

# Planning Committee Agenda

**Wednesday, 20 April 2016 at 6.00 pm**

Committee Room 1 - Town Hall, Queen's Square, Priory Meadow, Hastings,  
TN34 1QR

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ehorne@hastings.gov.uk

		Page No.
1.	Apologies for Absence	
2.	Declarations of Interest	
3.	Minutes of the meeting held on 23 March 2016	1 - 8
4.	Notification of any additional urgent items	
5.	Planning Appeals and Delegated Decisions <i>(Mrs E Evans – Planning Services Manager)</i>	9 - 10
6.	Planning Applications:	
	(a) Shop and Premises, 26 George Street, Hastings <i>(Mr Y Watt – Planning Officer)</i>	11 - 20

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# Agenda Item 3 Public Document Pack

## PLANNING COMMITTEE

23 MARCH 2016

Present: Councillors Street (Chair), Scott (Vice-Chair), Beaney, Beaver, Edwards, Dowling, Lee, Roberts, Rogers and Sabetian (the duly appointed substitute for Councillor Wincott)

**78. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Wincott.

**79. DECLARATIONS OF INTEREST**

None.

**80. MINUTES OF THE MEETINGS HELD ON 24 FEBRUARY 2016**

**RESOLVED** – that the minutes of the meeting held on 24 February 2016 be approved and signed by the Chair as a true record.

**81. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS**

None.

**82. PLANNING APPLICATIONS ATTRACTING A PETITION:**

**83. SHOP AND PREMISES, 311 BEXHILL ROAD, ST. LEONARDS ON SEA**

Proposal:	Demolition of existing buildings and erection of one building containing four units for trade use (Use Class B8 with ancillary showroom and sui generis uses) and/or retail (Use Class A1) with associated landscaping and infrastructure
Application No:	HS/FA/15/00750
Existing Use:	Supermarket
Conservation Area:	No
National Planning Policy Framework:	Sections 1 (Building a strong, competitive economy), 2 (Ensuring the vitality of town centres), 4 (Promoting sustainable transport), 7 (Requiring good design), 10 (Meeting the challenge of climate change, flooding and coastal change), 11 (Conserving and enhancing the natural

## PLANNING COMMITTEE

23 MARCH 2016

Hastings Local Plan The Hastings Planning Strategy:	environment) and 12 (Conserving and enhancing the historic environment)  DS2 (Employment Growth), DS3 (Location of Retail Development, FA1 (Strategic Policy for Western Area), SC1 (Overall Strategy for Managing Change in a Sustainable Way), SC2 (Design and Access Statements), SC3 (Promoting Sustainable and Green Design), SC4 (Working Towards Zero Carbon Development), SC7 (Flood Risk), EN1 (Built and Historic Environment), EN3 (Nature Conservation and Improvement Of Biodiversity), E3 (Town, District and Local Centres) and T3 (Sustainable Transport)  LP1 (Considering Planning Applications), DM1 (Design Principles), DM3 (General Amenity), DM4 (General Access), DM5 (Ground Conditions), DM6 (Pollution and Hazards), HN4 (Development affecting Heritage Assets with Archaeological and Historic Interest or Potential Interest), HN5 (Non-Designated Heritage Assets), HN7 (Green Infrastructure in New Developments), HN8 (Biodiversity and Green Space) and SA3 (Shops and Services Outside the Shopping Areas)
Public Consultation:	20 letters of objection and 1 petition received

A report containing some amendments to conditions 7, 21 and 25 of the officers report, was circulated to the Committee prior to the start of the meeting.

The Planning Services Manager expanded on issues of design and noted that these were weaknesses of the application, however overall the recommendation was for approval.

The petitioner, Eve Montgomery, was present and spoke against the application.

The applicant, Sally Miles (DWD LLP), was present and spoke in support of the application.

Councillor Howard, Ward Councillor for West St. Leonards, was present and spoke against the application.

## PLANNING COMMITTEE

23 MARCH 2016

With the agreement of the Chair, Councillor Beaver circulated some proposed reasons for refusal of the application, for the committee to consider.

Councillor Beaver proposed a motion against the officers recommendation, to refuse the application. This was seconded by Councillor Lee.

