

# Planning Committee Agenda

**Wednesday, 24 May 2017 at 6.00 pm**

Council Chamber, Muriel Matters House, Breeds Place, Hastings, TN34 3UY.  
Please enter the building via the Tourist Information Centre entrance.

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For further information, please contact Emily Horne on 01424 451719 or email:  
ehorne@hastings.gov.uk

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4.	Notification of any additional urgent items	
5.	Planning Applications attracting a petition:	
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(b)	210 Hillside Road, Hastings (Miss N Sargant – Planning Officer) <a href="http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=_HSTBC_DCAPR_104395">http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=_HSTBC_DCAPR_104395</a>	51 - 60
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- 4 Linton Road, Hastings  
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- 87 Willingdon Avenue, St Leonards on Sea  
[http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=\\_HSTBC\\_DCAPR\\_103864](http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=_HSTBC_DCAPR_103864)

# Agenda Item 3 Public Document Pack

## PLANNING COMMITTEE

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Present: Councillors Scott & Wincott (Chairs), Beaver, Clarke, B Dowling, Rogers, Sinden (as the duly appointed substitute for Councillor Street) and Webb (as the duly appointed substitute for Councillor Beaney)

### 167. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Beaney, Edwards, Roberts and Street.

### 168. DECLARATIONS OF INTEREST

Councillor	Minute	Interest
B Dowling & Scott	171.1 – 56 Alma Terrace, St. Leonards on Sea	Prejudicial – Knows several residents in the area.  Knows Bruce Henderson, Chair of Labour Branch
Webb	171.1 – 56 Alma Terrace, St. Leonards on Sea	Personal – Knows Bruce Henderson, Chair of Labour Branch Member of East Sussex County Council
Rogers & Sinden	171.1 – 56 Alma Terrace, St. Leonards on Sea	Personal – Knows Bruce Henderson, Chair of Labour Branch

The Chair invited nominations for the appointment of Chair for the duration of item 144, 56 Alma Terrace, St. Leonards on Sea. Councillor Rogers proposed that Councillor Wincott should take the Chair. This was seconded by Councillor B Dowling and was agreed unanimously.

### 169. MINUTES OF THE MEETING HELD ON 8 MARCH 2017

**RESOLVED** – that the minutes of the meeting held on 8 March 2017 be approved and signed by the Chair as a true record.

### 170. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

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### 171. PLANNING APPLICATIONS ATTRACTING A PETITION:

#### 171.1 56 Alma Terrace

Proposal:	Approval of reserved matters relating to the access, appearance, landscaping, layout and scale of outline planning permission HS/OA/15/00211 (Conditions 1 & 2) – Proposed demolition of chalet bungalow and garage and construction of 10 No. new dwellings.
Application No:	HS/DS/16/00485
Existing Use:	Single dwellinghouse
Conservation Area	No
Listed Building	No
Public Consultation	11 letters of objection and 1 petition received.

Having declared their prejudicial interests, Councillors Scott and Dowling were absent from the Chamber during discussion and voting on this item.

The Planning Services Manager, Mrs Evans, presented this report for approval of reserved matters relating to the access, appearance, landscaping, layout and scale of outline planning permission HS/OA/15/00211 (Conditions 1 & 2) – Proposed demolition of chalet bungalow and garage and construction of 10 No. new dwellings.

Members were informed of an update to the report:-

- Since the agenda was published the applicant has submitted a schedule of materials alongside samples to be used in the development. Recommended condition 2 has therefore been changed to read as:-

*The external materials of the development shall be carried out in accordance with the approved 'Material Schedule' submitted on 03 April 2017.*

Reason 2: Remains unchanged from that noted in the officer's report.

Members were shown plans and photographs of the application site.

The site is currently occupied by a detached bungalow, the majority of development surrounding the site is two-storey terrace or semi-detached properties. Outline consent has been granted for 10 dwellings. It is proposed that the 10 dwellings will be separated into 8 x semi-detached (plots 1-8) and 2 x detached (plots 9 and 10) houses. Each property will have two off-street parking spaces and storage for

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wheeled bins. The old householder vehicular access onto Burry Road is to be widened.

The Planning Services Manager reminded members that this is a reserved matters application which follows an outline application for 10 dwellings which was granted in October 2015 at Planning Committee. All other plans submitted with the outline consent are indicative and showed members at the time what potentially the site could be, but not definitively what it would be. She said that Officers had considered this application to be acceptable, however there were some elements of the proposal which were borderline.

The Planning Manager explained that although the application was recommended for approval there were elements of the application which were more borderline that should consider. She advised that no objections had been received from any of the statutory consultees.

- Bulk and massing of plot 1 – perceived overlooking is a material consideration.
- The buildings will appear as three storey building although they only have two levels.
- The gardens' terraces and balconies and side elevation windows of plot 1 and overlooking arising from same. The decking area was not shown in the outline consent.
- Side elevation of building of plot 8 – The design, detail and soft landscaping.
- Concerns regarding the degree of soft landscaping. She stated that there could be substantial improvements to the landscaping scheme.

Sarah Crunden, Petitioner, spoke against the application, she raised concerns regarding access, traffic, parking problems, health and safety issues, access for emergency service / refuse vehicles and wildlife. She said the development will be detrimental to the character and fabric of the area. Furthermore, neighbouring properties will be overlooked and light will be blocked. She spoke regarding the effect of the application on residents and asked the committee members not to destroy the area.

Cos Polito, the agent for the application, spoke in support of the application. He said the committee had already accepted the principle of 10 dwellings by granting the outline permission, with reserved matters for access, appearance, landscaping, plans and scale. He listed the benefits of the development:- it would be compatible with the local character of the area; would not harm neighbouring residential amenities, would not result in poor highway safety, could provide decent accommodation, would not harm biodiversity or trees and could provide adequately for service water drainage. He said that no objection had been raised by consultees on highways, ecology, arboricultural, foul and surface water drainage, waste or environmental grounds. The layout of the houses will not harm the amenities of neighbouring residents through overlooking, over dominance or disturbance from parking areas. Therefore, no adverse impacts have been identified to withhold permission.

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Councillor Wincott asked if there was a badger sett within the development. Mr Polito confirmed that it had not been identified in the ecology report, he was not aware of any badger setts.

Councillor Fitzgerald, Ward Councillor for Silverhill Ward, was present and spoke against the application. He said the character of the area will be devastated, there is potential for further development and the dissemination of a well-connected local community. The Statement of Community Involvement, para 5.5, refers to the definition of a major planning application which is a development of 10 or more dwellings. Para 5.6, states that a controversial application is one where there is likely to be concern regarding potential for social, economic and environmental impact on the community effected by the proposals, so this application is both major and controversial but has been ignored. He said the developer should have been encourage to engage and consult with the local community through publicity etc, this never happened. Policy H3, provision of affordable housing, where you have development of 10 or more units on a brownfield site, 20% should be affordable housing, and on a greenfield site, 40% should be affordable housing. Ignored community involvement and affordable housing policy. Southern Water said conditions regarding no development or new tree planting should be located within 3m of the centre, and no new soakaways within 5m of public Sewer. The Borough Arborculturalist said tree depletion of Borough Road boundary will greatly change the feel. To mitigate the loss he expects to see significant tree planting on either side of proposed road. Can lose some of the trees under TPO but you have to plant more, to accommodate 10 dwellings you have to move the sewer. It runs exactly where the Borough Arbiculturalist said that new tree planting should be, but Southern Water say you can't do that. Applicant has to employ private sewer company to look after drainage. Drainage system is flooded because it doesn't fit the site.

The Planning Services Manager addressed the issues raised by the petitioner and ward councillor. She said although there had been dialogue between the planning officer and all the consultee's there is no objection from southern water, highways or the arboricultural officer. Regarding affordable housing, this application is for 9 net new dwellings. Because of government changes, there is no requirement from the authority for affordable housing. Regarding Category B and C trees, the trees are classified from A,B,C and R, U. Category A trees are protected by TPO's, they have high amenity value of which the council would wish to see retained. Category C trees shouldn't prohibit or get in the way of the development if a site. Category U and R trees need to be felled. Regarding the width of the road, she said highways have looked at this, and have advised there no objection to this proposal, and say there is enough parking and the turning on the site is sufficient. As outline consent has already been approved, she said it would be inappropriate to refuse the application on highway grounds, because of the same amount of vehicle movements, same access is used as proposed in the outline consent.

Councillor Clarke raised concern regarding lack of parking capacity, he asked if the layout could be adjusted to give additional parking within the development. The Planning Services Manager said visitor parking had been provided and that highways believe parking is sufficient for additional visitors. If you provide more hardstanding within the site it would take away the soft landscaping.

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Councillor Webb asked the Planning Services Manager to confirm whether a badger sett existed at the site, given the difference of opinion between the petitioner and applicant. The Planning Services Manager said the ecologist had said there are no arboricultural matters to consider. If there was a badger sett on site he would have required it be dealt with.

Councillor Sinden raised concern regarding the proposed drainage system which he said will cause problems during the build.

Councillor Rogers proposed a motion against the officer's recommendation to refuse the application as set out in the resolution below. This was seconded by Councillor Sinden.

**RESOLVED** – (unanimously) that planning permission be refused for the following reasons.

1. The proposed development, by reason of the height, mass and bulk of dwelling proposed at plot 1 and associated balcony screening, combined with the proximity to the north eastern side boundary of the site, would result in an overbearing and dominating form of development that would harmfully affect the outlook of the residential amenities of occupants at no. 100 Burry Road. The proposed development would therefore be contrary to policies DM1 criterion e) and DM3 of the Hastings Local Plan Development Management Plan (2015) and paragraph 17 of the National Planning Policy Framework.
2. The proposed side elevation of plot 8, where it faces onto the access road, would have insufficient design detail relative to its prominent position in the site. The proposed development would therefore be contrary to policy DM1 of the Hastings Local Plan Development Management Plan (2015), paragraphs 58 and 64 of the National Planning Policy Framework, paragraph 002 Reference ID: 26-002-20140306 of the National Planning Policy Guidance and guidance within Housing and Community Agency's 'Urban Design Lesson - Housing Layout and Neighbourhood Quality' (January 2014).
3. The proposed development would fail to provide sufficient levels of soft landscaping to support the proposed built form. The proposed layout would therefore represent poor design that fails to take opportunities to take opportunities available for improving the character and quality of an area and the way it functions as advocated by paragraph 64 of the National Planning Policy Framework. The proposed development is therefore contrary to policies DM1 and DM3 of the Hastings Local Plan Development Management Plan (2015), paragraphs 58 and 64 of the National Planning Policy Framework and paragraph 27 of the National Planning Policy Guidance ID Reference ID: 26-026-20140306.

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### 172. PLANNING APPLICATIONS:

#### 172.1 Shop & Premises, 311 Bexhill Road

Proposal:	Erection of one building containing two units for trade uses (Class B8 with ancillary showroom and/or auto centre (B2) and/or Sui Generis Uses) with associated landscaping and infrastructure.
Application No:	HS/FA/16/00890
Existing Use:	Convenience store and curtilage
Conservation Area:	No
Listed Building	No
Public Consultation	6 letters of objection received.

The Planning Services Manager, Mrs Evans, presented this report for erection of one building containing two units for trade uses (Class B Class B8 with ancillary showroom and/or auto centre (B2) and/or Sui Generis Uses) with associated landscaping and infrastructure.

Members were informed of several updates to the report:-

- *Landscaping Plan V13759-L02 has been removed from condition 2. Reason for condition 2:- Remains unchanged.*

This is as a result of a request by the Council's Tree Officer for a change to the proposed tree species and the planting of an additional tree on the junction of the site with Bexhill Road.

This will be secured under conditions 15 and 16 which cover soft landscaping.

Members were shown plans and photographs of the application site.

The Planning Services Manager advised that in March 2016 the Planning Committee refused an application for the redevelopment of the site to comprise a building of 4 units for B8, A1 and sui generis. The reasons for refusal were for massing of the building combined with the layout and its consequential impact on character of the area. Members were reminded that planning permission was granted next door to the site at 323 Bexhill Road for a new car show room in December 2016.

