

Planning Committee Agenda

Wednesday, 16 July 2014 at 6.00 pm

Town Hall, Queens Road, Hastings, TN34 1QR

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Agenda Item 3

PLANNING COMMITTEE 18 JUNE 2014

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

Apologies for absence were received from Councillor Edwards.

1. DECLARATIONS OF INTEREST

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

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Hodges (in the Gallery)	3 – Rocklands Private Caravan Park, Rocklands Lane	Personal – Chair of the Friends of Hastings Country Park Management Forum
Street	3 – Rocklands Private Caravan Park, Rocklands Lane	Personal – Member of the Friends of Hastings Country Park and the Hastings Country Park Management Forum and Hastings Borough Council representative on the Joint Advisory Committee for High Weald AONB.

2. MINUTES

RESOLVED – That the minutes of the meeting held on 14 May 2014 be approved and signed by the Chair as a true record.

3. ROCKLANDS PRIVATE CARAVAN PARK, ROCKLANDS LANE

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

Existing Use: Holiday Park

Hastings Local Plan 2004 T7, L2, L3, DG1, DG3, C6

Conservation Area: No

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National Planning Policy Framework	Sections 7, 11, 12
Hastings Planning Strategy	FA5, EN1, EN7
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4, HN1, HN4
Public Consultation:	391 letters of objection (at the time of writing the report), 1 petition and 1 letter of support received

The Development Manager reported on a retrospective planning application for the variation of condition 2 (approved plans) of planning permission HS/FA/12/00952 – Minor amendment showing change of ground floor plan, additional and altered window positions and extended balcony (Retrospective).

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.

Planning permission HS/FA/12/00952 was originally granted subject to conditions on 13 February 2013 for the demolition of an existing holiday let and the replacement with a new holiday let of a contemporary design.

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.

This retrospective application is for development that has been carried out and is not in accordance with the approved drawings. The current application is for the variation of Condition 2, which relates to the approved drawing numbers. The drawing originally submitted did not clearly indicate the amendments. Revised drawings have been submitted and the amendments are now clearly indicated or highlighted.

Proposals involved increasing 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.

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.

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- 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.

The considerations that were taken into account were the impacts of the proposed amendments on the area, as the principle of the main building had already been established and approved. The objections received related to the increased scale, bulk, prominence and appearance of the building, overlooking and the impact on the area. Having taken into account all 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.

Amendments to the wording of the report were corrected as follows:- on page 10 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 11, under summary, the words '13 February 2014' were replaced with the words '13 February 2013'. On page 14, Condition 1 of the recommendation for approval was amended to include the date of the permission '13.02.2013'.

Prior to the start of the meeting, one report containing revised wording for Condition 3 from the officers recommendation for approval was received, as well as late electronic comments and further paper copies of late comments, all had been received after the circulation of the agenda and before the deadline for submission of documents for the meeting.

The Principal Solicitor for Planning advised the committee that a number of communications had been received after the deadline for submission of documents. In accordance with the Planning Protocol, they could not be taken into account, as they had been received after the deadline of 'three clear working days'.

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

The applicant's representative, Mr Cos Polito, was present and spoke in support of the application.

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

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

RESOLVED – (unanimously) that planning permission be **REFUSED** for the following reason:-

1. The proposal is in direct contravention of policy EN7 - Conservation and Enhancement of Landscape of the Hastings Local Plan: The Hastings Planning Strategy 2011-2028. Specifically, paragraph 1; bullet point 1 and 2, and paragraph 2:

“The Council will protect and enhance the town’s landscape including:

- **the distinctive landscape setting of the town, particularly the structure of ancient gill woodlands, open spaces and the relationship and clear division between the unspoilt coastline of Hastings Country Park Nature Reserve, the surrounding countryside and the built-up area**
- **the High Weald Area of Outstanding Natural Beauty**
- **the undeveloped coast**

The Council will have regard to the High Weald Area of Outstanding Natural Beauty Management Plan as a method of protecting and enhancing the Area of Outstanding Natural Beauty.....”

2. The proposal is contrary to sections 61, 64, 109 and 115 of the National Planning Policy Framework (2012).

61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

64. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

109. The planning system should contribute to and enhance the natural and local environment by:
• **protecting and enhancing valued landscapes, geological conservation interests and soils..**

115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are

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important considerations in all these areas, and should be given great weight in National Parks and the Broads.

4. ASDA, BATTLE ROAD

Proposal:	Use of part of existing car park for the erection of a petrol station
Application No:	HS/FA/14/00271
Existing Use:	Supermarket - car park
Hastings Local Plan 2004	DG1 and DG2
Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	SC1 and T3
Development Management Plan	
Proposed Submission Version:	DM1, DM3 and DM4
Public Consultation:	2 letters of objection and 1 petition received

The Development Manager reported on an application for use of part of an existing supermarket car park for the erection of a petrol station at Asda, Battle Road, St. Leonards-on-Sea.

The site is located on the western boundary of the existing car park, at the furthest point from the main entrance at Silverhill. In this location, the site is surrounded by units on the adjacent industrial estate with the supermarket to the southeast. Residential properties are located to the east.

Having taken into account all the relevant matters including the impact on local traffic and neighbouring residents, the Development Manager believed the proposed development would not adversely impact highway safety or traffic flows and would not harm neighbouring residential amenities. He felt the impact on the vitality and viability of the shopping area was a consideration and the new petrol station would add to the existing offer and increase consumer choice. As such, he believed the petrol station would benefit the local area and 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.

