

Planning Agenda

Wednesday, 9 January 2019 at 6.00 pm

Council Chamber, Muriel Matters House, Breeds Place, Hastings, TN34 3UY.
Please enter the building via the Tourist Information Centre entrance.

For further information, please contact Coral Harding on 01424 451764 or email:
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Present: Councillors Roberts (Chair), Davies (Vice-Chair), Bishop, O'Callaghan, Scott, Turner, Beaver, Edwards and Marlow-Eastwood

Apologies for absence were notes for Councillor Cox

71. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Cox.

72. DECLARATIONS OF INTEREST

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

Councillor	Minute	Interest
Beaver and Scott	5a – Astec House, 10-12 Sedlescombe Road South, St. Leonards on Sea	Personal Interest – Member of East Sussex County Council.
Beaver & Scott	5c – Land to the rear of 419 to 447 Bexhill Road, St. Leonards on Sea	Personal Interest – Member of East Sussex County Council.
Beaver	5c – Land to the rear of 419 to 447 Bexhill Road, St. Leonards on Sea	Personal Interest – Has attended a meeting of residents but did not give an opinion and maintains an open mind.
Beaver	6c – Site of former Hastings College of Arts and Technology, Archery Road, St. Leonards on Sea	Personal Interest – Attended a meeting, but did not give an opinion, only factual information.
Bishop	All applications	Personal Interest - Employer is the Environment Agency but she had no involvement with any of the applications.
O'Callaghan	5b – The Stade Family Amusement Park, The Stade, Hastings	Prejudicial Interest – Son has recently left employment at the Stade.

73. MINUTES OF PREVIOUS MEETING HELD ON 12 SEPTEMBER 2018

RESOLVED – that the minutes of the meeting held on 12 September 2018 be approved and signed by the Chair as a true record.

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74. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

75. PLANNING APPLICATIONS ATTRACTING A PETITION

75.1 **Astec House, 10-12 Sedlescombe Road South, St. Leonards on Sea**

Proposal:	Redevelopment to provide a mixed scheme comprising 290 sq m of business floor space and 12 x two bed and 1 x three bed apartments together with associated parking.
Application No:	HS/FA/18/00028
Conservation Area:	No
Listed Building	No
Public Consultation	42 letters of objection received and 1 petition of objection received.

The Principal Planning Officer, Mr Temple, introduced this planning application for the redevelopment to provide a mixed scheme comprising 290 sq m of business floor space and 12 x two bed and 1 x three bed apartments together with associated parking at Astec House, 10-12 Sedlescombe Road South, St. Leonards on Sea.

Members were informed of an update to the report:-

One additional letter of objection from an existing objector/lead petitioner.

Members were shown plans, photographs and elevations of the application site.

Mr Adamson, petitioner, was present, he said he lived in the area for 31 years and was speaking on behalf of the residents. He raised concern regarding the height and appearance of the building and parking, stating that unauthorised parking was likely to increase. He said the scale and mass of the building is completely inappropriate and far too large; it is out of scale and out of character for the area and will impact on the privacy of the surrounding properties. The building will block out sunlight which is important to visiting patients of the neighbouring doctor's surgery. He read a letter from the owner of the neighbouring GP surgery raising concern regarding daylight; size and scale, design and drainage. Mr Adamson, said the development will cast a dark shadow over Silverhill both literally and physically.

Mike Pickup, agent on behalf of the applicant, spoke in support of the application. He said the Highways Authority were satisfied that the amount of car parking, widening and additional tactile paving at the entrance of Ponswood Road is acceptable. Furthermore, he said, the committee report confirmed that the costs associated with the proposed re-development scheme would not be viable to include affordable housing. He said the committee report refers to the potential for overlooking / loss of

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outlook, however they conclude there would be no such harm and this would not amount to a sustainable reason for refusal. He said the applicant has been given no opportunity to put in any amended proposals relating to the officer's concerns regarding building design and composition of the single storey bike store at the front of the site. He said the four storey building will be in keeping with the majority of other buildings with the exception of the adjoining surgery building which is not an appropriate bench mark. The penthouse forming the 5th storey, will be set back from main frontage line of the building, therefore its overall height will not appear significantly different to other buildings given angle of view from street level. The building will have modern technology: solar panel, water efficiency measures and much improved floor space. The office floor space has been occupied by Astec Computing since 1995, the company has expanded and the building is no longer practical for modern office day use. Given the almost Art deco design of the existing building, the committee report suggestion that the replacement building should include curved elements, will not reflect the character or character of other buildings in the vicinity. He said the proposed office accommodation on the ground floor, will be painted with light painted render, in contrast to the other three floors above, which are to be painted in grey render, making it a striking addition to street scene. The penthouse at the top floor level will be covered in zinc cladding. For these reasons, he said the applicant should be granted planning permission.

