



Appeal Decision

Site visit made on 14 November 2024

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2024

Appeal Ref: APP/B1415/D/24/3349642

4 Priory Houses, St Michael's Place, Hastings, East Sussex TN34 1LL

- 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 Nicki Mason against the decision of Hastings Borough Council.
 - The application reference is HS/FA/24/00125.
 - The development is installation of slimline heritage aluminium window and door at ground floor level. Installation of aluminium fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for installation of slimline heritage aluminium window and door at ground floor level. Installation of aluminium fenestration at 4 Priory Houses, Hastings, East Sussex TN34 1LL in accordance with the terms of the application, Ref HS/FA/24/00125 and subject to the following condition: 1) The development hereby permitted shall be retained in accordance with the following approved plans: 1025 11A, 1025 10, THWC/01/03 Rev 2 and Alitherm Heritage Door details.

Preliminary Matters

2. In the interests of conciseness, I have taken the description of the development from the decision notice. I have removed reference to 'retrospective' from the description, as it is not an act of development.
3. I observed on my site visit, that the development has already been carried out.
4. As the appeal site lies within a conservation area, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

5. The main issue is whether the proposal would preserve or enhance the character or appearance of the Town Centre Conservation Area (CA).

Reasons

6. The appeal relates to a three storey, Victorian, mid-terrace dwelling, which lies within the Town Centre CA. The appeal property lies in an elevated position overlooking the sea. The terrace is set back from the highway behind a boundary wall and has a small front garden. The properties within the terrace are finished with a white/off-white render and have a concrete tiled roof. With the exception of the appeal windows and door, the openings within the terrace

are typically uniformed in size. The windows on the first and second floor of the appeal property are UPVC casement windows, which have astragal bars. The terrace contains casement and sash windows of varying designs. UPVC is the predominant window material on the terrace.

7. The Town Centre CA includes part of the seafront, the commercial core of the town and areas of residential development. The CA is primarily characterised by buildings that are three and four storeys in height. Buildings are typically rendered in shades of white and off-white. Based on the evidence before me and my site visit, I find that the significance of the CA insofar as is relevant to this appeal is derived from the presence of attractive terraced properties and the high quality architecture of differing periods, which denotes the town's evolution as a historic seaside resort.
8. The appeal building by reason of its three storey form, age and colour of render is in keeping with the character and appearance of the CA, as a whole. The windows within the appeal building and adjacent terrace have been substantially altered and are not of a consistent design or of a traditional material. Consequently, they make a very limited contribution to the character and appearance of the CA.
9. The appeal scheme seeks planning permission for slimline heritage style, aluminium windows and a door, which have been installed on the front elevation of the building at ground floor level. The appellant advises that the windows and door replaced 2 nos. sets of modern French windows, which were constructed of timber and painted white. While it does not appear that the previous French windows had consent, the Council advises that due to the passage of time they were lawful.
10. Where traditional, timber framed windows survive in the CA, they make a valuable contribution to the townscape interest. In this case, the aluminium windows and door have replaced modern, timber, French windows. While the appeal windows and door are larger in size than the other openings within the building and terrace, they are no larger than the French doors that they replaced, which previously had a different solid-to-void ratio than the windows above.
11. I observed on my site visit a variety of window styles in the immediate locality, including traditional timber framed sash windows and UPVC sash and casement windows. Aluminium windows are also present on a building, which is located a short distance away from the appeal site. I acknowledge that the Council's Supplementary Planning Document 2 – Replacement Doors and Windows for Listed Buildings and Conservation Areas states that UPVC and aluminium replacement doors and windows are not generally acceptable within a CA. However, in this case, the Council's Conservation Officer accepts that a modern material such as UPVC or aluminium could be acceptable in this location, providing the replacement doorsets are white and are of a more traditional design.
12. The aluminium windows and door have a high quality appearance and are contemporary in their design. While the solid-to-void ratio differs from the windows above, this was also the case with the previous French doors. Furthermore, there is no consistent window design or opening arrangement on this section of the terrace. While the colour of the windows and door differs from the white UPVC windows found on the first and second floor of the host

building and the immediately adjacent properties, black windows and doors are not an alien feature in the locality and are present on a nearby building. As a result, I do not find that the colour scheme is discordant in the street scene. In this case, I find that the appeal scheme preserves the character and appearance of the CA as a whole and I find no conflict with section 72(1) of the Act.

13. For the reasons given above, I conclude that the appeal scheme preserves the character and appearance of the CA. The appeal scheme complies with Policies DM1, EN1, HN1 and HN2 of the Hastings Local Plan Development Management Plan, September 2015. These policies among other things require that development is of a good standard of design, which protects the character of the area and the significance of heritage assets, including CAs.

Conditions

14. As the works have already taken place, the only condition required is one that specifies the plans for clarity.

Conclusion

15. For the reasons given above, having regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed.

A James

INSPECTOR