

Planning Committee Agenda

Wednesday, 18 June 2014 at 6.00 pm

Town Hall, Queens Road, Hastings, TN34 1QR

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

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PLANNING COMMITTEE 14 MAY 2014

Present: Councillors Corello, Daniel (in the Chair), Dowling, Finch, Martin, Roberts, Rogers, Scott, Street and Wincott)

81. DECLARATIONS OF INTEREST

The following Councillors declared their interests in the minutes as indicated:

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Daniel	84 – 25-29 Ashburnham Road	Personal – Chair of Planning Committee at ESCC which deals with objections to traffic orders
Martin	83 – Station Plaza, Devonshire Road	Prejudicial – Lives in close proximity to the site.
Martin	84 – 25-29 Ashburnham Road	Personal – Knows one of the petitioners
Scott	84 – 25-29 Ashburnham Road	Personal – East Sussex County Councillor in respect of Highways
Wincott	84 – 25-29 Ashburnham Road	Personal – In members of Housing Greenway Employer wants to give supportive quote.

82. MINUTES

RESOLVED – That the minutes of the meeting held on 23 April 2014 be approved and signed by the Chair as a true record.

83. STATION PLAZA, DEVONSHIRE ROAD

Proposal:	Erection of a 7 storey building comprising 223 student rooms, 11 of which will be wheelchair accessible, and 1 staff/warden flat.
Application No:	HS/FA/14/00083
Existing Use:	Vacant Land with planning permission for residential development
Hastings Local Plan 2004	DG1, DG2, TC1
Conservation Area:	No

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National Planning Policy Framework	No Conflict
Hastings Planning Strategy	T3, T4, FA3
Development Management Plan	
Proposed Submission Version:	HTC1, HC2
Public Consultation:	12 letters of objection, 1 petition and 4 letters of support received

The Development Manager reported on a full planning application for the erection of a 7 storey building comprising 223 student rooms, 11 of which will be wheelchair accessible and 1 flat to be used by a staff/warden at the Station Plaza site, Devonshire Road, Hastings.

The site is located within the town centre and accessible by all forms of transport. The site forms part of the Station Plaza complex which comprises Sussex Coast College and the Primary Care Trust (PCT) walk in centre and pharmacy. The complex lies between Hastings Station, Devonshire Road and the railway line and South Terrace. The proposed building will sit immediately in front of the disused sidings of Hastings Station, between Sussex Coast College and South Terrace Bridge.

South Terrace bridge is set at a higher level than Station Plaza. Access for pedestrians and potentially cyclists is proposed to South Terrace Bridge. The proposed building is approximately 3 metres lower than the college due to the differing levels within the Station Plaza complex.

There are 2 no. car parks serving the college, PCT and application site located beneath podium (street) level. The car park to the application site is accessed separately from the College and PCT car park, alongside the rear of Devonshire Road properties.

A separate bike store and bin store are provided within the site, to the rear of Devonshire Road.

All flats can be accessed via a lift. Each study bedroom will have a bed, desk and en suite facility. The building will be constructed over an existing ground floor slab which was built under a previous permission for residential flats. A basement car park lies beneath the existing ground floor.

The Development Manager believed that that there was a need for purpose built student accommodation within the town to house the expanding university.

Planning permission was originally given for this site to be redeveloped as a residential development comprising 3 no. blocks of flats totaling 103 units. The footprint of the proposed halls of residence will replace the previously approved block of 76 flats immediately adjacent to the railway sidings at Hastings Station. A temporary landscaping scheme has been submitted with this application in order that the previously approved residential block of 27 flats are not compromised. Access to the halls of residence will be via this temporary landscaped square.

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The main issues considered were land use, design, highways and traffic, greenway/cycle route, evidence of community involvement.

Having taken into account all the relevant matters including comments and objections, the Development Manager recommended the application be approved subject to conditions.

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

Having declared her prejudicial interest Councillor Martin was absent from the Chamber during discussion and voting.

The petitioner, Mr Ingleton, was present and spoke against the application.

The applicant, Mr Conway, was present and spoke in support of the application.

Councillor Clark, Ward Councillor, was present and spoke in support of the application.

Due to an error in the report, the final version of the report was circulated to the committee in advance of the meeting. Also, the wording of the resolution was amended from "The Borough Planning Officer" to "The Development Manager".

Councillor Street moved the recommendation to approve the application subject to the further amendment of the resolution to include the wording "and to ensure the accommodation is used primarily for students" after the words "Greenway/Cycle Route", as set out below. This was seconded by Councillor Finch.

RESOLVED – (unanimously) that:

(A) That the Development Manager be authorized to issue planning permission on completion of an Agreement under Section 106 of the Town & Country Planning Act 1990 to secure the provision of a Travel Plan and the retention of part of the land to the rear and front of the building for the Greenway/Cycle Route and to ensure the accommodation is used primarily for students.

(B) Subject to (A) above 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. 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

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No working on Sundays or Public Holidays.

- 3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details;**
- 4. (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority;**
(ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the rooms hereby approved shall occur until those works have been completed;
(iii) No occupation of any of the rooms 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;
- 5. The building shall not be occupied until readily accessible external storage space for refuse bins awaiting collection have been provided to the satisfaction of the Local Planning Authority;**
- 6. The development hereby permitted shall be carried out in accordance with the following approved plans:**

1113-PP-300C; 2413_GAD_101001A; 02A; 11A; 2413_GAD_121000A; 01A; 02A; 03A; 2413_GAD_141001A; 02A; 03A; 11A; 12A; 2413_GAD_1810001B; 2413_SKE_0012B
- 7. 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;**
- 8. No development shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; vehicle and pedestrian access and circulation areas; hard surfacing materials, including the material for the surfacing**

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of areas shown as "lightweight artificial grass-finish to be confirmed" on drawing 1113_PP_3000 ; minor artefacts and structures (eg furniture, refuse or other storage units, signs lighting etc); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc);

9. 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;
10. No development shall take place until full details of all boundary fences, walls or enclosures have been submitted to and approved in writing by the Local Planning Authority;
11. Prior to the occupation of the building a scheme for the provision of cycle parking and the management of the car park, including allocation of spaces, shall be submitted to the Local Planning authority and approved in writing;
12. A lighting scheme for the development shall be submitted to the local planning authority and upon approval in writing shall be implemented to the satisfaction of the local planning authority prior to the occupation of the building; and
13. No development to be commenced on site until a Construction Management Plan setting out mitigation measures to protect against disruption caused during construction has been submitted to and approved in writing by the local planning authority.

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 area;
4. To ensure that no property is occupied until adequate drainage facilities have been provided;
5. To ensure a satisfactory standard of development;
6. For the avoidance of doubt and in the interests of proper planning;
7. In the interests of the visual amenity;

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- 8. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 9. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 10. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 11. To ensure a satisfactory standard of development;**
- 12. To ensure a satisfactory standard of development; and**
- 13. To safeguard the amenity of local 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. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) www.southernwater.co.uk**
- 3. 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;**
- 4. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended); and**
- 5. Consideration should be given to the provision of a domestic sprinkler system.**

78. 25-29 ASHBURNHAM ROAD

Proposal:	Alterations and conversion of the existing building to 12 apartments (7x1 bedroom and 5x2 bedroom)
Application No:	HS/FA/14/00201
Existing Use:	Care Home
Hastings Local Plan 2004	H4, DG1 and DG2

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Conservation Area:	Yes – Tillington Terrace
National Planning Policy Framework	Sections 4, 6 and 12
Hastings Planning Strategy	DS1, FA5, SC1, SC2, EN1, H1, H2, H3 and T3
Development Management Plan	
Proposed Submission Version:	LP1, DM1, DM3, DM4 and HN1
Public Consultation:	7 letters of objection and 1 petition received

The Development Manager reported on an application for alterations and conversion of a former Care Home to 12 self-contained apartments (7x1 bedroom and 5 x 2 bedroom) at 25-29 Ashburnham Road, Hastings.

The property formerly known as Kilncroft Care Home is a large detached part three-storey, part four-storey building. The site includes a split-level rear garden area and a small parking court to the front (2-3 spaces). It is situated close to the junction of Ashburnham Road with Godwin Road.

Situated within the Tillington Terrace Conservation Area, the predominant use of buildings in the area is residential and this includes a mixture of single dwelling house and purpose built and converted flatted developments.

This application follows refusal of planning permission HS/FA/13/00596 which was for the conversion of the building into 13 flats. By reducing the number of flats, the Development Manager considered the units would be of an acceptable size.

Having regard to the standard of accommodation proposed and unit mix; parking and highway safety; affordable housing and refuse storage areas, the Development Manager felt the applicant had overcome the previous reasons for refusal and that the proposal was acceptable. He therefore recommended that planning permission be granted subject to conditions.

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

An error was noted on page 33 of the agenda, the wording was amended from “the LHA is satisfied that there is sufficient on-street parking in the area to cater for the shortfall of ‘two’ car parking spaces required for this development”, to read ‘four’ car parking spaces.