**RESOLVED** – by (6 votes to 4) that planning permission be refused for the following reasons:

1. The proposed building would by reason of its design, height, depth, massing, scale and proximity to the road and boundaries of the site, result in a bland, visually overbearing and congested form of development as viewed from Bulverhythe Road. The building would be notably larger than the typical form of development surrounding parts of the site and would appear as an incongruous feature, detrimentally affecting the character and appearance of the area and contrary to policy DM1 of the Hastings Local Plan Development Management Plan (2015);
2. In addition, the proposed materials would be of an industrial nature which would have no regard to, and notably contrast with, the character of the area around part of the site, which includes domestic properties. The proposed development would therefore be contrary to policy DM1 of the Hastings Local Plan Development Management Plan (2015);
3. Furthermore, the position of the proposed building on the site would have no regard to the pattern of development in the area in terms of the established building line along both Bexhill Road and Bulverhythe Road. The building would be positioned on site in a manner which would result in hidden areas of landscaping, with the remainder of the proposed landscaping not providing a sufficient balance to the proposed hard landscaping on site. The development would therefore be contrary to policy DM1 of the Hastings Local Plan Development Management Plan (2015); and
4. The proposed building is not therefore considered to be a standard that would positively add value to the local area and would fail to take opportunities for improving the character of the area, as advocated by paragraph 64 of the National Planning Policy Framework (NPPF). In addition the proposed development is not considered to function well or add to the overall quality of the area, establish a strong sense of place, or create attractive and comfortable places to live, work and visit, respond to local character or reflect the identity of local surroundings and materials, or be visually attractive as a result of good architecture and appropriate landscaping as advocated by paragraph 58 of the National Planning Policy Framework.

### 84. PLANNING APPEALS AND DELEGATED DECISIONS

## PLANNING COMMITTEE

23 MARCH 2016

The Planning Services Manager reported that 2 planning appeals had been received; 1 appeal had been dismissed; 3 appeals have been allowed; and 2 appeals against conditions had been allowed. She also reported on the number of delegated decisions.

All matters had arisen between 11<sup>th</sup> February to 11<sup>th</sup> March 2016.

**85. PLANNING APPLICATIONS:**

**86. SITE OF FORMER OLD ROAR HOUSE, OLD ROAR ROAD, ST. LEONARDS ON SEA**

Proposal:	Construction of new 2-storey 4 bedroomed house
Application No:	HS/FA/15/00191
Existing Use:	Vacant corner of development site
Conservation Area:	No
National Planning Policy Framework:	No Conflict
Hastings Local Plan The Hastings Planning Strategy:	FA1 (Strategic Policy for Western Area), FA2 (Strategic Policy for Central Area), SC1 (Overall Strategy for Managing Change in a Sustainable Way), EN2 (Green Infrastructure Network), EN3 (Nature Conservation and Improvement of Biodiversity), EN4 (Ancient Woodland) H1 (Housing Density), H2 (Housing Mix), H3 (Provision of Affordable Housing), T3 (Sustainable Transport)
	LRA4 (Old Roar House, Old Roar Road), DM1 (Design Principles), DM3 (General Amenity), DM4 (General Access), DM6 (Pollution and Hazards), HN9 (Areas of Landscape Value)
Public Consultation:	15 letters of objection

Councillor Rogers proposed a motion to approve the application. This was seconded by Councillor Beaver.

**RESOLVED – (unanimously) that:**

## PLANNING COMMITTEE

23 MARCH 2016

A) That the Planning Services Manager be authorised to issue planning permission upon completion of an agreement under S106 of the Town and Country Planning Act to secure a financial contribution towards the provision of off-site affordable housing, unless it has been conclusively shown that the development would not be viable if a payment were made. In the event that the Agreement is not completed or the viability issue not resolved by 25 March 2016 that permission be refused on the grounds that the application does not comply with Policy H3 of the adopted Hastings Local Plan, The Hastings Planning Strategy 2011-2028 unless an extension of time has been agreed in writing by the Planning Services Manager in consultation with the Chair and Vice Chair of the Planning Committee.

