

## Appeal Decision

Site visit made on 21 August 2024

**by Stewart Glassar BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 30<sup>th</sup> August 2024**

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**Appeal Ref: APP/B1415/D/23/3331798**

**69 William Road, St Leonards-on-sea, East Sussex TN38 8DE**

- 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 James Nugent against the decision of Hastings Borough Council.
  - The application Ref is HS/FA/23/00412.
  - The development proposed is for a single-storey side extension with a proposed first-storey side-extension, creating an overall two-storey side extension.
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### Decision

1. The appeal is allowed and planning permission is granted for a single-storey side extension with a proposed first-storey side-extension, creating an overall two-storey side extension at 69 William Road, St Leonards-on-sea, East Sussex TN38 8DE in accordance with the terms of the application, Ref HS/FA/23/00412, subject to the conditions below:
  - 1) The development hereby permitted shall be carried out in accordance with drawing numbers:

|                            |      |
|----------------------------|------|
| Proposed Ground Floor Plan | - 2a |
| Proposed First Floor Plan  | - 3a |
| Proposed Elevations        | - 5c |
| Site Location Plan         | - 6b |
| Block Plan                 | - 7a |
  - 2) Notwithstanding condition 1, prior to the occupation of the first storey side extension hereby permitted, details of the ground floor window in the front elevation of the side extension shall be submitted to and agreed in writing with the local planning authority. The approved details shall be fully implemented prior to the occupation of the first storey side extension and thereafter retained.

### Preliminary Matters

2. I have taken the description of development from the Council's decision notice as this more accurately reflects that for which permission is sought. I have removed reference to the retrospective nature of the proposal as that is not an act of development.

## **Main Issue**

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

## **Reasons**

4. The site is located within a residential area. In the immediate vicinity of the appeal property, houses in William Road are two storeys in height, finished in render with brick detailing and brown tiled roofs. Whilst there is some variation between properties, there is broad consistency in how they look, and this contributes to the appearance of the area.
5. These houses are arranged as either pairs of semi-detached houses or as short terraces. Many, including the appeal site, are set well back from the road and separated by open grassed areas. This, together with the variation in the positioning of both the buildings and the spaces between them contributes positively to the open, spacious character of the area. Further west along William Road and on Edinburgh Road, there is greater variation in the type, height and finishes of the houses, but this does not alter the spacious character of the wider area.
6. The appeal property is at the end of a terrace. There is a pair of semi-detached houses positioned perpendicular to the terrace. Collectively, these buildings face onto, and generally enclose on two sides, an open grassed area. This, together with their set back position from the road and the angle at which they are viewed, ensures that the space between them makes only a limited contribution to the wider character and street scene.
7. While the proposal would reduce the spacing between the buildings and alters their proximity to one another, as I have noted above, there is variation in such matters in the vicinity of the appeal site. Therefore, given my observations on site, I do not find that this change would have a significant effect upon the wider character of the area. Housing would continue to enclose the grassed area on two sides, and the buildings would not come any closer to the open space or the road.
8. The resulting building would be wider than its neighbours. However, the extension would be tucked into the corner and finished in materials to match the existing building. Furthermore, the variation in the terrace's roofscape would assist in making the extension and size of the extended dwelling less conspicuous.
9. The appellant has agreed with the Council that the appearance of the house would benefit from having a ground floor window that matches the rest of the front elevation. This would reflect the broad consistency in the appearance of houses in the area. This matter could be addressed through a planning condition.
10. Overall, I am satisfied that the receiving environment has sufficient variation to accommodate this particular scheme without disrupting the wider character and appearance of the area. Accordingly, I find that the proposal would accord with Policy DM1 of the Hastings Local Plan - Development Management Plan (2015) which, amongst other things, requires

development to protect local character and have regard to its surrounding context.

11. The Council refer to the Supplementary Planning Document 'Householder Development: Sustainable Design' (2007) and the National Design Guide but offer no commentary as to why the scheme might be contrary to these documents. However, whilst these are material considerations, they are guidance and so are not determinative on the matter. For the reasons set out above, I am satisfied that the scheme is compliant with development plan policy and the design objectives of the National Planning Policy Framework.

### **Other Matters**

12. The appellant raises various personal issues and highlights support from various sources. However, these are not matters to which I can attribute weight in my decision. I have considered the appeal and made my decision on the planning merits of the proposal.

### **Conditions**

13. As part of the development has already been built, the standard time limit for its implementation is not necessary. However, a condition which lists the approved drawings is necessary in the interests of certainty. A condition requiring a ground floor window to match the windows in the front of the house is also necessary in order to protect the character and appearance of the area.

### **Conclusion**

14. For the reasons given above, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions above.

*Stewart Glassar*

INSPECTOR