

Planning Committee Agenda

Wednesday, 1 April 2015 at 6.00 pm

Town Hall, Queen's Square, Priory Meadow, Hastings, TN34 1QR.

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Agenda Item 3

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

72. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Beaver and Roberts.

73. DECLARATIONS OF INTEREST

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

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Charlesworth	61.1 – Rocklands Private Caravan Park, Rocklands Lane	Prejudicial – Has advised the petitioners
Rogers	63.4 – 28 Lower South Road	Personal – Applicant is a former neighbour
Street	61.1 – Rocklands Private Caravan Park, Rocklands Lane	Personal – member of Friends of Hastings Country Park
Street	63.1 Little Warren Cottage, Fairlight Road	Personal – member of Friends of Hastings Country Park
Street	63.2 – Proposed Visitor Centre, Hastings Country Park, Lower Coastguard Lane	Prejudicial – involved in discussions with architect and publicly supported the application
Poole from the public gallery	63.2 – Proposed Visitor Centre, Hastings Country Park, Lower Coastguard Lane	Personal – Member of the Country Park Forum as Lead Member for Leisure and Amenities and Chair of the Visitor Centre Project Board.

74. MINUTES OF THE MEETING HELD 4 FEBRUARY 2015

RESOLVED – That the minutes of the meeting held on 4 February 2015 be approved and signed by the Chair as a true record.

75. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

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76. PLANNING APPLICATIONS ATTRACTING A PETITION:

76.1 Rocklands Private Caravan Park, Rocklands Lane

Proposal:	Retention of holiday let building (with reduction to balcony area to the dimensions permitted by HS/FA/12/00952) and access ramp. Relocation of solar panels to roof of holiday let building.
Application No:	HS/FA/14/01036
Existing Use:	Holiday let
Hastings Local Plan 2004	T7, L1, L2, L3, DG1, DG3, DG7, DG8, DG21, C1 and C6
Conservation Area:	No
National Planning Policy Framework	Paragraphs 17, 109, 115, 117, 118, 120, 121, 126, 128, 129, 131, 132, 133.
Hastings Planning Strategy	SC1, FA5, EN1, EN5 and EN7
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4, DM5, HN1 and HN4
Public Consultation:	463 letters of objection received; 4 letters of support received and 1 petition

Ms Bahcheli reported on an application for the retention of a holiday let building (with reduction to balcony area to the dimensions permitted by HS/FA/12/00952) and access ramp. Relocation of solar panels to roof of holiday let building at Rocklands Private Caravan Park, Rocklands Lane, Hastings.

The proposal is a full planning application to retain a holiday let building that has been partially constructed without planning permission in the south west corner of Rocklands Holiday Park.

The application site lies within the Rocklands Caravan Park, which sits within the Hastings Country Park and within the High Weald Area of Outstanding Natural Beauty (AONB). The application site lies at the south western edge of the caravan park.

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The site also lies within the setting of the Hastings Old Town conservation area, the boundary of which lies to the west and south of the application site and shares the southern boundary of the site with the conservation area.

The application site also lies partially on, and within the setting of a Scheduled Ancient Monument (SAM) and lies within an Archaeological Notification Area.

This is a full application which seeks planning permission to retain a two-storey holiday let building that has been partially constructed at Rocklands Holiday Park. The shell of the building has been constructed but the building is not complete.

In addition to the retention of the partially constructed building, this application also seeks consent to make some alterations to it:

- A reduction of the size balconies to be similar to a previous planning consent (HS/FA/12/00952),
- The location of solar panels on the roof,
- Further landscaping to the south, east and west,
- Some changes to window and door treatments.
- A ramp constructed for vehicular access will be cleared away and restored.
- Landscaping to the south and the north.

This application is similar to a previous application that was refused by this planning committee in June 2014 (HS/FA/14/00406). That application sought to amend a previous planning consent (HS/FA/12/00952 - granted on delegated authority) which is similar to this current proposal. However the differences between the 2012 proposal and this current proposal are sufficiently material to require a fresh planning application.

In addition, HS/FA/14/00406 was not supported by accurate plans and was not supported by appropriate evidence.

The current application building does not therefore benefit from planning permission.

The main differences between the constructed building and the consented building (HS/FA/12/00952) are:

- The building has been re-sited/re-orientated to face further south
- The ground levels are 0.15m higher.
- The ground floor has been extended in the south west corner
- The height of the building has been increased by 0.6m (to 6.2m in total)
- The balconies extend further from the building.

There have also been some changes in circumstances at the application site in the period since planning permission HS/FA/12/00952 was granted. These are the

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landslip in February 2014 and the loss of vegetation as a result. Some hedging was also removed on the east/south of the application site as a result of the construction.

The main issues considered were the relationship of this proposal to the previous planning consent, the landscape impact, the impact on the historic environment, the impact on residential amenity, the impact on nature conservation interests, the ground conditions and drainage and tourism development.

On balance, the planning history/fallback position and the benefits of the scheme to the visitor economy are outweighed by the harm to the landscape character and visual amenity of the AONB, the Country Park and the setting of the conservation area.

Ms Bahcheli explained that a late representation was received from the Applicant's technical experts Oscus Ltd which responded to the Coffey Report commissioned by the Council. She recommended that planning permission be refused subject to additional wording being added to the resolution enabling the Council to go back to Coffey in respect of the specific issues raised by Oscus Limited regarding the second reason for refusal.

A report containing some late electronic comments had been received since the publication of the agenda. This was circulated to the Committee prior to the meeting.

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

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

Councillor Hodges, Ward Councillor, was present and spoke against the application. Members discussed this item at length.

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

RESOLVED – (unanimously) that:

Following receipt of late comments from Oscus Limited on Coffey's response to the Oscus November 2014 report, the Planning Officer needs to seek further advice from Coffey. If following receipt of that advice the Planning Officer agrees with the assessment of the Applicant's Experts the second reason for refusal will be withdrawn.

Planning permission be refused subject to the following reasons:-

- 1. The proposal, by virtue of its height, form and colour which is highly visible in long, medium and short views from the east, south and west, has a harmful impact on the landscape character and visual amenity of the High Weald Area of Outstanding Natural Beauty, the Hastings**

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Country Park. Therefore the proposal does not accord with Local Plan 2004 policies L1 and L2, Hastings Planning Strategy Policies EN7 and FA5, and the National Planning Policy Framework paragraphs 132, 133. The conflict with the development plan and the National Planning Policy Framework is not outweighed by any other material consideration;

2. Insufficient evidence is submitted to demonstrate that the application building would not be affected by landslips close to the application site and that the additional loading on existing building would not affect slope stability. As a result adopted Hastings Local Plan policy DG21 and emerging Development Management Plan proposed submission version policy DM5 are not complied with; and
3. The proposal, by virtue of its height, form and colour, would be highly visible within the setting of the Old Town conservation area and the setting of the SAM and would be harmful to the significance of each of these designated heritage assets. The proposal therefore does not accord with Local Plan 2004 policy C1 and Hastings Planning Strategy Policy EN1 and the National Planning Policy Framework paragraphs 131 and 132. The conflict with the development plan or the National Planning Policy Framework is not outweighed by any other material considerations.

