

Report to: PLANNING COMMITTEE

Date of Meeting: 14 December 2017

Report from: Assistant Director of Housing and Built Environment

Application Address: Former Observer building, 53 Cambridge Road, Hastings, TN34 1HZ

Proposal: Proposed change of use and roof extension to existing building. To provide mixed use development comprising Artist Studio (Lower Ground), Shared Residents Gymnasium (Mezzanine), Restaurant & Shop (Ground) and 50 flats with private roof terrace. Proposal includes ancillary reception, common facilities and cycle storage/ shared car parking with ancillary plant and servicing facilities and external alterations.

Application No: HS/FA/16/00367

Recommendation: Grant Full Planning Permission

Ward: CASTLE

Conservation Area: Yes - Hastings Town Centre

Listed Building: No

Applicant: Flint Group per HASSELL Level 2 Morelands 17-21 Old Street Clerkenwell EC1V 9HL

Interest: Freeholder

Existing Use: Former printworks and newspaper offices

Public Consultation

Site Notice: Yes

Press Advertisement: Yes - Conservation Area

Letters of Objection: 68

Petitions of Objection Received: 0

Letters of Support: 2

Petitions of Support Received: 0

Neutral comments received 1

Application Status: Not delegated - 5 or more letters of objection received

1. Site and Surrounding Area

The Observer Building, 53 Cambridge Road, was formerly a printing works and offices for the Observer newspaper and has been vacant for almost 30 years. It is a multi-storey building located on the south side of Cambridge Road, bounded by Prospect Place to the west and an alleyway to the rear of Claremont to the east. It is located within the Hastings Town Centre Conservation Area.

The existing building was completed in 1924 having been designed by Henry Ward, a well-known Hastings architect. Since becoming vacant the building had fallen into substantial disrepair although recent temporary uses (as allowed under planning permission HS/FA/15/00641) have seen the state of the building, particularly internally, improved.

The current building is a tall, thin and curving building on the edge of a sandstone cliff. The structure is built with a strong reinforced concrete frame with front-facade details of Hathernware terracotta. It has a large footprint; it is four storeys in height at the Cambridge Road frontage with an added attic storey and lower ground levels accessed from Claremont; it has large windows to its eastern and western faces; and its eastern face has service pipes and chimney stands that provide the structure with an industrial character. All of these features contrast heavily with the small scale (two-storey) buildings immediately adjacent to the site, along Prospect Place, but is also in juxtaposition to the wider townscape where Victorian architecture dominates.

The property is not listed but it can be considered a non-designated heritage asset, principally for its interesting industrial façade, location close to the seafront and within a conservation area, and its history related to the local press and printing firm which all contribute to its strong local interest. These features have also been recognised in the draft Hastings Central Conservation Area Appraisal which recommends the building for local listing.

The property is allocated for mixed use development in the Hastings Local Plan: Development Management Plan - Policy HTC3.

Constraints

- Archaeological Notification Area - Hastings Historic Core
- Within Hastings Town Centre Conservation Area
- Close to White Rock and Cornwallis Gardens Conservation Areas
- Within the draft Hastings Central Conservation Area (as defined in the draft Hastings Central Conservation Area Appraisal)
- Nominated Heritage Asset (as recommended in the draft Hastings Central Conservation Area Appraisal)
- Within the emerging Town Centre and White Rock Area Action Plan
- SSSI Impact Risk Zone
- Within 600m of a children's playground
- Hastings Town Centre Business Improvement District (BID)

2. Proposed development

When originally submitted the application was for a proposed change of use, alteration and extension to the existing building. The extension consisted of 2 full storeys with additional roof top 'pavilion' buildings providing a further (third) storey of accommodation with rooftop garden area. The pavilion additions included a mezzanine level. The proposal was to provide:

- 49 flats
- Artist studio (lower ground floor)
- Shared residents' gymnasium (mezzanine within existing building)
- Restaurant and shop (ground floor)

The proposal also provided for ancillary reception space, common areas/facilities, cycle storage, parking for shared vehicles and plant and servicing areas.

The proposal was heavily criticised upon submission by members of the public and suggestions about improving the scheme were provided to the applicant following consultation and discussion with Historic England and the Conservation Officer. The applicant subsequently amended the proposal as follows:

- Reduction in height of the scheme - overall height reduced by 5m and eaves/parapet of full two-storey element reduced by 2.6m.
- Despite the height reduction the number of additional storeys remained, but, the seventh floor roof pavilion buildings and roof garden area have been removed and replaced with an inset seventh storey.
- Change in appearance of extension due to changes in materials proposed, building massing and windows.
- Internal layout amended which has resulted in the provision of an additional flat (total 50 flats proposed).

During the course of the application the applicant has also provided updated viability information, revised ownership certificates, highway improvement details, a revised sunlight and daylight study and a further noise report.

The application is supported by the following documents:

- Design and access statement
- Planning statement
- Townscape and heritage review
- Heritage impact assessment
- Transport statement
- Travel plan
- Daylight and sunlight report (for surrounding properties)
- Residential analysis of proposed habitable rooms (daylight/sunlight report for proposed flats)
- Building services strategy report
- Wind study
- Viability of alternative uses

- Viability of residential uses
- Viability of scheme (confidential)
- Noise assessment report
- Stability assessment
- Sustainability statement
- Energy strategy report
- Consultation and public engagement report
- Contamination risk assessment
- Ecology report
- Bat survey

Relevant Planning History

HS/FA/15/01042 Change of use of existing building to Class A1/A3 shop and restaurant, and student housing accommodation, with ancillary reception, common facilities and cycle storage; extension of 2,693sq m GEA to include further student housing accommodation (230 rooms in total) and rooftop Class A3 observation terrace and Class B1 business enterprise space; all with ancillary plant and servicing facilities. Proposed includes partial demolition of existing building.

Withdrawn 06 May 2016

HS/FA/15/00641 Temporary use of the sub bsmnt, grd flr and 1st floor. Uses include Art Gallery and artist studio spaces at first flr, grd flr pop-up multi function space including bar, cafe and food vending units with communal dining area, lower grd/sub bsmt use as a dining/independent cinema/entertainment area). The basement area is proposed to be used as an installation/storage space.