The Planning Services Manager highlighted the details of the application, she said the access to the site will be widened from 5.88m to 12.6m. The footprint of the proposed building has been reduced from 1,300msq to 6.97msq and will be moved



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back from the boundary by 19.5m. 12 additional trips are likely to be generated during the am peak and 7pm. No objections have been received from consultees.

Members discussed the impact of vehicles manoeuvring within the site and suggested an informative be added to any consent to minimise the impact.

Councillor Wincott proposed a motion to approve the application as set out in the resolution below, subject to the amended Condition No.2 and an informative. This was seconded by Councillor Rogers.

**RESOLVED – by (7 votes to 1) that planning permission be granted subject to the following conditions:-**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

The development hereby permitted shall be carried out in accordance with the following approved plans and details: 13759-129A, 13759-125C, D26633/PY/B, 13759-130A, 13759-127B, 13759-128A, 13759-126A, 13759-124C, 13759-120, Updated Extended Phase 1 Habitat survey, Drainage Calculations (31.01.2017), Drainage Plan 600 Rev1, Planning Statement SP/9631;

3. The premises shall not be used except between the following hours:-

06:00 - 21:00 Monday - Saturday, including Bank holidays  
10:00 - 16:00 Sundays

4. The units shall not be used other than within Use Class B2, B8 (with ancillary showroom) and/or the following mixed/sui generis uses:

- storage, distribution and sales of tiles, floor coverings, bathroom and kitchen furniture and fittings, and other building materials;
- machinery, tool and plant hire;
- Auto centre for fitting and associated sales of tyres and car parts (including MOT);or
- plumbers' and building merchants

5. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include measures for the control of noise and dust during the construction of the development. The development shall be carried out in accordance with the approved plan;

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- 6. Before its installation details of any plant, machinery or similar equipment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details;**
- 7. The noise rating level emitted by all plant equipment (including any fans, tools or other mechanical services) on the site shall not exceed 56dBA. The noise levels shall be determined in a free field location on the boundary of any nearby residential premises. The measurement and assessment shall be made according to BS 4142 2014;**
- 8. With the exception of internal works, the building works required to carry out the development hereby permitted 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. Prior to the occupation of a unit, an acoustic report which includes details of works to reduce noise pollution for that unit shall be submitted to, and approved in writing by, the Local Planning Authority. The uses hereby approved shall not commence until works have been carried out in accordance with the approved details. Such measures shall be maintained thereafter;**
- 10. The alterations to the existing access shall be as shown on the submitted plan (Drawing No. 2015-2476-001) and laid out and constructed in accordance with the attached HT407 form/diagram and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority prior to occupation of the development hereby permitted;**
- 11. Prior to commencement of development details of suitable vehicle wheel washing equipment to be provided within the site for the duration of the development phase are to be submitted to and approved in writing by the Planning Authority in conjunction with the Highways Authority;**
- 12. Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority;**
- 13. Prior to commencement of development a Construction Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This**

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shall include the routing of vehicles, details of storage areas for plant/machinery, materials and welfare facilities, contractor parking and hours of operation;

14. The development shall not be occupied until car and cycle parking areas have been provided, and loading/unloading areas marked in accordance with the submitted plan (Drawing No. 13759-124C) or details which have been submitted to and approved in writing by the Planning Authority and the area shall thereafter be retained for those uses;
15. 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, 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;
16. 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 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;
17. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority;
18.
  - (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

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**approved under (i) and no occupation of any of the units hereby approved shall occur until those works have been completed;**

**(iii) No occupation of the units 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;**

**(iv) Prior to commencement of development a maintenance and management plan for the entire drainage system, clearly indicating those who will be responsible for managing all aspects of the surface water drainage system, including piped drains and evidence that these responsibility arrangements will remain in place throughout the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Local Lead Flood Authority;**

**(v) Prior to occupation of the units evidence (including photographs) showing that the drainage system has been constructed as per the final agreed detailed drainage designs shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Local Lead Flood Authority.**

**19. The development shall be carried out in accordance with the measures in the submitted energy statement (by Envision Energy, dated 10.10.2016 and referenced P15155-4.1-RP001-C);**

**20. No development shall take place until the measures outlined in the submitted ecological statement (Updated Extended Phase 1 Habitat Survey, dated January 2017) have been fully implemented, unless:**

**(i) the programme for such measures is otherwise specified within that document (for example with regard to measures related to monitoring, further survey work, the erection of bird boxes on buildings or other conservation enhancements), in which case the works shall be carried out in accordance with the timescales contained therein or;**

**(ii) unless the scheme(s), or programme(s) of measures contained within the ecological statement is otherwise first varied, by way of prior written approval from the Local Planning Authority;**

**(iii) Should development not commence begun by March 2018 an additional bat roosting survey shall be carried out and submitted to and approved in writing by the Local Planning Authority.**

### **Reasons:**

**1. This condition is imposed in accordance with the provisions of Section**

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**91 of the Town and Country Planning Act 1990;**

- 2. For the avoidance of doubt and in the interests of proper planning;**
- 3. To safeguard the amenity of adjoining residents;**
- 4. To ensure that planning control remains in the interests of impact on the character and amenity of the surrounding area, impact on parking and highway safety and the impact on retail uses and shopping centres;**
- 5. In the interests of the amenity of the neighbouring residential occupiers;**
- 6. In the interests of the visual amenity of the area and to protect the neighbouring residential occupiers;**
- 7. To safeguard the amenity of adjoining residents;**
- 8. To safeguard the amenity of adjoining residents;**
- 9. In the interests of the amenity of the neighbouring residential occupiers;**
- 10. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 11. In the interests of highway safety and for the benefit and convenience of the public at large;**
- 12. In the interests of highway safety;**
- 13. In the interests of highway safety and for the benefit and convenience of the public at large;**
- 14. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 15. In the interests of the visual amenity;**
- 16. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 17. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework;**
- 18. To prevent increased risk of flooding;**
- 19. In order to comply with the requirements of policy SC3 and SC4 of the**

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**Hastings Local Plan: The Hastings Planning Strategy;**

- 20. To protect features of recognised nature conservation importance**

### **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;**
- 3. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection into the development please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).**
- 4. The applicant is also advised to contact Southern Water with regard to the sewer easement within the site, if additional sewers are found during construction and if trade effluent is proposed to be discharged into the public sewer;**
- 5. The applicant is advised to review the guidance from the Lead Local Flood Authority (LLFA) in relation to groundwater levels and proposed stombloc attenuation tank;**
- 6. Consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.**
- 7. The applicant is advised that the site is located in a residential area. Owners and/or tenants of the units hereby approved should regularly advise companies making deliveries to have due regard to neighbouring residents particularly before 8am and after 7pm.**

### **172.2 96 Norman Road**

Proposal: Installation of replacement kitchen extract duct (Retrospective).

Application No: HS/FA/17/00100

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Existing Use:	Takeaway
Conservation Area:	Yes – St. Leonards East
Listed Building	No
Public Consultation	5 letters of objection received

The Planning Services Manager, Mrs Evans, provided an update to the report. She requested that the item be deferred to clarify with members of the public who had made representations in respect of this application where information regarding the committee procedure can be found. This had not been made clear in the site notice which has now been improved to reflect good practice.

Councillor Beaver proposed a motion to defer the application as set out in the resolution below. This was seconded by Councillor Dowling.

**RESOLVED - (unanimously) to defer the application to May 24th Planning Committee.**

### 172.3 Mayfield J, Mayfield Lane

Proposal:	Proposed revision to approved housing scheme (HS/FA/15/00039 as amended by HS/FA/15/00039 as amended by HS/FA/16/00223 and HS/FA/16/00563 – 4 x four bed units on Plots 19 – 22
Application No:	HS/FA/16/00998
Existing Use:	Vacant land with residential permission
Conservation Area:	No
Listed Building	No
Public Consultation	No letters of objection received.

Principal Planner, Ms Phillips, presented this report for the revision of an approved housing scheme previously approved by the Planning Committee for four x 4bed houses on plots 19 to 22 of the Mayfield J site.

The Principal Planner provided several updates to the report. She advised that Condition 2 to include:- *External materials Schedule 4307/EM1/C*

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This application includes the following revisions:-

- Alterations to internal layouts
- External materials - vertical tile hang on plots 19 to 20 changed to weatherboarding to match plots 21 and 22.
- Change of external ground floor facing from brickwork to render.
- The ground floor projection cloakroom roof will change from pitched roof to flat roof.
- The ridge height will remain the same but the ridge line will move closer to the front elevation 0.3m (from 4.1m to 3.8m). As a consequence the roof pitch will change at the front to 50° from 45°. There will be no change in the roof pitch to the rear.
- The eaves to the front will be raised from 4.9m to 5.5m
- Sun pipes changed to velux
- Dormers pitched roof to flat roof

Members were shown plans and photographs of the application site.

The Principal Planner advised members that there will be no change to the footprint of the houses or overall height of the houses.

Councillor Beaver proposed a motion to approve the application as set out in the resolution below. This was seconded by Councillor Rogers.

**RESOLVED - (unanimously) that planning permission be granted subject to the following conditions:-**

1. **The development hereby permitted shall be begun before the expiration of three years from the date of this permission;**
2. **The development hereby permitted shall be carried out in accordance with the following approved plans:**  
  
**4307/19-22/1/A, 2A, 7, 8, 9.**  
**PLG/1252/15D**  
**bx/1405781/200 S6**  
**bx/1405781/201 C4**  
**External materials schedule 4307/EM1/C**
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 building hereby permitted shall be occupied until the approved drainage system has been implemented as per drawing no. bx/1405781/200/S6;**



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- 5. All hard landscape works shall be carried out in accordance with drawing no. bx/1405781/201 C4. The works shall be carried out prior to the occupation of any part of the development;**
- 6. Soft landscaping shall be carried out as per drawing PLG/1252/15D, prior to the occupation of any part of the development, 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 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;**
- 7. No occupation of the dwellings hereby approved shall take place until the boundary fences shown on drawing PLG/1252/15D, have been erected;**
- 8. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation from Chris Butler Archaeological Services, January 2016 approved under CD/16/0008 to the satisfaction of the Local Planning Authority;**
- 9. No development shall take place until temporary protective fences to safeguard the trees and/or hedges to be retained on the site have been erected in accordance with the current BSI 5837 standards and to the satisfaction of the Local Planning Authority. All such fences shall be kept in a sound, upright and complete condition until the development has been completed and/or the Local Planning Authority confirm in writing that the works have been sufficiently completed for the fencing to be removed;**
- 10. All ecological measures and/or works shall be carried out in accordance with details contained within the submitted report Mayfield J, South of Mayfield Lane Report seeking discharge of Conditions 17 to 20 Planning Consent HS/OA/07/00895 by the Ash Partnership January 2015;**
- 11. The new access shall be in the position shown on the submitted plan number bx/1405781/201 C4 and laid out in accordance with details submitted prior to occupation of the dwellings. All work shall be completed in accordance with the approved plans;**
- 12. Prior to occupation of the approved dwellings, the new estate road shall be designed and constructed to a standard approved by the**

## **PLANNING COMMITTEE**

**5 APRIL 2017**

**Local Planning Authority in accordance with ESCC standards with a view to its subsequent adoption;**

- 13. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads;**
- 14. The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.**

### **Reasons:**

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;**
- 2. For the avoidance of doubt and in the interests of proper planning;**
- 3. To safeguard the amenity of adjoining residents;**
- 4. To ensure that no property is occupied until adequate access and drainage facilities have been provided;**
- 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 character and amenity of the area;**
- 7. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 8. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework;**
- 9. In the interests of the health of the trees and to protect the visual amenity;**
- 10. To protect features of recognised nature conservation importance and protection of trees;**
- 11. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 12. In the interest of public safety;**

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- 13. In the interests of highway safety; and**
- 14. To ensure adequate parking for the development.**

### **173. PLANNING APPEALS & DELEGATED DECISIONS**

The Planning Services Manager reported that one planning appeal had been received and two planning appeals had been dismissed. She also reported on the number of delegated decisions.