The petitioner, Mr Bowman, was present and spoke against the application.

The applicant, Tracey Dixon, was present and spoke in support of the application.

Councillor Hodges, Ward Councillor, was present and spoke against the application.

Councillor Street proposed a motion to approve the application as set out in the

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resolution below. This was seconded by Councillor Rogers.

RESOLVED – (unanimously) that:-

(i) **The Development Manager be authorised to issue planning permission upon completion of an Agreement under Section 106 of the Town and Country Planning Act to ensure a financial contribution towards affordable housing.**

(ii) **Subject to (A) above grant 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:

2419 01, 03, 04, 05, 10A, 11A, 12 and 20; and existing elevations;**
- 3. Prior to the occupation of any flat hereby approved and notwithstanding that shown on the approved drawings listed in condition 2 above details of the proposed storage of refuse and details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage and cycle storage shall be provided prior to the occupation of any flat;**
- 4. The car parking spaces shown on the approved plan shall be provided prior to the occupation of the development hereby permitted and thereafter shall not be used for any purpose other than the parking of 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 ensure a satisfactory form of development in the interests of the character and amenity of the area and in order that the development site is accessible by non car modes and to meet the objectives of sustainable development; and**
- 4. To ensure an adequate level of off-street parking to serve the development.**

Notes to the Applicant

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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 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;**
5. **The proposal is a material change of use to which the Building Regulations 1991 apply and a building regulation submission is necessary before the change of use takes place; and**
6. **Consideration should be given to the provision of a domestic sprinkler system.**

85. PLANNING APPEALS AND DELEGATED DECISIONS

The Development Manager reported that no appeals had been received and no appeals had been allowed. One appeal had been dismissed. He also reported on a number of delegated decisions. All matters had arisen between 14 April 2014 to 1 May 2014.

RESOLVED – that the report be noted.

86. CHAIR

Councillor Daniel (Chair) expressed his thanks to officers for their hard work. Similarly, members of the Committee wished to thank the Chair for his contribution and hard work in his role and wished him well for the future.

(The Chair declared the meeting closed at 7.26pm)

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Agenda Item 5

AGENDA ITEM NO: 5 (a)

Report to: PLANNING COMMITTEE

Date: 18 June 2014

Report from: Development Manager

Application Address: Rocklands Private Caravan Park,
Rocklands Lane, Hastings, TN35 5DY

Proposal: Variation of condition 2 (approved plans) of
planning permission HS/FA/12/00952 -
Minor amendment showing change of
ground floor plan, additional & altered
window positions & extended balcony.
(Retrospective)

Application No: HS/FA/14/00406

Recommendation: Grant permission

Ward: OLD HASTINGS
File No: RO45100T
Applicant: Mr & Mrs Gilliard per Elevations Design Ltd
Junction House 1 Sedlescombe Road South
St Leonards on Sea, East Sussex. TN38 0TA

Interest: Freeholder
Existing Use: Holiday Park

Policies

Hastings Local Plan 2004: T7, L2, L3, DG1, DG3, C1, C6
Conservation Area: Yes - Old Town
National Planning Policy Framework: Sections 7, 11, 12
Hastings Planning Strategy: FA5, EN1, EN7
Hastings Local Plan, Development
Management Plan, Revised
Proposed Submission Version: DM1, DM3, DM4, HN1, HN4

Public Consultation

Adj. Properties: Yes
Advertisement: Yes - General Interest
Letters of Objection: 391 (at the time of writing this report)
Petitions Received: 1 (expected)
Letters of Support: 1

Application Status: Not Delegated -
More than 2 letters of objection received and referred
to committee by Cllr John Hodges

Summary

Planning permission HS/FA/12/00952 was granted subject to conditions on 13 February 2014 for the demolition of an existing holiday let and the replacement with a new holiday let of a contemporary design. This application is for a variation of Condition 2, which relates to the approved drawing numbers.

The applicant seeks to increase the ground floor area of bedroom 2, extend the balcony along the full depth of the south west elevation, extend the depth of the balcony to the south east and south west elevation and alterations to the fenestration. Works have commenced on site and this is a retrospective application.

The considerations to be taken into account are the aforementioned amendments, as the principle of the main building has already been established and approved. The main issue is the impact of the proposed amendments on the area and having taken into account all matters, the proposal is considered to be acceptable.

The Site and its Location

Rocklands Caravan Park is located on the south side of Rocklands Lane. The site is within the High Weald Area of Outstanding Natural Beauty (AONB) and also falls within an Archaeological Notification area. The site is adjacent to Hastings Country Park and to the Old Town Conservation Area. The land adjoining the site to the south-west and part of the application site's garden is within a Scheduled Monument.

The original holiday let bungalow has been demolished and the new building is partly constructed. It is sited in the south west corner of the holiday park and it is in a position with extensive views of the sea, Hastings Country Park and Ecclesbourne Glen. The rest of the holiday park is also visible from the adjacent open space and the nearby Shearburn Holiday Park can also be seen in the distance to the east. Due to the topography of the site, the land falls down towards the sea and the new building has been cut into the bank.

A significant amount of the screening in the vicinity of the building has been lost since building works commenced.

Details of the Proposal and Other Background Information

This retrospective application is for development that has been carried out and is not in accordance with the approved drawings.

The proposal is for a variation of Condition 2 of application HS/FA/12/00952, which relates to the drawing numbers. The applicant seeks to alter the size of the building and balconies and for alterations to the fenestration to the north east and south west elevations.

The drawing originally submitted did not clearly indicate the amendments. Revised drawings have been submitted and the amendments are now clearly indicated or highlighted.

Alterations to the previously approved scheme include the following amendments:

- The ground floor window to the south west elevation, serving bedroom 1 (master bedroom), is to be blocked up and a new window is to be installed at first floor level in the north east elevation.

- The recess to the south west elevation of the ground floor is to be squared off, infilling an area measuring 1105mm x 3400mm and enlarging bedroom 2. The previously approved French doors leading out onto a terraced area have now been replaced with a window and the terraced area deleted.
- The balcony to the south west elevation is to be extended by 3.4m, over the enlarged bedroom and it will meet the rear elevation corner. The balcony will now extend along the full depth of the south west elevation. The depth of the balconies to the south east and south west elevations is to be increased in depth from 2m to 2.9m.

Additional screening is to be planted to the north west of the building and to sections of the south west boundary.

Relevant Site History

- HS/CD/13/00792 Discharge of conditions 4 (colour of render) & 5 (screening) of application HS/FA/12/00952
Granted 21 January 2014
- HS/FA/12/00952 Proposed demolition of current holiday let and replacement of a new holiday let.
Granted 13 February 2013
- HS/FA/12/00471 Proposed demolition of current holiday let and replacement of a new holiday let.
Refused 19 July 2012
- HS/FA/11/00043 Removal of condition 2 from Planning Permission HS/FA/10/00492
Refused 16 March 2011
- HS/FA/10/00492 Roof Alterations to form first floor accommodation
Granted 05 October 2010
- HS/FA/08/00869 Replacement Holiday Dwelling
Refused 16 March 2009
- HS/FA/89/01067 Erection of extensions to existing bungalow
Refused 04 April 1991

Details of Consultations

At the time of writing this report there have been 391 individual objections, and a petition of objection is expected. This follows neighbour consultation, advertisement in the Hastings and St Leonards Observer and the display of a site notice.

The neighbours and objectors, up to the date of the revised drawings being submitted, were consulted on the revised drawings which showed the building as being constructed. At that time there were 25 objections.

The planning matters that have been commented on by objectors relate to the increased scale, bulk, prominence and appearance of the building, overlooking and the impact on the area.

Natural England advise they have no comment to make.

English Heritage state their specialist staff have considered the information received and they do not wish to offer any comments on this occasion.

The **High Weald AONB Unit** comment that the amendments to the balcony '*This application by extending the balcony and increasing the physical mass and obtrusiveness of the construction has materially changed the scale and impact of the development*' '*On balance I consider that the development will have a serious impact on people's enjoyment of the AONB special qualities and will not contribute to the conservation and enhancement of the natural beauty of the area*'.

East Sussex County Council Assistant County Archaeologist advise that they do not believe that any significant archaeological remains are likely to be affected.

The **Highway Authority** do not wish to comment on the application.

Waste and Streetscene Services do not object to the application.

Planning Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 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".

Policies T7, L2, L3, DG1, DG3, C1, C6 in the adopted Hastings Local Plan 2004, policies DM1, DM3, DM4, HN1, HN4 of the Development Management Plan Revised Proposed Submission Version and policies FA5, EN1 and EN7 of the Hastings Planning Strategy Proposed Submission Version are relevant, as are Sections 7, 11 and 12 of the National Planning Policy Framework.

Planning permission had previously been approved for a first floor extension to the original bungalow.