Granted 23 December 2015

HS/FA/05/00743 Mixed use development comprising hotel, workshops, restaurant and housing (Amended Application) (Application HS/CA/05/742 for demolition of existing building also applies)

Resolved to be approved subject to legal agreement 08 November 2006
Withdrawn 16 October 2015

HS/CA/05/00742 Demolition of existing building (application no HS/FA/05/00743 also applies)

Granted subject to conditions 14 November 2006

HS/FA/04/01023 Conversion & roof extension to create 24 loft style apartments. (revised scheme)

Resolved to be approved subject to legal agreement 10 February 2005
Withdrawn 16 October 2015

HS/FA/04/00728 Conversion including roof extension to create 23 loft style apartments

Refused 01/10/2004

HS/FA/92/00344 Change of use of ground, first and second floors to Class A2 and upper floors to residential

Granted subject to conditions 03 August 1992

HS/FA/91/00650 Amendment of Condition 3 of HS/FA/90/00320

Granted 06 December 1991

HS/FA/90/00320 Use as offices and additional floor

Granted subject to conditions 15 June 1990

HS/FA/89/00340 Conversion to 39 residential units with retail unit at ground floor and parking

Granted subject to conditions 26 June 1989

HS/FA/88/01167 Conversion to 59 self-contained flats, 15 car parking spaces and alterations to roof

Granted subject to conditions 17 November 1988

HS/OA/88/00231 Redevelopment to form 46 flats and 42 car parking spaces

Granted subject to conditions 01 August 1988

HS/DS/86/00898 Conversion to 40 self-contained flats

Granted subject to conditions 23 February 1987

HS/FA/86/00554 Conversion to housing

Granted subject to conditions 02 October 1986

HS/FA/85/00398 Change of use from printing works and offices to retail store and warehouse.

Granted subject to conditions 01 August 1985

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 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 E2 - Skills and Access to Jobs
Policy E3 - Town, District and Local Centres
Policy CI1 - Infrastructure and Development Contributions
Policy CI3 - Children's Play Provision
Policy T3 - Sustainable Transport
Policy T4 - Travel Plans

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 DM6 - Pollution and Hazards
Policy HN1 - Development Affecting the Significance and Setting of Designated Heritage Assets (including Conservation Areas)
Policy HN2 - Changing Doors, Windows and Roofs in Conservation Areas
Policy HN4 - Development affecting Heritage Assets with Archaeological and Historic Interest or Potential Interest
Policy HN5 - Non-Designated Heritage Assets
Policy CQ1 - Cultural Quarters
Policy LP2 - Overall Approach to Site Allocations
Policy HTC3 - The Observer Building

Other Policies/Guidance

Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England)
Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England)
Historic England Advice Note 4: Tall Buildings (Historic England)
Seeing the History in the View: A method for assessing heritage significance within views (Historic England)
Technical housing standards – nationally described space standard
Sussex Air Quality and Emissions Mitigation Guidance 2013

Supplementary Planning Documents (SPDs):
Parking Provision in New Developments

Supplementary Planning Guidance (SPGs):
The Provision of Children's Playspace in Housing Developments
Development Contributions

National Planning Practice Guidance:
Decision-taking: historic environment
Designated heritage assets

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.

The NPPF should be taken as a whole but sections 7 'Requiring good design' and 12 'Conserving and enhancing the historic environment' are particularly relevant to this proposal.

3. Consultations comments

County Archaeologist - **No objection.**

Building Control - **No objection.**

Waste - **No objection.**

Sussex Police - **No objection.** Provides some advice on ensuring the building is safe for residents and tenants.

Environmental Health (contaminated land, food and noise) - **No objection.** Recommends conditions regarding noise and land contamination.

Historic England - When the application was originally submitted Historic England raised concerns about the scale of the extension, as, although the proposal had been reduced to three stories from the previous application's five, there was little reduction in the overall height and massing of the extension. The top floor 'pavilion' buildings, which had become larger, and the roof landscaping were also considered to be incongruous features in longer views. They considered that the proposal was harmful to the setting of a number of heritage assets, including the Town Centre Conservation Area, nearby listed buildings and Hastings Castle. Historic England specifically advised that the pavilion buildings and roof landscaping should be removed from the scheme and that the height and bulk of the extension should be reduced.

The proposal was subsequently amended, as explained in section 2 above. Historic England are now of the view that the amendments have improved the proposed extension to the building. However, although there have been significant improvements to the proposals due to the reduced scale of the extension, the use of materials in the extension (which form a more contextual relationship with the host building and surrounding area), the varied design of the extension and the removal of the roof landscaping, the proposal, because of its height and massing the extension is still considered to cause harm to heritage assets. That said, Historic England are of the view that the scale has been reduced to a level where it would now be appropriate for the Local Planning Authority to consider whether the benefits of the scheme outweigh the identified harm.

The above advice is caveated on the premise that the applicant must demonstrate (on viability grounds) that the proposed extension is the minimum development necessary in order to make the redevelopment of the building viable. The issue of development viability is discussed in further detail below where additional, more recent comments from Historic England regarding development viability are noted.

Housing Renewal - **No comment received.**

UK Power Networks - **No objection.**

Natural England - **No comments.** It should be noted that the lack of comment from Natural England does not imply that there are no impacts on the natural environment but rather that the proposal is not likely to result in significant impacts on statutory designated conservation sites or landscapes (i.e SSSI).

Country Development Contributions Co-ordinator - **No comment received.**

East Sussex Fire & Rescue - **No comment received.**

Affordable Housing - **No objection.** Provides advice on the affordable housing requirements for a development of this size.

Highways - **No objection.** Comments are subject to conditions securing construction traffic management, provision of cycle and electrical vehicle parking and highway improvements. A travel plan is also required and the highway authority recommend this is secured by s106 given the requirement for an audit fee.

Licensing - **No objection.** Advises that a premises licence will be required in connection with the proposed commercial use.

