

PLANNING COMMITTEE

21 SEPTEMBER 2016

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

119. APOLOGIES FOR ABSENCE

None.

120. DECLARATIONS OF INTEREST

Councillor	Minute	Interest
Rogers	123.1 – 34 The Croft	Personal – Son and daughter live on Croft Road. The application site cannot be seen from their property.

121. MINUTES OF THE MEETING HELD ON 24 AUGUST 2016

RESOLVED – that the minutes of the meeting held on 24th August 2016 be approved and signed by the Chair as a true record.

An amendment to the minutes of the meeting held on 27th July 2016 was noted for agenda item 5(a), Site of former Hastings College of Arts and Technology, Archery Road, St. Leonards on Sea. Condition 26 of the report incorrectly referred to itself (Condition 26) and should read as follows “The Development shall be carried out in accordance with the details approved under condition no.25 and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed.”

122. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

123. PLANNING APPLICATIONS ATTRACTING A PETITION:

123.1 34 The Croft

Proposal: 2 Storey detached single family house

Application No: HS/FA/16/00534

PLANNING COMMITTEE

21 SEPTEMBER 2016

Existing Use:	Vacant plot
Conservation Area:	Yes – Old Town
Listed Building	No
Public Consultation	14 letters of objection; 1 petition received and 5 letters of support received

Mr Batchelor, Principal Planner presented this report for a two storey detached single family house at 34a The Croft.

It was noted that two additional documents had been received from the petitioners after the closing date for submission of late documents. The Constitution of the Council, Part 5 – Codes and Protocols - states that documents must be submitted within the time frame to allow all parties time to read the submissions, for Councillors to give proper consideration to the matter and Officers to give considered advice on any material considerations arising. The petitioners were advised that the documents could not be distributed.

Iain Willis, Petitioner spoke against the application. He stated that this was a steep and sensitive site and raised concern regarding the glass doors and loss of privacy for residents. He said the materials were out of keeping and the property would be visually dominant in the setting. He raised concerns regarding instability and the risk of flooding. Furthermore he believed plans lacked detail and were inaccurate.

Martyn Saunders-Rawlins, the applicant, spoke in support of his application. He said the house would enable them to downsize and was designed to make the best use of the site.

Councillor Poole, Ward member for Old Hastings, was present and spoke against the application. She referred to the objections made by local residents and suggested members make a site visit to the premises. She asked for the window to be removed and the conditions set at approval stage on Condition 3, 5, 7, 8, 9 and 11.

Members discussed this item at length.

Councillor Wincott proposed a motion to approve the application with the addition of Condition 16 as set out in the resolution below. This was seconded by Councillor Scott.

RESOLVED - (by 8 votes to 1, with 1 abstention) 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.**

PLANNING COMMITTEE

21 SEPTEMBER 2016

- 2. The materials used in the construction of the external surfaces of the dwelling hereby permitted shall be those indicated on drawing number 457_105 dated 08/04/2015, unless otherwise agreed in writing by 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. 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 existing and proposed levels; means of enclosure; hard surfacing materials; minor artifacts and structures (eg refuse or other storage units, 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. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Statement of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.**
- 7. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the written scheme of investigation required under condition 6 and that provision for analysis, publication and dissemination of**

PLANNING COMMITTEE

21 SEPTEMBER 2016

results and archive deposition has been secured, unless and alternative time scale for submission of the report is first agreed in writing with the Local Planning Authority.

