

Appeal Decision

Site visit made on 19 November 2019

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 November 2019

Appeal Ref: APP/B1415/D/19/3237392

64 Quebec Road, St Leonard's-on-Sea, TN38 9HJ

- 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 Andrew Guyver against Hastings Borough Council.
 - The application Ref HS/FA/19/00458, dated 30 May 2019, was refused by notice dated 2 September 2019.
 - The development proposed is a two storey side extension and proposed alterations internally and externally.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and proposed alterations internally and externally at 64 Quebec Road, St Leonard's-on-Sea, TN38 9HJ in accordance with the terms of the application Ref HS/FA/19/00458, dated 30 May 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The windows in the south elevation of the development hereby permitted shall be obscure glazed and non-opening and thereafter permanently retained as such.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan (1:1250), Block plan (1:500), QC-001 & QC-002A.

Main issues

2. The main issue is the effect on the living conditions of existing occupiers with regards to outlook.

Reasons

3. The existing side elevation of No. 64 can be seen from the rear garden and windows of the neighbouring property at No. 66, along with an existing outbuilding to No. 64. The proposed extension would bring No. 64 closer to the No. 66. However, in both the existing and proposed view it is notable that the orientation of No. 66 is largely away from No. 64, and No. 66 is set away from
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its neighbour. This orientation and distance between the properties would be sufficient in the proposed development to mean the outlook from No. 66 remains predominately away from No. 64: although the side elevation of No. 64 would be more visible, the degree of encroachment would not be so great as to be unduly imposing on that outlook.

4. I noted at my site visit there is a similar relationship between certain other properties in the vicinity. From what I have read and seen, those properties appear to similarly have a reasonable degree of outlook, and so this reinforces my observations regarding the future living conditions of No. 66. The position, scale, design and use of materials for the proposed extension would be sympathetic to the host property and other buildings in the vicinity, and so reflect the established pattern and appearance of the residential area.
5. On the main issue it is therefore concluded the proposal would be consistent with Policy DM3 of the Hastings Local Plan (2015) which, amongst other matters, seek to ensure new development achieves good living standards for future users of proposed developments and its neighbours, including avoiding any adverse impact on amenity.
6. The appeal is therefore allowed. I have attached the suggested condition requiring matching materials, to achieve a satisfactory appearance to the development. A condition has been attached requiring the windows in the side elevation of the extension to be obscure glazed, as shown in the submitted drawings, in order to prevent overlooking to the neighbour. I have also attached the suggested condition specifying the relevant drawings as this provides certainty. The Council have suggested a further condition relating to construction hours but have not given any reason for such a condition. As the development appears a relatively small-scale project and there are no site-specific constraints that are evident, I consider such a condition unnecessary and not relevant to the development being permitted.

C J Leigh

INSPECTOR