Planning permission has been granted for a new replacement holiday let building. The application under consideration is just for an increase in size of the south west corner by approximately 3.75 sq.m, larger balconies and for alterations to the fenestration.

The new building has planning permission and the impact on historic assets was considered at the time of the application.

As with the previously approved applications, one of the main issues of consideration for these amendments is the visual impact.

The scale and bulk of the constructed holiday let is not significantly larger than the previously approved building and the increase under consideration is minor.

The infill extension of the ground floor bedroom is minimal in size and, due to the remaining and proposed screening and the fact that the building is cut into the bank at this point, the alteration is not clearly visible from the adjacent open space.

The increase in length and depth of the balcony is such that there is no significant additional impact on the area and the design is in keeping with the main building. The glazed balustrade to the balcony will lessen its visual impact.

The alterations to the doors and windows to the side elevations are in keeping with the approved building and have no material impact on the caravan park or the adjacent open space.

Additional screening to the north west of the building and to areas of the south west boundary will reduce the visibility of the new building from the adjacent open space.

Conclusion

The increase in size is not significant. Therefore, the amendments to the previously approved scheme are not considered to have a material adverse impact on the area and a refusal cannot be justified.

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

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

Recommendation

Grant 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 building permitted by this planning permission shall be used as holiday accommodation only and shall not be occupied by any one person for more than 56 days in any one calendar year, and at no time shall be used as a dwelling house or sole living unit of any occupant.
3. Details of the planting scheme to the north west of the building and the south west boundary shall be submitted to and approved in writing by the Local Planning Authority within one month of the date of this decision. The details 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.
4. All planting seeding or turfing comprised in the approved soft landscaping scheme shall be carried out in accordance with the approved implementation programme, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of the building 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.

5. The screening details approved under Condition 5 of planning permission HS/FA/12/00952 to increase the screening effect of the hedges and trees that currently border the lawn adjacent to the site shall be carried out in accordance with the approved details.
6. The materials to be used in the construction of the external surfaces of the amendments hereby permitted shall match those used in the main building.
7. The development hereby permitted shall be carried out in accordance with the following approved plans:

11.396/06 A

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To accord with the terms of the application and to ensure protection of the amenity of the area where the establishment of a separate unit of accommodation would be unsustainable.
3. In the interests of the visual amenity.
4. In the interests of the visual amenity.
5. In the interests of the visual amenity.
6. To ensure that the finished alterations match the appearance of the main building.
7. 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. You are advised to contact English Heritage with regard to the need for scheduled monument consent for planting to the south and south-west of the building.

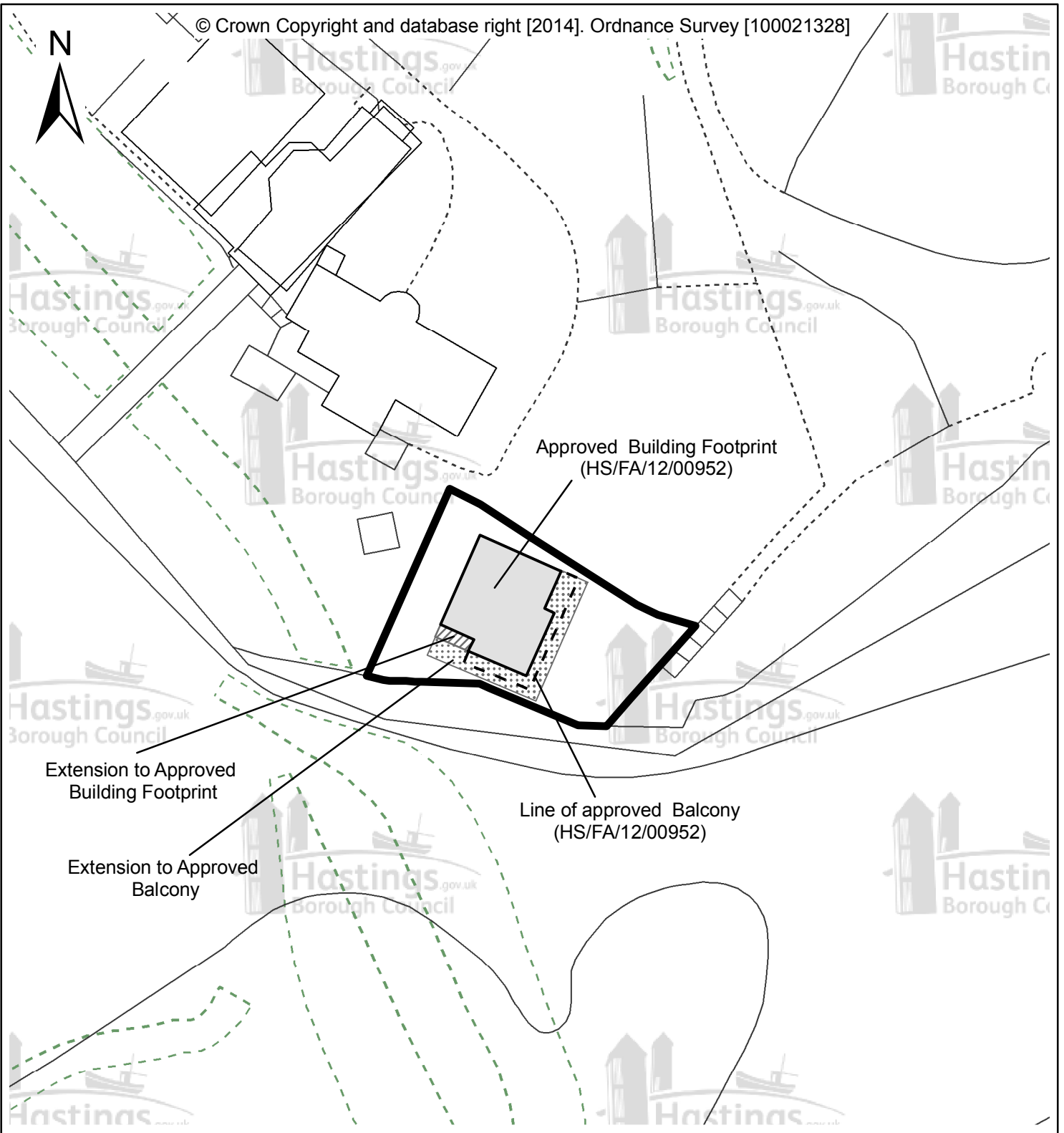
Officer to Contact

Mrs C Boydell, Telephone 01424 783298

Background Papers

Application No: HS/FA/14/00406 including all letters and documents

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Rocklands Private Caravan Park
Rocklands Lane
Hastings
TN35 5DY

Variation of condition 2 (approved plans) of planning permission HS/FA/12/00952 - Minor amendment showing change of ground floor plan, additional & altered window positions, & extended balcony. (Retrospective)



Development Manager,
 Hastings Borough Council,
 Aquila House, Breeds Place,
 Hastings, East Sussex TN34 3UY
 Tel: 01424 781090
 email: dcenquiries@hastings.gov.uk

Date: Jun 2014

Scale: 1:500

Application No. HS/FA/14/00406

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Report to: PLANNING COMMITTEE

Date: 18 June 2014

Report from: Development Manager

Application Address: Asda, Battle Road, St Leonards-on-sea,
TN37 7AA

Proposal: Use of part of existing car park for the
erection of a petrol station

Application No: HS/FA/14/00271

Recommendation: Grant permission

Ward: WISHING TREE

File No: BA90017V

Applicant: Asda Stores Ltd per RPS Planning &
Development Park House Greyfriars Road
Cardiff CF10 3AF

Interest: Freeholder

Existing Use: Supermarket - car park

Policies

Hastings Local Plan 2004: DG1 and DG2

Conservation Area: No

National Planning Policy Framework: No Conflict

Hastings Planning Strategy: SC1 and T3

Hastings Local Plan, Development
Management Plan, Revised

Proposed Submission Version: DM1, DM3 and DM4

Public Consultation

Adj. Properties: Yes

Advertisement: Yes - General Interest

Letters of Objection: 2

Petitions Received: 1

Application Status: Not delegated - Petition received

Summary

The application site relates to a western part of the Asda supermarket car park at Silverhill, St. Leonards-On-Sea. This is an application for the approval of a petrol station within the car park of the existing supermarket. The main issues are considered to be the impact on local traffic and neighbouring residents. No objections have been received from consultees, and although there have been objections from local residents and an existing nearby petrol station, the proposed development is not considered to adversely impact on highway safety or traffic flows and will not harm neighbouring residential amenities.

I recommend that planning permission be granted subject to conditions.

The Site and its Location

The application site relates to the Asda supermarket at Silverhill, St. Leonards-On-Sea. More specifically, the proposed development is located on the western boundary of the existing car park - one of the furthest points from the main entrance. In this location the site is surrounded by units on the adjacent industrial estate with the supermarket to the southeast. Residential properties can be found to the east.