Planning Policy - **No comment received.**

Play Development - **No comment received.**

Regeneration - **No comment received.**

County Flood Risk Team - **No objection.** Would like to see the suggested rainwater harvesting system and green roof proposals (as referenced in the submitted Sustainability Statement) taken forward to detailed design, but, otherwise recommends a condition regarding the management and maintenance of the surface water drainage system.

Southern Water - **No objection.** Southern Water confirm that they can accommodate foul water and supply water to the building. Concerns have been raised about surface water flows without additional infrastructure being provided. Southern Water recommend a number of informatives and conditions relating to these matters.

Ecology Officer - **No objection.** A bat survey has confirmed that bats are not present in the

building. However, as part of the building has medium potential for winter hibernating bats a condition, in line with the recommendations of the submitted survey report, to ensure no disturbance to bats as part of the works is recommended.

Conservation Officer - Acknowledges that the latest scheme - which shows a simplified roof form, reduced maximum height of roof extensions, more verticality to the designs and a lighter tone of cladding to the roof extension - is an improvement over the previous schemes in that it will reduce the level of harm to designated heritage assets. However, the Conservation Officer is still of the view that the proposals will cause extensive harm to numerous designated heritage assets. This harm ranges from significant to minor and impacts conservation areas, listed buildings, Hastings Castle and non-designated assets.

The Conservation Officer concludes that the harm to the local historic environment is widespread and some of it is at a significant level. They state that harm of this kind would normally result in an objection to the scheme and recommendation for refusal. However, they acknowledge that the degree of harm, which in terms of the NPPF is considered "less than substantial" (although at the very top end of that scale), needs to be weighed against the potential wider social benefits of the scheme, and issues around scheme viability. Only if the scheme delivers clear public benefits should this level of harm to the historic environment be countenanced.

A number of conditions are also suggested should the application be recommended for approval.

4. Representations

68 different residents have objected to the application. The following concerns were raised against the application as originally submitted:

- Proposal out of character with surrounding area
- Proposal represents an overdevelopment of the site
- The number of dwellings proposed is too high, scheme is too dense and proposal is above indicative capacity of the Local Plan (policy HTC3)
- Extension is too large
- Extension is too high
- Proposal is disproportionate to scale of neighbouring properties
- Poor use of materials in extension
- Inconsistency between windows in existing building and windows in proposed extension
- Roof buildings are inappropriately designed
- Impacts on view across town
- Vehicle access via Claremont is not suitable or safe
- Lack of affordable housing
- Inadequate parking
- Impact on parking in surrounding area
- Increased traffic generation
- Lack of sustainable transport measures
- Concerns regarding increased antisocial behaviour
- Harm to heritage assets including conservation areas, listed buildings and Hastings Castle
- Inadequately sized accommodation
- Loss of daylight and sunlight (including loss of light to commercial space and Holy Trinity

Church)

- Viability and deliverability of scheme
- Impact on neighbouring residential amenities
- Impact from construction on the surrounding area
- Structural safety
- Impact from lighting/light pollution
- Quality of submitted documentation - i.e. some documents still refer to previously submitted student accommodation application (ref HS/FA/15/01042) and daylight/sunlight assessment is inaccurate
- Inaccurate drawings
- Public consultation documents are out-of-date
- Loss of community/cultural uses - particularly the 'alleyway'
- Impact on drainage infrastructure
- Inadequate refuse storage and waste collection arrangements
- Noise pollution
- Lack of defined opening hours for commercial uses

The following concerns were raised following the submission of formal amendments:

- Proposal out of character with surrounding area and dominates skyline
- Impact on heritage assets - including their setting and views (i.e. views towards Hastings Castle)
- The number of dwellings proposed is too high, scheme is too dense and proposal is above indicative capacity of the Local Plan (policy HTC3)
- Increased traffic generation
- Vehicle access via Claremont is not suitable or safe
- Loss of community/cultural uses - particularly the 'alleyway'
- Inadequate parking
- Impact on daylight/sunlight and overshadowing
- Daylight/sunlight assessment is inaccurate
- Poor use of materials in extension
- The number of dwellings proposed is too high
- Light pollution
- Impact on drainage infrastructure
- Inadequate refuse storage and waste collection arrangements
- Inadequately sized accommodation

2 different residents have supported the application raising the following:

- The proposal will reuse a unoccupied building
- The proposed design will add interest to the existing building
- The surrounding area has a mix of architectural styles and this development would fit with that mix

1 resident raised concerns about not being included within the initial consultations on the application. They were subsequently consulted but raised no objections.

The following matters have been raised but are not considered material to the determination of

the application:

- 'Violation' of air space above Rock House - i.e. proposal restricts development opportunities above adjacent building. The impact of a development on the development aspirations of an adjoining land owner is considered a private matter.
- Party wall concerns - The adjoining owners raised concerns about the roof extension being built on the party wall with Rock House. The applicant subsequently updated their application by serving notice on the adjoining land owner. Following this the owners of Rock House objected to the development on the party wall raising concerns about construction and glazing overhanging/overlooking the roof of Rock House which would impact on the future development potential of Rock House. These matters are not material to the planning application. As stated above these party wall issues and future development aspirations are a private matter.
- Encroachment into space above properties on Prospect Place (due to overhanging glass box features/windows). This is similar to the issue with Rock House. Whilst the potential impact on neighbouring amenities of this arrangement is material, the matter about encroachment is a private Party Wall matter.
- Consideration should be given to the use of conditions to complete works within an agreed timescale or to restrict the further sale of the building. Neither of these conditions is considered to be reasonable taking into account the 6 tests for the imposition of conditions as set out in paragraph 206 of the NPPF.
- Planning application is speculative and building will be sold upon permission being obtained. The Local Planning Authority have no control over these matters.
- Lack of barrier to the roof top terraces/gardens to ensure safe development. Whilst clearly necessary were there to be any roof terraces, this would actually be considered a Building Control matter. However, this element of the scheme has been removed since the scheme was amended.
- Some of the submitted comments relate to the character of the applicant or local residents' and business' relationship to the applicant. These comments are considered personal in nature and have no bearing on the determination of the planning application.
- Concerns about development and planning process being related to fraudulent activity. Fraud is a criminal offence and should be reported to Sussex Police, however, whether substantiated or not it has no bearing on the determination of a planning application which is merely concerned with assessing the proposed land uses and not the credibility of developers/applicants.
- Building should be compulsory purchased by the Council. Although the process of compulsory purchase orders is contained within planning legislation, whether this is appropriate is not for consideration in determining a planning application.