The Principal Planning Officer, Mr Temple, explained that Highways had not raised any objection on highway grounds because enough parking spaces had been proposed for cars / bicycles and the access was considered to be an improvement to the existing. Regarding the doctors surgery, he said non-residential buildings have less protection and therefore they were unable to raise an objection on the impact to the doctors surgery. He said he was surprised the doctors had not seen the yellow site notice. The drainage issue he said would be addressed by condition. Regarding maximising profit, he said they had a viability assessment submitted by Mr Pickup and were independently assured that the development would not make a profit, hence they did not ask for contributions or affordable housing. Regarding Mr Pickup's presentation, he said his comments on viability; residential amenity are not reasons for refusal, and that his reason for refusal had been based on scale; mass, layout, design and the blank wall sections facing Ponswood Road. Regarding negotiations, he said they provided an opportunity for the applicant to withdraw the application and no pre-application advice was carried out before the application was submitted. He confirmed the application is in Wishing tree Ward (not Silverhill). He said the policy referred to by Mr Pickup does not apply to the western area, but they would still have regard to it. He said it had not been demonstrated how the current building can be sufficiently upgraded to be used.

Having regard to the scheme, the Planning Services Manager said that the proposal must not be out of keeping or harmful to the area, and confirmed that their recommendation for refusal had been based on scale, mass, length and design.

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

RESOLVED – (Unanimously) that the Planning Permission be refused for the following reasons:

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1. The development by reason of its scale, mass layout and design and blank wall sections facing Ponswood Road would result in harm to the character and appearance of the area and not achieve an active or attractive frontage to Ponswood Road and fail to take opportunities to improve the character and appearance of the area contrary to Hastings Development Management Plan policy DM1, section 2 of the Homes and Communities Document Urban Design Lessons: Housing Layout and Neighbourhood Quality (2014) guidance, paragraphs 127 and 130 of the National Planning Policy Framework, "Consider Layout" Paragraph: 024 Reference ID: 26-024-20140306, "Consider Scale" Paragraph: 026 Reference ID: 26-026-20140306 and "Housing Design Issues" Paragraph: 040 Reference ID: 26-040-20140306.
2. The position of bicycle and bin stores would appear overly dominant and harmful in the street scene having regard to their prominent position relative to the building and established building line contrary to Hastings Development Management Plan policy DM1, section 2 of the Homes and Communities Document Urban Design Lessons: Housing Layout and Neighbourhood Quality (2014) guidance, paragraphs 127 and 130 of the National Planning Policy Framework, "Consider Layout" Paragraph: 024 Reference ID: 26-024-20140306, "Consider Scale" Paragraph: 026 Reference ID: 26-026-20140306 and "Housing Design Issues" Paragraph: 040 Reference ID: 26-040-20140306.

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 paragraph 38 of the National Planning Policy Framework.
- 75.2 The Stade Family Amusement Park, The Stade, Hastings**

Proposal: Proposed extensions and refurbishments to main amusement building including raised roof to accommodate additional floor. Increased height and footprint of raised huts behind the main building. Proposed alterations to park and rides. Proposed new formalised and landscaped pedestrian footpath from adjacent to shelter to beach front access and enlargement of amusement park to incorporate land where current footpath is located. Proposed new boathouse and jetty (amended description).

Application No: HS/FA/17/01056

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Conservation Area:	Yes - Old Town
Listed Building	No
Public Consultation	25 letters of objection received; 1 petition of objection received and 1 letter of support received.

This item was moved up the agenda with the agreement of the Chair.

Having raised her prejudicial interest, Councillor O'Callaghan was absent from the Chamber during discussion and voting of this item.

The Planning Services Manger presented this item for proposed extensions and refurbishments to main amusement building including raised roof to accommodate additional floor. Increased height and footprint of raised huts behind the main building. Proposed alterations to park and rides. Proposed new formalised and landscaped pedestrian footpath from A249 to beach. Increase amusement ride area. Proposed new boathouse and jetty at The Stade Family Amusement Park, The Stade, Hastings.

The Planning Services Manager recommended the item be deferred until the next available Planning Committee meeting after the application has been resubmitted and the publicity period has expired, because the application form had not been filled in correctly by the applicant. This was proposed by Councillor Beaver and seconded by Councillor Scott.

RESOLVED – (Unanimously) that consideration of the application be deferred to amend the application form and for the application to be considered at the next available Planning Committee meeting once the relevant publicity period has expired.