Note to the Applicant

1. **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.

77. PLANNING APPEALS AND DELEGATED DECISIONS

The Development Manager reported five appeals that had been received and one appeal that had been allowed. He also reported on a number of delegated decisions. All matters had arisen between 26 January 2015 and 20 February 2015.

RESOLVED – that the report be noted.

78. PLANNING APPLICATIONS:

78.1 Little Warren Cottage, Fairlight Road

Proposal:

Proposed side extension to form new bedroom and ensuite. Proposed rebuilding of attached store to form new porch area. Proposed demolition of WC and porch to form new lobby area to rear elevation. Proposed raised decking area, leading to a new Conservatory. Insertion of 3 No.

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	rooflights. Internal alterations to facilitate proposals. New detached studio/storage building. (Use as residential permitted under HS/PD/13/00517).
Application No:	HS/FA/14/00893
Existing Use:	B1
Hastings Local Plan 2004	L1, L2, L3, DG1, DG2, DG3, DG11, NC1, NC2, NC3, NC5, NC8, NC9
Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	FA5, SC1, EN1, EN2, EN3, EN4, EN5, EN6, H1, H2, E1, T3
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4, HN1, HN4, HN8, HN9
Other	
Public Consultation:	40 letters of objection and 4 letters of support received

The Development Manager reported on an application for extensions and alterations to the existing bungalow, the erection of an outbuilding, hard surfacing works and landscaping works at Little Warren Cottage, Fairlight Road, Hastings.

The site is located within the High Weald AONB and Hastings Country Park. The surrounding area is designated as part of the Hastings Cliffs Special Area of Conservation (SAC), the Hastings Cliffs to Pett Beach Site of Special Scientific Interest (SSSI), the Country Park Local Wildlife Site (LWS) and The Country Park Local Nature Reserve.

The site consists of a single storey building and former garden area surrounded by hedges and other mature vegetation. The dwelling is built mainly of brick with a clay tile pitch roof. Access to the site is via a track leading from Fairlight Road to the north. The site does not adjoin other properties but does adjoin public rights of way to the north, east and south. Trees exist on all of the site's boundaries which are covered by a Tree Preservation Order (TPO).

The scheme follows the approval of application: HS/PD/13/00517 which was a prior approval application for the change of use of the premises from offices to residential.

This type of application basically seeks to determine whether the prior approval of

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the Local Planning Authority is required with regard to the following 3 matters only:

- (a) transport and highways impacts of the development;
- (b) contamination risks on the site; and
- (c) flooding risks on the site,

The current application also follows the grant of planning permission: HS/FA/13/00685 which was for extensions and alterations to the building. The approved scheme includes a side extension to the west (area: 13.5 square metres), a replacement porch to the north (area: 2.3 square metres), the removal of a porch to the south and the formation of a raised decking area to the south (area: 10.8 square metres).

The scheme currently proposed also involves an extension to the west with a similar footprint to that previously approved, a larger replacement porch to the north (increase of 0.7 square metres), replacing the existing porch/extension to the south with a new porch (area: 1.6 square metres), a conservatory to the south west (area: 4.9 square metres), the formation of a larger raised decking area (increase of 4.7 square metres) to the rear and an outbuilding (area 30 square metres).

The main issues considered were the impact of the development on the character and appearance of the surrounding High Weald Area of Outstanding Natural Beauty (AONB); Hastings Country Park; the ecology of the area and protected trees. Having considered these issues and the objections the Development Manager 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 members had attended a site visit earlier in the afternoon. Councillors Charlesworth and Lee had not attended the site visit and took no part in consideration or voting on this item.

A minor amendment was noted to page 73 of the agenda, Condition 10. The word 'accommodation' shall be replaced with the word 'outbuilding'.

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 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 take place until the measures outlined in the submitted arboricultural report (Arboricultural Report Tree Survey Arboricultural Impact Assessment & Tree Protection Plan Little Warren Cottage Fairlight Road Fairlight East Sussex TN35 4AA by the Mayhew Consultancy), dated November 2014 have been fully**

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implemented, unless:

- (i) the programme for such measures is otherwise specified within that document in which case the works shall be carried out in accordance with the timescales contained therein or;
 - (ii) unless the scheme(s), or programme(s) of measures contained within the report are otherwise first varied, by way of prior written approval from the Local Planning Authority.
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. Prior to the commencement of development, a biosecurity protocol shall be submitted to and approved by the local planning authority detailing measures to minimize or remove the risk of introducing non-native species into a particular area during the construction, operational or decommissioning phases of the project. The measures shall be carried out strictly in accordance with the approved scheme;
6. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
 - Risk assessment of potentially damaging construction activities;
 - Identification of “biodiversity protection zones”;

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- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority;

7. No development shall take place until the measures outlined in the submitted ecological statements and reports (Scoping Survey Warren Cottage, Hastings County Park. by Camber Ecology Limited dated 9th November 2012 and Bat Survey Little Warren Cottage, Fairlight, East Sussex. by Camber Ecology Limited dated July - August 2013, and the letter from Camber Ecology Limited dated 04 November 2014) have been fully implemented, unless:
 - (i) the programme for such measures is otherwise specified within that document (for example with regard to measures related to monitoring, further survey work, the erection of bird boxes on buildings or other conservation enhancements), in which case the works shall be carried out in accordance with the timescales contained therein or;
 - (ii) unless the scheme(s), or programme(s) of measures contained within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.
8. Where ecological surveys have identified the presence of roosting bats, no activities that could result in disturbance (such as demolition, roof stripping, excavations or building works or associated operations) shall be carried out unless under the direction of a licensed bat ecologist to ensure that an offence is not committed and in accordance with the submitted and approved Construction Environmental Management Plan (Biodiversity);
9. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the extension, conservatory, outbuilding and hard surfaces hereby permitted have been made available on site or submitted to the Local

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Authority for approval in writing. Development shall be carried out in accordance with the approved details;

- 10 The outbuilding hereby approved shall only be used as ancillary accommodation and storage incidental to the use of Little Warren Cottage, Fairlight Road, Fairlight, East Sussex, TN35 4AA as a dwellinghouse only. The building shall be used for no other purposes whatsoever including as independent residential use;**
- 11 Notwithstanding the information shown on drawing number: 14.613/02 D the area immediately to the east of the site's entrance annotated "Type 1 roadstone" is not approved as part of this permission;**
- 12 (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 dwellings or flats hereby approved shall occur until those works have been completed;**
- (iii) No occupation of any of the dwellings or flats hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.**
- 13 The development hereby permitted shall be carried out in accordance with the following approved plans:**

14.613/03, 01 (Date Stamped 10/12/14), 02D

Reasons:

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;**
- 2. To protect features of recognised nature conservation importance and the landscape character of the area;**
- 3. In the interests of the visual amenity;**
- 4. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 5. To protect features of recognised nature conservation importance.**

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(Hastings Local Plan 2004 policies NC8 and NC9);