5. Determining Issues

The main considerations are the principle of the development; the impact on heritage assets and whether any harm has been sufficiently minimised before subsequently weighing up the benefits of the scheme against that harm; the impact on the character of the area; the quality of the proposed residential accommodation; the impact on neighbouring residential amenities; and the impact on highway safety and parking related matters.

a) Principle

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 and the considerations regarding heritage below.

The redevelopment of the site is also further supported by policy HTC3 which allocates the site for a mixed use, encouraging uses that include tourist accommodation, retail, education or leisure facilities in addition to residential units. This proposal includes 50 flats, artist studio space, restaurant and retail area and as such is considered to be in general conformity with the objectives of policy HTC3.

b) Impact on heritage assets

The application is being considered on a revised scheme that was submitted in January 2016. The proposal includes the conversion of the existing building along with a three-storey roof extension consisting of two full storeys and a recessed top floor. The Observer Building is already a substantial construction, larger than many of the properties in its immediate surroundings (although the immediately adjacent Rock House is taller), and it is not generally characteristic of the Hastings Town Centre Conservation Area although there are tall modern additions in the Priory Quarter area (i.e. Lacuna Place, Priory Square, Havelock Place, Queensbury House and Hastings College). Any addition to this building, given the scale of local development and the topography of Hastings, is likely to be noticeable.

In the context of this area, being noticeable means that there is a likelihood of heritage assets being impacted by development. In this instance the site is located within the Hastings Town Centre Conservation Area (HTCCA), to the west lies White Rock Conservation Area (WRCA), opposite the site is Cornwallis Gardens Conservation Area (CGCA) and further to the east is the Old Town Conservation Area (OTCA). The Old Town and the Town Centre are dominated by Hastings Castle, which is a scheduled ancient monument, and there are some views of the castle where the Observer Building sits in the foreground.

The application site is also considered to fall within the setting of a number of listed buildings, including:

- Holy Trinity Church (Grade II*)
- The Brassey Institute (Grade II)
- 13 Claremont (Grade II)
- 40-41 White Rock (Grade II)
- United Reform Church (Grade II)
- Palace Court (Grade II)
- Memorial Art Gallery (Grade II)

Significance of heritage assets

In order to understand any impact on the identified heritage assets it is important to understand their significance and what contributes to their special character.

The HTCCA, after the Old Town, is the historical core of Hastings. Its character is centred on its history which is derived from the development of Hastings as a successful, Victorian seaside resort. This success led to rapid expansion and a large quantum of development with a high degree of architectural integrity. This is evidenced by the general consistency in scale and heights, plot sizes, use of materials and ornamental detailing of buildings in the area.

The area is laid out so streets radiate outwards like spokes from the former Albert Memorial clocktower (Havelock Road) and then distinctive listed buildings, such as Holy Trinity Church

and the Brassey Institute, with their individual roof forms, provide focal points and terminate views along these streets.

The collective built form of the HTCCA is otherwise drawn from the dynamic topography of the Hastings area. Hastings lies beyond a ridge of the High Weald and subsequently cascades to the coast. There are also a number of valleys, for example those created by the Bourne and Priory Stream watercourses (creating the East and West Hills), which add to this interesting landscape. The HTCCA sits within one of these valleys and the scale of the development responds accordingly. These changes in land levels also create a number of important views and vistas around the town which add to how the character of the HTCCA is experienced.

The surrounding conservation areas have their own special character but they are unified by the way they collectively respond to the changing topography creating interesting views through and across the HTCCA which sits within a valley floor. This all adds to a unique and strong sense of place.

Surveying the central conservation areas is Hastings Castle, a scheduled ancient monument which sits proudly atop the West Hill area. Not only is the character of the HTCCA informed by the dominance of the castle but the setting of the castle is wide-reaching given the extent of views that can be obtained from as far as Falaise Gardens, Magdalen Road and Norman Road in St Leonards.

As mentioned, there are also a number of listed buildings located close to the application site or likely to be impacted by the proposed development. Of particular importance are Holy Trinity Church and the Brassey Institute which, aside from their unique architecture, have interesting roofscapes that stand out due to their height and scale. These buildings are focal points along street views and, although their special character is drawn from their history and bespoke designs, their interest also lies in the way their roofs sit above surrounding development, prominent in the foreground of views towards the sky. This adds to the interest of these buildings and is an important part of their setting.

Impact on significance

There is a long planning history related to this site much of which consists of pressure, either as new build redevelopment or extensions, to increase the height and/or capacity of the site. It is acknowledged that the existing building is not characteristic of the HTCCA but, nonetheless, the building principally because of its frontage contributes to local character. Additions to the building, even though it is already comparatively tall, carry the risk of creating a scale of development incompatible with its surrounding as well as harming the integrity of the existing building.

It was considered that the previous application, HS/FA/15/01042, which was for a five-storey roof addition, would have created substantial harm to a number of the town's heritage assets. Its scale, massing, use of materials, roof top structures and garden area were considered to be out-of-keeping with the design of the existing building and would have appeared as an incongruous, strange element in longer views. This would have harmed the existing character of the building and impacted negatively on the setting of the conservation areas, listed buildings and Hastings Castle.

The initial scheme submitted with this new application, whilst different, hadn't significantly overcome many of these previous concerns. Although the proposal had been reduced to three additional storeys, the pavilion buildings and garden area remained, and the overall scale and height of the scheme hadn't been significantly reduced. This was because the floor heights of the proposed extension had been increased even though the number of floors had decreased.