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

The applicant's representative, Alan Jones, was present and spoke in support of the

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application.

Councillor Scott moved the recommendation to approve the application subject to the amendment of the resolution to include Condition 8, as set out below. This was seconded by Councillor Rogers.

RESOLVED – by (9 votes to 1) that planning permission be GRANTED subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

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

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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. There shall be no deliveries of fuel other than between the hours of 0600 and 2100 daily.

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); and
8. In the interests of the amenities of local residents and businesses.

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

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5. PLANNING APPEALS AND DELEGATED DECISIONS

The Development Manager reported that one appeal had been received and two appeals had been allowed. One appeal had been dismissed. He also reported on a number of delegated decisions. All matters had arisen between 2 May 2014 to 6 June 2014.

RESOLVED – that the report be noted.

6. SHEARBARN HOLIDAY PARK, BARLEY LANE

Proposal:	3 no. replacement pole mounted frontage signs
Application No:	HS/AA/14/00300
Existing Use:	Holiday Park
Hastings Local Plan 2004	DG1, DG16, L2
Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	EN4
Development Management Plan	
Proposed Submission Version:	DM1
Public Consultation:	7 letters of objection received

The Development Manager reported on a retrospective application for advertisement consent for 3 no. replacement pole mounted frontage signs in various locations within the Shearburn Holiday Park, Barley Lane, Hastings.

The site is within the 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.

These signs have replaced previous signage that needed updating and upgrading.

The main issues considered were the amenity and impact on the Area of Outstanding Natural Beauty; public safety and the Development Plan.

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

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planning issues.

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

RESOLVED – (unanimously) that Advertisement Consent be GRANTED 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; and
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;

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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; and**
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; 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.**

7. SUPERMARKET, 32-36 LITTLE RIDGE AVENUE, ST. LEONARDS ON SEA

Proposal:	Extension of existing convenience retail floorspace
Application No:	HS/FA/14/00307
Existing Use:	Retail
Hastings Local Plan 2004	DG1 and DG2
Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	SC1, E3 and T3
Development Management Plan	
Proposed Submission Version:	DM1, DM3 and DM4
Public Consultation:	3 letters of objection received

The Development Manager reported on a full application for the extension of the supermarket at the front (entrance) to the building and to the rear at the Tesco

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Express supermarket at 32-36 Little Ridge Avenue, Hastings.

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.

The proposed front extension follows the appearance of the existing building with its large gabled roof. It was felt that this approach will ensure that there is no harm to the building or the character of the area. The proposed rear extension has a flat roof and is much smaller. The 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.

The main issues considered were 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.

Having taken into account all the relevant matters including impact on the character and appearance of the area, impact on existing businesses and local residents, traffic and noise, the Development Manager believed the size of the small extension would not harm any local businesses or local residential amenities. He felt that there would be no harm to highway safety, as levels of traffic would not increase significantly as a result of the larger store. As such, he 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. **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**

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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

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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); and
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; 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.

8. 239 PRIORY ROAD

Proposal:	Proposed conversion to form 2 No self contained maisonette flats between the ground floor and basement level
Application No:	HS/FA/14/00275
Existing Use:	Vacant A1/B2; Permission for 5no. residential flats

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Hastings Local Plan 2004	H4, DG1, DG2, DG3, DG4
Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	SC1 and T3
Development Management Plan	
Proposed Submission Version:	DM1, DM3 and DM4
Public Consultation:	Referred by Councillor Chowney

The Development Manager reported on an application for conversion to extend two previously approved self contained maisonette flats (approved under reference HS/FA/13/00692) between the ground floor and basement level to create larger maisonettes at 239 Priory Road, Hastings.

The site consists of a two storey building located on a corner plot between Priory Road and Mount Pleasant Road. 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.

Planning permission was approved on 20 November 2013 for the conversion of former commercial and residential property into 5no. self-contained flats (HS/FA/13/00692). 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.

This application sought consent to increase the size of the two ground floor flats by locating the kitchens in the basement to create a one bedroom flat and one 2-bedroom flat. A refuse store, cycle store and two separate storage areas will be provided.

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 will increase the space within the flats, it will not increase the number of flats from the original planning permission.

The main issue considered was the living environment.

Having taken into account 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 Dowling.

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

3504-250,252, 253, 102B, 001A, 100B.
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; and
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; and
5. To ensure a satisfactory form of development in the interests of the character and amenity of the area.

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

(The Chair declared the meeting closed at 7.19pm)

Agenda Item 5

AGENDA ITEM NO: 5 (a)

Report to: PLANNING COMMITTEE

Date: 16 July 2014

Report from: Development Manager

Application Address: 13-14 Linton Road, Hastings, TN34 1TW
Proposal: Change of use from former care home to supported living accommodation (sui generis)

Application No: HS/FA/14/00055

Recommendation: Grant permission

Ward: BRAYBROOKE
File No: LI75013/014
Applicant: Mrs Kulendran per Realm Consultancy 69 Eldon Road Caterham Surrey CR3 5JT

Interest: Freeholder
Existing Use: Care home

Policies

Hastings Local Plan 2004: DG1, H4, DG2
Conservation Area: No
National Planning Policy Framework: No Conflict
Hastings Planning Strategy: H2, H4, SC1
Hastings Local Plan, Development Management Plan, Revised
Proposed Submission Version: DM1, DM3, DM4, HC2

Public Consultation

Adj. Properties: Yes
Advertisement: Yes - General Interest
Letters of Objection: 42
Petitions Received: 1

Application Status: Not delegated - Petition received

Summary

It is proposed to use this former care home to provide supported accommodation. There has been a considerable amount of local concern but providing there is support on site 24 hours a day the use is considered to be acceptable in this location and it is recommended that permission is granted.