B) Grant permission subject to the above

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
2.
  - (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority.
  - (ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed.
  - (iii) No occupation of any of the dwelling hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.
3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include indications of all existing trees and hedgerows on the land including details of those to be retained and removed, together with measures for their protection in the course of development. New soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme;
4. All planting seeding or turfing comprised in the approved soft landscaping scheme shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or

## PLANNING COMMITTEE

23 MARCH 2016

become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

5. No development shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; other vehicle and pedestrian access and hard surfacing materials;
6. All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the dwelling or in accordance with the programme agreed with the Local Planning Authority;
7. The dwelling hereby approved shall not be occupied until readily accessible external storage space for refuse bins awaiting collection and cycle storage space have been provided to the satisfaction of the Local Planning Authority. These storage facilities shall be retained for their intended purposes thereafter;
8. With the exception of internal works the building works, including site clearance and excavation, site deliveries and collections, required to carry out the development allowed by this permission must only be carried out within the following times:-  
  
08.00 - 18.00 Monday to Friday  
08.00 - 13.00 on Saturdays  
No working on Sundays or Public Holidays.
9. There shall be no obstruction to visibility (over 0.8 metres above the level of the adjoining footway) within splays, details of which shall be submitted with the details specified in Condition 1;
10. The development shall not be occupied until the parking area and garaging have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles;
11. No building hereby permitted shall be occupied until the same has been connected to the main drainage system in accordance with the details specified in condition 2;
12. No development shall commence until a plan of site landscaping and ecological enhancements have been submitted to and approved in writing by the Local Planning Authority. This shall include:
  - (i) site landscaping.



## PLANNING COMMITTEE

23 MARCH 2016

- (ii) ecological enhancements.
- (iii) a management plan for the future short and long term management of both retained and created habitats outlining how the management of the area of Toothwort will be secured into the future.
- (iv) landscaping specifically designed to mitigate against the effects of artificial lighting and increased human access/disturbance.

Ecological enhancements shall particularly focus on the ancient woodland but shall cover techniques and designs aimed at ecological enhancements for other wildlife in accordance with the requirements of the Ecological Scoping Survey by Martin Newcombe dated 4th February 2015;

- 13. No development shall take place until protective fencing and warning signs have been erected as detailed in the approved Tree Protection Plan SA/956/14 in accordance with condition 3 (above). All permanent fencing and warning signs will be maintained in accordance with the plan, unless otherwise approved in writing by the Local Planning Authority;
- 14. No site clearance or tree or hedge removal shall be carried out on site between the 1st March and 31st July inclusive in any year, unless otherwise approved in writing by the Local Planning Authority;
- 15. The windows shown serving the bathroom and en-suites shall be obscure glazed and remain as such at all times; and
- 17. The development hereby permitted shall be carried out in accordance with the following approved plans: 15.685/01 & 15.685/02.

### Reasons:

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;
- 2. To ensure a satisfactory standard of development and to prevent increased risk of flooding;
- 3. In the interests of the visual amenity and to ensure the tree belt fronting Old Roar Road is adequately maintained;
- 4. To ensure a satisfactory form of development in the interests of the visual amenity;
- 5. To ensure a satisfactory form of development in the interests of the character and amenity of the area;
- 6. To ensure a satisfactory form of development in the interests of the

## **PLANNING COMMITTEE**

**23 MARCH 2016**

**character and amenity of the area;**

- 7. To secure a satisfactory standard of development;**
- 8. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1);**
- 9. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety;**
- 10. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 11. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 12. To protect features of recognised nature conservation importance;**
- 13. To protect features of recognised nature conservation importance;**
- 14. To protect features of recognised nature conservation importance;**
- 15. In the interests of the amenity of the neighbouring and residential occupiers. (Hastings Local Plan 2004 Policy DG1); and**
- 17. For the avoidance of doubt and in the interests of proper planning.**

### **Notes to the Applicant**

- 1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning;**
- 2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework; and**
- 3. Consideration should be given to the provision of a domestic sprinkler system.**

(The Chair declared the meeting closed at. 6.58 pm)