Following discussions with the local authority and Historic England the applicant agreed to revise the scheme further and the current proposal includes three storeys, as two full storeys and recessed top floor. It is 5m lower than the initially submitted scheme.

These changes have significantly improved the scheme. Other changes, like the use of materials and form of the extension, are much more contextual and complementary to the host building's industrial character. The varied design of the extension also helps to lessen its impact.

It is accepted that the applicant has worked hard to address the concerns that have been raised, and as such the proposed development would have a much better relationship with the existing building and the surrounding townscape. However, although the reduction in the height of the extension will lessen its impact, the height and massing of the extension will create a visible structure that will cause some harm. Views of Hastings Castle, particularly from the west will be blocked, the extension will still sit within the background of key listed buildings (i.e. Holy Trinity Church, the Brassey Institute and Palace Court) whose character is drawn from their interesting roof forms sitting against the sky, and the development will be noticeable in a number of views, vista and panoramas around the town due to its changing topography.

Although the scale of the building is still considered to cause some harm, the amount of development has been reduced to a minimum. This has been agreed by the District Valuer Service (DVS) who confirm that, at a 20% developer profit, the conversion of the existing building would not be viable nor would a lesser amount of development. The DVS consider that the proposed scheme is also not viable, but, given that Historic England have made it categorically clear that any increase in the height of the extension would not be acceptable, it is considered that the applicant has sufficiently demonstrated that harm cannot be further minimised.

As the harm to local heritage assets has been reduced to a minimum level, as mentioned by both Historic England and the Conservation Officer, it is appropriate, in the context of paragraph 134 of the NPPF, to weigh the harm against the benefits of the scheme. The following sections, therefore, explain the other planning aspects of the scheme with the balance of the harm against benefits being revisited and considered at the end (section 8).

c) Impact on the character of the local area

This proposal includes 50 flats, artist studio space, restaurant and a retail area. The impact of its design is considered above in relation to local heritage but the proposed uses are otherwise considered to be generally acceptable and will not impact negatively on the local character of the area.

Policy HTC3 seeks a mixed use for the site and this proposal includes residential, commercial and cultural uses and all are consistent with the general character of this area where the town centre shopping area transitions into the residential areas of White Rock, Bohemia and Cornwallis Gardens.

The retail and restaurant use on the ground floor will add interest and activity at street level, which is essential in this periphery location to maintain vitality and vibrancy, and the artist studio uses will add to the cultural opportunities in the town which are promoted by policy CQ1.

The building being brought back into use after such a long period of inactivity (notwithstanding the short lived temporary uses last year) has inevitably resulted in concerns, especially with regard to traffic generation and parking. Although the highway safety implications of this are discussed below, it can otherwise be concluded that the building is within a very sustainable location and the proposal will not significantly intensify uses in the area over and above that which already exist in this town centre location. Cambridge Road is one of the main thoroughfares into town, there is a large concentration of retail and other town centre uses close by and there are a high proportion of residential uses. The proposed uses are considered compatible with the surrounding area, and the long awaited reuse of the building will potentially encourage regeneration to help achieve positive changes in the area.

The proposed uses and the relationship with the surrounding area is not considered to conflict with policies FA2, FA3, SC1 and DM1.

d) Quality of proposed accommodation

The proposed development includes 50 residential flats as a mixture of 1, 2 and 3 bedrooms. The majority of the proposed units exceed the minimum floorspace standards as set out in the *Technical housing standards – nationally described space standard* which supersede the requirements of policy DM3. Of the 50 units proposed it is considered that 6 of the units fall below the minimum standard. Four of these units fall below by approximately 10sqm and two units fall below by approximately 5sqm. A shortfall does not mean that a development is unacceptable, however, consideration needs to be given to the quality of the accommodation that may otherwise be created and whether a shortfall is acceptable in the context of the whole scheme. In this instance:

- the number of units falling short of the minimum floorspace guidelines as a proportion of the total is low (12%);
- although the units fall below the recommended minimum, the identified shortfall is based on the properties being considered two-person one-bedroom properties. Were the properties considered one-person units, which they could be as the size of the bedrooms are only just large enough to be considered suitable for two persons, the flats would not be below the recommended standard;
- the layout of the flats is not contrived and the existing building has been subdivided in a logical way with useable bedroom and living space;
- the scheme includes a dedicated communal storage area on the lower mezzanine floor which could compensate for any short fall of space in the proposed flats;
- the proposal includes a gym for residents to encourage a healthy and active lifestyle; and
- the proposed development is in a sustainable location with very good access to shops, services, transport links and recreational opportunities.

Given the above it is not considered that the smaller units would result in a poor accommodation.

The applicant was also asked to consider the quality of the accommodation in terms of access to daylight. This was requested as some of the properties on the east side of the building are single aspect and would face on to the narrow alleyway behind Claremont.

The applicant has confirmed that of the 25 rooms on the lower floors - the lower floors being lower ground, ground and first floor where windows would sit below the buildings on Claremont - that 23 out of the 25 rooms would achieve an Average Daylight Factor (ADF) that meets the requirements of the BRE sunlight and daylight standards. ADF being a measure of how rooms are naturally lit. The two that fall short are living room/kitchen/diner areas which would fall marginally below the requirement of 1.5% (achieving 1.37% and 1.3%). The rooms would therefore still achieve some daylight and would likely not be too different to some of the existing properties that back on to the Claremont alleyway or within other tightly knit buildings. Overall 97% of the scheme would meet the minimum ADF requirement.

The applicant also tested for Daylight Distribution, essentially a measure of sky visibility. All rooms achieved some access and the majority - 19 of 25 lower floor rooms - exceeded the minimum BRE level of 80%. The fact that some rooms have limited sky visibility is not ideal but the applicant rightly concludes that the majority rooms are otherwise adequately lit achieving appropriate ADF values. The scheme overall achieves 95% DD above the BRE minimum. Given the position of the building there is little that can be done to improve light levels. The proposal is also comparable with other nearby properties in terms light and outlook and similar layouts have been accepted in the previously approved Observer Building schemes. Because of this, it is not considered that the units that have reduced access to daylight is sufficient enough reason to refuse the proposed development.