The Site and its Location

The site is located on a prominent corner plot fronting on to Linton Road and Winterbourne Close. The property is located on the west side of Linton Road where, due to the sloping

land levels, the properties are set at a higher level than the highway and accessed via steps to the front. There is also access to the property from Winterbourne Close via a ramped walkway. The surrounding properties are made up of a mixture of large Victorian houses, some of which have been converted to flats, HMOs and smaller detached private dwelling houses.

The building was originally constructed as two large residential properties and was later converted to a care home in the 1970s.

Details of the Proposal and Other Background Information

This application is for the change of use from former care home to supported living accommodation. This will involve the splitting of No. 13-14 Linton Road into 3 independent units. The accommodation is 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 has been allocated for the '24 hour presence' member of staff. It is also proposed to create private gardens for the three units.

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 goes on to say that each resident would be visited regularly by their social worker. This adds further weight to the consideration that this is the use does not fall within one of the classes in the Use Classes Order and is a Sui Generis use. The only external alterations are to the access doors on the flank elevation serving No. 13a.

During the consideration of the application additional information was requested from the agent in relation to the general day to day running of supported living accommodation. These questions included the working patterns for the staff, clarification over the occupation of the units and the security of the residents.

The agent confirmed that there will be staff attending site during normal working hours, i.e. 08.30 till 17.00 to provide all 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.

Previous Site History

HS/FA/13/00610 Change of use from C2 (care home) to C4, 3x6 bed house in multiple occupation (HMO) - Refused - 02/ October 2013 for the following reason:

The proposal would represent an over intensive use of the property which would be likely to cause increased noise and disturbance to neighbouring residents and would materially undermine and weaken the character of the area.

As such the proposal conflicts with Policies DG1 (f) of the Hastings

Local Plan 2004, Policy DM3 (a) of the Development Management Plan Proposed Submission Version and Policy SC1 (e) of the Hastings Planning Strategy Proposed Submission Version.

POLICY DG1 - Development Form

In determining planning applications, the Council will have regard to the following considerations:

- a) The full and efficient use of land;
- b) Sympathy with the appearance and character of the area and suitability in scale, massing, design, appearance, materials, layout and siting, both in itself and in relation to nearby buildings (including parts of buildings), spaces and views;
- c) Respect for site levels and characteristics, potential for development and inclusion of good quality hard and soft landscaping, including the retention of trees or other features of importance;
- d) Adequate space for private and public use (including children's play space) and visual amenity;
- e) Suitable layout and design features to ensure personal and general safety and security;
- f) Protection of living conditions of existing and future occupants from, for example, noise, dominance and loss of outlook, light and privacy;
- g) Sufficient information to ensure full assessment of the likely effects of the proposal; and
- h) Safety and convenience on the public highway.

Policy DM3 – General Amenity

In order to achieve a good living standard for future users of proposed development and its neighbours it should be demonstrated that amenity has been considered and appropriate solutions have been incorporated into schemes. Permission will be given for development where:

- a) The use of the scale, form, height, mass, and density of any building or buildings, reduces or avoids any adverse impact on the amenity (privacy, over shadowing, loss of daylight) of neighbouring properties.
- b) There is adequate space for storage of waste and the means for its removal (where appropriate, turning areas for refuse vehicles). This includes provision for the general management of recyclable materials. Space will also be required for necessary servicing areas, ancillary structures and landscaping.
- c) A means of landscaping that contributes to crime prevention; a permeable and legible network of routes and spaces, including “Green Infrastructure” to create a public realm that is attractive, overlooked and safe is included.
- d) Considerate design solutions for the spaces between and around buildings are shown. This should respect the character of the surroundings; a well-designed scheme in terms of private, semi-private and public open space, to include, where appropriate, the provision of public art.

- e) Arrangements are in place for the future maintenance of any public areas.
- f) Dwellings are designed to allow residents to live comfortably and conveniently with sufficient internal space. The guidelines for minimum internal floor areas are: 1 bedroom/2 person 51m²; 2 bedroom/3 person 66m²; 2 bedroom/ 4 person 77m²; 3 bedroom/5 person 93m²; 4 bedroom/6 person 106m²
- g) Appropriate levels of private external space are included, especially for larger homes designed for family use (dwellings with two or more bedrooms). In respect of proposed family dwellings the Council would expect to see the provision of private garden space (normally at the rear), of at least 10 metres in length.

POLICY SC1: Overall Strategy for Managing Change in a Sustainable Way

Growth and change will be managed so that development meets sustainability objectives, avoids significant vulnerability to the impacts of climate change, improves the quality of the natural environment, supports the diverse needs of communities and provides vibrant, safe, healthy and inclusive places where existing and future residents want to live and work. This will be achieved through:

- a) endeavouring to meet housing needs of all sectors of the community, including the provision of affordable housing
- b) providing access to education, training and jobs and supporting the creation of new enterprises to bring economic prosperity and greater self-sufficiency
- c) improving access and ease of mobility for all in new and existing developments, but especially for sensory and physically impaired or disabled people
- d) supporting the social, economic and environmental regeneration of disadvantaged areas and communities
- e) enhancing the cohesion and vitality of communities, providing neighbourhoods with a vibrant and accessible mix of flexible and compatible uses, services and community facilities
- f) requiring new development to make provision for fibre-based broadband infrastructure
- g) managing flood risk and reducing the potential effects of climate change on existing and future communities
- h) providing accessible forms of development that reduce the need to travel by car and are integrated with public transport and other sustainable modes of travel, allow for ease of movement and provide safe environments
- i) requiring high quality distinctive architecture and urban design which adds to local character and sense of place
- j) reducing opportunities for crime and disorder through innovative design and the clear distinction of public and private space
- k) providing an accessible greenspace network and protection and enhancement of biodiversity
- l) protecting against light, air, water, land and noise pollution.
- m) supporting the move to a low carbon economy
- n) providing everyone with access to a good quality natural environment