- 6. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);**
- 7. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);**
- 8. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);**
- 9. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 - Policy DG1);**
- 10 To accord with the terms of the application and to safeguard proper planning of the area;**
- 11 To ensure a satisfactory standard of development and to protect features of recognised nature conservation importance;**
- 12 To ensure that the property is occupied until adequate access and drainage facilities have been provided; and**
- 13 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; and**
- 3. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.**

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

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78.2 Proposed Visitor Centre, Hastings Country Park, Lower Coastguard Lane

Proposal:	Proposed Visitor Centre Hastings Country Park, Lower Coastguard Lane, Fairlight, Hastings, TN35 4AB
Application No:	HS/FA/14/01033
Existing Use:	Agricultural land/Country Park
Hastings Local Plan 2004	CN1, NC8, NC9, DG1, DG7
Conservation Area:	No
National Planning Policy Framework	Para 115
Hastings Planning Strategy	FA5(g), SC3, EN3, EN5, EN7
Development Management Plan	
Proposed Submission Version:	LP1, DM1, DM3, DM4, DM6, HN8, HN9
Public Consultation:	50 letters of objection and 12 letters of support received

The Development Manager reported on a full planning application submitted by Hastings Borough Council for the erection of a new Visitor Centre within Hastings Country Park, Lower Coastguard Lane, Fairlight, Hastings.

The proposed location of the new visitor centre is on coastguard Lane, to the south west of the existing Visitor Centre, and will be set within the existing grass verge/agricultural land. The site lies with the High Weald Area of Outstanding Natural Beauty (AONB) and is a Local Nature Reserve (LNR).

The existing facility is no longer considered fit for purpose and the Council wish to provide a new centre for all members of the public to learn more about the Park. The ground floor will be fully accessible to all and provide a safe, warm environment for educational purposes. The location has been chosen as the least intrusive within the AONB and will have the least impact on the special landscape of the Country Park. Materials are considered to be sustainable and in keeping with the rural location.

The proposed visitor centre will be a south facing, one storey multi-functional building including a viewing platform at 1st floor level. Access to the 1st floor will be limited to maintenance only until such time that the floor is accessible to all by lift. A small seating area outside will be provided for picnicking. A small refreshment kiosk will be provided within the building.

Internally, the centre will provide 2 unisex toilets and 1 accessible toilet, a small

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shop and refreshments area, storage, plant room and a large flexible space for education/exhibitions.

An amphitheatre is proposed to the south of the building, to be used as an outdoor classroom for educational purposes.

As well as the existing adjacent car park, there is additional space for car/coach parking a short walk away to accommodate any additional traffic should more schools take advantage of the enhanced educational facility/opportunity.

The main function of the visitor centre is a facility which provides information and education regarding the local landscape and special character and beauty of the Hastings Country Park/AONB. The proposals include a new access with turning head in order to provide level access to all.

The main considerations were the principle of the development/proposed use; AONB/Landscape impact; ecology; drainage; highways/traffic; residential amenity; and impact on existing business.

The Development Manager considered the proposal has been designed and located to be in keeping with the rural character and landscape of the Local Nature Reserve and Highway Weald AONB. The Development Manager recommended the application be approved subject to conditions.

A report containing some late electronic comments had been received since the publication of the agenda. This was circulated to the Committee prior to the meeting.

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

Having declared his prejudicial interest, Councillor Street was absent from the chamber during discussion and voting and the application was chaired by Councillor Scott as Vice-Chair.

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

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. 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. The visitor centre shall not be used except between the following hours:-

9am - 5pm Monday - Sunday
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 use of the building hereby approved shall occur until those works have been completed;
- (iii) The building shall not be used 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. No development above ground shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; 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. 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 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
8. 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

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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;

9. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the visitor centre and amphitheatre (including photovoltaics) hereby permitted have been made submitted or made available on site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details;
10. 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;
11. There must be no public access to the proposed viewing platform unless a fully functioning lift is provided;
12. The proposed amphitheatre is to be used as an outdoor classroom only and for no other use;
13. The development hereby permitted shall be carried out in accordance with the following approved plans:

240/100 NEW, 001, 101A, 102A, 103A, 104A, 105B, 106B, 107B, 108A, 109A.
14. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority;
15. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [14] to the satisfaction of the Local Planning Authority, in consultation with the County 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 and future residents. (Hastings

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Local Plan 2004 Policies DG1 and DG3);

- 3. To safeguard the amenity of adjoining and future residents. (Hastings Local Plan 2004 Policies DG1 and DG3);**
- 4. To ensure that no property is occupied until adequate access and drainage facilities have been provided;**
- 5. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 6. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 7. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 8. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 9. In the interests of the visual amenity;**
- 10. To safeguard the amenity of nearby residents and user of the Country Park;**
- 11. In order that the facility is accessible to all members of the public;**
- 12. To protect the amenity of neighbouring residents;**
- 13. For the avoidance of doubt and in the interests of proper planning;**
- 14. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework;**
- 15. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.**

Notes to the Applicant

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

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at the Police Station, Bohemia Road, Hastings to discuss the "Secured by Design" principles for new developments; and

4. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: developerservices@southernwater.co.uk.

78.3 63 St. Helens Park Road

Proposal:	Single storey flat roofed rear extension together with front facing dormer window
Application No:	HS/FA/14/01008
Existing Use:	Single private dwellinghouse
Hastings Local Plan 2004	DG1 and DG3
Conservation Area:	
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	SC1
Development Management Plan	
Proposed Submission Version:	DM1, DM3
Public Consultation:	3 letters of objection received

The Development Manager reported on an application for a single storey flat roofed rear extension, together with front facing dormer window at 63 St. Helens Park Road, Hastings.

The application site comprises a substantial detached period property with an existing flat roofed garage which is built on the boundary to the side (south). The properties on both sides are similar in nature, although some have smaller gardens. 61 St. Helens Park Road is set at a lower level.

Following refusal of the previous application which included a dormer window (HS/FA/14/00744), it was initially felt that the dormer forming part of this planning application was also unacceptable, but amended plans were received to site it in the centre of the house, reducing its size and changing the roof to a pitched roof with a width of about 1.7m and a total height of 2m.

It is proposed that the rear single storey extension would cover the full width of the dwellinghouse and also the space behind the existing side garage bringing the extension up to the boundary wall with 61 St Helens Park Road. The extension will have a width of 12.25m with a depth of 3.9m. The plans show a height of 3.25m,

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increasing in height to 4m for the two metres nearest to the boundary wall due to changes in ground levels. The extension will have a flat roof with two lantern style rooflights and will match the existing white painted rendered brickwork.

The main considerations were the impacts of the proposal on the visual impact and living conditions of the adjoining properties. The Development Manager considered the proposal would not result in any overlooking and therefore recommended planning permission be granted subject to conditions.

