

PLANNING COMMITTEE

16 JULY 2014

Present: Councillors Street (Chair), Dowling, Roberts, Rogers, Scott (Vice-Chair), Wincott, Beaney, Beaver, Edwards and Lee

9. APOLOGIES FOR ABSENCE

None.

10. DECLARATIONS OF INTEREST

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

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Scott	14 – 13-14 Linton Road	Personal – Member of ESCC.

11. MINUTES OF THE MEETING HELD 18 JUNE 2014 (FOR INFORMATION)

RESOLVED – That the minutes of the meeting held on 18 June 2014 be approved and signed by the Chair as a true record, subject to the amendment of the wording of item 3, Rocklands Private Caravan Park. The page numbers were corrected as follows:-

Amendments to the wording of the report were corrected as follows:- on page 11 the words ‘Policy C1’ of the Hastings Local Plan 2004 was deleted. The words ‘Yes – Old Town’ were replaced with the words ‘No’. On page 12, under summary, the words ‘13 February 2014’ were replaced with the words ‘13 February 2013’. On page 15, Condition 1 of the recommendation for approval was amended to include the date of the permission ‘13.02.2013’.

12. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

13. PLANNING APPLICATIONS ATTRACTING A PETITION - THE FOLLOWING ITEMS WERE CONSIDERED:-

14. 13-14 LINTON ROAD

Proposal: Change of use from former care home to supported living accommodation (sui generis)

Application No: HS/FA/14/00055

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Existing Use:	Care Home
Hastings Local Plan 2004	DG1, H4, DG2
Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	H2, H4, SC1
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4, HC2
Public Consultation:	42 letters of objection (at the time of writing the report), and 1 petition

The Development Manager reported on an application for the change of use from former care home to supported living accommodation (sui generis) at 13-14 Linton Road, Hastings.

The property is located on the west side of Linton Road and is surrounded by a mixture of large Victorian houses, some of which have been converted into flats, HMOs and smaller detached private dwelling houses.

The application seeks approval to split No 13-14 Linton Road into 3 independent units, to comprise 18 bedrooms, each in single occupation, 11 of which would have ensuite facilities. In addition there would be communal bathrooms, living/dining areas, kitchens and office space. One of the 18 bedrooms is to be allocated for the '24 hour presence' member of staff. A private garden for the three units will also be provided.

Staff will attend the site during normal working hours, i.e. 08.30 till 17.00 to provide support needed by the occupants. This will not only involve staff employed by the applicant but also County Council staff. There will also be a member of staff who lives within five minutes walk of the site who will be on a 24 hour call and a member of staff on-site continuously, with 12-hour shifts.

The previously submitted application HS/FA/13/00610 was for a proposal which involved the conversion of the site into 3 units each to be used as an HMO. This use would have fallen under the C4 use class. In this instance as the proposed use has altered to include 'supported living accommodation' and as a result is now considered to be a Sui Generis use.

The agent has stated that potential residents would be vetted by Social Services prior to placement within the units. The agent also stated that each resident would be visited regularly by their social worker. The only external alterations are to the access doors on the flank elevation serving No. 13a.

Having taken into account all the relevant matters including the residential amenity and character of the area; living environment, parking and highways, need, safety and security, the Development Manager felt that providing there is support on site 24 hours a day, the use is considered to be acceptable and therefore recommended the

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application be approved subject to conditions.

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

The petitioner, James Leathers, was present and spoke against the application.

The applicant's representative, Mr George Sewell (Planning Consultant), was present and spoke in support of the application.

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

Councillor Beaney proposed a motion against the officer recommendation to refuse the application as set out in the resolution below, which was seconded by Councillor Beaver.