# Agenda Item 5

## Agenda Item: 5

**Report to:** Planning Committee

**Date:** 20 April 2016

**Report from:** Planning Services Manager

**Title of report:** **PLANNING APPEALS & DELEGATED DECISIONS**

**Purpose of report:** To inform the Planning Committee of any planning appeals that have been lodged, of any decisions received from the Planning Inspectorate and the number of delegated decisions made between 11 March to 08 April 2016

**Recommendations:** That the report be noted

<b>Address/ Application Number</b>	<b>Proposal</b>	<b>PSM's Rec.</b>	<b>Where the decision was made</b>	<b>Type of Appeal</b>
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**The following appeals have been received:**

Nothing to report

**The following appeals have been dismissed:**

26 Park Avenue, Hastings, TN34 2PN  HS/FA/15/00526	Conversion of 3 bedroom dwelling to a pair of semi detached 3 bedroom dwellings	Refuse Planning Permission	Delegated	Planning
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**The following appeals have been allowed:**

16 Marina Park, Seaside Road, St Leonards-on- Sea, TN38 0AQ  HS/FA/15/00581	Proposed sun lounge on existing roof terrace	Refuse Planning Permission	Delegated	Planning
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<b>Type of Delegated Decision</b>	<b>Number of Decisions</b>
Granted	49
Refused	1
Withdrawn by Applicant	1

**Background Papers:**

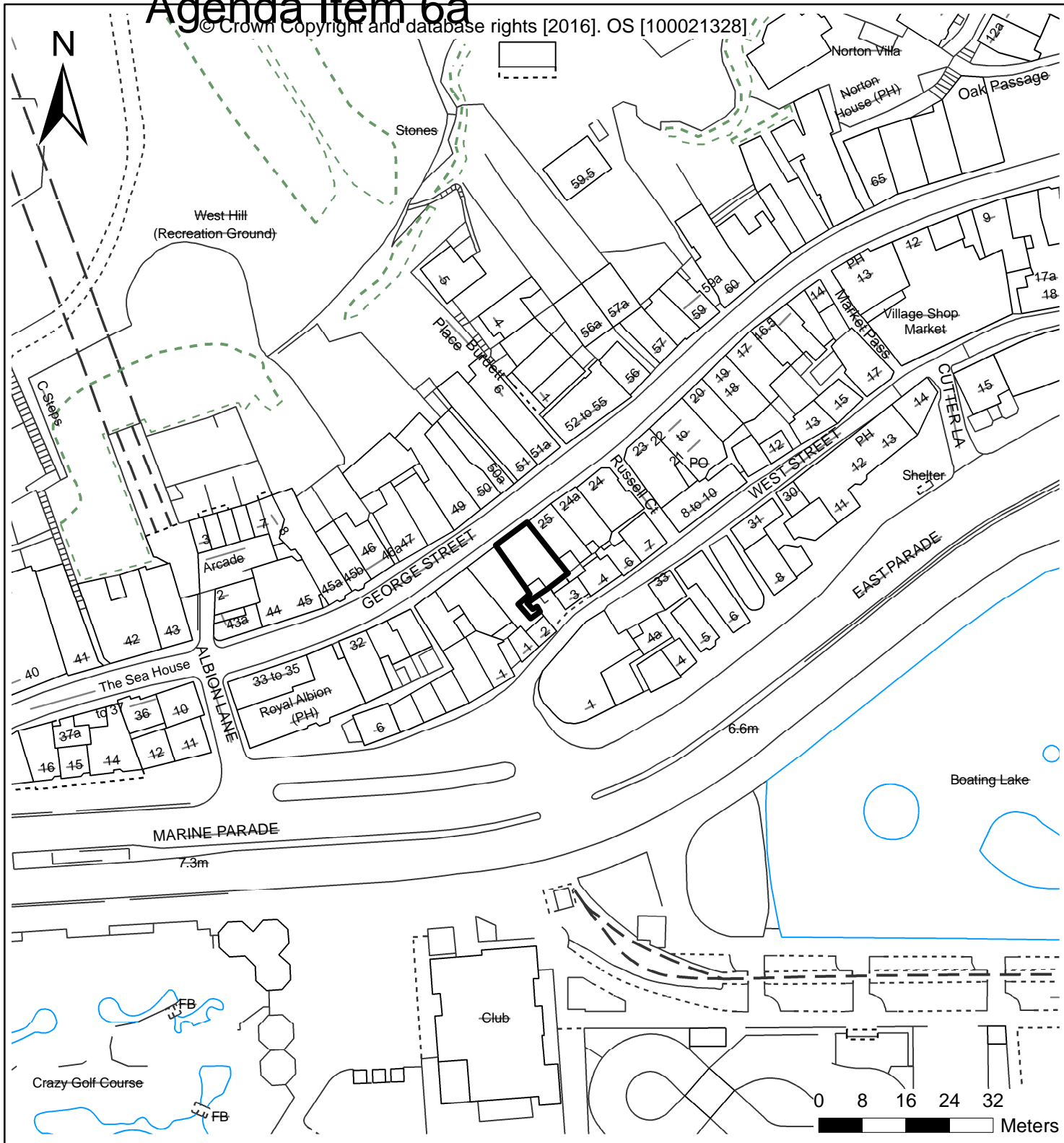
Various correspondence with Planning Inspectorate