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

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

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:

Site Plan; and 1601 (110)-1, 2, 9, 10B, 12 & D

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building;
4. 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 the visual amenity of the area. (Hastings Local Plan 2004 - Policy DG1); and
4. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1)

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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; and**
3. **Please note that the approval relates only to the single storey rear extension and front dormer window.**

78.4 28 Lower South Road

Proposal:	Demolition of existing garage and storage building and erection of an apartment building containing four flats
Application No:	HS/FA/14/00966
Existing Use:	Garages/storage
Hastings Local Plan 2004	DG1, DG2, E4, TR8
Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	DC1, E1
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4
Public Consultation:	2 letters of objection received

This application was referred to the Planning Committee by Councillor Cartwright, Ward Member for Gensing.

The Development Manager reported on an application for the demolition of a garage and storage building and erection of a three-storey high block of four flats, including a flat at lower ground floor level at land adjacent to 27 Lower South Road.

The site lies on the southern side of Lower South Road adjacent to the end of terrace property of 27 Lower South Road and to the rear of 267 London Road. The site contains a garage and single storey building where it fronts Lower South Road and two-storey at the rear. Nearby buildings are two or three storey in height.

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The apartment block will comprise three 1-bedroom and one 2-bedroom flats over four floors, including accommodation at lower ground level, similar to the adjoining terraced houses. The building would form a link between 27 Lower South Road and the existing accommodation at the rear of 267 London Road which is in the same ownership as the application site. The building would be angled and articulated to suit the site and to match the height of the adjacent property of 267 London Road. The fenestration details (including bay windows) would match the existing houses along the south side of Lower South Road.

The proposed flats would be accessed via a common lobby area on the ground floor of the building on Lower South Road. This entrance would also be used to provide access to the existing ground floor flat at 267 London Road. The lower ground floor flat and the existing flat at 267 London Road would have access to a court yard area at the rear of the site.

Proposals include blocking-up of two existing windows serving a kitchen and a bathroom on the ground floor and two windows in bathrooms at the first and second floor levels of the residential accommodation to the rear of 267 London Road.

A cycle storage area is to be included on the lower ground floor level of the building. No parking is proposed to serve the development.

The main issues considered were the impacts on loss of employment use; character of the area; amenities of adjacent properties; highway considerations, and access.

The Development Manager felt the proposal was in line with the National Planning Policy Framework and that it made effective use of previously developed brownfield land. As there is no material change in circumstance that would justify a refusal against the background of the previously allowed appeal, the Development Manager recommended planning permission be granted subject to conditions.

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

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

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:**
TCPS 289/1; 2597; and 4612/1
3. **(i) Construction of the development shall not commence until details**

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of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority;

- (ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed;
 - (iii) No occupation of any of the dwellings or flats hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.
4. No development shall take place above ground until details 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;
5. 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.
6. No flat hereby approved shall be occupied until readily accessible external storage space for refuse bins awaiting collection has been provided to the satisfaction of the Local Planning Authority;
7. The lower ground, ground, 1st and 2nd floor windows on the rear elevation of the building marked on drawings 4612/1 shall be obscure glazed at all times unless otherwise first approved in writing by the Local Planning Authority;
8. No development shall commence until the boundary treatment details have been submitted to and approved in writing by the Local Planning Authority. Thereafter no development shall take place other than in accordance with the approved details; and
9. No development shall take place until details of the windows have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reasons:

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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 prevent increased risk of flooding;
4. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 Policy DG1);
5. In the interests of the amenity of the neighbouring residential occupiers (Hastings Local Plan 2004 Policy DG1);
6. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (Hastings Local Plan 2004 Policy DG1);
7. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (Hastings Local Plan 2004 Policy DG1);
8. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (Hastings Local Plan 2004 Policy DG1); and
9. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (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. Consideration should be given to the provision of a domestic sprinkler system; and
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.

(The Chair declared the meeting closed at. 7.07 pm)

Agenda Item 5a

AGENDA ITEM NO: **5 (a)**

Report to: PLANNING COMMITTEE

Date: 01 April 2015

Report from: Head of Housing and Planning Services

Application Address: **Buss Buildings, Waldegrave Street,
Hastings, TN34 1SF**

Proposal: **Change of use from A1 Shop to Sui
Generis Laundrette & A3 Cafe including
new access doors**

Application No: **HS/FA/14/00951**

Recommendation: **Grant Full Planning Permission**

Ward: CASTLE

File No: WA25015S

Applicant: Discount Hydroponics per Westall Walker
Associates PO Box 21 Hastings East Sussex
TN34 3WD

Interest: Freeholder

Existing Use: Warehouse/store

Policies

Hastings Local Plan 2004: E4, DG1, DG2, DG4, DG5, DG14

Conservation Area: No

National Planning Policy Framework: No Conflict

Hastings Planning Strategy: FA2, SC1, E1

Hastings Local Plan, Development
Management Plan, Revised

Proposed Submission Version: DM1, DM3, DM4, DM6

Public Consultation

Adj. Properties: Yes

Advertisement: Yes - General Interest

Letters of Objection: 4

Petitions Received: 1

Application Status: Not delegated - Petition received

Summary

This application is for the conversion of an existing store to a mixed use as a laundrette (sui generis) and a cafe (A1). There have been concerns raised about the potential noise, parking provision and anti social behaviour on and around the site. However having fully assessed the application the proposed change of use is considered acceptable in this location.

The Site and its Location

The site consists of a vacant warehouse/shop and ground floor level, located on the corner of Waldergrave Street and Mann Street. The site is not a listed building or located within a conservation area. The surrounding area is predominantly made up of residential properties with one retail unit on the opposite side of the road. This unit has previously been used as the store for this shop. The upper floors of the premises are used as residential accommodation which is accessed from Mann Street to the rear.

Details of the Proposal and Other Background Information

This application is for the conversion of the existing warehouse/store to a mixed use as a laundrette (sui generis) and a cafe (A1). This proposal will involve the alteration to the existing floor layout of the unit to provide a central lobby area leading to a self service laundrette, professional wash area and cafe. Within the cafe portion of the premises there will be a customer WC and an office/store area.

During the consideration of the application the Environmental Health officer commented that a ventilated lobby was required to provide access to the WC. The proposed plan has been amended accordingly.

The applicant has confirmed that it is proposed to employ 4 full time staff and 4 part time staff across the two units.

The proposed opening hours are as follows;

Cafe - 10:00 - 16:00 Monday to Friday, 10:00 - 16:00 Saturday, Closed Sunday and Bank Holidays.

Laundrette - 10:00 - 22:00 Monday to Friday, 10:00 - 22:00 Saturday, 10:00 - 16:00 Sundays and Bank Holidays.

Previous Site History

HS/FA/07/00516 Conversion of warehouse to form self contained residential unit -
Refused - 14.08.2007

HS/FA/98/00420 Change of use of first floor from vacant commercial premises to 1 x 1
bedroom flat - 28.09.1998

HS/FA/90/00607 Installation of door and window in front elevation - Granted - 18.09.1990

Details of Consultations

As part of this application 46 neighbouring properties were consulted and a site notice was displayed.