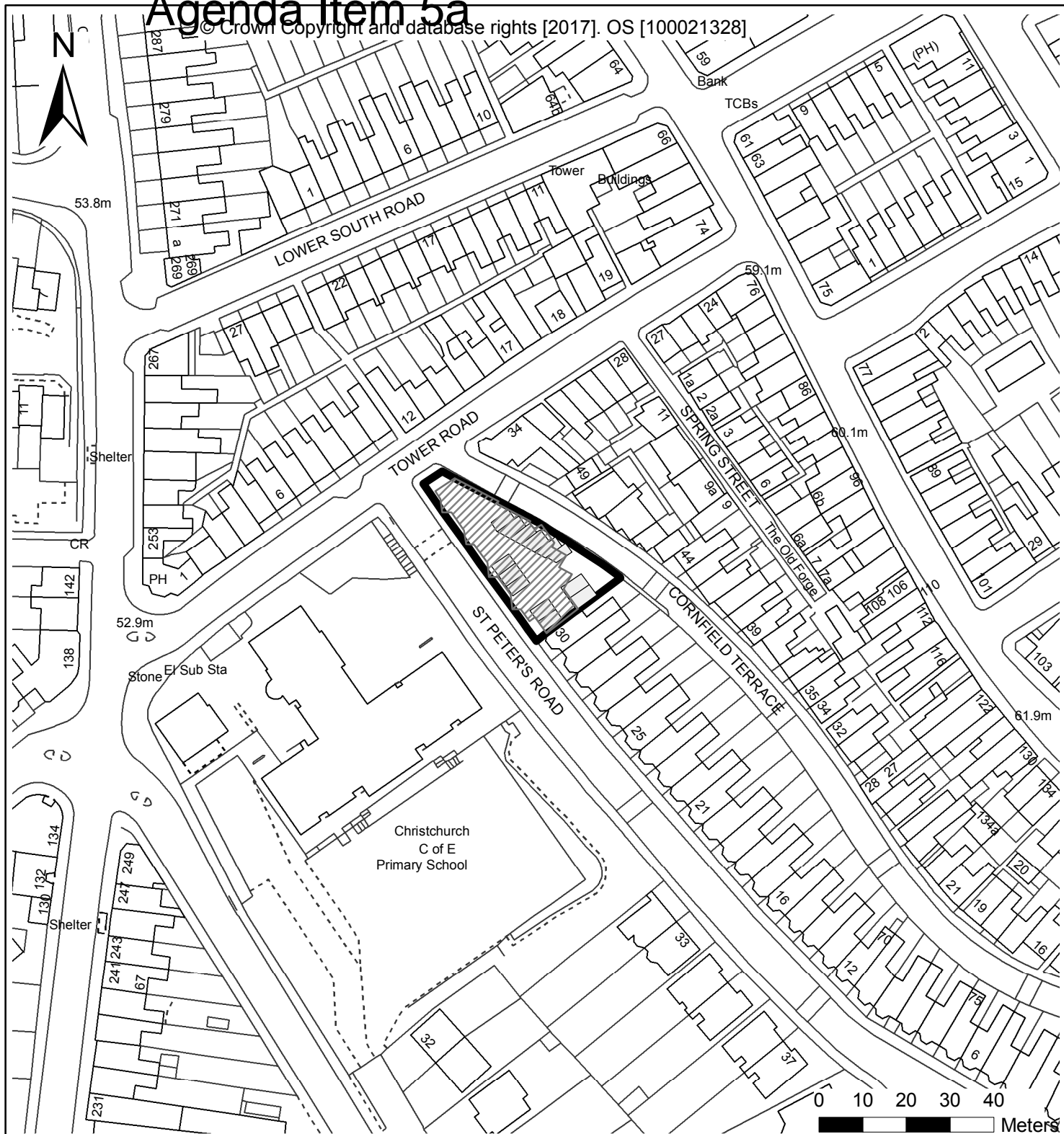
All matters had arisen between 27 February 2017 to 24 March 2017.

The report was noted.

(The Chair declared the meeting closed at. 7.34 pm)

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# Agenda Item 5a



**35 Tower Road  
St Leonards-on-sea  
TN37 6JE**

Construction of thirteen apartments comprising 3 x 1, 8 x 2 and 2 x 3 bedrooms



Assistant Director Housing & Built Environment  
Hastings Borough Council,  
Muriel Matters House, Breeds Place,  
Hastings, East Sussex TN34 3UY  
Tel: 01424 451090  
email: [dcenquiries@hastings.gov.uk](mailto:dcenquiries@hastings.gov.uk)

Date: May 2017

Scale: 1:1,250

Application No. HS/FA/17/00857

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**Report to:** PLANNING COMMITTEE

**Date:** 24 May 2017

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

**Application Address:** 35 Tower Road, St Leonards-on-sea, TN37 6JE

**Proposal:** Construction of thirteen apartments comprising 3 x 1, 8 x 2 and 2 x 3 bedrooms

**Application No:** HS/FA/16/00857

**Recommendation:** Grant Full Planning Permission

**Ward:** GENSING

**File No:** TO45035

**Applicant:** Magdalen and Lasher Charity per John D Clarke Architects 2 West Terrace Eastbourne East Sussex BN21 4QX

**Interest:** Freeholder

**Existing Use:** Mixed uses including retail, residential, upholstery, car sales and car repairs

**Policies**

Conservation Area: No

Listed Building: No

**Public Consultation**

Adj. Properties: Yes

Advertisement: Yes - General Interest

Letters of Objection: 18

Petitions Received: 1

Letters of Support: 1

**Application Status:** Not delegated - Petition received

### Site and Surrounding Area

The application site relates to 35 Tower Road, St. Leonards-On-Sea. The site is situated at the junction of Tower Road, Cornfield Terrace and St. Peters Road. The site is wedge-shaped being wider at its southeast boundary (adjacent to 30 St Peters Road) and narrowing towards the northwestern boundary with Tower Road.

There are a mixture of buildings on site and a mixture of uses. These uses include an existing shop unit, some flatted accommodation, a small former car sales yard, a car repair centre and an upholsterers.

The site is surrounded by mostly residential development (as a mix of houses and flats) in the form of terraced buildings ranging in height from two to three and half storeys. There is a school to the southwest and a public house to the north. Other commercial uses can be found at either end of Tower Road with Bohemia Road being designated as a local shopping area.

### Constraints

Surface Water Flooding Area - 1 in 30, 1 in 100 and 1 in 1000 risk

SSSI Impact Risk Zone

Within 600m of a playground

### **Proposed development**

This is an application for the demolition of the existing buildings on site and the erection of a flatted block of 13 units as a mix of 3 x 1, 6 x 2 and 3 x 3 bedrooms. The proposed building is a modern flat roof design that is part three and part four-storeys tall (at its tallest point the building is approximately 12.6m). The proposal includes a mixture of facing materials including timber cladding, a composite rain-screen panel on the third floor and a buff white-grey brick for the main elevations with contrasting brick face to the section of the building adjoining 30 St Peters Road. The proposal includes 13 undercroft parking spaces (two of which are disabled parking bays).

This proposal follows an application for 14 flats, under reference HS/FA/14/00968, which was recommended for approval to the Planning Committee in 2015. The application was deferred due to concerns raised about parking but the applicant also took this opportunity to review the concerns that had been raised by local residents. The applicant ultimately withdrew that application to concentrate on making comprehensive changes to the scheme. This new application includes those changes in an attempt to overcome the previous concerns. The applicant describes the main changes as:

- removal of one residential unit from the ground floor to allow for revised parking, refuse storage and cycle storage;
- the lowering of the proposed building by 1m (compared with the previous application);
- changes to the layout of some flats;
- the reduction in the size of the building adjacent to 30 St Peters Road; and
- various elevational changes including the substitution of the mostly rendered facade for a buff white-grey brick.

The application is supported by the following documents:

- Drawings
- Design and access statement
- Sunlight study
- Parking report
- Heritage Statement
- Loss of employment statement
- Affordable housing statement



- Unit floor area schedule
- Flood risk assessment
- Drainage strategy

### **Relevant Planning History**

HS/FA/14/00968 Construction of fourteen apartments comprising 5 x 1, 6 x 2 and 3 x 3 bedrooms.  
Withdrawn 26 July 2016

Prior to the submission of the 2014 application the applicant engaged in pre-application discussions and this was generally positive. The redevelopment of the site was supported in principle and the applicant was given advice in respect of parking, design and affordable housing before making the application submission.

### **National and Local Policies**

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

Policy FA2 - Strategic Policy for Central Area  
Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way  
Policy SC2 - Design and Access Statements  
Policy SC3 - Promoting Sustainable and Green Design  
Policy SC4 - Working Towards Zero Carbon Development  
Policy SC7 - Flood Risk  
Policy EN1 - Built and Historic Environment  
Policy H1 - Housing Density  
Policy H2 - Housing Mix  
Policy H3 - Provision of Affordable Housing  
Policy E1 - Existing Employment Land and Premises  
Policy CI3 - Children's Play Provision  
Policy T3 - Sustainable Transport

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

Policy LP1 - Considering Planning Applications  
Policy DM1 - Design Principles  
Policy DM3 - General Amenity  
Policy DM4 - General Access  
Policy DM5 - Ground Conditions  
Policy DM6 - Pollution and Hazards  
Policy HN4 - Development affecting Heritage Assets with Archaeological and Historic Interest or Potential Interest  
Policy HN5 - Non-Designated Heritage Assets

#### Other Policies/Guidance

Sussex Air Quality and Emissions Mitigation Guidance 2013  
Technical housing standards – nationally described space standard  
Supplementary Planning Document - Employment Land Retention

#### 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.

## **Consultations comments**

Highways - **No Objection**. Recommends a number of conditions.

Environmental Health - Contaminated Land - **No Objection**. Requires condition for Phase 2 contaminated land survey.

Southern Water - **No Objection**. Recommends a condition in order to protect/divert sewer crossing the site, an informative regarding connection to the public sewerage system and provides advice on surface water disposal.

ESCC Flood Risk Management - **No Objection**. Requested additional drainage information from the applicant, which following submission, was followed up with a recommendation of approval subject to conditions.

County Archaeologist - **No Objection**. Recommends a condition requiring a programme of archaeological works.

## **Representations**

25 no of representations received from 18 different properties.

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

- Development too large and out of scale with surroundings
- Highway safety, traffic and parking problems
- Impact on vitality of Bohemia Road Shopping Area
- Loss of existing employment uses
- Land contamination
- Drainage and flooding concerns
- Loss of light
- Noise and pollution
- Overdevelopment
- Development out of character
- Poor use of materials
- Problems during demolition and construction
- Loss of privacy/overlooking
- Subsidence and impact of piling
- Breach of human rights
- Impact on outlook
- Impact of SuDS drainage on neighbouring properties
- Maintenance and management of SuDS drainage

The following other concerns have been raised but are not considered to be material to the determination of the application:

- Lack of consultation by applicant - this is not a legal requirement.
- A survey of green space and land around St Leonards Warrior Square Railway Station - this does not relate to the development proposals.
- Relocation of existing businesses on site - Whether the businesses are relocated or not is a matter for the businesses and the owner of the land.
- Value of properties - impact of development on property values has long been held not to be a material planning considerations as it is a matter of personal finance and not in the public interest.
- Loss of views - the loss of views from individual properties is not protected as it is not in the public interest.
- Construction details of building and impact on neighbouring properties - this is a matter of building control and/or a party wall issue.

One letter of support has been received raising the following:

- Proposal provides for affordable homes with positives outweighing the negatives

Petition signed by 98 people received raising concerns about the following:

- Problems during demolition and construction
- Road safety and parking
- Drainage and sewerage
- Loss of light and privacy
- Design and overdevelopment
- Loss of jobs

## **Determining Issues**

The proposal includes the demolition of all buildings on site and its redevelopment for a flatted block. On this basis, the main issues to consider are the principle of the development and the loss of existing employment uses, the impact upon the character and appearance of the area, the standard of accommodation proposed, the impact upon neighbouring residential amenities, land contamination, impact on heritage assets, drainage, highway safety and parking matters.