Taking all of the above into account it is considered that the proposed development will provide an adequate or, in most instances, a very good standard of accommodation.

e) Impact on neighbouring residential amenities

The proposed development will increase the size of the building on the site substantially. Some of the existing development located immediately adjacent to the site or in close proximity is much smaller, as little as two storeys tall, and as such contrasts sharply not only with the proposed development but also the existing building. Given the proposed changes a number of properties are likely to be impacted and the most significant impacts are likely to include those on Cambridge Road, Prospect Place, Claremont, Northholt Place, Dorset Place and Priory House.

The main consideration in terms of neighbouring amenities is noise, the impact on sunlight and daylight and any feeling of oppressions from the substantial increase in size. Concerns regarding matters such as privacy and overlooking have been discounted on the basis that existing building is tall and includes windows in all four elevations so there is already a high level of overlooking. This relationship is typical of a dense town centre location and the additional stories will not significantly alter this situation.

In order to explain the impact on neighbouring properties the applicant has submitted a daylight and sunlight report. There have been a number of objections to this report on the basis of its accuracy and references (or lack thereof) to certain properties. It is accepted that the report is lacking in some respects (e.g. some of the windows are not in their true locations and some properties were missing), but, the applicant has updated the report on two separate occasions to correct these issues and it is considered unreasonable to expect a report of this nature to have precisely surveyed the dimensions of all the properties likely to be impacted by the development. The more important matter to consider is the applicant's approach to assessing potential impacts, and in this respect it is clear that the applicant has focused their attentions over an appropriate area, it is clear that assessed buildings are in their correct locations and the general impact of development on existing residential properties can be understood.

The submitted report concludes "that the proposed development of The Observer Building would have a limited effect on the daylight and sunlight amenity received to the neighbouring

properties when assessed in accordance with the guidelines given in Hastings Borough Council's saved policies in the Local Plan and more specifically, with the guidelines set-out in BRE Report. Analysis shows that the majority of windows to the neighbouring properties will be compliant with the daylight and sunlight guidance given in the BRE Report. Where transgressions of the guidance occur, the majority of windows retain levels that are consistent with the levels normally seen in town centre locations."

One could argue that the 'transgressions' are not acceptable; however, the submitted documents explain that the majority of windows meet acceptable levels and those that don't still receive a degree of daylight. Some of the largest losses also relate to non-residential buildings, such as Hastings Library, where loss of natural daylight is not usually considered to be detrimental. In the context of this proposal, which offers the opportunity for a long disused building to be regenerated, the small degree of daylight reduction to some properties or rooms is considered to be acceptable.

Aside from matters relating to daylight and sunlight the impact of the increased scale of the development has been considered. This is a difficult matter to address as the perception of a building's dominance can change from one person to another. In this instance the additions are acceptable for the following reasons:

- The properties on Claremont and Prospect Place, for example, are already so close to the building that the additional vertical emphasis that the extension would provide is unlikely to be too discernible.
- As one moves further away the impact of the additions would be lessened by distance and slight obscurity from existing buildings.
- Although a three-storey extension is proposed, the top floor is inset so the mass of the proposal is reduced which further reduces the impact of the extension on its surroundings.

Lastly, an additional noise report the Council's Environmental Health Officer considers that noise from mechanical plant would be low but that further information in relation to sound attenuation will be required. The submitted information suggests that harm would be low but the further information can be requested by condition.

f) Highway safety and parking

The applicant proposes no on-site parking for privately owned cars, however, the Local Highway Authority (LHA) do not raise an objection to this stating:

"...the site is in a sustainable location in close proximity of employment and leisure opportunities with very good access to public transport. With this in mind the need to travel via privately owned car is lessened and the parking demands generated by the site will be lower. Despite this some users of the facilities proposed will drive to the site whilst some residents are still likely to be car owners and it is acknowledged that this could have an impact on parking pressures on the surrounding highway network; however, given the central location on street parking is controlled by permits and/or pay and display so residents and visitors will be unable to park in the immediate vicinity of the site without first purchasing a ticket or gaining a permit for longer stay. Resident permits can be obtained; however, parking Zone B (where the Observer building is) has a ratio of 1.42 whilst zone C is currently at 1.26. It should be noted that parking permits are no longer made available once a ratio of 1.5 is reached. With this in mind parking permits would currently be an option for residents to purchase; however, the availability is limited, especially in the immediate vicinity of the site, whilst it should also be noted that owning a permit does not guarantee a parking space.

The parking demands associated with the proposal could also be satisfied to some extent by making use of public car parks in the area. A number of these car parks are located in close

proximity to the site; however, it is acknowledged that for residents this not ideal from a convenience perspective whilst annual season passes are also relatively expensive.

Although no on-site parking for privately owned vehicles will be provided spaces will be available for five electric vehicles and these can be leased by residents wishing to travel by car.

Fifty covered and secure cycle storage spaces along with four motorcycle parking bays will also be provided in the basement area.

To conclude, the lack of on-site parking is less than ideal, specifically for the residential element of the proposal; however, taking into account the highly accessible location of the site a recommendation for refusal on these grounds could not be justified. It is also noted that in the past this site has had planning consent for office, residential and retail uses and in most instances there has been no requirement to provide on-site parking due to the accessible location of the site. These previous uses and their associated parking demands must also be taken into account when assessing the likely impact of this proposal."

In order to monitor the communal parking arrangement and to promote other sustainable travel measures the applicant has submitted a Travel Plan framework. The LHA state that the plan covers the main requirements but that a final version, including additional information and audit fee should be secured by s106. There is no s106 in place at present, so, the recommendation is for the application to be approved subject to completion of the legal agreement.

With regard to highway safety the LHA states that "a significant number of injury collisions have occurred on roads in the vicinity of the site and in particular at the Cambridge Road/Cornwallis Gardens/Prospect Place junction. This junction suffers from constrained visibility for pedestrians and there is a lack crossing facilities."