4 letters of objection were received and a valid petition with 17 signatures was also received. The concerns within this letter relate to;

- Parking facilities
- Commercial waste
- Waste water
- Flooding

- Need
- Impact on neighbouring amenities
- Antisocial behaviour

Sussex Police

The crime prevention design adviser has suggested that the new access doors should be laminated and a minimum thickness of 6.8mm unless they are to be protected by a roller shutter or grille. It has also been suggested that a monitored intruder alarm system and suitable CCTV be installed in order to deter vandalism, theft or anti social behaviour.

Environmental Health

The Environmental Health officer has suggested several conditions including noise attenuation, refuse storage and delivery/waste collection times. Several other guidelines have also been provided for the applicant in relation to health and safety requirements.

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".

As stated above this application is for the conversion of an existing warehouse/store to a mixed use premises. The right hand side of the property is proposed to be used as a laundrette and professional wash area and the left hand side of the property is shown to be used as a cafe with an office/store and WC.

Residential amenity and character of the area

Several concerns have been raised by the local residents in relation to a potential increase in anti social behaviour and the impact of the business on the local residents. As stated above the crime prevention team have suggested various deterrent options available to the applicant.

Having discussed the residents concerns with the agent for the site it has been detailed that, should the professional wash service be operational a full time member of staff will be present on site. On the days this service is not in operation frequent checks and visits to the site will be carried out to ensure adequate levels of cleanliness and safety are maintained. With regard to the cafe element of the proposal, on the days the cafe is open to customers a full time member of staff will be present. Taking these provisions into account I am of the opinion that any concerns of antisocial behaviour can be overcome with professional management of the site.

Noise pollution

The applicant has indicated that adequate noise attenuating materials can be installed as part of the development to ensure that the noise levels emanating from the site do not have a detrimental impact on the neighbouring properties or the residents above. It has also been indicated that no cooking is to be carried out within the cafe area and as a result no external extraction or ventilation equipment will be required.

In light of the above I would suggest imposing a condition requiring this information is submitted prior to commencement of works.

Parking and Highways

As stated above the site is located in a predominantly residential area. To the front of the site there a designated loading bay and the surrounding streets operate a mixture of residents only parking and pay and display. Although this has been raised as a concern by the local residents I am of the opinion that due to the residential nature of the area and the proximity to town centre, the majority of the customers will be local to the site and travel on foot or make use of the alternative parking in the near vicinity. The fact that on-street parking is actively managed in this area means that any impact on parking resulting from the development will be minimised.

Need

Several of the objections submitted query the need for a laundrette and cafe in this area. Unfortunately 'need' is not a planning consideration and is not a valid justification for refusal.

Street scene/character

As part of this application it is proposed to retain the existing large industrial style opening as the front facade for the cafe and the single door to the right is to be the main entrance to the laundrette. The separate entrances have been retained to ensure that, due to the differing opening hours, the cafe can be secured after closing. Having visited the site it is apparent that the existing premises is beginning to deteriorate and is need of attention. Taking this in to account I am of the opinion that the proposed alteration to the exterior of the property will result in a premises that contributes to the character of the area and provides a service to the local residents.

Employment Use

Policy E4 of the Hastings Local Plan states that employment land within the built up area will be safeguarded and that planning permission will not be granted for development which would result in a loss of land used for-

- (a) B1 Business Use
- (b) B2 General Industrial use
- (c) B8 Storage or Distribution use
- (d) Any uses of a similar character to those above, but not falling within the specified Use Classes, eg. depot, builder's yard.

Having visited the site it is apparent that the existing unit is being used purely as a storage space for the shop unit on the opposite side of the road and not as an independent employment use. Although this proposed change of use would result in the loss of the existing warehouse space, I am of the opinion that the regeneration of the premises to a restricted A3 and Sui Generis use would result in a positive contribution to the character of the area and provide facilities for the surrounding community.

Conclusion

Taking the above in to account I am of the opinion that the concerns raised by local residents can be overcome by the implementation of conditions and adequate management of the site. I therefore recommend the proposal for approval subject to the following conditions.

Evidence of Community Involvement

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 Full Planning Permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Prior to commencement of use full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - (a) Full details of the proposed extraction and filtration system for the laundrette including drawings at no less than 1:10 scale and details of filters;
 - (b) Noise assessment of the washers and dryers. The rating level of the equipment 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 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. The premises shall only be used as a cafe/sandwich bar and laundrette as specified in the application. No primary cooking shall take place or mechanical extraction apparatus installed, and the premises shall not be used for any other purpose within Class A3 unless a further application is submitted to and approved by the local planning authority.
4. No works shall commence on site until details of the proposed drainage facilities have been submitted to and approved in writing by the Local Planning Authority.
5. The Laundrette shall not be used except between the following hours:-
10:00 - 22:00 - Monday - Friday,
10:00 - 22:00 - Saturdays,
10:00 - 16:00 - Sundays and Bank Holidays.

The Cafe shall not be used except between the following hours:-

10:00 - 16:00 - Monday - Friday,
10:00 - 16:00 - Saturdays,
Not at all on Sundays or Bank Holidays.

6. The development hereby permitted shall be carried out in accordance with the following approved plans: 582-03 & 582-02-B

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 and future residents.

3. In order to safeguard the amenities of neighbouring residential properties.
4. To ensure that adequate drainage facilities have been provided.
5. To safeguard the amenity of adjoining residents.
6. For the avoidance of doubt and in the interests of proper planning.

