



Appeal Decision

Site visit made on 24 April 2025

by **JJ Packman MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/B1415/D/24/3353043

10 Linton Crescent, Hastings, East Sussex TN34 1TJ

- 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 and Mrs Ben / Rachel Woodger against the decision of Hastings Borough Council
 - The application Ref is HS/FA/24/00362
 - The development proposed is a second floor extension with solar panels and rear dormer loft conversion including two rooflights in the front roof slope.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the banner heading above is taken from the Council's decision notice. A longer description is set out on the planning application form, however the description above more precisely describes the development which is the subject of this decision. Accordingly, I have considered the appeal on this basis.

Main Issues

3. The main issues are:
 - the effect on the character and appearance of the appeal property and the wider area, and
 - the effect on the living conditions of the adjoining residential property at 11 Linton Crescent (no. 11) by way of outlook and visual impact.

Reasons

Character and Appearance

4. The appeal property comprises a four storey town house situated in Linton Crescent. The houses of Linton Crescent appear to have been constructed at around the same time most likely dating from the late Victorian era. Whilst the houses form a continuous terrace, they have been constructed in pairs, with each pair set at a different level to account for the street's gradient.
5. The appeal property is a handsome building with substantial bay windows at ground floor and first floor level. Whilst neither the appeal property nor the Crescent

are subject to heritage designations, Linton Crescent has a strong built character of its own, the frontage being rich in architectural detailing of the period. Alterations and additions to the front of the dwellings appear to be limited. The original character of the Crescent is in general, well preserved.

6. The rear elevation of no. 10 contains less architectural detailing than the frontage, and this appears to be the case generally throughout Linton Crescent. The rear elevation of no. 10 has a painted render finish, sash windows and more modern windows at lower ground level. There is evidence of some alterations and additions to the rear of other dwellings within the Crescent.
7. The proposal includes the erection of a second floor extension above the two storey projection to the rear of the property. Currently the projection sits at a lower level than the main house and when viewed in conjunction with the neighbouring property at no. 11 forms a gable end. It is proposed to demolish half of the gable roof form and erect an extension above it with a large rear window, shallow pitch roof with PV array, skylight, and off-white corrugated metal cladding. The resulting height of the extension would be higher than the ridge height of the projection but lower than the eaves height of the main house.
8. Above the extension, a loft conversion is proposed with a new dormer window on the rear elevation. The dormer would span the width of the roof. The ridge height of the proposed dormer would be level with the existing ridge height. External finishes would match those of the proposed extension. Two front facing skylights are proposed on the front elevation.
9. Both proposed additions would be prominent when viewed from the rear gardens of adjoining properties, the dormer utilising the maximum width and height available and the proposed extension comprising a full additional storey on top of the current projection. Whilst these additions would be highly visible to neighbouring properties, it is acknowledged that public views from the footpath that runs through Summerfield Woods to the rear (noted in the first reason for refusal) would be limited and affected by seasonal leaf cover. Nevertheless, during the winter months, from certain viewpoints, there would still be an adverse impact on public views.
10. The proposed extension would appear especially jarring in relation to the neighbouring dwelling when viewed from the rear garden and neighbouring gardens. Whilst symmetry is not a prerequisite for successful design, it is considered that the proposed extension would have a poor relationship with the adjacent building. The creation of a shear blank elevation immediately adjacent to a shallow pitched roof would appear entirely discordant with the general existing pattern and rhythm of development.
11. I note the appellant has provided examples of other outrigger type extensions, none of the examples provided appear to be directly comparable to the proposal in terms of their relationship with neighbouring properties or in the case of the historical photograph of 6 Linton Crescent, its architectural style. The same applies where the issue of precedent has been raised. In this case the siting, scale and massing of the proposed extension would be harmful to the character and appearance of the application property, adjacent property and wider area. When considered in

combination with the proposed dormer window, the cumulative impact would be even greater.

12. The rear elevation, when compared to the front, lacks noteworthy period features and so has some potential to accommodate different styles of additions and alterations. For this reason, I do not consider the proposed architectural style, large windows, or the pallet of materials to be inappropriate or harmful in themselves. The nature of the contemporary design, however, does appear to exaggerate the harm I have identified resulting from the siting, scale and massing of the proposed extension, making a bold addition, even more prominent. I find the proposal would result in an unneighbourly form of development that would be overbearing on the occupiers of no. 11.
13. Given the above, I find that the development, when taken as a whole, would have an unacceptable adverse impact on the character and appearance of appeal property and the wider area. As such, I consider that the proposal fails to accord with policy DM1 of the Council's Hastings Development Management Local Plan (2015) (DMLP) which requires all proposals to reach a good standard of design and protect and enhance local character. I also find conflict with paragraph 135 of the National Planning Policy Framework (Framework), which requires developments to add to the overall quality of the area, be sympathetic, and the result of good architecture.

Living Conditions

14. The proposed second floor extension would involve the removal of half of a shallow pitched gable end roof and its replacement with a part flat roof / part pitched roof extension that would extend above the height of no. 11's stairwell window.
15. The new addition would present the occupiers of no. 11 with a substantial blank wall positioned at approximately eye level, in close proximity of the window. The proposed height of the wall would appear to be the result of design choices that have been made, including the provision of generous internal headroom to presumably mirror the height of some of the other rooms within the house.
16. I disagree with the appellant's assessment on outlook. Even if a loss of outlook is only experienced from a single viewpoint within the house, that in itself does not mitigate the magnitude of the effect when experienced from that viewpoint. In this instance the depth and height of the wall would have a pronounced and enclosing effect on the living conditions of the residents of no. 11 when viewed from inside the property and to some extent from the private amenity space to the rear, where the monolithic form of the extension would appear conspicuous.
17. As such, it would fail to comply with policy DM3 of the DMLP, which states that permission will be given where the use of scale, form, height and mass of proposals reduces or avoids any adverse impacts on the amenity. The proposals would also conflict with paragraph 135 of the Framework by failing to achieve a high standard of amenity.

Other Matters

18. The family benefits of creating a new bedroom and bathroom are acknowledged, but these benefits are not considered sufficient to outweigh the harms outlined above.
19. Whilst the Council has not referred to overshadowing in their second reason for refusal, I note that the appellant has undertaken a 'Loss of Light' assessment. I broadly agree with the findings of the assessment. Whilst there would be a loss of light, the impact would be limited and would not affect a habitable room.
20. The appellant has made reference to a lack of timely communication during the planning application process. This is a procedural matter beyond the scope of this appeal.
21. I note the appellant's willingness to potentially amend certain aspects of the scheme to address matters raised by officers. Nevertheless, this decision is based solely on the scheme presented to me, any potential revisions to the scheme are not for consideration under this appeal.

Conclusion

22. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

JJ Packman

INSPECTOR