RESOLVED – by (8 votes to 1, with 1 abstention) that planning permission be **REFUSED** subject to the following conditions:-

1. **The change of use to supported living accommodation, for which there is no clearly identified need in the borough would conflict with the aims of policy H2 in the Hastings Local Plan, The Hastings Planning Strategy, 2011-2028 which seeks to achieve the provision of a range of accommodation to meet current and projected housing needs, and states:**

POLICY H2: Housing Mix

Planning permission will be granted for residential development that delivers a balanced mix of housing both within each site, and across Hastings as a whole. The Council will seek to ensure a genuine mix of housing types within existing and future communities by encouraging proposals for housing development in terms of the extent to which they:

- a) **contribute to a well integrated mix of housing types and tenures to support a range of household sizes, ages and incomes to meet both current and projected housing needs**
 - b) **address local tenure mix and whether there is a concentration of a particular tenure of housing that would benefit from diversification or greater choice**
 - c) **take account of existing local household characteristics and whether there is a bias towards younger or older households, families or sharers and how the new development will fit into this context**
 - d) **provide a proportion of homes to Lifetime Homes Standard**
 - e) **in suitable and accessible locations, residential schemes of 50 or more dwellings will need to include at least 2% fully adapted dwellings for wheelchair users.**
2. **The change of use to supported living accommodation would be likely**

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**to increase general activity in the area and be detrimental to the character and setting of the premises. The proposal would therefore conflict with the aims of policy HC2 b) in the Hastings Local Plan, Development Management Plan, Revised proposed Submission Version which states:
Policy HC2 – Residential Institutions and Student Halls of Residence**

Planning applications for residential institutions (including for the elderly, infirm and physically and sensory impaired) and for student halls of residence should comply with the following criteria.

b) Changing the use of an existing building should not detrimentally affect its character or setting.

15. 3A THE UPLANDS

Proposal:	Extension to car parking area
Application No:	HS/LB/14/00386
Existing Use:	Residential
Hastings Local Plan 2004	N/A
Conservation Area:	Yes – Burtons St. Leonards
National Planning Policy Framework	Section 12
Hastings Planning Strategy	N/A
Development Management Plan	
Proposed Submission Version:	N/A
Public Consultation:	2 letters of objection, 1 petition and 1 letter of support received

The Development Manager reported on an application for Listed Building Consent for the formation of an additional parking space on area of garden at the south corner of the property at 3A The Uplands, St. Leonards on Sea. Works also include the removal of a concrete block wall, piers, trellis and gates.

The property, which is a Grade II Listed Building, is a semi detached villa constructed of coursed sandstone with rendered quoining and a rusticated plinth. It is divided into two flats and a maisonette. This row of six semi detached villas are located on a private road, which is off Maze Hill, and within the Burtons' St Leonards Conservation Area. Maze Hill runs along the boundary of the historic St Leonards Gardens.

The proposal is to provide additional parking between the south east steps, the front

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elevation and the existing paved driveway. The works will involve the removal of a section of concrete block wall, associated rendered piers and gates. The area is of an irregular shape and is approximately 6.4 metres by 3.6 metres. The surface is to have a block paviour finish to match the finish of the adjacent driveway and it will be constructed around an existing light well. A section of cast iron railings and a gate are to be installed and will run from the south corner of the front elevation and the edge of the remaining wall.

Having taken into account all the relevant matters including the impact on the character and appearance of the Grade II Listed Building, and on the setting of the adjacent or nearby Listed Buildings, the Development Manager believed there would be no harm to the character and appearance of the Grade II Listed Building and therefore recommended that Listed Building Consent be granted subject to conditions.

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

Prior to the start of the meeting, one additional objection letter from Mr Groves had been received after the circulation of the agenda and before the deadline for submission of documents for the meeting.

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

The spokesperson for the applicant, Mr Stuart Rumsey, was present and spoke in support of the application.

Councillor Scott moved the recommendation to approve the application as set out below. This was seconded by Councillor Beaver.