Notes to the Applicant

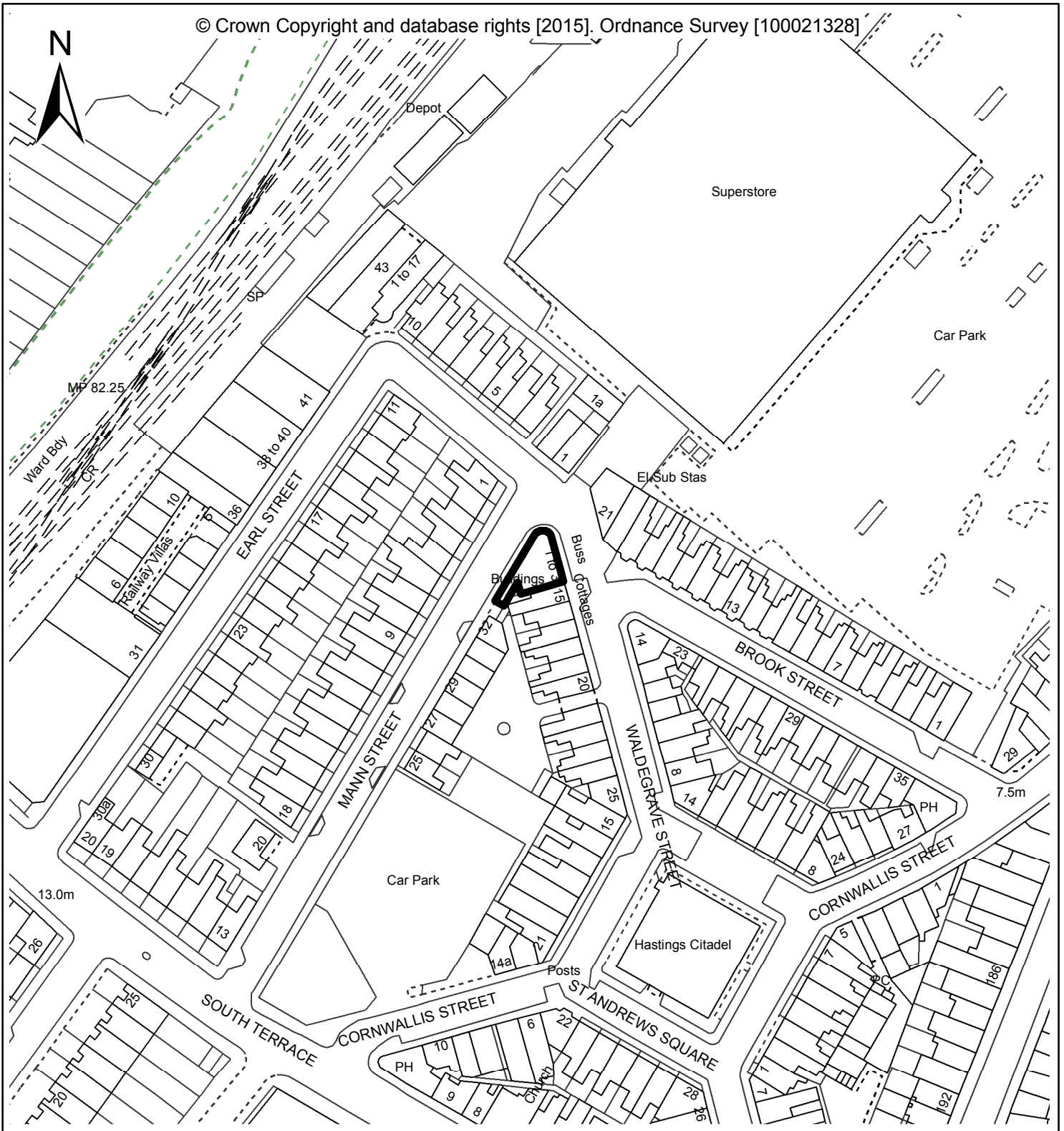
1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.
3. The proposal may be a material change of use to which the Building Regulations 1991 apply and a building regulation submission may be necessary before the change of use takes place.

Officer to Contact

Mrs E Meppem, Telephone 01424 783288

Background Papers

Application No: HS/FA/14/00951 including all letters and documents



**Buss Buildings
Waldegrave Street
Hastings
TN34 1SF**

Change of use from A1 Shop to Sui Generis Laundrette & A3 Cafe including new access doors



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

Date: Mar 2015

Scale: 1:1,250

Application No. HS/FA/14/00951

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Agenda Item 5b

AGENDA ITEM NO: 5 (b)

Report to: PLANNING COMMITTEE

Date: 01 April 2015

Report from: Head of Housing and Planning Services

Application Address: **Hastings Spiritualist Church, Portland Place, Hastings, TN34 1QN**

Proposal: **Change of use of ground floor to form 2 x 1 bedroom apartments. Change of use of second floor two bedroom apartment to 2 x 1 bedroom apartments. Alterations at first floor to facilitate proposed scheme.**

Application No: **HS/FA/15/00091**

Recommendation: **Grant Full Planning Permission**

Ward: CASTLE

File No: PO65008T

Applicant: Nexus Project Management Ltd Enterprise Centre 5 Brett Drive Enterprise Centre, Bexhill on Sea, East Sussex. TN40 2JP

Interest: Freeholder

Existing Use: Spiritualist church

Policies

Hastings Local Plan 2004:	DG1, DG2, TR8, H4
Conservation Area:	No
National Planning Policy Framework:	No Conflict
Hastings Planning Strategy:	FA2, SC1,
Hastings Local Plan, Development Management Plan, Revised	
Proposed Submission Version:	DM1, DM3, DM4,

Public Consultation

Adj. Properties:	Yes
Advertisement:	Yes - General Interest
Letters of Objection:	4
Petitions Received:	1

Application Status: Not delegated - Petition received

Summary

This application is an amended resubmission of a previously approved scheme HS/FA/07/00315.

The proposal is for the change of use of the ground floor to 2 x 1 bedroom apartments. Subdivision of previously approved second floor penthouse to 2 x 1 bedroom apartments and other first floor alterations to facilitate the proposed scheme.

The Site and its Location

The site is located on the West side of Portland Place in a mid-terrace position. The site is not a listed building and is not within a conservation area. The building is of a red brick construction with a flat roof. The property is set slightly back from the edge of the highway.

The area is mainly residential with the majority of properties being terraced houses. Wellington Terrace is situated along the eastern side of Portland Place. The properties of Wellington Terrace are two-storey with dormer windows in the roof. They are also built on an embankment which raises them higher than the properties on the western side of the road.

The site adjoins a residential property to the south, Jackson Hall to the north and shares a boundary with three residential properties.

Details of the Proposal and Other Background Information

As stated above this application is an amended resubmission of previously approved HS/FA/07/00315. The application in 2007 was later granted an extension to time limit under HS/FA/10/00451. The main alterations to the previously approved scheme are as follows;

- Conversion of the ground floor to two 1 bedroom flats.
- Subdivision of the previously approved penthouse on the second floor to two 1 bedroom flats.
- Alterations to the floor layout on the first floor level
- Slight increase in height to the previously approved second floor extension.
- Alterations to front elevation, fenestration and relocation of entrance door.

Previous Site History

HS/FA/07/00315 Refurbishment of existing church at ground floor level. Conversion of first floor to 2 x 1 bedroom flats, together with new extension at second floor level to accommodate 1 x 2 bedroom penthouse flat.

HS/FA/10/00451 Extension to time limit for implementation of planning permission HS/FA/07/00315.

Details of Consultations

As part of this planning application 83 neighbouring properties were consulted and a site notice was displayed. In response 4 letters of objection were received and a valid petition with 10 signatures were submitted.

Objections include rubbish, density and overcrowding, danger to pedestrians, loss of privacy, poor quality of accommodation, visual impact and domination of surrounding properties, poor quality drawings, poor design and poor access.

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".

Design and appearance

The majority of the exterior works required to facilitate this conversion have previously been approved under earlier applications. However, it is now proposed to increase the height of the previously approved second storey extension by approximately 0.32m. Having discussed this increase with the applicant, it has been stated that the increase is to facilitate adequate insulation within the roof. The roof design has also been amended to no longer include the mansard roof previously approved under the 2007 planning application. The roof design is now a simple flat roof providing a stepped frontage between Jackson Hall on the right and No.7 Portland Place on the left. The external appearance of the property has also been redesigned to relate in a more sympathetic manner to neighbouring properties.

Although the window design and positioning has been amended, I am of the opinion that the proposal is unlikely to have a greater impact on the privacy of the neighbouring properties than at present.

Housing need

Portland Place is located in close proximity to the town centre making this site ideal for people who work in the town. The site is also within close proximity to bus stops along Queens Road and within walking distance of the main railway station meaning this location will be attractive for people who work in other parts of the town and wider area. The previously approved conversion to 3 flats was considered to provide residential accommodation in a much needed town centre location. Taking this into account I am of the opinion that the creation of three additional flats would further contribute to the much needed housing in this area.