Details of the Proposal and Other Background Information

This is an application for the approval of a petrol station within the car park of the existing supermarket.

Previous Site History

- HS/FA/13/00889 Hand car wash including a cabin and canopy proposed within the existing Asda car park
Granted subject to conditions 20 December 2013
- HS/FA/13/00368 Creation of a single storey grocery collection canopy within the customer car park
Granted subject to conditions 01 July 2013
- HS/FA/10/00418 Proposed additional car parking spaces
Granted subject to conditions 26 August 2010
- HS/FA/09/00284 Application for Asda retail store with associated customer restaurant, car parking, landscaping and highways works
Granted subject to conditions and a legal agreement 23 December 2009

Details of Consultations

The **Principal Environmental Health Officer (PEHO)** has raised no objection.

The **Health & Safety Executive** has raised no objection.

East Sussex Fire & Rescue has raised no objection.

The **Local Highway Authority (LHA)** has raised no objection. The LHA is satisfied that the transport statement provided by the applicant addresses the existing and proposed movement of traffic in the area and that there will be adverse impact on highway safety or traffic flow.

The **Hastings & Rother Building Control Partnership** has raised no objection.

A petition of objection (186 signatures) and two objections have been received. Concerns include:

- impact on the existing local petrol station;
- increase in traffic;

- noise and disturbance;
- impact on Silverhill shopping district; and
- pollution.

In response to the local petition of objection Asda have submitted a petition of support (300+ signatures). Reasons for support include comments that the petrol station is needed for the area and that it is a good idea.

Planning Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 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 main policies/guidance that apply are policies SC1 and T3 of the Hastings Local Plan: The Hastings Planning Strategy (HPS); policies DG1 and DG2 of the Hastings Local Plan 2004 (HLP); and policies DM1, DM3 and DM4 of the Hastings Local Plan: Development Management Plan (DMP). Others apply and are listed above. The main issues to consider are the impact of the development on traffic and highway safety and the impact on neighbouring residential amenities.

Traffic

The application has been accompanied by a Transport Statement which addresses the parking and highway related matters. The LHA stated the following:

"The loss of car parking, although regrettable, has been demonstrated by Trip Rates Information Computer System (TRICS) database interrogation and a car park survey over three days to not be considered serious enough to refuse this application as even with the removal of a number of spaces there will still be space capacity.

The Transport Statement which was undertaken by Cottee Transport Planners clearly sets out the information used to demonstrate that the proposal will lead to a minor increase in traffic as a percentage during the peak hour times on Friday, Saturday and Sunday. The increase in traffic is not considered to be too severe as to have a negative impact on the operation of the surrounding highway network. The evidence submitted has shown that large proportion of users of the filling station will already be visiting the store and of the remainder a number will be pass by trips with vehicles already on the highway network as part of a journey to another location."

Given the above assessment it can be concluded that the proposed development will not have such a significant impact on parking capacity or traffic flows so as to justify refusing the application. The objections to the development do not provide any evidence to conclude otherwise.

The proposal includes the use of a currently restricted access (for emergency use only) at the northwest corner of the site. The access is proposed to be used by fuel tankers. Given the access is to be restricted to this one vehicle type, which will arrive on a small number of occasions, the proposed use of this access is acceptable. A condition controlling this access arrangement is recommended.

Neighbouring residents

The proposed development is suitably distanced from neighbouring properties so as to have no adverse impact on their amenities. One particular issue - noise - has been addressed in the applicant's noise statement which shows there will be no significant increase in noise over and above the existing situation. The PEHO has raised no concerns about the noise statement and raises no objection to the development and any pollution or disturbance it might cause.

Considering these comments, the information submitted and the distance of the development from residential properties, the proposed development is not considered to cause any harm or significantly change the relationship of the site in respect of neighbouring amenities.

Other

The visible part of the development mostly consists of the petrol pumps, a control unit and the forecourt canopy. Given the location of the petrol station - which is not prominent within the streetscene - it will not have any adverse impact on the character and appearance of the area.

The proposed development is in close proximity to businesses on the industrial estate. One of these businesses makes bespoke contact lenses and there have been issues in the past - during the construction of the supermarket - with construction dust and particles affecting the manufacturing process quite significantly. With this in mind, a condition is recommended requiring a construction method statement to address the control of dust and particles during the construction of the petrol station.

The petition received against this proposal was instigated by the owners of the local BP petrol station and is concerned with the impact this new petrol station will have on the existing business. Competition between businesses is not a material planning consideration so this objection is not considered sufficient in order to refuse the scheme. The impact on the vitality and viability of the shopping area is a consideration and this new petrol station will only add to the existing offer and increase consumer choice. With this in mind, the proposed petrol station is considered a benefit to the local area.

These proposals comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004. I therefore recommend that the planning permission be granted subject to conditions.

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:

A1424/LE(PA)01 P1; A1424/LE(PA)02 P1; A1424/LE(PA)03 P1;
A1424/LE(PA)05 P1; A1424/LE(PA)06 P1; A1424/LE(PA)07 P1;
A1424/LE(PA)08 P1

3. Prior to the commencement of development a Construction 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 traffic flow times). The development shall be carried out in accordance with the approved scheme.
4. Prior to any forms of earthworks and/or excavations being 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 approved wheel washing arrangements shall be used for the duration of the earthworks and/or excavations.
5. Prior to the commencement of development a construction method statement shall be submitted to and approved in writing by the Local Planning Authority. The statement should include details of the control of dust and particles during construction and excavation. The development shall be carried out in accordance with the approved details.
6. The existing vehicular access adjacent to the northwest corner of the proposed store, and shown on drawing A1424/LE (PA)03 P1 hereby approved, shall be gated and secured, and only used in the event of an emergency, for vehicles delivering fuel to the petrol station and for refuse vehicles collecting recycling from the car park recycling centre.
7. 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. In the interests of highway safety and for the benefit and convenience of the public at large.
4. In the interests of highway safety and for the benefit and convenience of the public at large.
5. To ensure that nearby businesses with 'dust sensitive' manufacturing

processes are not adversely impacted by the development.

6. In order to ensure that the site is accessible, and to prevent additional access points causing nuisance to neighbouring properties and interfering with the operation of adjoining parking and circulation areas.
7. To safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4).

Notes to the Applicant

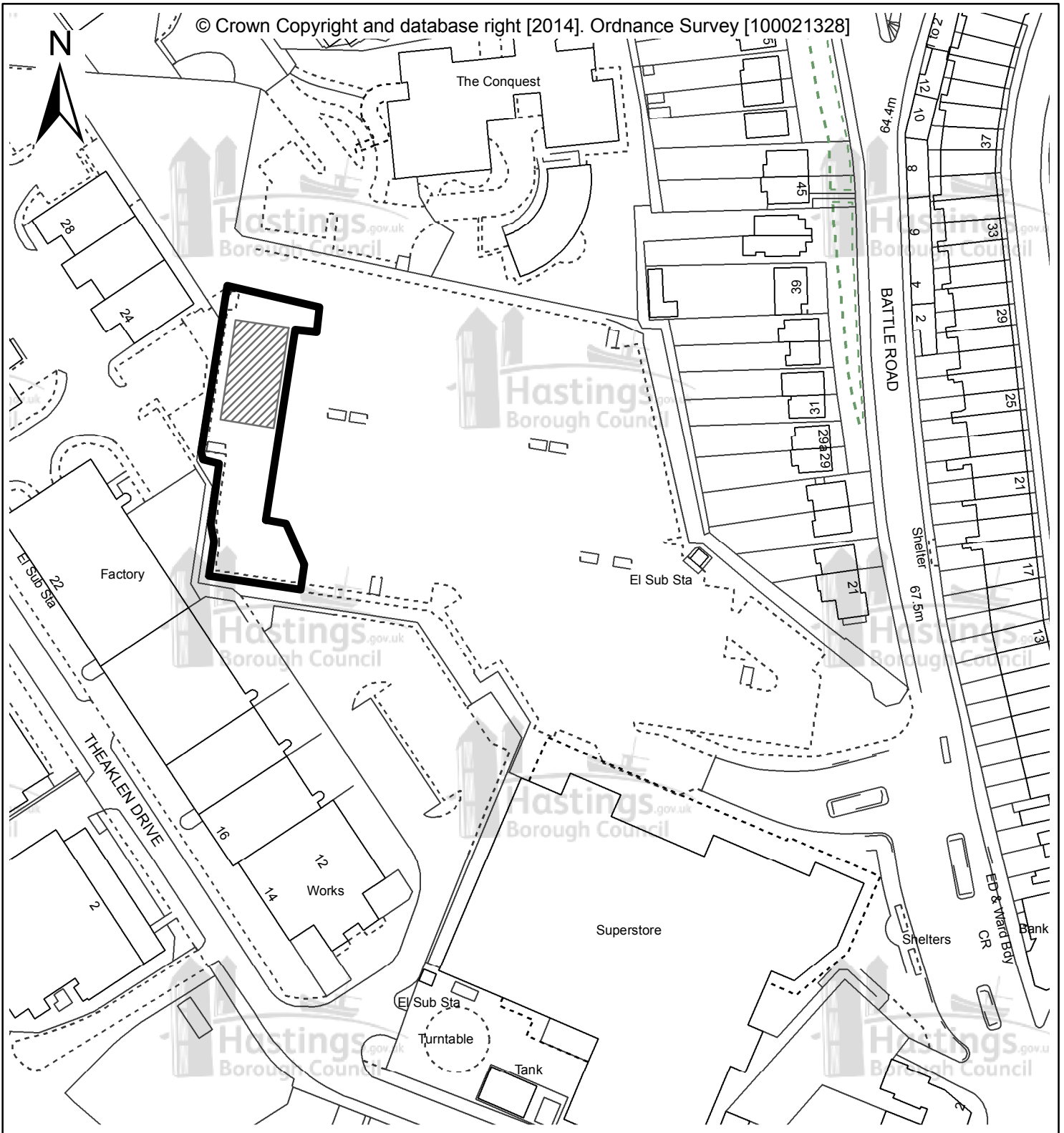
1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and pro-active manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Officer to Contact