### Principle and loss of employment uses

Policy LP1 of the Hastings Local Plan - Development Management Plan (2015), paragraph 4.3 of the Hastings Local Plan – Planning Strategy (2014) and paragraph 14 of the NPPF set out a presumption in favour of sustainable development. The site is within a sustainable location with reasonable/good access to public transport, shops, services and facilities and as such the development is considered acceptable in principle subject to other local plan policies.

Further to this general principle it is necessary to firstly consider the loss of employment uses on site as, until this is justified, any redevelopment proposals cannot be assessed. In this respect policy E1 of the HPS applies. The existing site includes various buildings and the following commercial uses - a shop unit, a car sales area, a car repair centre and an upholsterer's.

There are no policies resisting the loss of retail uses in this area (i.e. the shop and car sales area) so the loss of these uses is considered acceptable. Policy E1 of the HPS resists the loss of employment uses - specifically those within Use Classes B1 (offices, workshops), B2 (general industrial) and B8 (storage and distribution) or similar - unless it can be proven that there is no reasonable prospect of the continued use of the site for employment purposes or the use is incompatible with neighbouring residential properties.

In this particular instance, the upholsterer's and the car repair centre would be considered employment uses in planning terms. The upholsterer's would be considered a B1 use (possibly a B2 use depending on levels of noise and disturbance or manufacturing techniques) and the car repair centre would be considered a B2 use.

The car repair centre as a B2 use would, by definition, be considered harmful to neighbouring residential amenities. It is noted from previous discussions with the operator and neighbouring residents that the premises appears to operate in a manner which is mutually acceptable to all parties but it is the use that is considered in planning terms, not the operator, and in this regard an uncontrolled B2 use adjacent to residential properties can be considered to cause harm. The loss of the car repair centre is, therefore, acceptable in accordance with policy E1 of the HPS. However, part (b) of Policy E1 of the HPS notes that other employment uses and mixed uses should be explored. In that respect the applicant has provided information regarding the cost of a mixed use and shown this not to be viable. This is further discussed below.

The upholsterer's, therefore, is the remaining loss that needs to be justified in accordance with policy E1 and the Council's Supplementary Planning Document: Employment Land Retention. This justification should be proportionate to the loss identified - in this instance 85sqm. To justify the loss, the applicant has provided a 'loss of employment statement' accompanied by correspondence from a local commercial property agent and a quantity surveyor.

It is not the intention of policy E1 to stop sites with employment uses being redeveloped but rather to ensure that, where there is an existing element of employment use on site, any redevelopment of that site should retain that use if viable. In this respect, it is acknowledged by the applicant that the upholsterer's has demonstrated a decent level of activity and long-term viability of the existing business. However, the applicant, as land owner, claims losses, indicating that although the business is healthy the premises operates at a loss due to maintenance costs and low rent. The viability of the existing use on site, not just the business, is therefore called into question but this isn't substantiated any further.

The applicant has explored retaining an element of employment space within the building but with build costs estimated to be in the region of £2,000 per sqm (provided by the chartered surveyor) and the value of the unit being between £75,000 and £81,000 (provided by the commercial agent) this is unlikely to be viable. Unit 1, the ground floor unit, is approximately 70sqm. The cost of this unit would therefore be in the region of £140,000. With a value just over half of the construction costs, the retention of employment space is not viable.

I note that the upholsterers have commented on the application and suggested that they could pay more rent and residents have queried the loss of the employment uses and the compliance with policy E1. Unfortunately, the statements do not in themselves provide evidence that the provision of the employment space within the redevelopment would be viable to counter the applicant's claim that this would be unviable. Therefore limited weight is given to these representations.

On the basis of the information submitted it is considered that a redevelopment of the site without employment uses is acceptable.

Although not a planning consideration the applicant has undertaken to help the existing businesses on site relocate to appropriate premises, but the representations against the application suggest otherwise. An informative note is recommended to the applicant to encourage them to help relocate the business premises on site.

#### Impact on character and appearance of area

The proposed building is a modern flat roof design that is part three and part four-storeys tall (at its tallest point the building is approximately 12.6m). The building is intended to adjoin 30 St Peters Road just below the parapet height of its end wall and will extend towards Tower Road where the end of the building will be similarly positioned to the existing property, 35 Tower Road.

The applicant proposes to match the depth of 30 St Peters Road (8.5m - excluding its rear projection) for the part of the building that is adjoining this property. The building would maintain this depth for approximately 5.4m before becoming deeper in staggered effect. The proposed building would then occupy the full depth of the site from the position of 48 Cornfield Terrace onwards toward Tower Road.

The proposal includes a mixture of facing materials including timber cladding, a composite rain-screen panel on the third floor, and a buff white-grey brick for the main elevations with contrasting brick face to the section of the building adjoining 30 St Peters Road. There are tall windows/Juliette balcony doors of varying widths on all elevations.

The proposal includes 13 undercroft parking spaces (two of which are disabled parking bays).

The proposed development is very similar to that shown previously in application HS/FA/14/00968, however, due to a reduction in units and to overcome concerns raised previously, the scheme has changed as follows:

- removal of two residential units from the ground floor to allow for revised parking, refuse storage and cycle storage;
- the lowering of the proposed building by 1m (compared with the previous application);
- changes to the layout of some flats;
- the reduction in the size of the building adjacent to 30 St Peters Road; and
- various elevational changes including the substitution of the mostly rendered facade for a buff white-grey brick and alterations to the style of some of the proposed windows.

There has been a lot of objection to the design of the building and the impact the development will have on the character and appearance of the area. A lot of this objection is influenced by the prevalence of terraced Victorian architecture in the area. Although not a conservation area, the consistency in design is one of the area's key features. St Peters Road is an exceptional example of uniformity. Other roads have more variation but there are still rows of 4 or more units with similar features.

In very early discussions with the applicant it was agreed or noted that:

- There is strong rhythm and repetition in the area - this mostly relates to the strong repetitive rows of terraced housing - and this needs to be reflected in the design.
- The overall height of building needs to be reviewed especially so that the scale better

relates to building heights along St Peters Road and it doesn't dominate the properties on Cornfield Terrace.

- Make sure that all elevations have a consistency in elevation treatments - for example, more consistent window size and design throughout the building to create a strong identity based on repetition, rhythm, type of opening, etc.
- A contemporary design approach is supported.

As mentioned, the submitted proposal is a variation of that shown previously but it is clear that the applicant has attempted to maintain the general design concept of the earlier application which was found to be acceptable. It is considered that the proposal is one that makes reference to local character in a fresh and modern way.

Firstly, the scale of the building is comparable to local development. At the early pre-application stage the building's height and massing were exaggerated but the building is much more comparable with the properties on St Peters Road now, building up to an additional storey at the Junction of St Peters Road and Cornfield Terrace with Tower Road. The additional storey is set back from the main elevation on all sides and this helps to reduce the massing of the property. The overall scale of the building is comparable with properties in St Peters Road and Tower Road. These properties are 3 storeys with pitched roofs and this building is 3 storeys with a recessed fourth floor. As noted by the applicant, the proposal is now 1m lower than the previous application which aids with the development's relationship with existing built form.

In terms of its appearance, the building proposal uses windows, design features and changes in materials to break up the facade. The way this has been done also results in repetition which is an interpretation of the repetition of bays that can be found in properties in St Peters Road and surrounding roads. The use of tall windows and Juliette balconies to reflect the use of large Victorian windows is welcomed.

The applicant has changed the material of the main facades from render to a buff white-grey brick. The reason for this change is due to concerns about ongoing maintenance of the building but there are reservations about the use of the proposed brick which would look odd compared with the strong local vernacular of stucco or red brick buildings. To overcome these concerns it is considered that the applicant should revert to the use of render and such matter can be controlled by condition. This will ensure the development is compatible with the prevalent use of stucco in Victorian architecture.

The proposal otherwise includes some uncommon materials for the area - such as vertical timber cladding and aluminium panels - but this is deliberate to allow for an appropriate deviation from surrounding architecture and to prevent the building from being pastiche. The design and use of materials are considered acceptable as they give the proposal its modern twist and are used to break up the facade to help provide rhythm to the building or, as is the case with the use of aluminium panels for the recessed fourth floor, reduce the visual massing of the building.

Other design features have been incorporated for their practical solutions - such as angled windows which are used to avoid direct overlooking to properties on Cornfield Terrace or maximise sunlight - but all of these have been used to help make the overall appearance of the building compatible with its surroundings.

With regard to the use of the building, the proposed development includes a mixture of 1, 2 and 3 bedroom flats. The surrounding area is made up of a mixture of flats and single dwelling houses. The proposed development is compatible with this local mix and will add to the housing offer in the local area. The applicant proposes that the development could

provide for between 20% (the policy H3 requirement) and 100% affordable housing. Concentrations of affordable housing can have negative results but at this scale, amongst a mixture of property sizes and tenures, with good access to schools, shops and amenities, the proposed use is considered acceptable.

The proposed development will not harm the character and appearance of the area and is not considered contrary to policies SC1, H1, H2 and H3 of the HPS and policy DM1 of the DMP. The proposal is also not considered to conflict with design considerations in paragraphs 60, 64 and 65 of the NPPF, which state:

*60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.*

- 1. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*
- 2. Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposals economic, social and environmental benefits).*

#### Heritage:

The proposals have been identified by the County Archaeologist as having some heritage significance but, only in terms of the buildings and not because of any below ground archaeological potential. The applicant concludes otherwise in their Heritage Statement stating that "there is no historic use nor architectural feature or setting of sufficient heritage value as to warrant any particular protection." The conclusion of the applicant appears more relevant, and is more thought out than the County Archaeologist's comments, but, nonetheless the consideration of the existing buildings on site as non-designated assets has been raised and the proposal should be considered in the context of policy HN5.

In this respect the existing buildings have been identified as Victorian but other than their age, there is no demonstrable evidence (statutory designation or detailed assessment of their significance) that suggests the comprehensive redevelopment of the site to provide much needed residential accommodation would be outweighed by the retention of the buildings.

The proposed loss of the existing buildings is therefore considered acceptable given the public benefit of providing more homes (including affordable housing).

#### Standard of accommodation proposed

The applicant has provided a schedule of accommodation with their proposal which shows that all flats either meet or exceed the minimum floor spaces required by the Government's 'Technical housing standards – nationally described space standard'. These standards supersede the floor spaces in policy DM3.

The properties otherwise have decent layouts with good levels of sunlight and daylight being achieved. There is dedicated cycle storage in the building; separate bin storage parking and the building would be served by two lifts improving accessibility.

The development is otherwise located well in terms of public transport and access to shops and services so overall a decent standard of accommodation is proposed. The development complies with policies SC1 and H2 of the HPS and policy DM3 of the DMP.

#### Impact on neighbouring residential amenities

Together with design and the impacts on parking, the impact on neighbouring residential amenities is one of the application's most contentious matters. Ultimately, it is considered that the proposal is considerate of neighbouring amenities but the main issues are as follows:

Firstly, the scale of the building is considered by some to be overly dominant. As explained above the scale and massing of the building has been reduced and is comparable with existing development along St Peters Road and Tower Road. The proposal is taller than the properties on Cornfield Terrace but the applicant has made a concerted effort on the Cornfield Terrace elevation to set the building back and reduce its height in parts to ensure the proximity and massing in relation to Cornfield Terrace is not harmful. The same can be said in terms of the developments relationship with 30 St Peters Road. Here the building does not protrude past the rear elevation for a width of approximately 5.4m.

Related to the dominance of the building is the impact on daylight and sunlight. It is accepted that the proposed development will change the way existing properties in the area benefit from daylight and sunlight - the new development covers more of the site when compared with the existing situation - but that being said the relationship of the proposed development with existing development is not uncommon for an urban area. The changes in sunlight and daylight are not considered harmful. This conclusion has been further informed by the applicant's sunlight study. This shows that the properties on Cornfield Terrace already experience poor levels of sunlight during the winter but that the new building will not make that much difference during the equinox periods or during the summer. The relationship with Cornfield Terrace has also been improved when compared with the previous submission as the proposal is, in part, set further in on its rear elevation.