To resolve these issues the applicant proposed a new crossing and crossing improvements. Following some initial comments by the LHA about the proposed improvements to address the potential vehicle and pedestrian safety issues, the applicant entered into a dialogue with the LHA. Whilst no final scheme has been approved it has been agreed that a suitably worded Grampian style condition to finalise and secure the off-site road improvement would be appropriate.

The LHA otherwise confirm that the access and refuse collection arrangements for the development are acceptable.

A large number of the objections to this application relate to parking and highway safety but aside from anecdotal references there is no material evidence provided to outweigh the opinion of the LHA.

Considering the above, subject to suitable conditions, the proposed development is not considered to create harm with regard to highway safety and includes suitable travel options. The development does not conflict with policies DM3 and T3.

g) 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 will not give rise to ground or surface water pollutions and conditions are attached which require details of surface and foul water drainage. The development is therefore in accordance with Policy DM6 of the Hastings Development Management Plan (2015).

h) Ecology

Although a town centre building does not initially raise any concerns about harm to protected species the applicant's initial ecology survey flagged up potential for bats and recommended a further bat survey be undertaken. The bat survey has confirmed that bats are not present in the building. However, as part of the building has medium potential for winter hibernating bats the report recommends that an inspection is carried out prior to works being undertaken avoid disturbance to bats. The Ecology Officer agrees with this recommendation and has suggested an appropriate condition.

i) Affordable Housing and other contributions

As part of demonstrating that the proposal is the minimum amount of development necessary to reduce harm to heritage assets the developer has shown that there is no money available for development contributions including affordable housing. Therefore no contributions are sought.

j) Sustainable construction

The applicant has submitted a sustainability report and an energy strategy report. Both of these documents explain that the applicant has investigated how renewable energy, energy reduction and other sustainable practices can be incorporated into the development. However, the documents read as feasibility studies and neither commit the applicant to any one solution. The documents do show that carbon reduction and climate adaptation measures can be introduced and a condition securing the final details of these measures is recommended.

j) Other

Neither Southern Water nor the Lead Local Flood Authority (LLFA) have raised objections to the proposed development in terms of drainage. Southern Water confirm there is sufficient capacity for foul drainage but state additional infrastructure is required to meet surface water flows.

The LLFA state that the scheme is acceptable in principle and that they would like to see the rainwater harvesting and green roof should be brought forward into the detailed design. They also require a condition about the maintenance and management of the drainage system. The green roof is no longer part of the proposal but the provision of rainwater harvesting could still be considered. These matters as well as the Southern Water comments can be dealt with by condition.

The application is accompanied by structural stability assessment. The report highlights the building's problems with deterioration, mainly due to water ingress, but suggests this can be rectified. The report otherwise concludes that the building is capable of accommodating between 4 to 7 additional storeys. No objection from Building Control has been raised and, although concerns about stability have been mentioned by objectors, no material evidence to contradict the conclusions of the submitted report has been submitted. The proposed development is therefore considered acceptable in terms of stability.

The application is accompanied by an appropriate phase 1 land contamination report. The Environmental Health Officer notes the references in the submitted report to the former printing works and the potential risk from vapours. A condition for a phase 2 report is therefore recommended.

Although not required the application has been accompanied by a wind study to explain the impact of the proposed extension on the microclimate of the area. The study concludes that there will be no serious impact upon wind speeds experienced at pedestrian level. This is considered acceptable.

6. Local Finance Considerations

As discussed above the developer is required to make a payment of £6,500 towards the monitoring of the required Travel Plan. This is considered to be the only Local Finance Considerations that are material to the application.

7. Evidence of Community Involvement

The application is accompanied by a report on community involvement. Although the inclusion of the report with the application has been criticised by those that produced it, the report does highlight that members of the public have been consulted on the most appropriate use of the building and options for its redevelopment. The applicant considers that they have taken these into account in determining the application.

8. Conclusion

It has been identified above that proposed development will result in less than substantial harm to heritage assets. Although the harm has been deemed less than substantial by both the Conservation Officer and Historic England, there should be no doubt that the impact on some assets, like the Hastings Town Centre Conservation Area and some listed buildings, is significant. As this harm has been identified, in accordance with policies EN1 and DM1 and paragraph 134 of the NPPF, the public benefits of the proposal need to be weighed against the harm. In this respect the proposal:

- includes the reuse of a long derelict building that is of significant local interest (as stated by Historic England, the Conservation Officer, and the draft Hastings Central Conservation Area Appraisal);
- includes the restoration of the existing facade which is attractive and highlighted as one of the building's key components;
- includes residential units which will help the Council achieve its housing targets;
- includes commercial and cultural uses which will help encourage the revitalisation of this section of the town centre (as supported by policies FA3, CQ1 and HTC3) and support wider regeneration; and
- potentially includes an array of green design and climate change adaptation measures.

Collectively these benefits are not insignificant and are considered to outweigh the harm identified to heritage assets. The proposal is otherwise considered to be acceptable in terms of other planning matters, including, impacts on local character, impacts on neighbours, quality of accommodation and highways impacts. The proposal is therefore otherwise considered to 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.

9. Recommendation

- **That the Planning Services Manager be authorised to issue planning permission upon completion of a S106 Agreement to secure a Travel Plan and Travel Plan audit fee. In the event that the Agreement is not completed by 14 June 2018 that permission be refused on the grounds that the application does not comply with policies T3 and T4 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.**

A) Subject to A) above:

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:

A-0001G, 0002G, 1001F, 1002F, 1003F, 1004F, 1005F, 1006F, 1007F, 1008F, 2001F, 2002F, 2003H, 2004F, 3001F, 3002F, 1101H, 1102H, 1103H, 1104H, 1105H, 1106H, 1107H, 1108H, 1109H, 1110H, 1112H, 2101H, 2102H, 2103H, 2104H, 3101H and 3102H
3. Before they are installed full joinery details (1:10 elevations and 1:2 or full size horizontal and vertical cross sections) or, alternatively, sample units of all new and replacement windows and doors 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.
4. No development of the extension hereby approved or replacement of materials on the existing building shall take place until samples (in the form of sample board(s) measuring at least 1m x 1m) of the materials to be used in the construction of the external surfaces of the extension or the existing building have been made available on site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. The samples required by condition 4 above shall include options for the tile

cladding of the extension with the agreed tile being approved in writing by the Local Planning Authority. The sample panel of the agreed tile shall show how the tiles will be fixed and how they will be configured at window reveals and at the corners of the building. The development shall be carried out in accordance with the agreed details.