Mr S Batchelor, Telephone 01424 783254

Background Papers

Application No: HS/FA/14/00271 including all letters and documents



**Asda
Battle Road
St Leonards-on-sea
TN37 7AA**

Use of part of existing car park for the erection of a petrol station



Development Manager,
Hastings Borough Council,
Aquila House, Breeds Place,
Hastings, East Sussex TN34 3UY
Tel: 01424 781090
email: dcenquiries@hastings.gov.uk

Date: Jun 2014

Scale: 1:1,250

Application No. HS/FA/14/00271

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Agenda Item 6

Agenda Item: 6

Report to: Planning Committee

Date: 18 June 2014

Report from: Development 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 2 May 2014 and 6 June 2014

Recommendations: That the report be noted

Address	Proposal	BPO's Rec.	Where the decision was made	Type of Appeal
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The following appeals have been received

Land Adjoining 5, Essenden Road,	Demolition of existing lock up garages and redevelopment to provide 2 x three bedroom semi-detached houses.	Refusal of Planning Permission	Delegated	Planning Refusal
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The following appeals have been allowed

Upper Maisonette, 57 Milward Road,	Change of use to HMO (C4)	Refusal of Planning Permission	Planning Committee	Planning Refusal
Site of former 59, High Street,	New dwelling (application HS/LB/13/00812 also applies)	Refusal of Planning Permission	Delegated	Planning Refusal

The following appeals have been dismissed

HSBC Bank Plc, 22-26 Norman Road,	Installation of 2.0m high fence to rear of property.	Imposition of conditions	Delegated	Planning Refusal
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Type of Delegated Decision	Number of Decisions
Granted	73
Refused	11
Withdrawn by Applicant	3
Prior Approval Not Required	2
Referred to Secretary of State	1

Background Papers:

Various correspondence with Planning Inspectorate

Report written by:

Mandy Botting - Tel: (01424) 783264 Email: dconquiries@hastings.gov.uk

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Agenda Item 7

AGENDA ITEM NO: 7 (a)

Report to: PLANNING COMMITTEE

Date: 18 June 2014

Report from: Development Manager

Application Address: Shearburn Holiday Park, Barley Lane,
Hastings, TN35 5DX

Proposal: 3 no. replacement pole mounted frontage
signs

Application No: HS/AA/14/00300

Recommendation: Grant Advertisement Consent

Ward: ORE

File No: SH20000X

Applicant: Shearburn Holiday Park per Wheatman
Planning Limited Wheatman Planning Ltd
Beacon Innovation Centre Beacon Park,
Gorleston, Norfolk. NR31 7RA

Interest: Freeholder

Existing Use: Holiday Park

Policies

Hastings Local Plan 2004: DG1, DG16, L2

Conservation Area: No

National Planning Policy Framework: No Conflict

Hastings Planning Strategy: EN4

Hastings Local Plan, Development
Management Plan, Revised

Proposed Submission Version: DM1

Public Consultation

Adj. Properties: Yes

Advertisement: Yes - General Interest

Letters of Objection: 7

Petitions Received: 0

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

Summary

The Site and its Location

The site of the Shearburn Holiday Park is located on the Eastern side of Hastings Borough. The holiday park is within an Area of Outstanding Natural Beauty and borders on the Country

Park and a local wildlife centre. There is an existing cycle route which intersects the site along Barley Lane and continues towards Fairlight.

Details of the Proposal and Other Background Information

This is a retrospective application for the erection of three pole mounted frontage signs in various locations within the Shearburn Holiday Park site. These signs have replaced previous signage which was in need of updating and upgrading.

Dimensions:

Sign 1 - Height - 1800mm, **Width** - 1800mm, **Height off ground** - 1025mm, **Material** - aluminium, **Colour** - pink background, white text, pink, blue and green symbols, **Lighting** - single central uplighter located on the sign.

Sign 2 - Height - 1200mm, **Width** - 2400mm - **Height off ground** - 300mm, **Material** - aluminium, **Colour** - blue background, white text, **Lighting** - None.

Sign 3 - Height - 1320mm, **Width** - 1150mm, **Height off ground** - 1475mm, **Material** - aluminium, **Colour** - green background, white text, **Lighting** - shaded downlighter at top centre.

Previous Site History

HS/FA/07/00913 Erection of extension to form a security office at the end of the existing toilet block - Granted - 18 December 2007

HS/FA/07/00140 Reposition entrance gates into existing touring field further back into site, erect timber post and rail fence from boundary to gates to each side of entrance road. Site 2no. static caravans adjacent to entrance to touring field for security control and warden accommodation - Refused - 4 May 2007

Details of Consultations

Highways - No comments to add to this application

Although, due to the relative isolation of this site no neighbour notification letters were distributed, a planning site notice was displayed near the entrance to the site. In response to this site notice 7 letters of objection were received during the application process. The concerns raised in these letters include the impact on the Country Park, the installation of further lighting and harm to the wildlife. These comments have been duly considered as part of the determination of this application.

Planning Considerations

The main policies/guidance that apply in this instance are; DG1, DG16 and L2 of the Hastings Borough Local Plan 2004. Policy EN4 of the Hastings Planning Strategy Proposed Submission Version and policy DM1 of the Hastings Local Plan, Development Management Plan, Revised Proposed submission Version.

Amenity & Impact on the Area of Outstanding Natural Beauty

When visiting the site, it is apparent that the signs are already in situ and appear to have been for some time. From the information submitted, it appears that the previous signage was dated and in need of attention.

From the documentation submitted it has been indicated that one of the previous signs was illuminated, namely sign 3 located at the entrance to the touring field. In this instance it is proposed to retain the illumination for Sign 3 and also illuminate Sign 1, located at the entrance of the site.

The illumination to these two signs will be provided by a shaded downlighter for sign 3 and a single central uplighter for sign 1. It is not proposed to erect any further lighting for these signs.

Although these signs are prominent in this green and leafy location, when considered, within the context of the holiday park I do not feel they appear out of character. All three signs clearly perform a separate role in providing a directional indication to different parts of the site.

Taking this in to account, I am of the opinion that the signage is acceptable in this location.

Public Safety

It is considered that the signage will have no detrimental impact on public safety. The signage has been located off the highway to ensure clear sight lines for those travelling around the site.

Other considerations:

The proposals comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 or there are material circumstances as explained above that outweigh those policies.

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

Recommendation

Taking in to account the above I recommend approval subject to conditions.

Recommendation

Grant Advertisement Consent subject to the following conditions:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:-
 - a) endanger persons using any highway, railway, waterway, dock, harbour

or aerodrome (civil or military);

- b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. The period of consent lapses at the expiration of five years from the date of issue.
7. No additional illumination shall be added to the signage hereby permitted without the prior written consent of the Local Planning Authority.

Reasons:

1. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
2. In the interests of safeguarding the amenities of the area.
3. In the interests of safeguarding the amenities of the area.
4. In the interests of safeguarding the amenities of the area.
5. In the interests of safeguarding the amenities of the area.
6. To comply with regulation 14(5) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Any advertisement may continue to be displayed after this date, subject to the same conditions as set out in the Consent and the power of the District Planning Authority to require discontinuance of the display under Regulation 8.
7. In the interests of the visual amenity.