75.3 Land to the rear of 419 to 447 Bexhill Road, St. Leonards on Sea

Proposal:	Outline application,(seeking approval of Access), for the reconfiguration of the car park and erection of 16 residential units and means of access.
Application No:	HS/OA/17/01071
Conservation Area:	No
Listed Building	No
Public Consultation	11 letters of objection received and 1 petition of objection received.

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The Principal Planning Officer, Mr Temple introduced this application (seeking approval of access only all other matters reserved) for the reconfiguration of the car park and erection of up to 16 residential units and means of access at land to the rear of 419 to 447 Bexhill Road, St. Leonards on Sea.

Members were informed of several updates to the report:-

- Amended drainage layout received- 0000 Rev.D to be added as drawing as part of decision
- Additional Southern Water comments- no objection

Members were shown plans, photographs and elevations of the application site.

Rebecca Bryan, petitioner, was present, she said the petition had been signed by 100 people against the application. The area, she said, is subject to flooding x 3 times a year, the water floods a large amount of the land and runs into the neighbouring gardens. Three years ago sewage flooded the land which had to be dug up and pumped out. The proposed new houses would be right next to the site and there would be no land left to drain it way. She said she spoke to Southern water who confirmed flooding could happen again at any time. After speaking to Monson who wrote the flood report, she said they had confirmed that they had not visited the site or area and did not know about the flooding issues and had said when flooding happens in the future it is likely to go across the railway and onto the beach. She said they had worked off an aerial view map and did not know about the height of the ground. She said it is the sloping ground that allows the water to flow away from houses to protect them. If the ground is not raised the houses will be at risk and if the ground is raised the new houses will be at risk. There is no evidence to show the soakaway will work. She said there are already many problems in area, the drains are constantly blocked; power cuts are becoming more frequent and the houses are liable to subsidence. The development will create additional traffic and noise and will take away a much needed car parking near the area. It is a wildlife site, with many trees and species. She said the proposed development will put the area at a higher risk of flooding.

The applicant had been invited to attend, but was not present.

The Principal Planning Officer, Mr Temple, said drainage will be improved in terms of the foul water on site and the surface water will be pumped away. With a site that has flooding problems, he said they would be looking to improve the flooding problems for the benefit of the wider area as well as the current site. The petitioner may have spoken to Southern Water, but they have not raised an objection. He said he would be very surprised if Munson had not carried out a site visit and confirmed he had not received any objection from the Environment Agency on flooding grounds, or ESCC on surface water drainage and sustainable drainage. Southern Water had suggested conditions which deal with ground contamination and potential flooding which will be dealt with under reserved matters, should this application be approved. He said the site is not allocated for development, although the Council is under pressure to supply more homes, this is a windfall site and brownfield site and has been previously used. Highways, he said, had not objected and neither had the Ecologist. The Ecologist had recommended conditions for wildlife protection. He said this application will not be out of character with the existing residential area.

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The Planning Services Manager referred to Condition 11(j) of the officer's report, she said if the application is approved and details submitted, they will consult with the various bodies to find out what their views are and if they find issue then the development will not go ahead.

Councillors discussed the application in detail.

Councillor Beaver proposed a motion against the officer's recommendation to refuse the application. This was seconded by Councillor Edwards.

RESOLVED – by (5 votes for, 3 against and 1 abstention) that Planning Permission be refused for the following reason:

The proposed development would exacerbate drainage and flooding issues both on and adjacent to the site and therefore the development is contrary to Policy SC7 of the Hastings Planning Strategy Local Plan (2014) and paragraphs 155, 158 and 160 of the National Planning Policy Framework.

75.4 Land at Church Street, Hastings

Proposal:	Development of site to provide a terrace of 4 dwellings and 2 detached dwelling.
Application No:	HS/FA/18/00110
Conservation Area:	No
Listed Building	No
Public Consultation	7 letters of objection received; 1 petition of objection received and 1 letter of support received.

The Senior Planning Officer, Mrs Meppem, presented this application for Development of site to provide a terrace of 4 dwellings and 2 detached dwelling at Land at Church Street, Hastings.

Members were informed of several updates to the report:-

- A further consultation response received from Southern Water. Their comments have not changed.
- One further objection letter received

Members were shown plans, photographs and elevations of the application site.

Don Wise, petitioner, was present, he said he agreed with the recommendation to refuse the application. He said neither the applicant, Council or HMLR have provided a formulated plan or evidence upon reasonable request in more than 40 days to substantiate ownership claims made in this application effected by lease area of land. He referred to correspondence reference: HS/FA/18/00110EME it is

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written 'please note that in accordance with the Councils planning protocol no documents for the committee will be accepted less than 3 working days before meeting. Documents not previously submitted will not be allowed to be circulated at the meeting'. He said that as no formulated evidence has therefore been presented in respect of this application and ownership of land. During the term of this serving of public consultation of planning has been expressed, then this application would not seem to meet the criteria of an application to be heard by the Planning Committee.