HS/FA/87/00609 Erection of a two storey extension - Granted - 13 November 1987
HS/FA/72/01679 Use as an old peoples home - Granted - 01 December 1972

Details of Consultations

We have received 42 individual letters and a petition of objection to the proposals. The objections include concerns about the intensity of the use, the type of residents who might be accommodated, concerns about possible noise and disturbance and parking and highway issues.

When the application was originally submitted the **Highway Authority** had concerns with regard to the provision of adequate parking facilities within the site and the additional congestion on the public highway. However following on from the further information submitted during the application process, their recommendation for refusal has been withdrawn and the following comments submitted:-

This HT401 replaces my previous HT401 dated 24/02/2014.

Further to further evidence and information being submitted regarding the proposed change of use. Now that there is a better understanding regarding the proposal my previous recommendation for refusal is removed as the specifics of the change of use has been made clearer. It is my understanding that there will be very few vehicle movements for each person residing in the proposed new dwellings. It is my understanding that the car ownership level will be extremely rare. Therefore the requirement to provide additional car parking will not be necessary.

Should your committee be minded to approve the application, I recommend that any consent shall include the following attached condition:

- 1. The development shall not be occupied until cycle parking areas has been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles*

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development

Notes:

- 1. In accordance with the East Sussex County Council's adopted parking standards this development proposal should be provided with a minimum of three cycle parking spaces. These parking facilities should be covered and secure and located within the site in a convenient location for users. (Condition 6)*

The Waste and Streetscene Services Team - have requested that a bin store be erected of a suitable size and construction to accommodate adequate waste containers for the development. (Condition 5)

East Sussex County Council Adult Social Care do not believe there is demand for the women's service proposed in the application or for other supported living accommodation in the Hastings area as there is sufficient supported living accommodation to meet current demand for mental health and other placements.

They are therefore concerned that if permission is granted Adult Social Care may not be in a

position to utilise the accommodation units and there would be migration of clients from other local authority areas into Hastings to occupy this provision and they would not be able to provide the level of social work oversight as suggested in the applicants planning statement.

They also have concerns regarding the space standards of both the bedsits and single rooms, as well as the travelling distance some residents have to take via a number of rooms to reach the WC in number 14 Linton Rd and understand this part of the building (14 Linton Road) is currently occupied by up to 5 residents.

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".

Residential amenity and character of the area

The proposal is for supported housing for vulnerable people rather than a residential care home or the previously sought HMO. It is considered that a condition could be imposed to ensure the premises remains for supported living rather than any alternate use in the future.

Although the proposal has only been slightly reduced in comparison to the previously proposed application, it is considered that the concerns of over intensity of the site are no longer sufficient to justify a refusal of permission. The three buildings are situated in a large plot and it is my opinion that the levels of activity would be comparable to three large family homes. The amenities of the neighbouring residents should therefore not be adversely affected.

Living and Environment

Hastings Borough Council has no accommodation standards for supported housing. However having assessed this proposal against the relevant standards for self-contained flats it is apparent that the bedrooms meet the space standards. Policy DM3 of the emerging DM plan introduces new standards for residential accommodation but due to the status of the plan it is considered this policy is afforded little weight at the present time. The room sizes would remain the same as for the previous use as a care home. Therefore the overall level of internal and external space is considered to be acceptable.

Parking and Highways

As stated above the original concerns raised by the Highway Authority have now been withdrawn.

The County Council have made it apparent that the residents placed within units such as these are unlikely to have the requirement for a vehicle or have one within their ownership.

In relation to staff and visitor parking, the potential comings and goings would be comparable to those of a care home of a similar size.

It is also apparent that the site, when previously used as a care home, had little parking provision.

Need

With regard to the issue of need, it should be noted that there are a multitude of reasons as to why a person may require supported living accommodation.

The agent stated that the term 'Supported Accommodation' covers those chosen by the County Council to be vulnerable. Having reviewed the East Sussex County Council - 'Pathways to support and independence: a strategy for supported housing and housing support in East Sussex 2013-2018'. This can include: People with a learning disability, people with mental ill health or disorder, people with a physical or sensory disability, people with multiple needs, young people including young parents and people at risk of domestic violence. The term 'vulnerable person' is clearly a broad umbrella covering a multitude of persons.

The County Council have confirmed that prior to placement within such accommodation as this, the residents are subject to a vetting process to assess their suitability for the site and their compatibility with the other residents. This is carried out to limit the risk to the individuals and the wider community.

While the County Council have raised concerns about the need for this type of facility in the town, in particular from the mental health point of view, this does not mean that there may not be a demand for another type of supported living, for example young parents. There is no policy in the local plan which requires this type of provision to be restricted to a local need.

Safety and Security

It is proposed to have a 24 hour presence on site with one of the bedrooms designated for use by this person(s). The agent has also detailed that there is an additional member of staff within a 5 minute walk of the site who will be on 24 hour call should an issue arise. Although the site will be staffed 24 hours a day it is not foreseen that the staff will act as security guards.