Notes to the Applicant

1. Failure to comply with any condition imposed on this consent may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive

and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

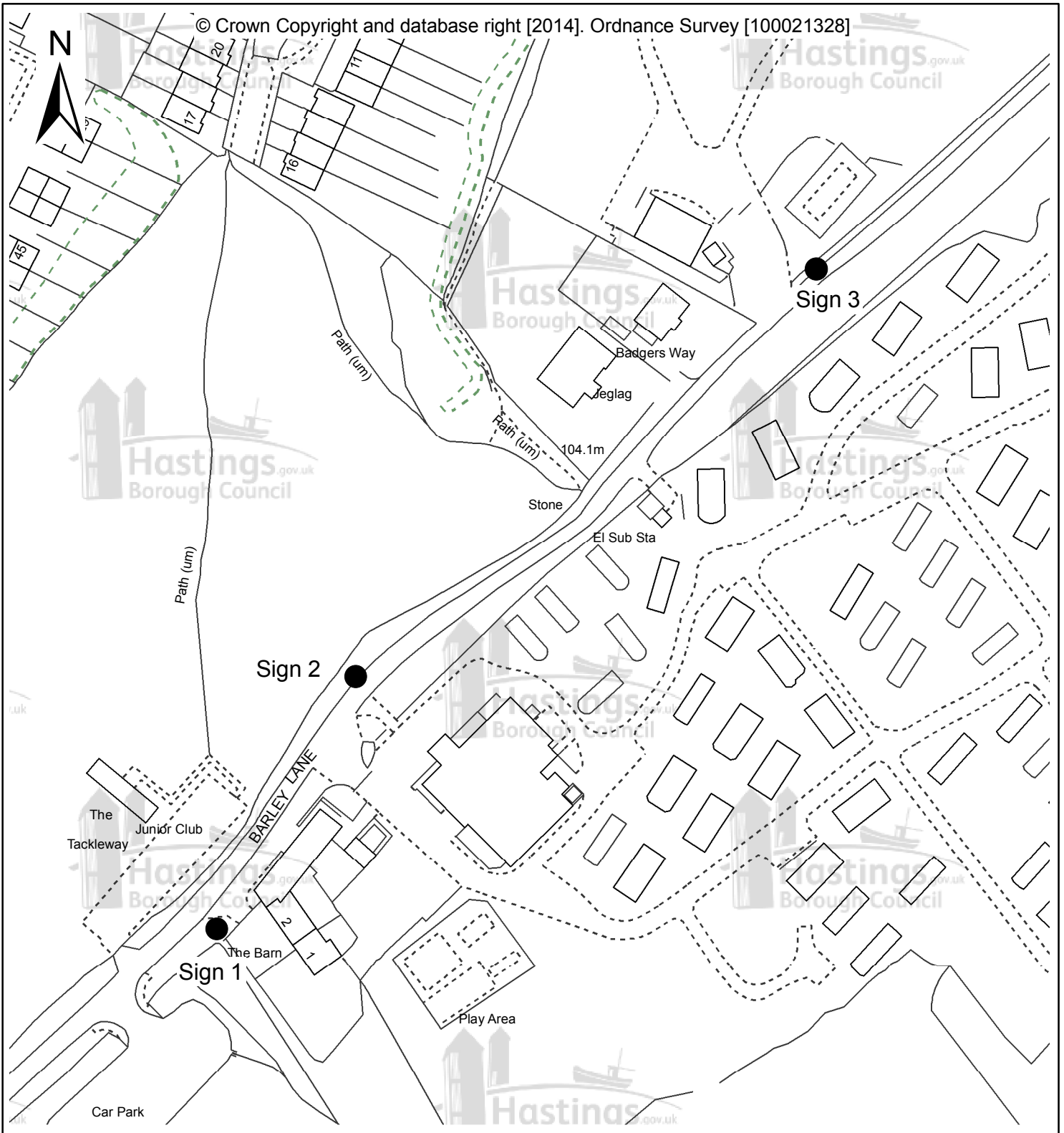
Officer to Contact

Mrs E Meppem, Telephone 01424 783288

Background Papers

Application No: HS/AA/14/00300 including all letters and documents

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Shearburn Holiday Park
Barley Lane
Hastings
TN35 5DX

3 no. replacement pole mounted frontage signs



Development Manager,
 Hastings Borough Council,
 Aquila House, Breeds Place,
 Hastings, East Sussex TN34 3UY
 Tel: 01424 781090
 email: dcenquiries@hastings.gov.uk

Date: June 2014

Scale: 1:1,250

Application No. HS/AA/14/00300

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Report to: PLANNING COMMITTEE

Date: 18 June 2014

Report from: Development Manager

Application Address: Supermarket, 32-36 Little Ridge Avenue, St Leonards-on-sea, TN37 7LS

Proposal: Extension of existing convenience retail floorspace

Application No: HS/FA/14/00307

Recommendation: Grant permission

Ward: CONQUEST

File No: HI64050T

Applicant: Brookton 2000 Limited per David Lock Associates 50 North Thirteenth Street Milton Keynes Buckinghamshire MK9 3BP

Interest: Freeholder. There are other freehold properties - the flat and the pharmacy

Existing Use: Retail

Policies

Hastings Local Plan 2004: DG1 and DG2

Conservation Area: No

National Planning Policy Framework: No Conflict

Hastings Planning Strategy: SC1, E3 and T3

Hastings Local Plan, Development Management Plan, Revised

Proposed Submission Version: DM1, DM3 and DM4

Public Consultation

Adj. Properties: Yes

Advertisement: No

Letters of Objection: 3

Petitions Received: 0

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

Summary

The application site relates to the Tesco Express supermarket at 32-36 Little Ridge Avenue. The applicant wishes to extend the supermarket at the front (entrance) to the building and to the rear.

The main issues to consider are the impact of the extension on the character and appearance of the area, the impact on existing businesses and residents, and the impact on

highway safety.

The design of the extension follows the appearance of the existing building with its large gabled roof. This approach will ensure that there is no harm to the building or the character of the area.

Given the size of the extension, which is small, it is not considered that there will be any harm to local businesses or local residential amenities. It is also considered that there will be no harm to highway safety as levels of traffic will not increase significantly as a result of the larger store.

I recommend that planning permission be granted subject to conditions.

The Site and its Location

The application site relates to the Tesco Express supermarket at 32-36 Little Ridge Avenue, Hastings. Little Ridge Avenue is a predominantly residential area with many estate roads and cul-de-sacs branching off it. The supermarket is located centrally along Little Ridge Avenue and provides a convenience store for residents in the local area. The site of the supermarket also includes a pharmacy and residential accommodation at first floor level.

The existing building is detached from other properties and benefits from a parking area and an area of soft landscaping.

Details of the Proposal and Other Background Information

The applicant wishes to extend the supermarket at the front (entrance) to the building and to the rear. The proposed front extension is designed to be in keeping with the existing building by also extending the gable ended roof forwards. The proposed rear extension has a flat roof and is much smaller. This extension is intended to improve the service/yard area of the store. The scheme would increase the floorspace by a net total of 80sqm and includes revisions to the parking layout, new mechanical plant, a new access to the store from Little Ridge Avenue and revised landscaping.

Previous Site History

None relevant.

Details of Consultations

The **Local Highway Authority** commented on these proposals at the pre-application stage and the proposals have not changed in this time. They raise no objection to the scheme.

The application has attracted three letters of objection. Concerns include:

- access to the pharmacy particularly by disabled and older people;
- loss of visible shopfront to pharmacy - impact on business;
- reduced daylight to shop unit and residential units;
- disturbance during construction;
- traffic impact; and
- noise and disturbance;

Planning Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 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 main policies/guidance that apply are policies SC1 and T3 of the Hastings Local Plan: The Hastings PLanning Strategy (HPS); policies DG1 and DG2 of the Hastings Local Plan 2004 (HLP); and policies DM1, DM3 and DM4 of the Hastings Local Plan: Development Management Plan (DMP). Others apply and are listed above. The main issues to consider are the impact of the extension on the character and appearance of the area, the impact on existing businesses and residents, and the impact on highway safety.

Impact on the character and appearance of the area

The main element of the proposal is the extension to the front of the building. This part of the proposal will match the current gable end design and bring this part of the building forward by approximately 5m. As the existing building is detached and does not relate to other properties in the area, and because there is sufficient space in front of the existing store to accommodate an extension whilst maintaining sufficient parking and a landscaped boundary, this approach to the front extension design is acceptable. It will not detract from the design of the existing building or harm the character of the area.

The rear extension is much less noticeable and will cause no harm. Here the applicant proposes to 'square off' the rear of the building with a single storey flat roof extension. Some mechanical plant is proposed to be included on this flat roof but this will be screened. As the extension is to the rear, not prominent and mostly screened behind existing boundary treatments it is considered acceptable.

The proposal will result in a reconfigured car park and the loss of some soft landscaping. The changes to the car park are not significant and will maintain the current level of parking. To ensure that decent planting is maintained following the loss of some shrubbery and small trees a landscaping condition is recommended.

Subject to conditions the proposed development is not considered to harm the character or appearance of the area.

Impact on existing businesses and local residents

The objectors to the scheme have raised concerns about the impact on the existing pharmacy business and local residents.

The concern of local residents is the loss of light to the flats above the retail units and the general noise and disturbance to surrounding residents by increased movements and traffic.