There has been an objection from the residents at 30 St Peters Road, specifically about the loss of light to their property and courtyard area. The property already experiences overshadowing during the winter and equinox periods and whilst there would be some additional overshadowing during the summer months, the property still receives morning sunlight and benefits from the high sun during the summer. The front of the property is also southwest facing so overall the property receives a good level of light. The changes in light received would certainly not be detrimental to the amenity enjoyed at no.30 and is comparable to the other mid-terrace properties along St Peters Road as demonstrated by the sunlight study.

The relationship with 30 St Peters Road has also been improved in comparison to the previous submission with no built form now proposed beyond the rear elevation of the main house or along the garden boundary wall.

The scale of the building is appropriate. It is not considered overly dominant nor will it result in unacceptable losses of sunlight and daylight as noted above.

In terms of overlooking and privacy, the applicant has ensured that any windows which are close to the Cornfield Road properties are orientated so that either they do not directly face those properties or they are to be obscure glazed. Other windows are suitably distanced to cause no loss of privacy in planning terms. The windows in the northeast elevation are either obscure glazed or suitably positioned to cause no direct overlooking to the residents at 30 St



Peters Road.

Whilst the applicant has made a concerted effort to avoid overlooking in planning terms, it is noted that the windows in the new development will be visible to those in the surrounding area which may create the perception of being overlooked. It should be noted, however, that this is a densely built up area of the Borough where a degree of overlooking is common place. 30 St Peters Road, for example, benefits from being an end of terrace unit and whilst the addition of an adjoining 3-storey building changes the dynamic, this relationship is a similar relationship to other properties in the area. Again, it is not considered that a harmful degree of overlooking will occur as a result of this development.

The balcony areas proposed have been rationalised, when compared with the original pre-application proposals, and are restricted to areas where they will not directly overlook any neighbouring residential properties.

Due to the residential nature of the development, the proposal is otherwise not considered to cause any noise and disturbance that would cause harm to neighbouring residential amenities. Because of the loss of the car repair centre, there may be some benefits in terms of noise reduction.

The proposed development will not adversely harm neighbouring residential amenities. The proposal complies with policy DM3 of the DMP.

#### Highway Safety/Parking

The previous application was deferred by the Planning Committee so that the applicant could provide further justification in terms of parking and highway safety. The application was subsequently withdrawn but this proposal includes information on parking.

It is acknowledged that parking is the most contentious application issue and that there are obvious pressures in terms of on-street parking and highway safety. That said, many of the objections include anecdotes of parking problems and some submitted with the previous application included photographs showing periods of on-street parking pressures. Unfortunately, although the objections have been taken seriously, this information is a qualified picture of the problem as those objecting to the application have not undertaken an accurate parking study nor have they been able to quantify the extent of the problem. The Local Highway Authority acknowledge the issues with on-street parking in the area, however, the application has been accompanied by a parking report to justify the acceptability of the proposal in parking and highway safety terms.

Whilst the consultation with the LHA notes there is a shortfall in parking provision of one space - 13 spaces are provided whilst 14 unallocated spaces are required - the study identifies there are still opportunities for on-street parking in the vicinity of the area and this on-street parking can make up for the insignificant shortfall. There has been criticism of this study but it is the only quantitative evidence submitted and as such it is given sufficient weight.

In addition to the issue of parking spaces, it should be noted that the proposed development is in a sustainable location. There is very good access to public transport, shops and services, with Bohemia Road within a short walking distance and Silverhill providing a supermarket, banking and post office.

It is acknowledged that the development will also increase traffic movements in the area. Despite the strong concerns raised by some residents, the traffic movements are very small compared to the existing situation and it is not considered that the proposed development

will result in any additional highway safety concerns.

Given the above the proposed development is considered acceptable in terms of parking and highway safety. It complies with policy T3 of the HPS and policy DM4 of the DMP.

#### Land contamination

As flagged up by representations on the previous application, the historical uses of the site raise issues of land contamination. Because of this, the application has been accompanied by a Phase 1 contamination report. This report has identified the potential presence of contaminants such as volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and polycyclic aromatic hydrocarbon (PAH).

The Senior Environmental Health Officer (SEHO) has considered this information and has recommended, by condition, that a Phase 2 survey is carried out. This will require detailed investigation of the site for contaminants before development commences and, depending on the outcome of those investigations, a remediation strategy that will explain how the presence of any contaminants will be dealt with.

Although policy DM5 states that details of remediation/mitigation will be required at the application stage the SEHO has confirmed that a condition requesting this information prior to the commencement of development is acceptable.

#### Drainage

The proposed development is being built on land that is exclusively impermeable. That said, as this is redevelopment, relates to a major development (more than 10 units) and there is a high risk of surface water flooding, the ESCC Flood Risk Management Team required the applicant to submit more information in relation to flood risk at the site and how drainage will be dealt with. The applicant subsequently submitted a flood risk assessment and a drainage strategy for the site.

The flood risk assessment provides information on how flooding during an extreme rainfall event could be mitigated and this is mostly through raised flood levels. These raised floor levels are shown on amended drawings.

The Sustainable Drainage Advisor otherwise acknowledges that the submitted information is sufficient in explaining that any flood risk can be mitigated to an acceptable level but the submitted information does not meet all of their requirements. Therefore, it is recommended that full drainage details, including hydraulic calculations, flood resilience measures and a detailed maintenance and management plan for the site, are required by condition.

An objector directly contacted the Sustainable Drainage Advisor with their concerns about the drainage proposals and they responded that the provision of details by condition will ensure the matter of surface water drainage will be adequately dealt with.

With regard to foul drainage, Southern Water have raised no objection. A sewer crosses the site and Southern Water have requested a condition about protection or diversion of the sewer.

Subject to the recommended conditions the proposed development is not considered contrary to policy SC7.

#### Air Quality and Emissions

Having regard to guidance contained within 'Air Quality and Emission Mitigation' 2013 produced by Sussex Air Quality Partnership, the proposed development will not exceed

statutory guidelines for airborne pollutants and Environmental Health Officers have no objection in this respect. No external lighting is proposed and residential amenities are not harmfully affected. The development may give rise to ground or surface water pollutions and conditions are attached which require investigation, details of remediation and surface and foul water drainage to be submitted. The development is therefore in accordance with Policy DM6 of the Hastings Development Management Plan (2015).

#### Affordable Housing and other contributions

The applicant has stated that the proposed development can provide for at least the policy level of affordable housing (20%) and up to 100%. It is not clear that this has been investigated any further with no details about which Registered Provider is being used nor is there a draft legal agreement. The recommendation of this application is therefore subject to the completion of a legal agreement to secure affordable housing.

#### Sustainable Construction

The applicant confirms that the proposed development will meet the requirements of Part L of the building regulations, which would satisfy the Local Plan objectives. However, the applicant has not submitted how this compliance will be achieved in accordance with the hierarchy of policy SC4 nor have specific measures in accordance with policy SC3 been provided.

Green and sustainable design information is requested by condition.

#### Other

The impacts of construction on neighbouring residents can be controlled by conditions restricting hours of working and managing construction traffic.

There are no known issues relating to land instability, therefore, concerns raised about subsidence and piling are either a matter for building regulations or a private issue. The building regulations process will ensure that the development and its construction occur in a way which is safe and structurally sound but, if residents have concerns about the potential impact on their houses, they are advised to seek advice on party wall matters or private legal advice.

The site is within 600m of a play area so does not conflict with policy C13.

The site is within a SSSI Impact Risk Zone but does not exceed any of the thresholds that require consultation with Natural England. It is therefore not considered that there will be any harm to SSSIs.

### **Evidence of Community Involvement**

The application is not accompanied by a statement of community involvement but there is no policy or statutory requirement for this and consultation with local residents is not material to the determination of the application. There are various references to discussions with the local community by the applicant. These claims are disputed in some of the representations against the proposals so it is difficult to understand the extent to which community involvement has been undertaken. That said, there are obvious changes to the scheme, when compared with the previous proposal, addressing previously raised concerns so some engagement is apparent.

## **Conclusion**

These proposals, subject to conditions and a legal agreement, comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

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

## **Recommendation**

**A) That the Planning Services Manager be authorised to issue planning permission upon completion of a S106 Agreement to secure affordable housing unless it has been conclusively shown that the development would not be viable and it would still be acceptable in planning terms with a reduced provision or without the affordable housing. In the event that the Agreement is not completed or the viability issue not resolved by 24 November 2017 that permission be refused on the grounds that the application does not comply with Policy H3 of the 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) Subject to A) above:**

## **Recommendation**

**Grant Full Planning Permission subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
9729/00, 2A, 03I, 04E, 06D, 07F, 08B and 09
3. No development shall take place above ground until sample of the materials to be used and details of their location in the construction of the external surfaces of the flats hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Notwithstanding that shown on the approved drawings a sample of render shall be submitted in place the white-grey buff brick. Development shall be carried out in accordance with the approved details.

4. No development above ground 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; hard surfacing materials; and connection to surface water drainage.
5. 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 any part of the development or in accordance with the programme agreed with the Local Planning Authority.
6. All planting, seeding or turfing for the approved garden and planting areas, as shown on drawing no.9729/03I, 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 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.
7. Before they are installed details of the balcony and roof terrace balustrades shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
8. Before the development hereby approved is commenced details of appropriate climate change mitigation and adaptation measures as required by policy SC3 and in accordance with the hierarchy of policy SC4 of the Hastings Local Plan, The Hastings Planning Strategy 2011-2028 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
9. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband.
10. Prior to the commencement of development, including any demolition, a Traffic Management Scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation. Given the restrictions of the access and/or the approach road the hours of delivery/collection should avoid peak flow times and the size of vehicles should be restricted. The development shall be carried out in accordance with the approved scheme.
11. 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.

12. The new accesses shall be in the positions shown on the approved drawing no. 9729/03I and laid out and constructed in accordance with the attached HT407 form/diagram and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority prior to occupation of the development hereby permitted.
13. The development shall not be occupied until the parking areas have been provided in accordance the approved drawing no. 9729/03I. The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles. The parking areas shall also remain unallocated.
14. The building shall not be occupied until the existing accesses shown on submitted drawing no. 9729/03I have been stopped up and the kerb and footway reinstated in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
15. Prior to any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Local Planning Authority, to prevent contamination and damage to the adjacent roads. The development shall be carried out in accordance with the approved details.
16.
  - (i) Construction of the development, including demolition, 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 dwellings or flats 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.
17. The details required by condition 16 above shall include measures which will be undertaken to divert/protect the public sewers and water mains.
18. The details required by condition 16 above shall:
  - be based on the principle of surface water management outlined on Monson's drawing no. 8282K-01A included in their document 'Drainage strategy & sustainable drainage, management and maintenance plan', dated 01 March 2017 (Issue A);
  - ensure surface water runoff from the proposed development should be limited to 3.5 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence;
  - evidence the runoff rates in the form of hydraulic calculations on the detailed drainage drawings; and
  - ensure that the hydraulic calculations take into account the connectivity of the different surface water drainage features.

19. Prior to the commencement of development details of flood resilient measures to the ground floor shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved measures.
20. Prior to the commencement of development a maintenance and management plan for the entire drainage system should be submitted to and approved in writing by the Local Planning Authority. The plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and evidence should be provided that these plans will remain in place in perpetuity.
21. All windows shown on the approved drawings as obscure glazed shall remain obscure glazed and non-opening at all times.
22. No development, including demolition, shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.
23.
  - i) Prior to the commencement of development, including any demolition, a detailed Phase 2 (intrusive) contaminated land report shall be submitted to and approved in writing by the Local Planning Authority. The report should follow the recommendations listed in the Phase 1 Desk Study and Reconnaissance Report by Leap Environmental Ltd (Ref LP1171, dated 25 May 2016).
  - ii) Should any contaminant pathways be identified in the Phase 2 report, prior to the commencement of development, a Phase 3 (remediation) report shall be submitted to and approved in writing by the Local Planning Authority.
  - iii) The development shall be carried out in accordance with any approved remediation and mitigation of the phase 3 report.
  - iv) Prior to the occupation of the development a verification report must be submitted to and approved in writing by the Local Planning Authority. The verification report shall include photographs of the works undertaken and demonstrate that the works have been carried out satisfactorily and the remediation targets have been achieved.

