
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

Decision date: 19 May 2020

Appeal Ref: APP/B1415/Y/19/3224626

39 Croft Road, Hastings, TN34 3HJ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr D Tissier against the decision of Hastings Borough Council.
 - The application Ref HS/LB/18/00288, dated 28 March 2018, was refused by notice dated 4 February 2019.
 - The works proposed are to amend window and door access to rear elevation; partial removal of internal wall with new steel beam; new flue for boiler.
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Decision

1. The appeal is allowed and listed building consent is granted to amend window and door access to rear elevation; partial removal of internal wall with new steel beam; new flue for boiler at 39 Croft Road, Hastings, TN34 3HJ in accordance with the terms of the application Ref HS/LB/18/00288, dated 28 March 2018, and the plans submitted with it, and subject to the works authorised beginning not later than 3 years from the date of this consent.

Main issues

2. The main issues are whether the proposed works would preserve the Grade II listed building, and whether they would preserve or enhance the character or appearance of the conservation area.

Reasons

3. The appeal property is one of two cottages, built together in 1837 and which are both listed together. Nos. 39 and 41 are of simple form, being one room wide and, originally, having two rooms on both the ground and first floor. Both properties have been modified in the past: as noted in the list description, from evidence presented to me regarding the planning history of both houses, and from what I saw at the site visit. At No. 39 this includes substantial changes to the interior with the removal of the original staircase, a new spiral staircase and opening-up between the original front and rear rooms. The window and door to the rear elevation at ground floor are modern replacements. No. 41 has seen a single storey rear extension and consequential alterations to the rear fenestration at ground floor.
4. Although the appeal property has been modified, the exterior of the building to Croft Road retains its form and appearance as a small cottage dating from the mid-19th Century. The property demonstrates the formal application of symmetry and architectural detailing at a very modest dwelling, along with the cellular plan form of the building. The rear elevation continues to reflect those

classical attributes, though with a lesser contributor than the front façade. The significance of the property as a designated heritage asset derives from this simple cottage form and as a group with its neighbour.

5. The appeal site lies within the Old Town Conservation Area. Under s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 I have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Area. The Conservation Area covers a large part of the town reflecting the historic growth of the town over the years, and so contains a variety of domestic development. The simple architecture and modest form of the appeal property, and grouping with neighbouring houses, contributes positively to the Area.
6. The proposed works would see the replacement of the existing window opening with a door to the rear yard, and the existing door opening altered to a window. The appellant's wish for this is due to the inconvenient layout caused by the past works to the house, and in particular the spiral staircase. I could appreciate at my site visit the difficulties that the current layout imposes upon the kitchen and dining area. There would also be a further widening of the existing gap between the former front and rear rooms, and a new boiler flue.
7. Whilst the door and window are modern, the works would involve the removal of some original fabric to the property. However, the resulting form and layout of the house would essentially remain the same as currently exists: there would be a similar door and window in the rear elevation. Thus, whilst the appearance of the building changes, the simple form and the character of the cottage would be retained. The detailed drawings show that the fenestration of the new window and door would be suitable for the building.
8. The widening of the existing opening inside the house would be acceptable due to this being alterations to the past work that has already removed the original partitioning between the front and rear rooms; the retention of nibs to the wall would retain the same indication of the original cellular plan form that currently exists. The Council have raised no objection to this element of work, nor to the proposed boiler flue.
9. The works would therefore preserve the building's special architectural or historic interest, and so satisfy the statutory duty set out in s16(2) of the Planning (Listed Building and Conservation Areas) Act 1990. Paragraph 193 of the National Planning Policy Framework says that, when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. In light of the above I conclude the works would not harm the significance of the Grade II listed building and so would not be in conflict with the Framework. They would also be consistent with Policy HN1 of the Hastings Local Plan: Development Management Plan (2015), which sets out the criteria against which development proposals affecting heritage assets will be assessed.
10. The appeal is therefore allowed.

C J Leigh
INSPECTOR