There will also be a buzzer entry system installed at the front doors to the building to ensure the occupants have control over who is able to access the building and the majority of visitors to the premises will be suitably qualified and, if necessary, registered care/social professionals.

Taking this in to account, I am of the opinion that this will ensure the safety and security of both the residents of the site and the neighbouring properties.

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 premises shall not operate as supported living accommodation without

the on-site presence at all times in either 13 or 14 Linton Road of at least one member of staff who is able to provide adequate care and support to the residents.

3. The premises shall only be occupied and used as supported housing accommodation for vulnerable persons, with the provision of an element of care and support for the tenants of the premises and the presence on site at all times of a member of staff to provide that care and support. The premises shall at no time be used as a house of multiple occupation, general or free market housing.
4. Excluding staff, the three units shall not be occupied by more than a total of 17 residents at any one time.
5. The premises shall not be occupied until readily accessible external storage space for refuse bins awaiting collection has been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use.
6. The premises shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
7. The development hereby permitted shall be carried out in accordance with the following approved plans: P-01B, B-01B & P-02B

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 amenity of the neighbouring residential occupiers.
3. To ensure the proposal remains in accordance with the Local Planning policies.
4. To safeguard the amenity of adjoining and future residents. (Hastings Local Plan 2004 Policies DG1 and DG3).
5. To safeguard the amenity of adjoining and future residents. (Hastings Local Plan 2004 Policies DG1 and DG3).
6. In accordance with the East Sussex County Council's adopted parking standards this development proposal should be provided with a minimum of three cycle parking spaces. These parking facilities should be covered and secure and located within the site in a convenient location for users.
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. The proposal may be a material change of use to which the Building Regulations 1991 apply and a building regulation submission may be necessary before the change of use takes place.
 4. Consideration should be given to the provision of a sprinkler system.
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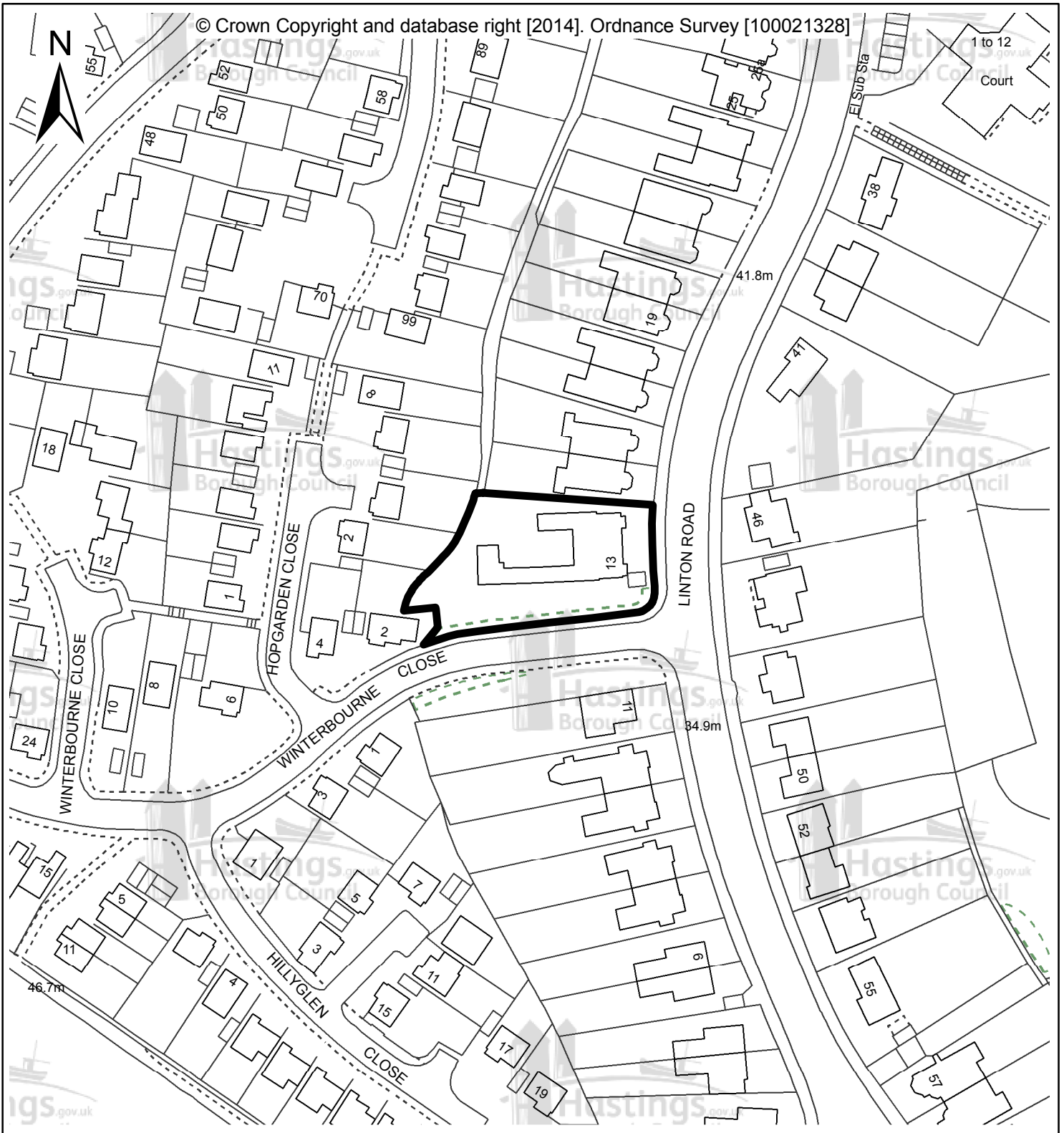
Officer to Contact