Living environment

Hastings Borough Council Planning Department currently have no accommodation size standards for new flats. Policy DM3 of the emerging DM plan introduces new standards for residential accommodation but that has not been adopted yet. However having assessed the proposed flats against these standards it is apparent that flats 1, 2, 4, 5, and 6 comply with the minimum floor space requirement. Flat 3 located on the first floor is under the required size however, a flat within this space has previously been approved. Taking this into account, I am of the opinion that the overall living accommodation is considered acceptable.

Transport

With regards to the lack of parking provision it should be noted that the site is within a town centre location where the Hastings Local Plan 2004 acknowledges that car parking provision is difficult to accommodate. Any residents of the proposed flats that require a car will be able to use the existing parking facilities across the town, including the car parks. Furthermore the lack of parking spaces will also encourage people to walk, cycle and make use of public transport. It is not considered that the lack of any off-street parking would justify a refusal in this case.

Conclusion

It should be noted that the conversion of part of the site to residential and the erection of second storey has previously been granted permission under HS/FA/07/00315. An extension to time (HS/FA/10/00451) was also later granted at planning committee in 2010. The works to implement this application have commenced on site but have halted due to the proposal being amended. Having reviewed the previously approved plans I am of the opinion that the proposed external alteration will result in a more sympathetic development that would appear in keeping with the existing street scene. The proposed increase in flats from 3 to 6 would provide additional, much needed housing within the town centre.

Taking the above in to account, I am of the opinion that the proposed works are acceptable in this location and I therefore recommend the proposal for approval subject to the following conditions.

Evidence of Community Involvement

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 Full Planning Permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No development shall take place above ground until the following details have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 - 1) Large scale details of proposed entrance doors, windows and rooflights.
 - 2) Details of proposed render/paint colour.Details of the proposed rainwater goods.
3. None of the flats hereby approved shall be occupied until such time as the bin store as shown on the approved plans has been provided to the satisfaction of the Local Planning Authority.
4. 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.
5. The development hereby permitted shall be carried out in accordance with the following approved plans: DD/portlandchurch/01, DD/portlandchurch/02, DD/portlandchurch/03,

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the finished development takes proper account of the character of the surrounding area in its use of external materials in the interests of the amenity of the area. (Hastings Local Plan 2004 - Policy DG1).
3. To ensure a satisfactory standard of development.
4. To safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4).
5. 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. The applicant should consult the Building Control Section with regard to sound insulation.
5. Consideration should be given to the provision of a domestic sprinkler system.

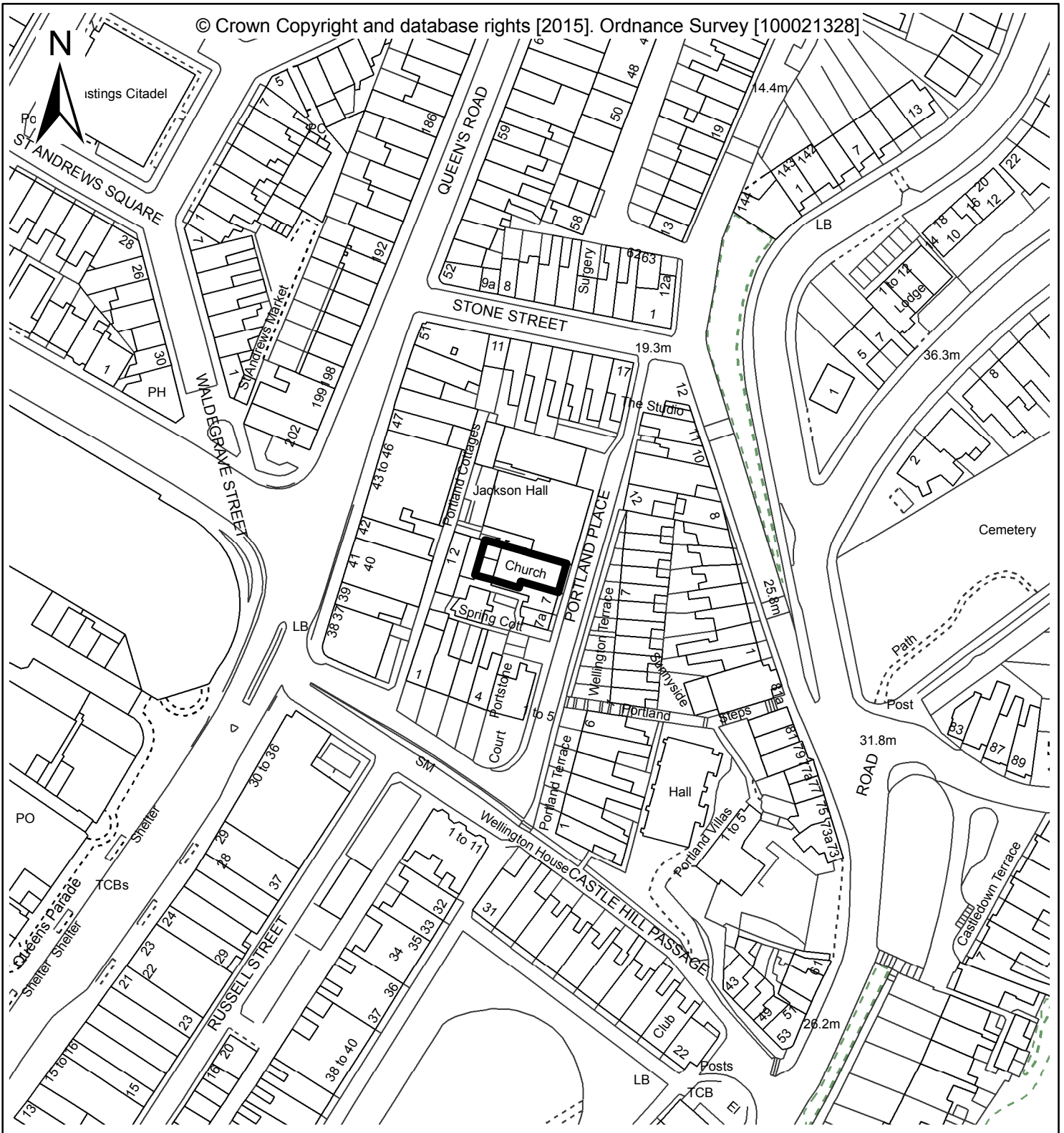
Officer to Contact

Mrs E Meppem, Telephone 01424 783288

Background Papers

Application No: HS/FA/15/00091 including all letters and documents

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Hastings Spiritualist Church
Portland Place
Hastings
TN34 1QN

Change of use of ground floor to form 2 x 1 bedroom apartments.
 Change of use of second floor two bedroom apartment to 2 x 1 bedroom apartments. Alterations at first floor to facilitate proposed scheme.