**Report written by:**

Naiomi Sargent - Tel: (01424) 783264 Email: [dconquiries@hastings.gov.uk](mailto:dconquiries@hastings.gov.uk)

# Agenda Item 6a

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**LOCATION 1**

**Location 2**

**Location 3**

Shop and Premises

26 George Street

Hastings

TN34 3EA



Assistant Director Housing & Built Environment

Hastings Borough Council,

Aquila House, Breeds Place,

Hastings, East Sussex TN34 3UY

Tel: 01424 451090

email: [dcenquiries@hastings.gov.uk](mailto:dcenquiries@hastings.gov.uk)

Date: DATE

Scale: 1:1,000

Application No. HS/LB/15/01024

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**Report to:** PLANNING COMMITTEE

**Date:** 20 April 2016

**Report from:** Assistant Director of Housing and Built Environment

**Application Address:** Shop and Premises, 26 George Street, Hastings, TN34 3EA

**Proposal:** Conversion of basement from ancillary storage to a bar area in connection with the existing premises at ground floor

**Application No:** HS/LB/15/01024

**Recommendation:** Grant Listed Building Consent

Ward: OLD HASTINGS

File No:

Applicant: Mr Dean per Meridian Surveyors 3 Alexandra Parade Park Avenue Hastings, East Sussex. TN34 2PQ

Interest: Freeholder

Existing Use: Bar

**Policies**

Conservation Area: Yes - Old Town

Listed Building: Grade II

**Public Consultation**

Adj. Properties: Yes

Advertisement: Yes - Affects a Listed Building

Letters of Objection: 4

Petitions Received: 0

Letters of Support: 1

General Comments: 1

Application Status: Not delegated - More than 2 letters of objection received

## Summary

### The Site and its Location

26 George Street is a Grade II Listed Building within the Old Town Conservation Area of Hastings and draws its significance from its architectural character and appearance as a building of the local vernacular. The building is a three storey mid-terrace building comprising the basement, bar at ground level and two floors of residential space above.

## Details of the Proposal and Other Background Information

### Proposed Development

This Listed Building consent application seeks permission for conversion of basement from ancillary storage to a bar area in connection with the existing premises at ground floor.

The basement is part of the premises and it is not a separate use, it is currently used as storage space ancillary to the ground floor. The change of use in 2001 from retail to food and drink covered the ground floor and the basement. As such planning permission is not required to use the basement as a bar area as it is not an independent planning unit.

The proposed basement floor plan shows a function room, bar area, 2x storage areas, WCs and the existing rear yard and fire escape via a flight of stairs.