- 8. No development shall take place until a full and adequate site investigation and soils report including soakage tests, carried out by a suitably qualified Geotechnical Engineer has been submitted to and approved by the Local Planning Authority in conjunction with the County Flood Risk Management Team. Development shall not proceed on site until and unless measures deemed to be necessary by the Authority as a result of such report have been incorporated in the development proposals.**
- 9. (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.
- 10. The window in the side elevation at upper floor level shown facing No. 44 The Croft shall be obscure glazed and remain as such at all times.**
- 11. Prior to commencement of development details of the balustrade/screen for the proposed balcony at the rear of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.**
- 12. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or as may be subsequently amended, re-enacted or modified, no extension or external alteration to the dwelling hereby permitted shall take place without the grant of an additional planning permission.**
- 13. The dwelling hereby permitted shall not be occupied until the refuse and cycle stores as indicated on plan 457_103 has been provided to the satisfaction of the Local Planning Authority.**
- 14. 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:-**

PLANNING COMMITTEE

21 SEPTEMBER 2016

**08.00 - 18.00 Monday to Friday
08.00 - 13.00 on Saturdays
No working on Sundays or Public Holidays.**

- 15. The development hereby permitted shall be carried out in accordance with the following approved plans and reports: 457_102A, 457_103, 457_104, 457_105, 457_106, 457_107, 457_108, 457_109, 457_110, 457_111, 457_112 and Preliminary Ecology Appraisal EA/37815 dated June 2015.**
- 16. No development shall take place until the measures outlined in the submitted ecological statements and reports (Preliminary Ecological Appraisal by The Mayhew Consultancy Ltd, ref EA/37815, dated June 2015) 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.**

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. In the interests of the visual amenity.**
- 4. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 5. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 6. To ensure that the archaeological and historical interest of the site is safeguarded and recorded in accordance with the National Planning Policy Framework.**
- 7. To ensure that the archaeological and historical interest of the site is safeguarded and recorded in accordance with the National Planning**

PLANNING COMMITTEE

21 SEPTEMBER 2016

Policy Framework.

8. To ensure a satisfactory standard of development and to prevent increased risk of flooding or land instability.
9. To prevent increased risk of flooding.
10. To safeguard the amenity of adjoining and future residents.
11. To safeguard the amenity of adjoining and future residents.
12. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
13. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
14. To safeguard the amenity of adjoining residents.
15. For the avoidance of doubt and in the interests of proper planning.
16. To protect features of recognised nature conservation importance.

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

124. PLANNING APPLICATIONS:

124.1 5 Lancing Close

Proposal: Proposed single storey rear extension with rooms above and internal alterations
Application No: HS/FA/16/00501

PLANNING COMMITTEE

21 SEPTEMBER 2016

Existing Use:	Residential
Conservation Area:	No
Listed Building	No
Public Consultation	3 letters of objection received

Ms Ranson, Planning Officer presented this report for a single storey rear extension with rooms above and internal alterations at 5 Lancing Close. She presented a series of drawings and pictures showing the existing property and proposed extension.

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

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:**
2016-55-01,02,03,04,05,06,07,08
- 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.
- 5. The rooflights inserted in the east and west facing roof-slopes must be non-opening and fitted with high grade obscure glazing at all times and no further windows should be inserted into the roof without the approval of the Local Planning Authority.**

Reasons:

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.**

PLANNING COMMITTEE

21 SEPTEMBER 2016

2. For the avoidance of doubt and in the interests of proper planning.
3. In the interests of the visual amenity of the area.
4. To safeguard the amenity of adjoining residents.
5. To safeguard the amenity of adjoining residents.

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. **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.**

124.2 The Winchester Club, Harrow Lane, St. Leonards on Sea

Proposal:	Change of use from private members social club (sui generis) to drinking establishment (A4), plus installation of a wheelchair accessible toilet and general internal redecoration.
Application No:	HS/FA/16/00286
Existing Use:	Vacant premises since 2013 – previously private members club (sui generis)
Conservation Area:	No
Listed Building	No
Public Consultation	3 letters of objection received

Mr Batchelor, Principal Planner presented this report for a change of use from a private members social club (sui generis) to a drinking establishment (A4), plus installation of a wheelchair accessible toilet and general internal redecoration at The Winchester Club (Formal Civil Service Sports Club).

He advised that an update had been received from Building Control and that they had advised that an application will be required for the work. Additional fire exit doors will be required onto the sports hall if required (not part of this application).