Mrs E Meppem, Telephone 01424 783288

Background Papers

Application No: HS/FA/14/00055 including all letters and documents

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13-14 Linton Road
Hastings
TN34 1TW

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



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/14/00055

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Report to: PLANNING COMMITTEE

Date: 16 July 2014

Report from: Development Manager

Application Address: 3A The Uplands, St Leonards-on-sea, TN38 0HL

Proposal: Extension to car parking area

Application No: HS/LB/14/00386

Recommendation: Grant Listed Building Consent

Ward: CENTRAL ST LEONARDS

File No: UP10003

Applicant: 3 The Uplands Ltd per R D P Chartered Architects 14 Cross Street St Leonards on Sea East Sussex TN37 6DP

Interest: Owner

Existing Use: Residential

Policies

Hastings Local Plan 2004: N/A

Conservation Area: Yes - Burtons' St. Leonards

National Planning Policy Framework: Section 12

Hastings Planning Strategy: N/A

Hastings Local Plan, Development Management Plan, Revised

Proposed Submission Version: N/A

Public Consultation

Adj. Properties: Yes

Advertisement: Yes - Affects a Listed Building

Letters of Objection: 2

Petitions Received: 1

Letters of Support: 1

Application Status: Not delegated - petition of objection received

Summary

This is 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. Works include the removal of a concrete block wall, piers, trellis and gates. New railings and gate to be installed.

There will be no harm to the character or appearance of the Grade II Listed Building and therefore it is recommend that Listed Building Consent be granted subject to conditions.

The Site and its Location

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. There is a low wall, comprising various finishes, and gates that run along the edge of the front garden and north west edge of the driveway. There are access steps, to the upper ground floor level, on the south east elevation. A small light well is located at the corner of the steps and the south east elevation. The driveway between 2 and 3 The Uplands has a block paviour finish and the paviments have been installed up to the south west corner of the building at 2 The Uplands. 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.

Details of the Proposal and Other Background Information

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

Previous Site History

HS/LB/14/00029 Internal alterations and conversion of store to bathroom.
Listed Building Consent Granted 10 February 2014

Details of Consultations

There have been two letters of objection, one petition of objection and one letter of support following neighbour consultation, erection of Site Notices and advertisement in the Hastings and St Leonards Observer.

The issues that are relevant and can be considered in this application for Listed Building Consent are objections to the impact on the appearance of the property and the impact of the removal of the wall.

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".

This is an application for Listed Building Consent and the Hastings Local Plan 2004, emerging the Development Management Plan Revised Proposed Submission Version and the adopted Hastings Planning Strategy are not relevant. However, the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (NPPF), Section 12 apply.

Impact on the Listed Building

The concrete block wall, rendered piers and the iron gates, located between the driveway and front garden, are not original to the building and it is not considered that they contribute or enhance the appearance of the listed building or form an important part of the history of the site. The paviour pattern is to match the paviments forming the driveway and will be finished around the light well adjacent to the steps. The extension of the driveway will also match the area of driveway adjacent to 2 The Uplands, where the block paviments also meet the edge of the building.

Details of new railings and gate, to be located between the new parking space and the front garden, have not been submitted, however details are to be submitted by condition.

Conclusion

The proposed hard standing is modest in size and the materials are to match the paviour finish of the adjacent driveway. It is not considered the proposal will impact on the significance, character or appearance of the Grade II Listed Building, or on the setting of the adjacent or nearby Listed Buildings. I therefore recommend that Listed Building Consent be granted subject to conditions.

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

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

Recommendation

Grant Consent subject to the following conditions:

1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.
2. 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 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.

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.
4. For the avoidance of doubt and in the interests of proper planning.