**Reasons:**

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. In the interests of the visual amenity of the area.
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 visual amenity.
6. To ensure a satisfactory form of development in the interests of the visual amenity.
7. In the interests of the visual amenity of the area.
8. To ensure the development complies with policy SC3 of the Hastings Local Plan: The Hastings Planning Strategy.
9. To ensure the development complies with policy SC1 of the Hastings Local Plan: The Hastings Planning Strategy.
10. In the interests of vehicular and pedestrian safety.
11. To safeguard the amenity of adjoining residents.
12. In the interests of the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
13. In the interests of the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
14. In the interests of the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
15. In the interests of highway safety and for the benefit and convenience of the public at large.
16. To prevent increased risk of flooding.
17. To prevent increased risk of flooding.
18. To prevent increased risk of flooding.
19. To prevent increased risk of flooding.
20. To prevent increased risk of flooding.
21. In the interests of the amenity of the neighbouring residential occupiers.



22. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.
23. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.

#### **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.
3. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
4. A formal application for connection to the public foul sewerage system is required in order to service this development and should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. For more advice or to make the application for connection please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: [developerservices@southernwater.co.uk](mailto:developerservices@southernwater.co.uk).
5. The applicant is encouraged to help the existing businesses on site relocate to alternative premises.

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#### **Officer to Contact**

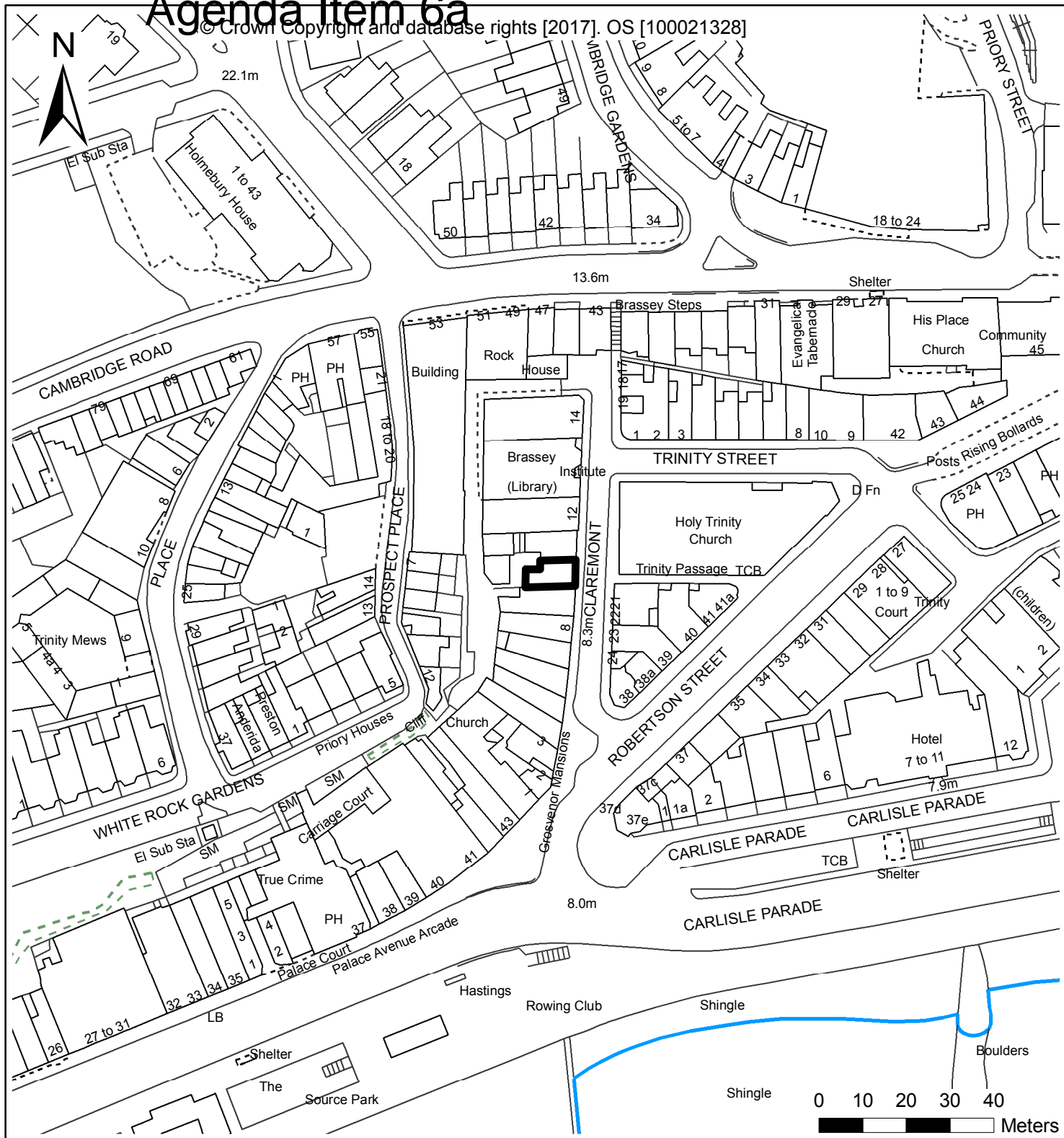
Mr S Batchelor, Telephone 01424 783254

#### **Background Papers**

Application No: HS/FA/16/00857 including all letters and documents

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# Agenda Item 6a



**10 Claremont  
Hastings  
TN34 1HA**

Change of Use from Retail (A1) To Sui-Generis (Private Vehicle Hire Co)



Assistant Director Housing & Built Environment  
Hastings Borough Council,  
Muriel Matters House, Breeds Place,  
Hastings, East Sussex TN34 3UY  
Tel: 01424 451090  
email: [dcenquiries@hastings.gov.uk](mailto:dcenquiries@hastings.gov.uk)

Date: May 2017

Scale: 1:1,250

Application No. HS/FA/16/00860

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**Report to:** PLANNING COMMITTEE

**Date:** 24 May 2017

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

**Application Address:** **10 Claremont, Hastings, TN34 1HA**  
**Proposal:** **Change of Use from Retail (A1) To Sui-Generis (Private Vehicle Hire Co)**  
**Application No:** **HS/FA/16/00860**

**Recommendation:** **Grant Full Planning Permission**

Ward: CASTLE  
File No: CL10010  
Applicant: Phoenix Taxis per Baileys Job Agency 2 Palace Avenue White Rock Hastings TN34 1JR

Interest: Applicant  
Existing Use: Vacant retail unit

**Policies**  
Conservation Area: Yes - Hastings Town Centre  
Listed Building: No

**Public Consultation**  
Adj. Properties: Yes  
Advertisement: Yes - Conservation Area  
Letters of Objection: 15  
Petitions Received: 0

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

### **Site and Surrounding Area**

Number 10 Claremont is within the Hastings Town Centre boundary and also within the Hastings Town Centre Conservation Area. The site also forms part of the White Rock and the America Ground Cultural Quarter.

The site consists of a three storey terraced property (four floors including the basement), with a retail unit on the ground floor and residential on the upper two floors. The retail unit is presently vacant. The shop front is fully glazed with transomes window detailing set in timber frames and a timber, hand painted fascia sign. The shop window fronts directly on to the pavement. At first floor level is a metal balcony which is replicated at the Neighbouring Property No. 11 Claremont. The surrounding area is made up of a mix of commercial units

including a tattoo parlour, fast food establishment and hair salon etc. with residential units above. The site is also in close proximity to the Hastings Library building which is presently under renovation and the Holy Trinity Church.

### Constraints

Conservation Area - Hastings Town Centre

Hastings Town Centre Shopping Area

Flooding Surface Water 1 in 100

Flooding Surface Water 1 in 1000

Archaeological Notification Area (ANA)

SSSI Impact Risk Zone

### **Proposed development**

This application seeks permission for the change of use of an existing vacant A1 retail unit to Sui Generis Use as a private vehicle hire company. The proposed use is isolated to the ground floor and basement with the upper floors excluded from the application. There are no alterations proposed to the exterior of the property and only minor internal alterations are proposed to create a small area of seating consisting of 3-4 seats, for waiting customers.

### **Relevant Planning History**

- |   |                |  |
|---|----------------|--|
| - | HS/FA/49/00272 | Use of basement for woodworking.                     |
|   | Refused        | 14/06/1949   |
| - | HS/FA/91/00558 | Change of use of lower ground and ground floors      |
|   | Granted        | from retail to cafe/bar (Use Class A3)<br>08/10/1991 |
| - | HS/FA/92/00252 | Installation of new shop front                       |
|   | Granted        | 29/06/1992   |

### **National and Local Policies**

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

Policy FA2 - Strategic Policy for Central Area

Policy FA3 - Strategy for Hastings Town Centre

Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way

Policy EN1 - Built and Historic Environment (Archaeological Notification Areas)

Policy EN1 - Built and Historic Environment (CA16 TOWN CENTRE)

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

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

Policy DM4 - General Access

Policy DM5 - Ground Conditions

Policy SA1 - Hastings Town Centre Shopping Area (Shopping Area Hastings Town Centre)

Policy HN1 - Development affecting the significance and setting of designated heritage assets (including conservation areas) (CA16 TOWN CENTRE)

Policy HN4 - Development affecting Heritage Assets with Archaeological and Historic Interest or Potential Interest (Archaeological Notification Areas)

## Policy CQ1 - Cultural Quarters

### 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.

### Planning Policy Guidance (NPPG)

When is noise relevant to planning? - Paragraph: 001 Reference ID: 30-001-20140306

Noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment. When preparing local or neighbourhood plans, or taking decisions about new development, there may also be opportunities to consider improvements to the acoustic environment.

### Local Development Framework

Supplementary Planning Document - Shopfronts and Advertisements 2007

### Consultations comments

#### **Highways - No objection**

#### **Environmental Health - Noise - No objection**

#### **Conservation - No objection, as no external alterations proposed**

### Representations

In respect of this application a site notice was displayed and an advert was placed in the local paper. In response to this 15 letters were received from 14 different properties. Of these representations, all were letters of objection. The concerns within these letters are set out below;

- Potential for anti social behaviour due to opening hours
- Impact on parking
- Increase in traffic movements and congestion
- Inappropriate use in the 'America Ground'
- Contrary to Policy
- Increase in litter
- Increase in noise from person waiting outside
- Impact on the residential properties above from noise
- Impact on letting's value of properties
- Lack of CCTV

- Lack of street lighting
- Ongoing maintenance of the property

## **Determining Issues**

### Principle

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 the Conservation Area

As stated above, the site is located within the Hastings Town Centre Conservation Area. In light of this the impact of the development on the character of the Conservation Area must be assessed. Having reviewed the application, it is apparent there are no alterations proposed to the exterior of the property. As a result of this it is considered that there would be a minimal impact on the character of the Conservation Area. The Conservation Officer has also raised no objection towards the proposal. Taking this into account, it is considered that the proposal complies with Policy HN1 of the Hastings Development Management Plan and Policy EN1 of the Hastings Planning Strategy.

### Loss of existing use and proposed use

Policy SA1 of the Hastings Development Management Plan states that within Hastings Town Centre Shopping Area, as defined on the Policies Map, at ground floor level, proposals for planning use-class A1, A2, A3, A4 and other uses appropriate to the character of the shopping area will be permitted provided both of the following criteria are satisfied:

- (iii) The proposal would not result in non-A1 uses exceeding 5% of the total floorspace of Priory Meadow and not more than 45% of the total number of ground floor units in the remaining shopping area, as defined on the Policies Map;
- (iv) The proposal would not result in such a concentration of non class A1 uses as to lead to a significant interruption in the shopping frontage, thus harming the vitality and viability of the town centre shopping area as a whole.

The Planning Policy team has advised that as a result of the proposal, the non-A1 uses would increase to approximately 41.1% should the application be permitted. The development is therefore considered to comply with the above quoted policy.