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

Date: Mar 2015

Scale: 1:1,250

Application No. HS/FA/15/00091

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Agenda Item 6

Agenda Item: 6

Report to: Planning Committee

Date: 1 April 2015

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 23 February and 19 March 2015

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:

25 Havelock Road, Hastings	Alterations to shopfront	Refusal	Delegated	Planning
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The following appeals have been allowed:

56 Bexleigh Avenue, St Leonards-on-sea, TN38 8BB	Erection of rear extension	Refusal	Delegated	Planning
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The following appeals have been dismissed:

19 Harold Road, Hastings, TN35 5NJ	Erection of garden shed	Refusal	Delegated	Planning
63 St Helens Park Road, Hastings, TN34 2JJ	Single storey side extension, single storey rear extension, recreational room to rear of property & front and rear dormer.	Refusal	Delegated	Planning

Type of Delegated Decision	Number of Decisions
Granted	59
Raise No Objection	1
Refused	2
Withdrawn by Applicant	2

Background Papers:

Various correspondence with Planning Inspectorate

Report written by:

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

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Agenda Item 7a

AGENDA ITEM NO: 7 (a)

Report to: PLANNING COMMITTEE DELEGATED
ITEM

Date: 01 APRIL 2015
Report from: Head of Housing and Planning Services

WARD: OLD HASTINGS

REVISED RESOLUTION

Address: 25-29 Ashburnham Road, Hastings, TN35
5JN

Approved Development: Alterations and conversion of the existing
building to 12 apartments (7x1 bedroom and
5x2 bedroom)

Application No: HS/FA/14/00201

File No: AS30025/027V

Applicant: Alltype Property Developers Ltd per
TaDPlanning 51 Bayham Road Tunbridge Wells
Kent TN2 5HU

Proposed Amendment: Revised resolution to remove the requirement
for affordable housing

Application Status

Resolved to be granted at Planning Committee on 14 May 2014 subject to conditions and a legal agreement securing a financial contribution towards affordable housing.

Report

Planning permission was resolved to be granted for this development on 14 May 2015 subject to a s106 legal agreement to secure a financial contribution towards affordable housing.

Since that Planning Committee the applicant has provided the Council with information suggesting that the imposition of this contribution would make the development unviable. The applicant has demonstrated that the benchmark land value (BLV) (the value of the land today, without any development) would be higher than the residual land value (RLV). This means that if the development would to go ahead it would be in deficit and the applicant would not be able to make the contribution towards affordable housing.

This information has been reviewed by the District Valuers Service who agree that requiring the contribution would make the development unviable.

Based on this I consider that the requirement for affordable housing should now be deleted from the resolution and planning permission should now be granted.

Recommendation

Grant Full Planning Permission subject to the following conditions:

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

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.
4. To ensure an adequate level of off-street parking to serve the development.

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.
3. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
4. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove,

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.
6. Consideration should be given to the provision of a domestic sprinkler system.

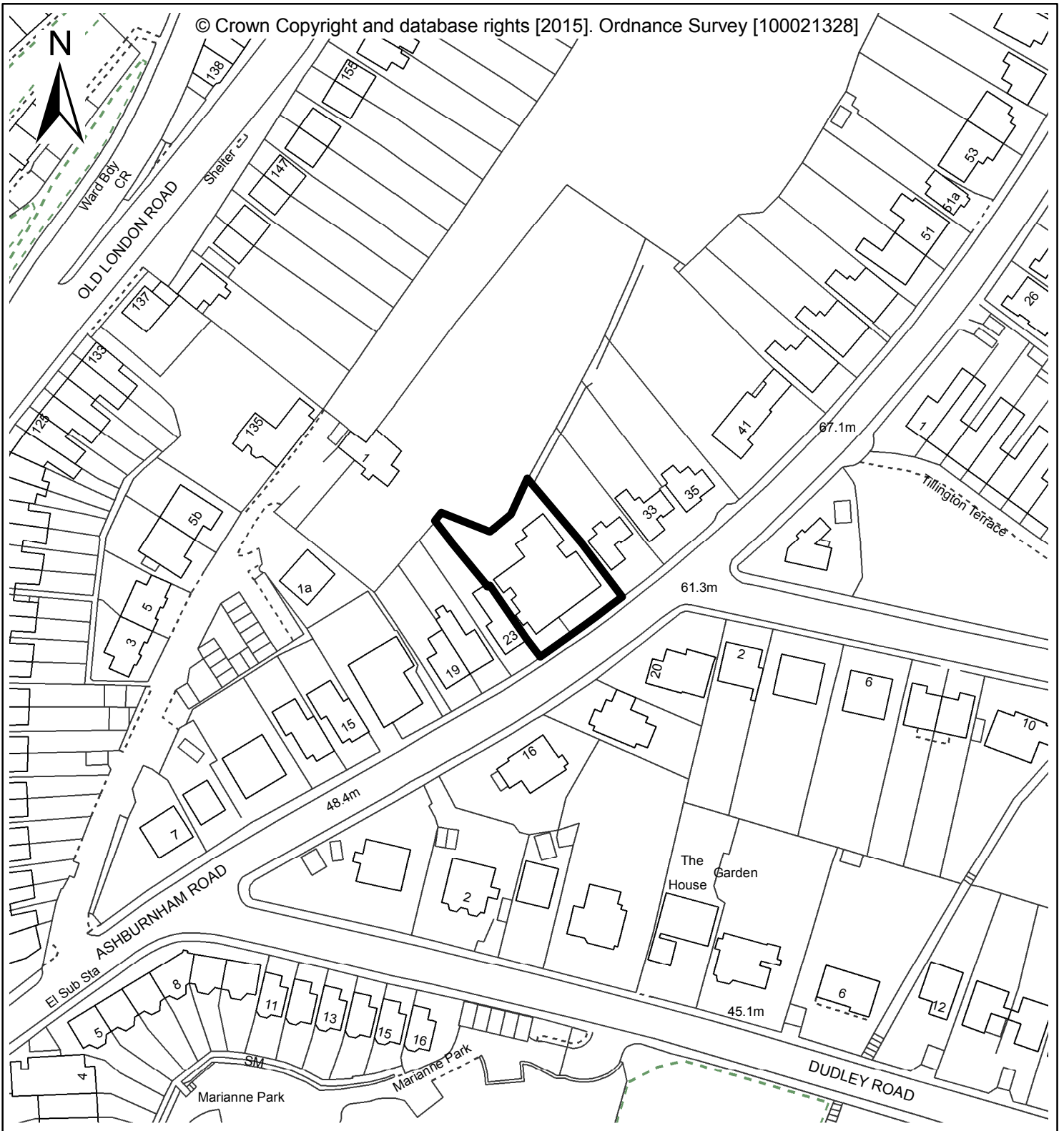
Officer to Contact

Mr S Batchelor, Telephone 01424 783254

Background Papers

Application No: HS/FA/14/00201 including all letters and documents

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25-29 Ashburnham Road
Hastings
TN35 5JN

Alterations and conversion of the existing building to 12 apartments
 (7x1 bedroom and 5x2 bedroom)



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

Date: Mar 2015

Scale: 1:1,250

Application No. HS/FA/14/00201

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