In terms of light the properties at first floor level in the existing building are served by dormer windows. Despite the objections received the proposed extension is not tall or large enough to reduce levels of light received at these properties. The extension does not fail tests in Building Research Establishment (BRE) guidance on sunlight and daylight and as such is considered acceptable and decent levels of light will be maintained.

The impact on local residents in the surrounding area, over and above the existing use, is not considered to be significant. The concerns raised in the objection letters received almost entirely relate to the harm the existing supermarket is considered to cause. The impact of the entire existing unit is not being considered as part of this application, only the impact of the extension can be taken into account. In this respect the net increase in the size of the store is 80sqm which is small. The existing store is 230sqm. Whilst I appreciate that those objecting to the scheme consider that the extensions to the store will exacerbate the problems they have identified, there is no strong evidence to support this.

Given the small increase in the size of the store, the fact that parking will be maintained and that access for delivery vehicles will remain, and considering the applicant's supporting information I do not consider that the extension to the shop will result in harm to neighbouring residential amenities.

The adjacent pharmacy suggests that the extension will harm their business. They consider that the pharmacy will become screened by the extension to such an extent that they will be 'hidden' and footfall will reduce. They also consider that access will be restricted and that light will be reduced.

The existing supermarket projects forward of the pharmacy shopfront and as such the pharmacy is only visible when viewed along Little Ridge Avenue to the west of the site, from the lay-bys to the north, and from the car park. Although the extension will obscure views of the pharmacy from the north it will still be visible by those coming from the west and when using the car park. The pharmacy will not be hidden and I cannot agree that the extension will impact upon the pharmacy business.

There is no requirement to protect the light received through the pharmacy shopfront. Notwithstanding this the pharmacy will still benefit from daylight received from the northwest and west. It will also benefit from sunlight in the afternoon onwards.

Access for pedestrians from Little Ridge Avenue is proposed to be reduced to a narrow ramped footway and I am concerned about this. However, this matter can be addressed by condition by requesting revised access details.

Traffic

As mentioned above the proposed development is increasing the size of the supermarket by 80sqm. There is no planning policy requirement for an extension of this size to be accompanied by a traffic assessment because such extensions aren't considered to cause harm. Nonetheless the application is accompanied by a Transport Report and here the applicant has explained how the proposed extension will not result in significant increases in traffic flow or make the area unsafe.

Those objecting to the application have highlighted what they consider to be inaccuracies in the report but the main conclusion is that the extension will not result in significant additional traffic over and above the existing store. Considering this the proposed extension is not considered to cause harm to highway safety.

Other

The plans submitted show a number of pieces of mechanical plant but no details of these have been submitted. To ensure that they will not cause disturbance to local residents through noise a condition is recommended requiring a noise statement to be submitted.

Given the above these proposals are considered to comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004. I therefore recommend that planning permission be granted subject to conditions.

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:

1533 URB HS [08] 00 01 D00, 02 D00, 03 D00, 04 D00 and 05 D00; 1533 URB HS [08] 20 01 D00 and 02 D00; 1533 URB HS [08] 70 01 D00 and 02 D00; and 1533 URB HS [08] 80 01 D00 and 02 D00
3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development. New soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme.
4. All planting seeding or turfing comprised in the approved soft landscaping scheme shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
5. No development shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include, notwithstanding that shown on the approved drawings, a revised pedestrian access from Little Ridge Avenue, proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs lighting etc.); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

6. All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
7. 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.
8. Before the development hereby approved is commenced a noise assessment related to the proposed new plant shown on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. The rating level of the plant, when measured in accordance with BS4142 should achieve a level of at least 10dB below existing background noise level at neighbouring noise sensitive premises unless otherwise agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved assessment.

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.
4. In the interests of the visual amenity.
5. In the interests of the visual amenity.
6. In the interests of the visual amenity.
7. To safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4).
8. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1)

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.

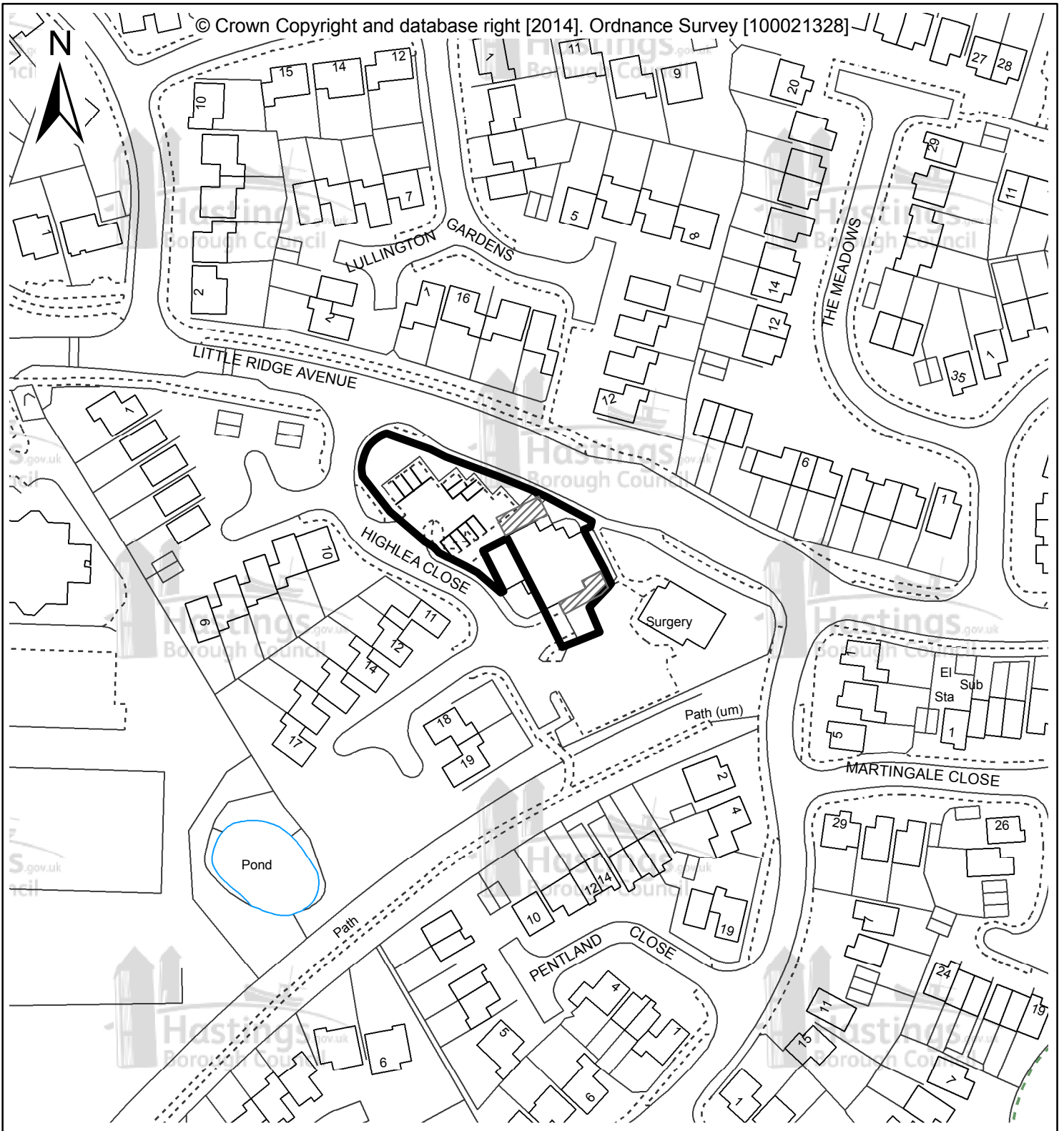
Officer to Contact

Mr S Batchelor, Telephone 01424 783254

Background Papers

Application No: HS/FA/14/00307 including all letters and documents

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Supermarket
32-36 Little Ridge Avenue
St Leonards-on-sea
TN37 7LS

Extension of existing convenience retail floorspace



Development Manager,
 Hastings Borough Council,
 Aquila House, Breeds Place,
 Hastings, East Sussex TN34 3UY
 Tel: 01424 781090
 email: dcenquiries@hastings.gov.uk

Date: June 2014

Scale: 1:1,250

Application No. HS/FA/14/00307

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Report to: PLANNING COMMITTEE

Date: 18 June 2014

Report from: Development Manager

Application Address: 239 Priory Road, Hastings, TN34 3JB
Proposal: Proposed conversion to form 2 No self contained maisonette flats between the ground floor and basement level

Application No: HS/FA/14/00275

Recommendation: Grant permission

Ward: TRESSELL
File No: PR65239V
Applicant: CSI Ltd Home Improvement per A. & M. Architectural Services 40 Cambridge Road Hastings East Sussex TN34 1DT

Interest: Freeholder
Existing Use: Vacant A1/B2; Permission for 5no. residential flats

Policies

Hastings Local Plan 2004:	H4, DG1, DG2, DG3, DG4
Conservation Area:	No
National Planning Policy Framework:	No Conflict
Hastings Planning Strategy:	SC1, T3
Hastings Local Plan, Development Management Plan, Revised	
Proposed Submission Version:	DM1, DM3, DM4

Public Consultation

Adj. Properties:	Yes
Advertisement:	No
Letters of Objection:	0
Petitions Received:	<u>0</u>

Application Status: Not delegated - Referred by Councillor Chowney.