6. Before the development hereby approved is brought into use the existing faience tiles to the front elevation of the building shall be restored. Before this restoration is begun a full schedule of works covering the tile repairs and any related structural works needed to secure the tiles in place shall be submitted to and approved in writing by the local planning authority for approval. The works shall be carried out in accordance with the approved schedule of works and completed prior to the building being brought into use.
7. At any time prior to or during the restoration, as approved under condition 6 above, it should become necessary to replace any of the existing faience tiles on the building frontage then, before such replacement, samples of the proposed replacement tiles shall be submitted to and approved in writing by the Local Planning Authority. The replacement shall be carried out in accordance with the approved details.
8. Prior to the commencement of development, including any internal alterations to facilitate the conversion of the existing building, a Traffic Management Scheme shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the 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 traffic flow times). The development shall be carried out in accordance with the approved scheme.
9. The development shall not be brought into use until cycle 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 cycles.
10. The development shall not be brought into use until parking areas for the electric vehicles 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 electric vehicles.
11. No development shall take place until there has been submitted to and approved by the Local Planning Authority schemes for the construction of a controlled crossing on Cambridge Road and improved crossing points on Cornwallis Gardens. Such scheme shall provide for the timing of the works in relation to the implementing of the development, and shall be implemented in accordance with such timing before the approved development is brought into use.
12. **B)** Prior to the commencement of development a remediation scheme relating to contamination including suitable monitoring and verification methodologies shall be submitted to and agreed in writing by the Local

Planning Authority.

- i) The remediation scheme, as agreed by the Local Planning Authority, shall be fully implemented before the development is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. The remediation scheme is to include considerations and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.
 - ii) On completion of the works the developer shall provide written confirmation that all works were completed in accordance with the agreed details.
13. Prior to the commencement of development, including any works to facilitate the conversion of the existing building, a detailed sound attenuation assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include measures to attenuate noise as necessary. The development shall be carried out in accordance with the approved details.
14. No activities that could result in disturbance to bats (such as internal works, demolition, roof stripping, excavations, building works or associated operations) shall be carried out between the dates of 01 December and 01 April in any year. Any works undertaken during the specified periods should only be carried out under the direction of a licensed bat ecologist to ensure that an offence is not committed.
15. The retail and restaurant premises hereby approved shall not be used except between the following hours:-

7am to 11pm Monday - Saturday,
7am to 10pm Sunday and Bank Holidays.
16.
 - iii) 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.
 - (i) Development shall be carried out in accordance with the details approved under (i) and the development shall not be brought into use until those works have been completed.
 - (iii) The building shall not be brought into use 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. No development shall commence until 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 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

18. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband.
19. Before the development hereby approved is commenced a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include hours of building work, measures to control noise, dust and other potential sources of pollution relating to construction. The development shall be carried out in accordance with the approved plan.
20. (ii) No development shall commence on site until a local labour strategy has been submitted to and approved in writing by the local planning authority.
 - i) The strategy approved by the local planning authority under part (i) shall be implemented in its entirety and distributed to all contractors, sub-contractors, agents and employers engaged in the construction of the development.
 - ii) Within three months of development commencing and quarterly thereafter until the development is complete, evidence shall be submitted to demonstrate compliance with the approved strategy and monitoring information submitted to the local planning authority in writing, giving the social and demographic information of all contractors, sub-contractors, agents and employers engaged to undertake the construction of the development.

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 character and amenity of the Hastings Town Centre Conservation Area.
4. In the interests of the character and amenity of the Hastings Town Centre Conservation Area.
5. In the interests of the character and amenity of the Hastings Town Centre Conservation Area.
6. In the interests of the character and amenity of the Hastings Town Centre Conservation Area.
7. In the interests of the character and amenity of the Hastings Town Centre Conservation Area.

8. In the interests of highway safety and for the benefit and convenience of the public at large.
9. In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.
10. In order that the development site is accessible by non-private car modes and to meet the objectives of sustainable development.
11. In the interests of highway safety and for the benefit and convenience of the public at large.
12. To protect those redeveloping the site and any future occupants from potential contamination.
13. In the interests of the amenity of the future occupants and neighbouring residential occupiers.
14. To protect features of recognised nature conservation importance.
15. In the interests of the amenity of the neighbouring residential occupiers.
16. To prevent increased risk of flooding.
17. To ensure the development complies with policies SC3 and SC4 of the Hastings Local Plan: The Hastings Planning Strategy.
18. In order that the development complies with policy SC1 of the Hastings Local Plan: The Hastings Planning Strategy.
19. In the interests of the amenity of the neighbouring residential occupiers.
20. In order that the development complies with the requirements of policy E2 of the Hastings Local Plan: The Hastings Planning Strategy.

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 applicant is advised that they must ensure the proposed works, hereby approved, do not contravene laws protecting wildlife including the Countryside and Wildlife Act 1981. Where the applicant is in doubt they should contact

Natural England on wildlife@naturalengland.org.uk Telephone 020 802 61089 or Environment and Natural Resources on parks@hastings.gov.uk Telephone 01424 451107 prior to commencement of any works.

4. Consideration should be given to the provision of a domestic sprinkler system.
5. Your attention is drawn to the requirements of the Party Wall etc. Act 1996.
6. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
7. A formal application for connection to the public foul sewerage system is required in order to service this development, 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.
8. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: developerservices@southernwater.co.uk in to order to progress the required infrastructure.
9. A formal application for connection to the water supply is required in order to service this development. 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.

Officer to Contact

Mr S Batchelor, Telephone 01424 783254

Background Papers

Application No: HS/FA/16/00367 including all letters and documents