing 6120/EX has been replaced with a window as shown on the submitted drawing 6120/1/B. However, I have assessed the appeal proposal on the basis of the plans and evidence before me.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. Ironlatch Avenue is an established residential area with predominantly 2-storey detached dwellings on the western side and bungalows on the eastern side, all set back from the road with front gardens and driveways. Due to the topography, the dwellings to the west side are at a slightly higher level than the road and those to the east side, including the appeal property, at a slightly lower level. The views between and over the properties on the eastern side to trees behind, the trees on Ironlatch Avenue itself, grass verges and frontage vegetation all contribute to the pleasant character of the locality.
6. The appeal property is a bungalow of a floorplan essentially in the shape of an 'L' with a former attached single garage, the door of which has been replaced by a window. The front projection has a gable facing the road with a small window under the apex. The size and design of the property largely mirrors that of No. 24 Ironlatch Avenue to the south, but both these properties are at a slightly higher level than No. 28 to the north. No. 28 is one of a row of relatively low bungalows, predominantly with hipped roofs fronting the road.
7. Policy DM1 of the Hastings Local Plan Development Management Plan 2015 (HLPDMP) requires development proposals to reach a good standard of design, taking into account, amongst other matters, protecting and enhancing local character. The Council published a Supplementary Planning Document on Householder Development: Sustainable Development in 2007 (SPD). The SPD advises householders to consider a number of matters in terms of the design of their proposal, including making sure that the proposal fits in with the surrounding area.
8. The Council notes that the proposed development would result in an increase in the ridge height of the rear section of the appeal property by approximately 1.5 m and in the eaves height of that section by approximately 2.5 m. The Council considers that the development would result in the bungalow essentially becoming a 2-storey dwelling with the focus on the roof extension rather than the gable to the front of the dwelling and that it would also result in the loss of the symmetry with No. 24.
9. The Council further contends that the development would exacerbate the height difference between the appeal property and No. 28 and remove the spacing between the properties which is a characteristic of the row of bungalows of which the appeal property is part. The Council also considers that the development would create an overbearing and dominating roof form at odds with the street scene and therefore that the proposed development would harm the character and appearance of the area.
10. I accept that the proposed development would represent a noticeable increase in the massing of the dwelling and would appear more as a 2-storey dwelling

than a bungalow. However, it would not be a full 2-storeys and the increases in height of the rear ridgeline and eaves would be on that part of the dwelling further back from the road with no increase in height of the forward projection. This would reduce the effect of this additional mass and allow the gable to the front to remain a prominent feature of the dwelling.

11. The appeal property is already of a different form and appearance to the majority of the neighbouring properties to the north due to the gable on the frontage and existing higher ridgeline. Given that there is a degree of variety in form and appearance of other properties along Ironlatch Avenue, I do not consider that the existing similarities between No. 24 and No. 26 make a significant contribution to the street scene. Accordingly, I do not consider that the difference in form and appearance between No. 24 and No. 26 that would result from the proposed development would be harmful to the character and appearance of the area.
12. I note that planning permission has been granted for a development that would result in the demolition of No. 24 to provide access, and that an application for the same development is under consideration by the Council at the time of my writing this decision. I noted during my site visit that the roof tiles had been removed from No. 24. However, I cannot be certain that this development will proceed, and it is possible that No. 24 could be re-roofed and be used as a dwelling again. I have therefore assessed the effect of the proposed development on the basis of the current position.
13. Although the development would result in a greater disparity in height between No. 26 and No. 28, the higher ridgeline would be on the side of the appeal property away from No. 28. As such it would not be overbearing. The roof extension would be hipped at the angle of the existing forward projection so there would be no diminution of the gap between the appeal property and No. 28, and it would still be possible to appreciate the individual design of both properties. There would be very little loss of the view of the trees behind the appeal property as a result of the development and consequently no material harm to the contribution of this view to the character and appearance of the area would arise. I note that no objections to the proposed development were received from the occupiers of neighbouring dwellings.
14. Accordingly, I consider that the proposed development would not harm the character and appearance of the area. I therefore conclude that the proposed development would not conflict with Policy DM1 of the HLPDMP or with the Householder Development: Sustainable Development SPD or with the policies of the National Planning Policy Framework requiring good quality design.

Conditions

15. Planning permission is granted subject to the standard three-year time limit condition. It is also necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty.
16. I have not imposed a condition requiring matching materials as suggested by the Council as the submitted drawing 6120/1/B indicates the proposed use of Cedral weather boarding, which from the evidence before me is not present on the existing dwelling. Nevertheless, it is necessary to have control over the materials to be used for the proposed development in the interests of the

character and appearance of the area and I have therefore imposed an alternatively worded materials condition.

Conclusion

17. For the reasons given above and having had regard to the other matters raised, I conclude that the appeal should be allowed.

Martin Small

INSPECTOR