### Impact on Neighbouring Residential Amenities

The proposed change of use has generated a lot of concern from local residents. The different concerns are listed above under the representation section. However, one of the main issues relates to the potential levels of noise and anti-social behaviour as a result of the use. This is clearly a point that needs careful consideration and as a result, formal consultation has been carried out with the Council's Environmental Health Team.

The existing retail premises are not subject to an hours of use restriction, however, it is likely that, as a retail use, they would typically close between 5-6pm. The proposed use requests hours of use as opening to midnight on Sunday to Wednesday, until 3am on Thursday and 24 hours a day on Friday and Saturday. Whilst on the face of it this represents a noticeable change from existing, there are a number of key factors material to this case. The first is that the site is located in the town centre where late night activity is to be expected and encouraged in support of the tourist and leisure/recreation function of the town. The second is that the proportion of customers visiting the premises to wait for a taxi is small. The applicant advises that this only represents 1-2% of the weekly business at Robertson Street on Monday - Thursday, rising to 4-5% Friday and Saturday evenings. Thirdly, that despite the



hours of use, the extent to which this will be to serve waiting customers will be notably reduced in most days in the early hours of the morning given the number of late night uses in the area, namely; The Print Works open until 1:30am latest, Scoffers takeaway shop open until 12:55am, Hoagies Reloaded until 4pm and JD Bar open until 11pm. As such it is reasonable to expect that the majority of the late business will consist of collection from other premises. Finally, no taxi waiting is proposed at the premises and the operation of the business sets out that taxis will be kept at members of staff's addresses until in use, at which point the taxi will go from one customer to the next, not parking at the offices between. The ability to park on this road is also limited by Zone B parking restrictions which extend up until 8pm.

Environmental Health have not objected to this application. They note that Phoenix Taxis, who are proposing to occupy the application site, are presently operating from a premises in Robertson Street and have been since 1993. The existing office is within a two minute walk of the application site. The existing premises in Robertson Street has a similar arrangement whereby the taxi office is on the ground floor with residential above. Having reviewed the history of the existing unit, the Environmental Health Officer has advised that there have been no noise complaints in relation to the existing taxi office use. Should the application be approved, the existing offices on Robertson Street will no longer be occupied by Phoenix Taxis as the premises lease is due to expire.

As noted earlier, the proposed hours for the taxi office at 10 Claremont are as follows:

- 05:00 - 00:00 - Sunday - Wednesday
- 05:00 - 00:00 - Thursday
- 00:00 - 00:00 - Friday & Saturday

The existing premises on Robertson Street has no restrictive hours of operation and as such can operate for 24 hours.

As noted above, there will be no taxis waiting outside the premises, apart from those picking up customers directly from the internal waiting area, and so there should be little impact in terms of engine noise above and beyond the existing traffic levels of the street.

Taking these factors into account, it is considered that, there would be little disruption to the residents above and surrounding the premises. It should also be noted that Environmental Health have raised no objection towards the scheme and do not consider any noise mitigation measures necessary. In light of this, it is considered that the change of use would not have an unacceptable impact on the amenities of the local neighbouring residents.

#### Highway Safety/Parking

Claremont is a one-way road accessed via Robertson Street and Trinity Street. These three roads form what is known as the 'Trinity Triangle'. Trinity Street and Claremont are both single width with some, restricted, on street parking available. The majority of the road has double yellow lines.

- **Parking**

In respect of the application the County Council Highways Authority have been consulted. Initially the Highways Officer raised an objection towards the scheme as there was insufficient information to enable a full assessment of the proposal. Following on from this, the agent submitted additional details which have now been reviewed by the Highways Authority. Following on from the additional information the Highways Officer has advised that, taking in to account the current parking restrictions (Zone B - 9am - 8pm permit holders only) in place on Claremont, parking will be sufficiently controlled and monitored to a level that will

not result in an impact on the highway that would be unsafe to a level that could be considered 'severe'.

- **Traffic Movement**

With regards to the potential for the increase in the number of vehicle movements around the site, the agent has advised that the proposed private vehicle hire use is only to be used for taking bookings and that none of the vehicles associated with its use will be kept within the vicinity of the site. When not in use, the taxi vehicles are stored at the drivers' individual properties. It must be acknowledged that some pick-ups from the office would take place as a waiting room is provided, it is understood that office based pick-ups are relatively infrequent and in most instances, customers are collected from their current location.

Taking these factors in to account, it is considered that the proposed use would not have an unacceptable impact on the existing highways network or existing levels of public safety.

#### Site Constraints

The site is located within an area of flooding surface water (1 in 100 and 1 in 1000). The development would not result in additional hard surface and as such there would be no increase in terms of impermeable area. In light of this it is considered that there would not be a detrimental impact in terms of surface water flooding.

The site is also located within an Archaeological Notification Area (ANA), however, it is considered that the scale of works required to facilitate the change of use would not have an unacceptable impact on the ANA and as such the County Archaeologist has not been consulted.

The site is within a SSSI IRZ. The scale of development does not fall within the threshold for consultation with Natural England and as such it is not considered that there will be any impact on SSSIs.

#### Conclusion

Taking the above in to account, it is considered that the change of use complies with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

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

## **Recommendation**

### **Grant Full Planning Permission subject to the following conditions:**

1. The change of use hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The premises shall not be used except between the following hours:-  
  
05:00 - 00:00 - Sunday - Wednesday  
05:00 - 00:00 - Thursday  
00:00 - 00:00 - Friday & Saturday
3. Prior to installation, details of any proposed external CCTV cameras and external lighting shall be submitted to and approved in writing by the Local Planning Authority. The cameras shall then be installed in accordance with the approved details.
4. The business shall be operated in accordance with the details set out in the Site Waste Management Plan dated 28.09.2016.
5. The business shall be operated in accordance with the details set out in the letter dated 10.05.2014 and signed 11.05.2015.
6. The change of use hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 16/848A

### **Reasons:**

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To safeguard the amenity of adjoining residents.
3. In the interests of the visual amenity of the Conservation Area.
4. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
5. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
6. 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.
  3. The proposal may be a material change of use to which the Building Regulations 1991 apply and a building regulation submission may be necessary before the change of use takes place.
  4. A separate application, will be required to be submitted and assessed in accordance with the Advertisement Regulations, if it is proposed to install signage or advertisements in conjunction with the proposed use of the premises.
- 

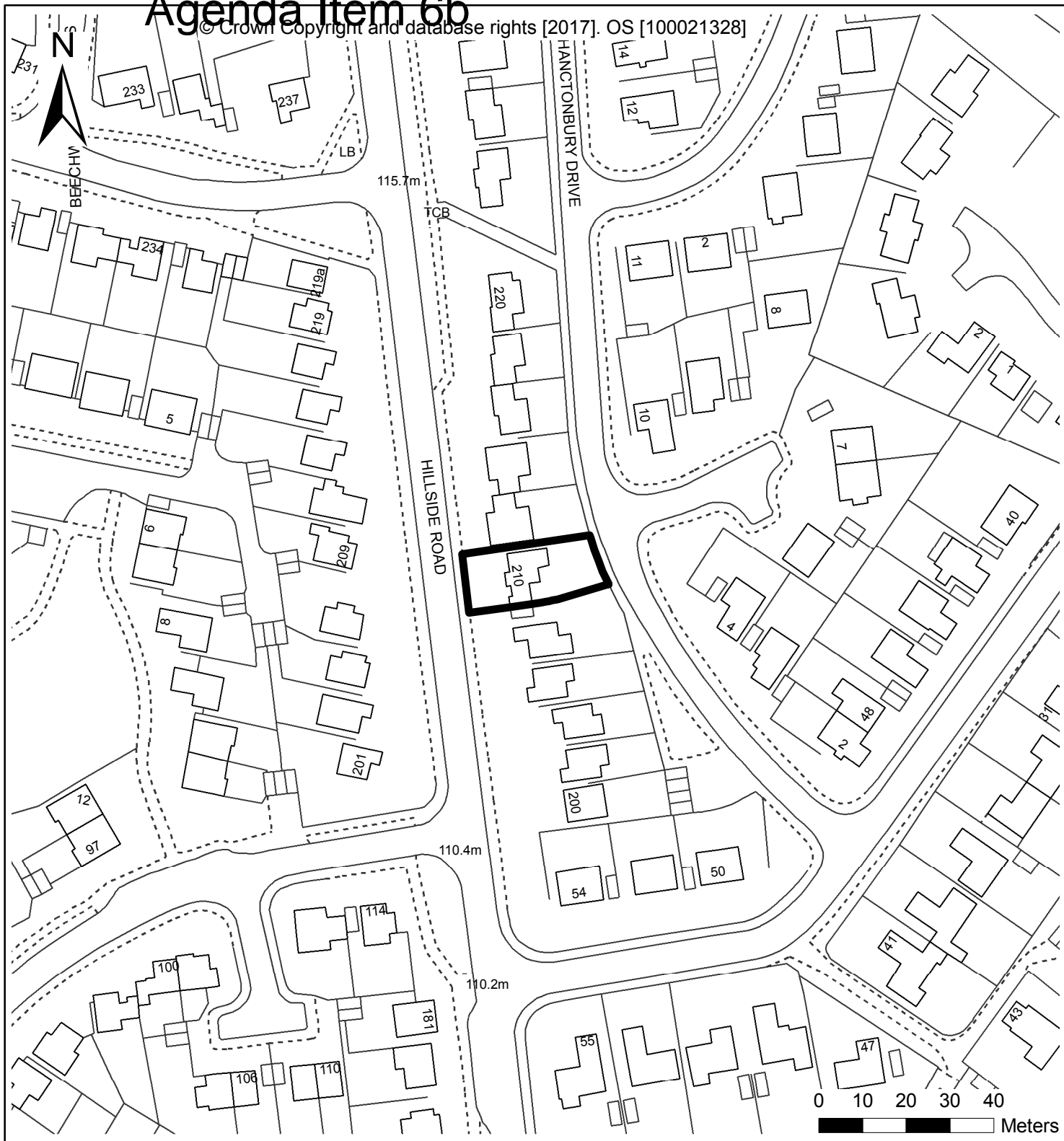
### **Officer to Contact**

Mrs E Meppem, Telephone 01424 783288

### **Background Papers**

Application No: HS/FA/16/00860 including all letters and documents

# Agenda Item 6b



**210 Hillside Road  
Hastings  
TN34 2QT**

Upper floor bedroom extension over existing single storey addition



Assistant Director Housing & Built Environment  
Hastings Borough Council,  
Muriel Matters House, Breeds Place,  
Hastings, East Sussex TN34 3UY  
Tel: 01424 451090  
email: [dcenquiries@hastings.gov.uk](mailto:dcenquiries@hastings.gov.uk)

Date: May 2017

Scale: 1:1,250

Application No. HS/FA/17/00050

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<b>Report to:</b>	PLANNING COMMITTEE
<b>Date:</b>	24 May 2017
<b>Report from:</b>	Assistant Director of Housing and Built Environment
<b>Application Address: Proposal:</b>	<b>210 Hillside Road, Hastings, TN34 2QT Upper floor bedroom extension over existing single storey addition.</b>
<b>Application No:</b>	<b>HS/FA/17/00050</b>
<b>Recommendation:</b>	<b>Grant permission</b>
<b>Ward:</b>	CONQUEST
<b>File No:</b>	HI75210
<b>Applicant:</b>	<u>Mr &amp; Mrs Robertson</u> per Appleby Petfield Heffle Buildings 33a High Street Heathfield TN21 8HU
<b>Interest:</b>	Owner
<b>Existing Use:</b>	Dwellinghouse
<b>Policies</b>	
Conservation Area:	No
Listed Building:	No
<b>Public Consultation</b>	
Adj. Properties:	Yes
Advertisement:	No
Letters of Objection:	6
Petitions Received:	0
<b>Application Status:</b>	Not delegated - More than 2 letters of objection received

### Site and Surrounding Area

The site comprises a detached two-storey dwelling with garage located on the adopted section of Hillside Road between its junctions with Parkstone Road and Little Ridge Avenue on the eastern side of the road. The dwelling is set back from the highway with a substantial paved parking area and front garden.