The application is supported by the following documents:

Revised application form, dated 23.02.2016  
nr995/15/01 (Existing plans & Location Plan),  
Revised nr995/15/02 (Proposed Plans & Location Plan)  
nr995/15/03 (Proposed door to wc)  
nr995/15/04 (Proposed Gate to Rear Yard)  
nr995/15/05 (Proposed opening into rear year area wc)  
nr995/15/06 (Proposed Bar with Counter Flap)  
Staircase Details  
Design & Access Statement

A similar Listed Building application was granted consent on this site recently, see Listed Building permission HS/LB/15/00210 and site planning history below. The changes proposed as part of this application includes:

- 1) Reconfiguration of the toilet to include a small storage area.
- 2) Installation of fixed gate to rear yard at basement level. Openable only in event of fire.

### Previous Site History

HS/FA/01/00041 Change of use from retail to food and drink  
Granted subject to Conditions 19/3/2001

HS/LB/01/00106 Internal modifications of shop area (ground floor)  
Granted Subject to Conditions 11/4/2001

HS/FA/01/00337 Variation of condition of planning permission to allow opening Monday to Saturday to 12pm and 11pm Sunday  
Granted Subject to Conditions 27/7/2001

HS/LB/15/00210 Conversion of basement from ancillary storage to a bar area in connection with the existing premises at ground floor.  
Granted Subject to Conditions 04/06/2015

### Development Plan Policies and Proposals

This is an application for Listed Building Consent. The Hastings Local Plan - Planning Strategy (2014), Hastings Local Plan - Development Management (2015), the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and the National



Planning Policy Framework (NPPF), Section 12 all apply.

### Hastings Local Plan – Development Management (2015)

LP1: Considering Planning Applications

HN1: Development Affecting the Significance and Setting of Designated Heritage Assets (including Conservation Areas)

### Hastings Local Plan – Planning Strategy (2014)

EN1: Built and Historic Environment

### National Planning Policy Framework (NPPF)

The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay.

Three dimensions of sustainability given in paragraph 7 are to be sought jointly: economic (by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst paragraph 10 advises that plans and decisions need to take local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas.

Section 12 of the NPPF states that conserving and enhancing the historic environment are the government's policies for the protection of heritage. The policies advise a holistic approach to planning and development, where all significant elements which make up the historic environment are termed 'heritage assets. These consist of designated assets (such as listed buildings or conservation areas) non-designated assets (such as locally listed buildings) or any other features which are considered to be of heritage value. The policies within the document emphasise the need for assessing the significance of heritage assets and their setting in order to fully understand the historic environment and inform suitable design proposals for changes to significant listed buildings.

## **Details of Consultations**

**Conservation and Design officer** stated the following on 26.12.2016:

*"The documents submitted are directly in line with officer's advice on site and as such the submitted information is considered supportable.*

*The information provided is very comprehensive and as such Conservation and Design would only require two conditions:*

- 1. All making good to be on a like for like basis to match existing materials and finishes*
- 2. Samples of materials for the proposed stone covering to the existing stairs."*

## Representations

The application has been subject to two consultation periods. The second related to an amendment of the red line to include the fire escape. The re-consultation period was for 21 days and ended on 16 March 2016.

A total of 6 representations have been received over the combined consultation periods:

1 letter of support submitted stating the following:

- a) Resident of the area for 6 years and have never had a problem with the Whistle Trago.
- b) This bar always plays by the rules and has the interests of the nearby residents at heart.
- c) Stroke of genius having a bar downstairs which will help keep noise to a minimum.

The same supporter left a voice mail on 15.03.2016 reiterating the points already raised above.

1 general comment letter submitted stating the following:

- a) *"The rear yard area should only be used in the case of emergencies and not for any smoking or public space. This is necessary to protect the residential amenities which are contained to the upper floors of George Street and properties to the rear in West Street."*

4 letters of objection have been received raising the following concerns:

- a) Use of fire escape/staircase when located outside applicant's ownership.
- b) Use of the rear yard will result in associated noise/disturbance plus privacy.
- c) Access by the public using the fire escape would completely change the quiet back street nature of West Street and the privacy of its occupants.

## Determining Issues

The site is in a sustainable location and the application is therefore in accordance with policy LP1 Hastings Local Plan - Development Management (2015) in this respect and acceptable in principle subject to other local plan policies.