Notes to the Applicant

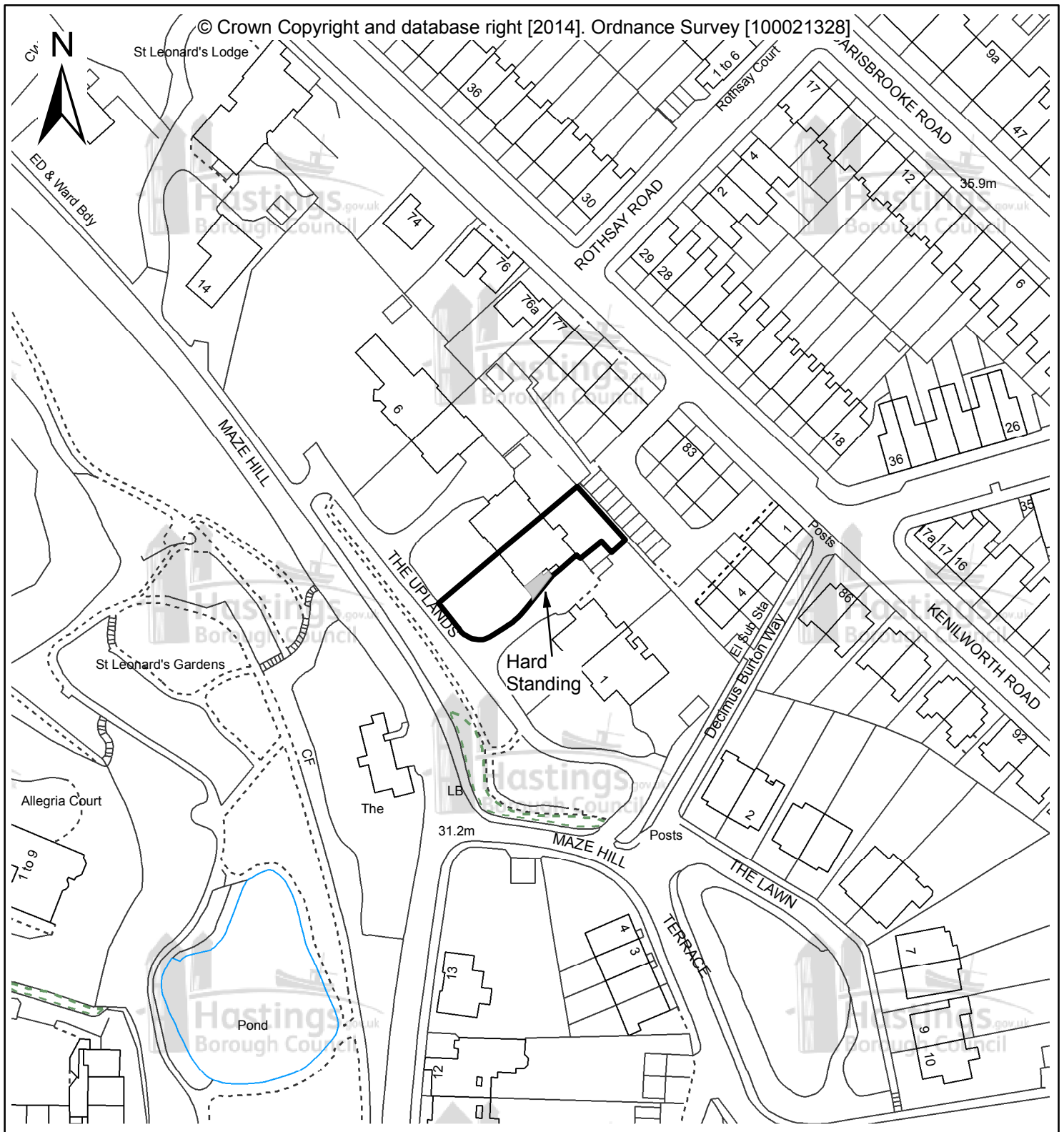
1. Failure to comply with any condition imposed on this consent may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.
3. The proposed extension to the car parking area will also require full planning permission.

Officer to Contact

Mrs C Boydell, Telephone 01424 783298

Background Papers

Application No: HS/LB/14/00386 including all letters and documents



**3A The Uplands
St Leonards-on-sea
TN38 0HL**

Extension to car parking area



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

Date: July 2014

Scale: 1:1,250

Application No. HS/LB/14/00386

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Agenda Item 6

Agenda Item: 6

Report to: Planning Committee

Date: 16 July 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 9 June and 4 July 2014

Recommendations: That the report be noted

Address	Proposal	BPO's Rec.	Where the decision was made	Type of Appeal
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No appeals have been received this month

The following appeals have been dismissed

3 Stone Street, Hastings	Change of use for the property from single family dwelling to a House of Multiple Occupancy.	Refusal	Delegated	Planning Refusal
24 Waldegrave Street, Hastings,	Change of use to HMO (C4)	Grant	Planning Committee	Planning Refusal

Type of Delegated Decision	Number of Decisions
Granted	59
Refused	6
Withdrawn by Applicant	1
Raise no Objection	1

Background Papers:

Various correspondence with Planning Inspectorate

Report written by:

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

Agenda Item 7

AGENDA ITEM NO: 7 (a)

Report to: PLANNING COMMITTEE

Date: 16 July 2014

Report from: Development Manager

Application Address: The Victoria Inn, 290 Battle Road, St Leonards-on-sea, TN37 7BA

Proposal: Alterations to front elevation to install new shopfront and installation of ramp.

Application No: HS/FA/14/00338

Recommendation: Grant permission

Ward: ASHDOWN

File No: BA90290

Applicant: Mr BASCOMB per Chris Flint Ass Ltd 2 Emerald Close Waterlooville P07 8NZ

Interest: Owner

Existing Use: Former Public House

Policies

Hastings Local Plan 2004: DG1, DG2, DG14

Conservation Area: No

National Planning Policy Framework: Section 7

Hastings Planning Strategy: FA1, SC1

Hastings Local Plan, Development Management Plan, Revised

Proposed Submission Version: DM1, DM3, DM4

Supplementary Planning Document: Shopfronts and Advertisements

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

This application is for the installation of a new shopfront and ramps to the front of the building.

The Site and its Location

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.

Details of the Proposal and Other Background Information

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 railings.

Recent Site History

HS/FA/14/00528	Instalment of one new condenser unit, two air conditioning units and one condenser pack. Application not yet determined
HS/FA/14/00282	Proposed construction of 2 x semi-detached dwellings with associated car parking, cycle and refuse storage. Resolved to be granted subject to a unilateral agreement
HS/FA/14/00286	Variation of condition 4 (approved plans) of Planning Permission HS/FA/13/00830 - Demolition of existing rear conservatory and extension and erection of a ground floor single storey - Amendment, alterations to support proposed new doors, with new front entrance ramps & removal of chimney. Granted 06 May 2014
HS/FA/13/00830	Demolition of existing conservatory and rear extension and the erection of a ground floor single storey extension to the rear (east) and an extension to the side (north) of the existing building. Granted 25 November 2013

Details of Consultations

There have been three objections relating to the ATM, which has now been removed from the scheme. We approached the objectors and asked whether they wished to withdraw their objections but they asked that they remain.