The rear boundary of the site to Chanctonbury Drive comprises a 1.8m (approximately) high close boarded timber fence and 1.8m (approximately) high brick wall. The rear of the site and neighbouring properties are clearly visible from Chanctonbury Drive. The rear of the site is located opposite a cul-de-sac off Chanctonbury Drive.

A single storey extension exists to the rear of the site and adjacent to No. 212 Hillside Road with a flat roof erected under permission HS/FA/88/01165. The submitted plans show this existing extension to be 4.4m in width, 2.35m in depth and 2.7m in height. There is a timber shed in the rear garden against the rear boundary of the site which can be seen from Chanctonbury Road to the rear. A parking area exists to the rear of the site which is accessed from a dropped kerb on Chanctonbury Drive through a pair of close boarded timber gates.

The materials of the existing dwelling consist of facing brick with white painted weatherboard to the first floor front elevation, concrete roof tiles and white upvc windows and doors. The neighbouring property to the south, 208 Hillside Road, has a similar ground floor rear extension with flat roof which is finished in painted render. Nos 202, 204 and 206 Hillside Road have conservatories to the rear of which conservatories at Nos 202 and 204 Hillside Road have pitched roofs; all are clearly visible from Chanctonbury Drive to the rear.

### Constraints

Flooding Surface Water 1 in 30

Flooding Surface Water 1 in 100

Flooding Surface Water 1 in 1000

Tree Preservation Order

SSSI Impact Risk Zone

### **Proposed development**

This application is for the erection of a first floor extension above the existing ground floor extension to the rear of the site. The extension is proposed to have external materials that match the existing dwelling. A Juliet balcony at first floor on the rear elevation is also proposed.

The proposed extension is shown to raise the existing eaves' height from 2.7m to 5.0m and form a ridge height of 6.7m with open gable to the rear. The footprint of the extension will remain the same as the existing with a width of 4.4m and depth of 2.35m. The distance of the development from the eastern (rear) boundary is 10.5m, 8m from the southern boundary and 1.4m from the northern boundary.

### **Relevant Planning History**

HS/FA/88/01165 Erection of an extension  
Granted 09 September 1988

### **National and Local Policies**

Hastings Local Plan – Planning Strategy (2014)

Policy FA2 - Strategic Policy for Central Area

Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way



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

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

## 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.

## **Representations**

6 objections have been received from 3 different properties following the erection of a site notice for the duration of 21 days.

The submitted objections raise the following concerns towards neighbouring property No. 212 Hillside Road;

- Overshadowing and loss of light
- Loss of light to garden
- Overlooking from Juliet balcony
- Run off of surface water on to neighbouring property
- Quality of submitted information

## **Determining Issues**

### Principle

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.

### Submitted information

An objection submitted by Witcombe Surveying & Conservation Ltd of behalf of Mrs C Gurney of No. 212 Hillside Road raises concerns regarding the information submitted with the application. The first point raised is that the location and block plan only include one named road and not the suggested "at least two named roads" detailed by the Validation Checklist March 2015. The Development Management Procedure Order 2015 Part 3 7 - General requirements: applications for planning permission including outline planning permission (1(c i)) states that the application should be accompanied by "a plan which identifies the land to which the application relates" and therefore, it is not considered that the identification of two named roads is necessary in this instance; the submitted location plan is sufficient to clearly identify the location of the site by providing the location of the site in relation to nearby road junctions and other numbered properties on the road.

The Communities and Local Government document for Guidance on information requirements and validation March 2010 paragraph 45 states *"All applications must include copies of a location plan based on an up-to-date map. This should be at an identified standard metric scale (typically 1:1250 or 1:2500, but wherever possible the plan should be scaled to fit onto A4 or A3 size paper). The GDPO 1995 requires applicants to provide three copies plus the original (unless submitted electronically). Plans should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear."*, it is considered that the submitted location plan satisfies these requirements and is sufficient to identify the land to which the application relates. As such the application is considered to be valid. It is noted that the validation checklist will be amended accordingly.

The second point raised relates to the existing and proposed floor plans and elevation drawings, the Validation Checklist 2015 requires that existing and proposed elevations and floor plans have the following *"Scale 1:50 or 1:100 with written dimensions to show overall size of any new buildings or extensions."* however, it is considered that as the plan is at an identified scale with a scale bar the requirement for written dimensions is not necessary. Furthermore, the Development Management Procedure Order 2015 Part 3 7 - General requirements: applications for planning permission including outline planning permission (2) states *"Any plans or drawings required to be provided by paragraph (1)(c)(i) or (ii) must be drawn to an identified scale and, in the case of plans, must show the direction of North."* and therefore it is not considered that the provision of written dimensions on the submitted plans and elevations is required in order to make the application valid and arrive at an informed recommendation.

The final point raised is that a roof plan has not been submitted, the Validation Checklist March 2015 requires that a roof plan is submitted where a roof would be created or altered by the proposed development. The Development Management Procedure Order 2015 does not require the provision of a roof plan. After reviewing the submitted information it is considered that the form of the new roof is sufficiently shown on the submitted block plan and proposed elevation drawings in order to determine the application.

#### Impact on Character and appearance of area

It is proposed for the extension to have materials that match the existing dwellinghouse, and therefore, the proposals are considered acceptable in this respect. The extension is located to the rear of the property and is not therefore clearly visible from Hillside Road.

Although the rear of the site is easily visible from Chanctonbury Drive, the roof of the extension is to have an open gable which is consistent with the existing dwelling and is considered to improve the appearance of the existing flat roof ground floor extension and in turn the character of the rear of the properties on Hillside Road. Furthermore, the extension is of a modest size which is not disproportionate to the existing dwelling and neighbouring properties. The extension is considered to integrate well with the existing dwelling by matching the eaves' height of the original dwelling and having a proposed ridge height which does not exceed the ridge height of the original dwelling.

#### Impact on Neighbouring Residential Amenities

As there is a distance of approximately 2.5m between the site and neighbouring property No. 212 Hillside Road and the extension is only 2.35m in depth it is considered that the proposals, despite being at first floor level, will not have a negative impact in terms of outlook from No. 212 Hillside Road.

A BRE Daylight and sunlight assessment was carried out to determine the impact on diffuse skylight received to the rear ground floor patio door of No. 212 Hillside Road which serves a living room. To carry out the assessment, a 45 degree line was taken from the corner of the proposed extension back towards No. 212 Hillside Road on the block plan and a 45 degree line was taken from midway on the pitched roof of the first floor extension towards No. 212 Hillside Road on the proposed elevation plan. Should the point 1.6m above ground level to the centre line of the patio door at No. 212 Hillside Road be on the extension side of both 45 degree lines, it is considered that there would be a significant reduction in skylight received by the patio door, that being the closest ground floor window to the proposed extension at No. 210 Hillside Road.

After carrying out the assessment the following was identified:

- The centre point of the patio door at No. 212 Hillside Road was not on the extension side of the 45 degree line taken on the block plan. It is noted that the 45 degree line on the block plan did not reach the rear elevation of No. 212 Hillside Road.
- The centre point of the patio door at No. 212 Hillside Road was not on the extension side of the 45 degree line taken on the rear elevation. It is noted that the 45 degree line taken crossed a small portion of the bottom left hand corner of the patio door.

In light of this it is not considered that the proposals will cause an unacceptable reduction in skylight received at No. 212 Hillside Road.

The course of shadow cast by the proposed first floor extension and existing ground floor extension was plotted using the BRE Trust Site 'Layout Planning for Daylight and Sunlight - A guide to good practice 2011'. This involved using the sun on the ground indicator for 21 March for southern England and South Wales to plot the shadow cast by the development towards No. 212 Hillside Road. It is suggested that the centre point of the back garden of No. 212 Hillside Road should receive at least 2 hours of sunlight on 21st March after plotting, the shadow cast by the development did not reach the centre point of the garden at No. 212 Hillside Road and, therefore, the development is considered acceptable in this respect.

It is also recommended in the BRE guidance that at least 50% of the rear garden should receive at least 2 hours of sunlight on 21st March. After plotting, the shadow on the ground occupies a minimal area and does not reach the centre point of the garden it is not considered that the extension will cause an unacceptable level of shadow to cause harm to the amenity of No. 212 Hillside Road.

The shadow cast by the development was plotted from 9:00 until 16:00. After reviewing the diagrams, the proposed development would cast a shadow on the rear patio door of No. 212 Hillside Road, which serves the living room, at 10:00 and 11:00. As the development would only cast a shadow on the rear patio door of No. 212 Hillside Road for approximately two hours of the day on 21st March it is not considered that the proposals would cause significant or unacceptable levels of overshadowing and the proposals are considered acceptable in this respect.

As there are no windows or openings proposed to the side elevations of the extension, it is considered that the proposals will not give rise to harmful levels of overlooking onto neighbouring properties. It is not considered that the Juliet balcony at first floor level will harm neighbouring amenity as the balcony is not accessible. It is noted that there is already a degree of mutual overlooking to be expected in urban areas such as this from first floor windows.

The site benefits from permitted development rights, however, in their current form the proposals would not be considered permitted development as the proposals do not comply with the following provision under Schedule 2 Class A Part 1 (i) *"the enlarged part of the*

*dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres"* of the General Permitted Development Order 2015 as the extension is only approximately 1.4m from the northern boundary. Should the extension be repositioned a further 0.6m (approximately) the development would fall under permitted development and not require planning permission.

It is noted that Schedule 2, Class C.1 (b) *"the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof"* the proposed extension would result in an alteration to the original roof in excess of 0.15m, however, the Permitted development rights for householders Technical Guidance April 2017 states *"This limitation to projection from the roof plane should not be applied in cases where the roof of an extension to a house that is permitted development under Class A is joined to the roof of the original house. In such cases, the roof of the extension should not be considered under Class C as protruding from the original roof."*, and therefore, this limitation would not apply should the development be permitted under Class A.

### Flooding

The development proposed in this application is at first floor level and does not include the addition of any hardstanding areas, and therefore, it is not considered that the proposals will contribute to existing levels of surface water flooding on site.

### Tree Preservation Order (TPO)

A TPO is in place to the front of the property and relates to an individual Scots Pine, the proposals are to the rear of the site and, therefore, it is considered that no harm will come to protected trees.

## **Conclusion**

In light of the above assessment it is considered that the proposals comply with the Local Plan and relevant sections of the National Planning Policy Framework, and therefore, it is recommended that the application is approved.

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

*"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise"*.

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

## **Recommendation**

### **Grant permission subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
16-2443-01 - 07 REV A,
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.

### **Reasons:**

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To safeguard the amenity of adjoining residents.

### **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.

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### **Officer to Contact**

Miss N Sargant, Telephone 01424 783265

### **Background Papers**

Application No: HS/FA/17/00050 including all letters and documents

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# Agenda Item 7

## Agenda Item: 7

**Report to:** Planning Committee

**Date:** 24<sup>th</sup> May 2017

**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 25 March to 12 May 2017

**Recommendations:** That the report be noted

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**The following appeals have been received:**

Nothing to report

**The following appeals have been dismissed:**

Address/ Application Number	Proposal	PSM's Rec.	Where the decision was made	Type of Appeal
HS/FA/16/00244 4 Linton Road, Hastings, TN34 1TN	Single storey side extension (as amended by plans received 24.06.2016).	Refuse Planning Permission	DELEGATED	PLANNING

HS/FA/16/00552 87 Willingdon Avenue, St Leonards-on- sea, TN38 9HE	Construction of a two bedroom semi detached dwelling.	Refuse Planning Permission	DELEGATED	PLANNING
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**The following appeals have been allowed:**

Nothing to report

<b>Type of Delegated Decision</b>	<b>Number of Decisions</b>
Granted Permission	72
Part Granted	1
Part Granted – Part Refused	1
Raise No Objection	1
Prior Approval Approved	1
Refused Permission	19
Withdrawn by Applicant	5

**Background Papers:**

Various correspondences with Planning Inspectorate

**Report written by:**

Gillian Griffin - Tel: (01424) 783264

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