PLANNING COMMITTEE

21 SEPTEMBER 2016

Councillor Scott proposed a motion to approve the application with the addition of note 11, as set out in the resolution below. This was seconded by Councillor Dowling.

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:

FP 001, FP-002, 003, 004, 005, 006, 007, 009**
- 3. Deliveries to and from the premises shall not take place:

before 08:00 and after 18:00 hours Monday to Friday
before 08:00 and after 13:00 Saturdays
at no time on Sundays or Bank/Public Holidays.**
- 4. The premises shall not be used except between the following hours:

11:00 to 23:30 Sunday/Bank and Public Holiday to Thursday
11:00 to 00:30 Saturday
11:00 to 1.00 on Christmas Eve, New Years Eve, day preceding Bank Holiday and private/pre booked functions.**
- 5. The development hereby approved shall not be brought into use until a full noise assessment, prepared by an acoustic consultant who is a member of the Institute of Acoustics, has been submitted to and approved in writing by the Council. The assessment shall include details of the potential impact on the ambient (background) noise levels, particularly at nearby residential properties, and what measures will be put in place to reduce the potential for nuisance from the operation of the venue. Particular attention should also be paid to the assessment and control of low frequency noise (bass beat) from entertainment. The premises shall not be brought into use until the approved mitigation measures have been implemented and such measures shall remain in place unless otherwise approved in writing by the Local Planning Authority.**
- 6. The development shall be undertaken wholly in accordance with the details set out in the approved waste management plan.**
- 7. No development shall take place until details of the proposed cycle parking arrangements have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and, the cycle parking areas shall not be used for any other purpose.**

PLANNING COMMITTEE

21 SEPTEMBER 2016

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.
4. In the interests of the amenity of the neighbouring residential occupiers.
5. In the interests of the amenity of the neighbouring residential occupiers.
6. To minimise the amount of construction and demolition waste being disposed of in landfill sites in accordance with the East Sussex County Council Supplementary Planning Document on Construction and Demolition Waste.
7. In order that the development site is accessible by non car modes and to meet the objectives of sustainable 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. 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 is advised to contact the Food; Health & Safety Team on: 01424 451078 or foodsafety@hastings.gov.uk regarding the food serving area and toilet provision.
5. The applicant is reminded that this Council has adopted the provisions of Section 20 of the Local Government (Miscellaneous Provisions) Act 1976 in respect of public toilet availability where persons remain within the premises for the consumption of food and drink.
6. The Assistant Director Environment & Place of Operational Services Directorate must be consulted with regard to the requirements of the

PLANNING COMMITTEE

21 SEPTEMBER 2016

Food Safety (General Food Hygiene) Regulations 1995 and the Health and Safety at Work Etc. Act 1974.

7. **The applicant should consult Building Control at Rother District Council with regard to the provision of adequate means of escape in case of fire and necessary fire precaution works. Please contact the Building Control Team on: 01424 787670 or buildingcontrol@rother.gov.uk for further information.**
8. **All food businesses must be registered with the Food; Health & Safety Team at least 28 days prior to the commencement of trading. Please contact the Food; Health & Safety Team on: 01424 451078 or foodsafety@hastings.gov.uk for further information.**
9. **Please display clear and prominent signs requesting customers to 'Please consider our neighbours and leave the area quickly and quietly'.**
10. **The applicant is advised that any external lighting is likely to require planning permission. You are requested to contact Hastings Borough Council Planning Department for advice in advance of such works taking place on site. Email DCEnquiries@hastings.gov.uk for further information.**
11. **The applicant is advised to contact the East Sussex County Council Highways Contact Centre on 0345 60 80 193 to discuss the provision of disabled parking bays in close proximity to the venue.**

125. PLANNING APPEALS AND DELEGATED DECISIONS

Mr Batchelor, Principal Planner reported that one planning appeal had been allowed but none received or had been dismissed. He also reported on the number of delegated decisions.

All matters had arisen between 15th August to 9th September 2016.

(The Chair declared the meeting closed at. 7.04 pm)