## Impact on Character and Appearance of Area

The proposed works include:

- 1) New wrought iron gate to the rear yard
- 2) Existing doorway to the rear infilled with brick work and finished with lime render to match existing
- 3) Existing plasterboard ceiling to be removed and upgraded with fireline board
- 4) Proposed bar with counter flap
- 5) New radiator connected to existing pipework
- 6) Damp affected walls to have paint removed and returned as exposed brick work
- 7) New door to WC
- 8) New WCs
- 9) New stone tread to staircase between basement and ground level plus new continuous handrail to be fitted as well as spindles

Externally the property is generally in good order requiring only minor decoration works to the rear of the building. Internally, the basement area has been neglected for many years as a result of it only being used for storage purposes. The majority of works required however are only of a cosmetic nature. No structural repair works are required.

A similar Listed Building application was granted on this site recently; see Listed Building permission HS/LB/15/00210. This proposal has provided more comprehensive details in line with recent on-site officer's advice and as such the submitted information is considered to be acceptable and negates the need for multiple conditions as per the previous Listed Building permission.

The proposed works will not affect the character and appearance of this Grade II listed building. The Conservation and Design officer does not object to the application. Furthermore, the proposed works will preserve and enhance the property at no.26 George Street.

### **Other considerations**

The objections to the application centre around the means of escape, the rear yard and neighbouring amenity. This has already been covered within the representations section above.

The concerns above relate principally to the use rather than the works for which listed building consent is being sought. The use already has approval, see planning application HS/FA/01/00041.

The rear yard will not be used as a smoking area or as another form of entrance to the basement.

Drawing number nr995/15/02 shows a gate located at the rear of the premises which provides the only access from the basement to the yard. The gate will only open in the event of a fire and this is automated. As such the yard will not be used by customers or staff other than in the event of a fire.

The exit from the emergency fire escape passing over a neighbouring property is not a planning matter but a civil legal issue between the neighbouring properties.

### **Conclusion**

It is noted that several letters of objection raise concerns regarding the fire escape in that they are outside of the applicant's ownership. The applicant has served notice on the owners of the land and therefore has met the procedural requirements in planning terms. The question whether the owner of the land will permit the applicant to use this land is a private legal matter between the applicant and the land owner.

As per the Section 12 of the NPPF, policy HN1 of Hastings Local Plan – Development Management (2015) and policy EN1 of the Hastings Local Plan – Planning Strategy (2014) seek to protect heritage assets. The proposed works on site are in accordance with these policies and considered to be acceptable as the proposal will have a neutral impact on the Listed Building.

The proposed works are not considered to harmfully affect the historic significance of the Listed Building. It is recommended that this proposal should be granted Listed Building consent subject to conditions.

These proposals comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

The Human Rights considerations have been taken into account fully in balancing the planning issues.

## **Recommendation**

### **Grant Listed Building Consent subject to the following conditions:**

1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.
2. The works hereby permitted shall be carried out in accordance with the following approved plans:  
  
nr995/15/01, nr995/15/02 (revised), nr995/15/03, nr995/15/04, nr995/15/05, nr995/15/06 & Staircase Details
3. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-  
  
08.00 - 18.00 Monday to Friday  
08.00 - 13.00 on Saturdays  
No working on Sundays or Public Holidays.
4. No works shall take place until a sample of the proposed stone covering to the existing internal stairs between the ground floor and basement is submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.
5. All making good to be on a like for like basis to match existing materials and finishes.

### **Reasons:**

1. This condition is imposed in accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. In the interests of the amenity of the neighbouring residential occupiers.
4. To ensure the architectural and historic character of this Grade II Listed Building is adequately protected.
5. To ensure the architectural and historic character of this Grade II Listed Building is adequately protected.

## **Notes to the Applicant**

1. Failure to comply with any condition imposed on this consent may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.
3. The Assistant Director of Environment & Place must be consulted with regard to the requirements of the Food Safety (General Food Hygiene) Regulations 1995 and the Health and Safety at Work Etc. Act 1974. Please email [foodsafety@hastings.gov.uk](mailto:foodsafety@hastings.gov.uk) or call 01424 451078.

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## **Officer to Contact**

Mr Y Watt, Telephone 01424 783336

## **Background Papers**

Application No: HS/LB/15/01024 including all letters and documents

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