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 DG1, DG2, DG14 in the adopted Hastings Local Plan 2004, policies DM1, DM3, DM4 of the Development Management Plan Revised Proposed Submission Version and policies FA1, SC1 of the Hastings Planning Strategy are relevant, as is Section 7 of the National Planning Policy Framework.

As the ATM has been withdrawn from the planning application, the items under consideration are the replacement of the front door and two windows with a new shopfront and the provision of two ramps.

The front elevation is clearly visible from Battle Road, however the new shopfront is central in the front elevation and it is in proportion with the main building. It is not considered the alterations to the front elevation will have a material adverse impact on the building or on the neighbourhood in general.

The proposed ramp to the shop entrance will provide access for users with poor mobility. The materials used in the construction of both the ramps are in keeping with the main building. The ramps are similar in design and materials to the ramps approved under planning application HS/FA/14/00286, which was granted on 06 May 2014.

Conclusion

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

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

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

Recommendation

Grant 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. 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.

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.
4. For the avoidance of doubt and in the interests of proper planning.

Notes to the Applicant

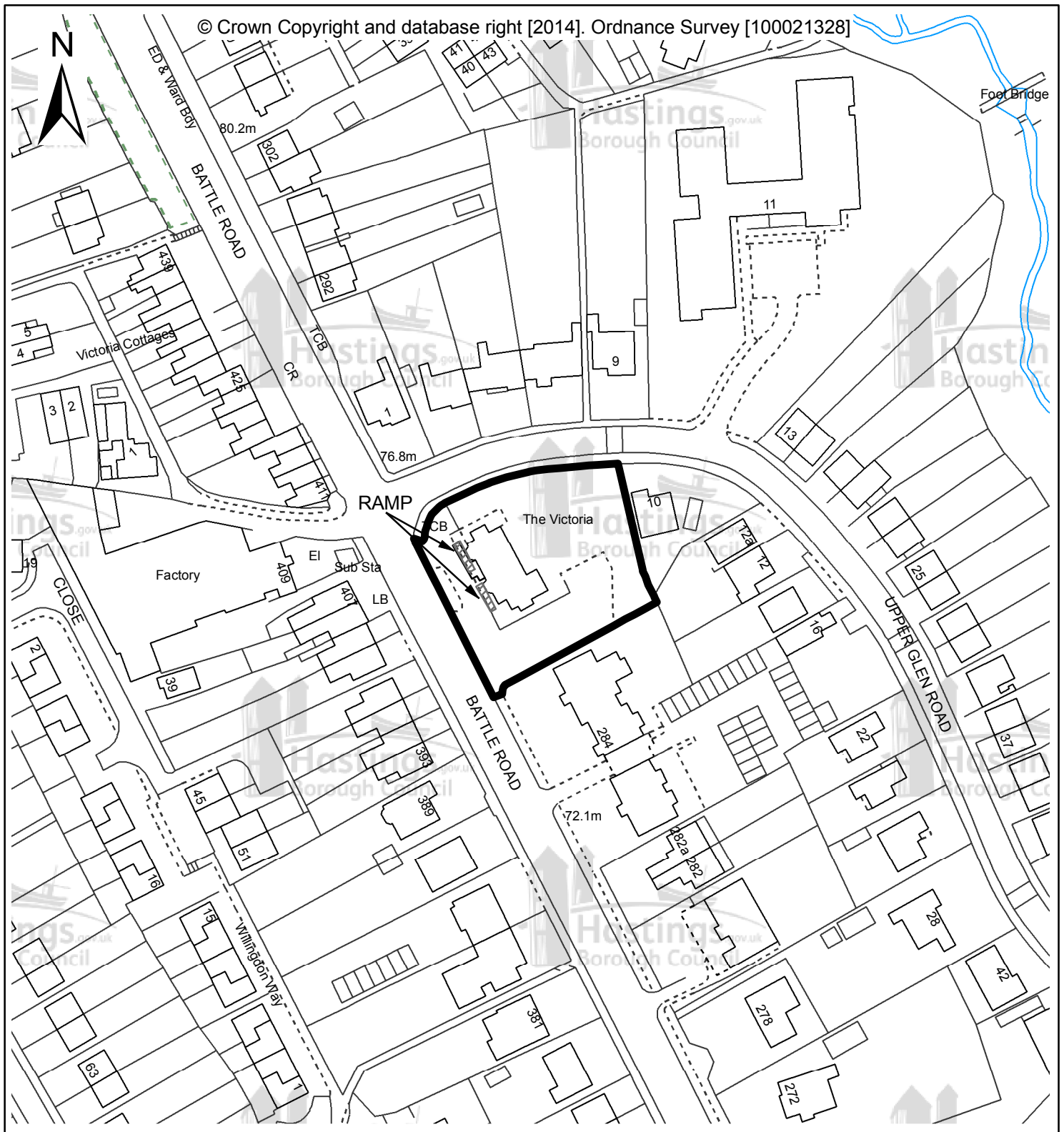
1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner,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

Officer to Contact

Mrs C Boydell, Telephone 01424 783298

Background Papers

Application No: HS/FA/14/00338 including all letters and documents



The Victoria Inn
290 Battle Road
St Leonards-on-sea
TN37 7BA

Alterations to front elevation to install new shopfront and installation of ramp.



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

Date: July 2014

Scale: 1:1,250

Application No. HS/FA/14/00338

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