



Appeal Decision

Site visit made on 13 March 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 20.03.2024

Appeal Ref: APP/B1415/D/23/3332907 55 Baldslow Road, Hastings TN34 2EY

- 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 Conrad Hanlon-Gouveia against the decision of Hastings Borough Council.
 - The application Ref: HS/FA/23/00618 dated 15 August 2023, was refused by notice dated 10 October 2023.
 - The development proposed is widening of two access points to domestic driveway, together with like-for-like replacement of two existing piers; repair and repainting of existing boundary wall.
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Decision

1. The appeal is allowed and planning permission is granted for widening of two access points to domestic driveway, together with like-for-like replacement of two existing piers; repair and repainting of existing boundary wall at 55 Baldslow Road, Hastings TN34 2EY in accordance with the terms of the application, HS/FA/23/00618 dated 15 August 2023, 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 proposed new masonry piers and the repair works to the existing masonry walls including the filigree balusters and masonry capping shall be undertaken in a like-for-like manner to match the existing wall, piers and detailing, including in terms of materials.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 2271 10-P01 and 2271 10-P03 rev 2.

Preliminary Matters

2. The National Planning Policy Framework (Framework) was revised in December 2023. Although some of the paragraph numbering has changed, I do not consider that there are any material changes in the Framework, pertinent to this appeal proposal. It is not therefore necessary to seek the views of the Appellant or the Council on the revised Framework.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the existing property and on the Blacklands Conservation Area.

Reasons

4. The appeal property is a detached property on the west side of Baldslow Road and within a predominately residential area. It is an attractive villa with Italianate style features and the detailing on the masonry balustrade on the front elevation at first floor is repeated on the front boundary wall. Although in a poor state of repair, the front boundary wall contributes to the attractive character and appearance of the appeal property and to the street scene.
5. The appeal property also lies within the Blacklands Conservation Area. Section 72 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that in respect of development within Conservation Areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. I have been provided with no further information on the history and significance of the Conservation Area. However, from my site visit it is my view that the significance primarily relates to the attractive mid to late Victorian villas and houses focussed around the central open space of Alexandra Park, including along Baldslow Road.
6. The proposal would widen the two existing openings in the front wall by removing the existing piers, cutting back the existing wall and constructing new piers to replicate the existing piers. The proposed widening would be very modest in extent and the widened openings would not appear disproportionately wide in relation to the length of the remaining wall and overall frontage. The piers would be reconstructed to replicate the existing piers. Overall, the wall as proposed would retain its existing appearance, that is, an attractive front boundary wall with detailing which harmonises with the existing property, punctuated by two openings. The proposed alterations would respect the character and appearance of the existing property.
7. There is a variety to the style of the individual dwellings along Baldslow Road although many date from the same period and include decorative features; the adjoining property to the north of the appeal property is of the same design and appearance as the appeal property, including its front boundary wall. Front boundary treatments are generally more varied along Baldslow Road and the wider Conservation Area, reflecting changes and alterations undertaken, including the removal of some to allow for off-street parking. Where they remain and in particular where they are still of the original design, they contribute to the attractiveness of the street scene and its local distinctiveness and to the character and appearance of the Conservation Area.
8. Given the modest increase in width of the proposed openings compared with the existing and the retention of the remainder of the wall with reconstructed piers to match the existing, I am satisfied that the proposal would have no material impact on the street scene and it would continue to contribute to the significance of the Conservation Area; its character and appearance would be preserved.
9. I am therefore satisfied that the proposal would respect the character and appearance of the existing property and would preserve the character and

appearance of the Blacklands Conservation Area. There would be no conflict with Policy EN1 of the Hastings Local Plan – Planning Strategy, Policies DM1 and HN1 of the Hastings Local Plan – Development Management Plan and the Framework and in particular Sections 12 and 16, all of which amongst other matters seek a high quality of design which respects the local context and the significance of heritage assets.

10. The repair works to the wall as existing would be welcomed as it is in a poor state of repair; however, works of repair, on their own, would not require planning permission and could therefore be undertaken independently of the proposed works. I have noted that the Appellant has indicated that the repair works would only be undertaken as part of the proposed alterations, but my decision is based on addressing the effect of the proposed alterations on the character and appearance of the existing property and on the Blacklands Conservation Area.

Conditions

11. In terms of conditions, the approved plans should be listed for the avoidance of doubt and in the interests of good planning. I have also imposed a condition to require the works to be undertaken in a like-for-like manner with the existing.

Conclusion

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

L J Evans

INSPECTOR