Summary

The application seeks permission to extend two previously approved ground floor flats, approved under reference HS/FA/13/00692, into the basement area to create larger maisonettes.

The Site and its Location

The site consists of a two storey building located on a corner plot between Priory Road and Mount Pleasant Road. The building's corner location means that it is highly visible from the northern end of Priory Road. The existing property is built of facing brick with a flat roof and located at the end of two rows of terraced dwellings. It is currently vacant but has previously been used for the manufacture and sales of confectionery at basement and part of the ground floor level with a three-bedroom flat occupying the remainder of the ground floor and the first floor level.

Planning permission was granted in November 2013 for the conversion into 5no. self-contained flats.

The surrounding area is predominantly residential including a mix of traditional terraced houses (some divided into flats) and more modern blocks of flats to the north east.

Details of the Proposal and Other Background Information

Planning permission HS/FA/13/00692 for the proposed conversion of former commercial and residential property to form 5no. self contained flats was approved 20 November 2013 subject to conditions. Prior to this the property had not been in use for several years and had remained in a poor condition for at least 4 years when the Planning Enforcement team took action to improve the external appearance of the building.

The previously approved plans show 2 flats at ground floor level: a flatlet (living room/kitchen and separate bedroom) and a 2-bedroom flat. The basement was shown as owner's storage, refuse and cycle store.

It is now proposed to increase the size of the two ground floor flats by locating the kitchens in the basement. This would create a one bedroom flat and one 2-bedroom flat. There would still be a refuse store, cycle store and two separate storage areas.

Flat 3 will be accessed via the existing entrance from Priory Road. Access to the basement level will be via an internal staircase.

Flat 4 will be accessed via the original shop entrance. Access to the basement level will be via an internal staircase.

The proposed development does not increase the number of flats from the original planning permission, it just increases the space within the flats.

Previous Site History

HS/FA/13/00692 Proposed conversion of former commercial and residential property to form 5no. self contained flats.
Granted 20 November 2013

Details of Consultations

Subsequent to neighbour notification letters no correspondence has been received.

Planning Considerations

Living Environment

The proposed flats have been designed to comply with the space standards for self-contained flats. The original layout included a small flat with a combined living room/kitchen and separate bedroom and a two-bedroom flat. The layout now proposed is for a two person one-bedroom flat and a three person two bedroom flat with the kitchens in the basement.

With regard to the space standards the flats meet the housing standards for self-contained flats.

The levels of space are therefore considered to be acceptable and are greater than previously approved.

Policy DG3 in the Hastings Local Plan 2004 states:

"The design and layout of new development should ensure that there is adequate natural light for the new buildings. In addition, development should not cause unacceptable loss of daylight, sunlight or outlook to neighbouring properties."

With regard to natural lighting the housing standards differentiate between habitable rooms (i.e. bedrooms and living rooms) and kitchens and bathrooms. The housing standards state that all habitable rooms shall have an adequate level of natural lighting to enable normal domestic activities to be carried out safely and conveniently, without the use of artificial lighting during daytime lighting conditions.

Given that there are good levels of light and outlook for the habitable rooms, bedrooms and living rooms, it is considered that the proposal creates a living environment of acceptable quality. Although in the basement, both kitchens would receive some limited daylight, the kitchen to the front from a high level large window and the kitchen to the rear from a small outside area.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 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".

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

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

Recommendation

Grant 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:

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. The flats hereby approved shall not be occupied until the approved refuse bin storage area has been provided and made available for use and thereafter the area shall not be used for any purpose other than the storage of refuse bins awaiting collection.
5. The flats hereby approved shall not be occupied until the approved cycle storage area has been provided and made available for use and thereafter the area shall not be used for any purpose other than the storage of cycles.

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. (Hastings Local Plan 2004 - Policy DG4).
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.

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. Please note that the conditions of planning permission HS/FA/13/00692 apply and will need to be discharged.
4. Consideration should be given to the provision of a domestic sprinkler system.

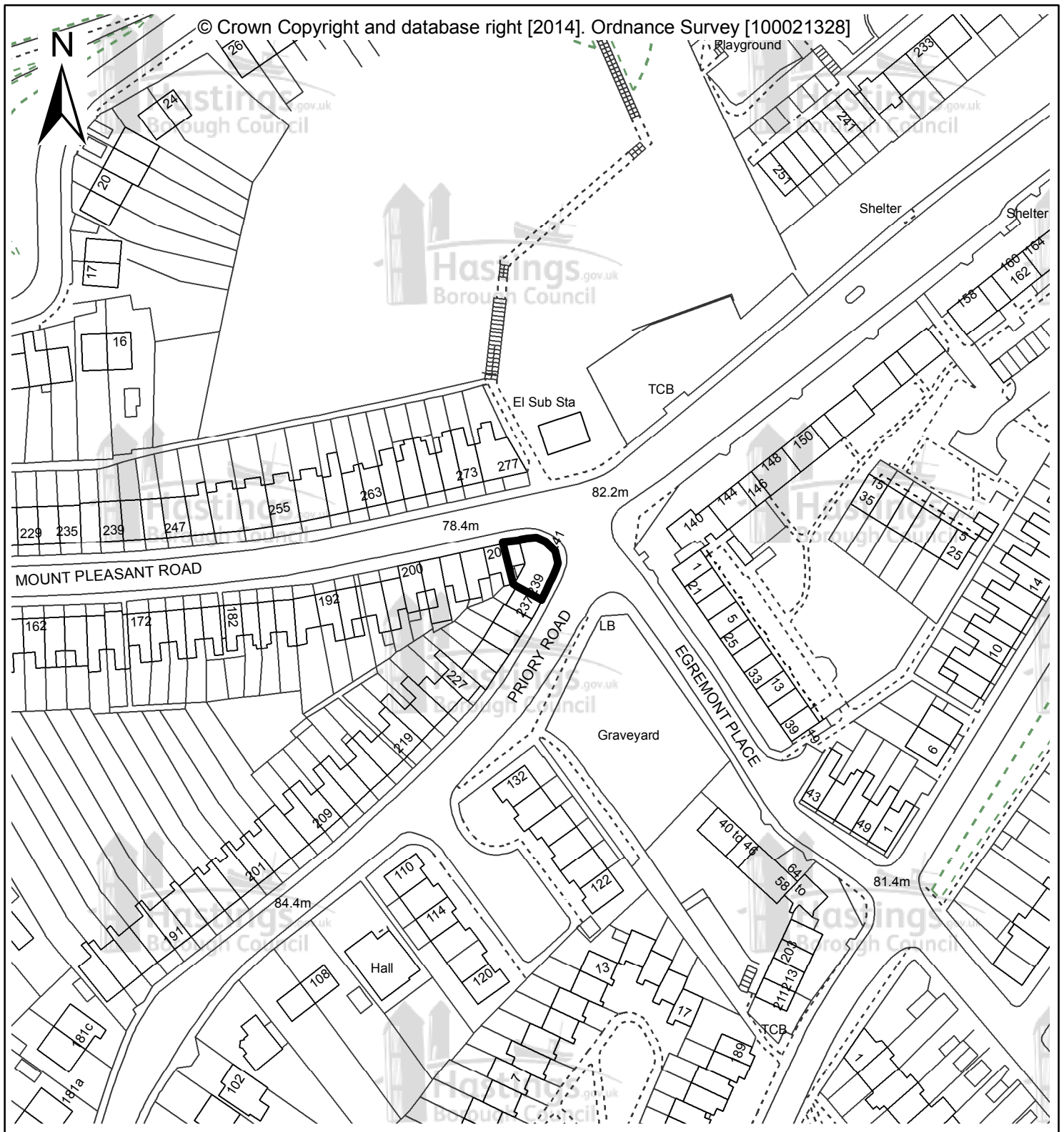
Officer to Contact

Mrs E Collins, Telephone 01424 783278

Background Papers

Application No: HS/FA/14/00275 including all letters and documents

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**239 Priory Road
Hastings
TN34 3JB**

Proposed conversion to form 2 No self contained maisonette flats between the ground floor and basement level



Development Manager,
Hastings Borough Council,
Aquila House, Breeds Place,
Hastings, East Sussex TN34 3UY
Tel: 01424 781090
email: dcenquiries@hastings.gov.uk

Date: Jun 2014

Scale: 1:1,250

Application No. HS/FA/14/00275

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