RESOLVED – (unanimously) that listed building consent be GRANTED subject to the following conditions:-

1. **The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted;**
2. **No works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:**
 - (i) **Elevation drawings of the railings and gates (scale of 1:10);**
 - (ii) **Horizontal and vertical cross section drawings of the railings, gates and any drainage scheme (scale 1:2);**
 - (iii) **Details of any works to the light well.**

Works shall be carried out in accordance with the details approved and no occupation of any building approved shall occur until those works have been completed;

3. **No works shall commence until sample block paviments have been**

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submitted to and approved in writing by the Local Planning Authority.

Works shall be carried out in accordance with the details approved and the new car parking area approved shall not be used until those works have been completed; and

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

13.1263.002

Reasons:

1. This condition is imposed in accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
2. To ensure the architectural and historic character of this Grade 2 Listed Building is adequately protected;
3. To ensure the architectural and historic character of this Grade 2 Listed Building is adequately protected; and
4. 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 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; and
3. The proposed extension to the car parking area will also require full planning permission.

16. PLANNING APPEALS AND DELEGATED DECISIONS

The Development Manager reported that two appeals had been dismissed. He also reported on a number of delegated decisions. All matters had arisen between 9 June and 4 July 2014.

RESOLVED – that the report be noted.

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17. **PLANNING APPLICATIONS - THE FOLLOWING ITEMS WERE CONSIDERED:-**

18. **VICTORIA INN, 290 BATTLE ROAD**

Proposal:	Alterations to front elevation to install new shopfront and installation of ramp
Application No:	HS/FA/14/00338
Existing Use:	Former Public House
Hastings Local Plan 2004	DG1, DG2, DG14
Conservation Area:	No
National Planning Policy Framework	Section 7
Hastings Planning Strategy	FA1, SC1
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4
Public Consultation:	3 letters of objection received

The Development Manager reported on an application for the installation of a new shopfront and ramps to the front of the building at The Victoria Inn, 290 Battle Road, St. Leonards on Sea.

The property is a large detached building located on the corner of Battle Road and Upper Glen Road. The building is the former Victoria Inn public house and restaurant, which is to be used as a convenience store. This change of use does not require planning permission, as the change is permitted by the General Permitted Development Order.

The original submission included the installation of an Automated Teller Machine (ATM) replacing the north window in the front elevation to the managers office. The ATM was close to the junction of Battle Road and Upper Glen Road and, following neighbour consultation, objections were received. The ATM has subsequently been deleted from the application.

The front entrance door and two windows to the west elevation are to be removed and a shopfront with sliding automatic doors fitted. The shopfront will be 2.4 metres in height and 4 metres in width and it is constructed of powder coated aluminium and laminated safety glass.

There will be two ramps to the front of the building. One ramp providing level access to the shop entrance doors and the other ramp provides delivery access to the door of the delivery holding area. The ramps are to have brick retaining walls with metal

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railings.

The proposed shopfront and ramps are not considered to have an adverse impact on the building, nearby residents or the neighbourhood in general. The Development Manager therefore recommended that planning permission be granted subject to conditions.

Having taken into account all the relevant matters, 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.

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

RESOLVED – (unanimously) that planning permission be GRANTED subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
2. No development shall commence until elevation, plan and section drawings, at a scale of 1:50 or 1:20, of the proposed shopfront have been submitted to and approved in writing by the Local Planning Authority.
Development shall be carried out in accordance with the details approved and no occupation of any building approved shall occur until those works have been completed;
3. The brick work to be used in the construction of the external surfaces of the ramps hereby permitted shall match those used in the existing building; and
4. The development hereby permitted shall be carried out in accordance with the following approved plans:

13.13198/03, CFA/FULL/01-Rev 01, 3198/01.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;
2. In the interests of the visual amenity of the area;
3. To ensure that the finished ramps match the appearance of the existing building; and

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4. 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; and
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.

19. ADDITIONAL URGENT ITEMS (IF ANY)

None.

(The Chair declared the meeting closed at. 7.14 pm)