Martin Hull, of Kember Loudon Williams Ltd; applicant, spoke in support of the application. He referred to the points raised in the committee report summary: With regard to Human Rights, housing is a human right and here housing is critically needed. He said the site is on the footprint of the former terrace that was Church Street which was demolished in the 1970's. It is an L shaped building, which gives light and /shade to south. On the north side there are a series of car ports for every building which allows light to come through the large windows. The planting will be replaced with four habitat sites: woodland; hedge, 200m of native hedging and damp woodland floor type which is in rain gardens and domestic gardens. He said the ecology value of the vegetation is low and that one third of the street area is planted (888msq). Each garden is over 50sqm which is an accepted national standard (the 10m standard in the local plan relates particularly to 21m separation on buildings from the living room to the eaves of the building in Speckled Wood, which is just over 21m). In terms of drainage, he said the paved area has been minimised by efficient layout and porous paved areas. Some of the paved area has been reduced by replacing cars in carports underneath each of the dwellings which means they can be easily retro fitted for electric cars. He said the rain gardens have been designed along the frontage of the terrace. Rain gardens aren't just for tenation into the ground they are for slowing up flow of water going into the drains and Southern water have not provide an objection, but have said it can be conditioned. There is a badger set at one end of street where there is a turning T. An armoured tunnel has been put in, however, the badgers are more likely to exit by front which is why that area has been left open and they are using the south side of the wall through Speckled Wood. The NPPF refers to high quality building, this development uses lifetime homes as a checklist for features so they are of quality and have light airy rooms.

Councillor Charman said she had noted that on the public website the map showed 5 units and the officers report referred to 6 units. The Planning Services Manager confirmed the report was incorrect and should refer to 6 units.

Councillor Charman, Ward Councillor for Tressell, spoke in support of the recommendation to refuse the application, she said it is important that the site is developed because it is in the Local Plan. She said she wanted to see something complementary which fits in well with Clifton Road; the woodland entry and protects the badgers and is maintained. She said they have enough unadopted Roads in Tressell Ward. The County Council will not adopt a highway if there is not a footway included. A footway is important when you consider the amount of dogs, bikes, families etc that will be using Speckled Wood. Furthermore, double lines are not enforceable and there will be no maintenance and no lights. Car ports, she said, may be used for storage and not vehicles which will further congest the roads.

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Cycling has not been properly considered and there is no turning arrangements for services. This type of paving is not acceptable to the Highways Authority. She said height and positioning of the development is of concern and is noted as visibly overbearing in the report. She suggested that three to four houses of quality would suit this site with proper gardens. Plot 6 has insufficient detail and does not comply with Policy DM1. She said she supported refusal and hoped for a more sympathetic development in the future.

The Senior Planning Officer said they were not disputing there is a need for housing across the Borough, the site is allocated however, development should be appropriate for the site and in this instance it is not. Regarding landscaping, she said it is a sensitive site leading though to woodland. The terrace of properties is set 2m back from the highway and she did not feel it was of a sufficient distance to allow appropriate soft landscaping. Moving the houses further back into site would have a detrimental impact on the already small gardens. Regarding sustainable design, she said rain gardens were welcome, however insufficient information was provided and they were not able to fully assess the proposals. With reference to the badger tunnel, she said they could not reasonably request it be maintained, there is nothing to stop a resident making alterations to their garden. She said it was acknowledged within the Ecology report that the badgers may not use the tunnel, however no alternate proposal has been put forward to secure a route along the back of the properties. Regarding shared surface, she said the Highways Authority would be supportive of shared space where appropriate, but advice from the Department of Transport recommends shared spaces are not taken forward at this time.

Councillor Davies proposed a motion to refuse the application. This was seconded by Councillor Roberts.

RESOLVED – (Unanimously) that the Planning Permission be refused for the following reasons:

- 1. The proposed development, by virtue of the site layout, design, scale and mass result in an overly dominant and incongruous development that is out of keeping with the established character of the area. The proposal therefore fails to comply with Policy DM1 of the Hastings Development Management Plan, Policy SC1 of the Hastings Development Management Plan 2015, Strategy and Paragraph 127 of the National Planning Policy Framework.**
- 2. The proposed development by virtue of its height, mass, proximity to its boundaries and having regard to variations in land level, would result in a dominating form of development that would detrimentally affect the residential amenities of the properties at Speckled Wood to the rear in terms of loss of outlook and overshadowing, the proposal therefore fails to comply with Policy DM3 of the Hastings Development Management Plan 2015.**
- 3. The development fails to provide sufficient external amenity space for Plots 2-5 such is contrary to Policy DM3 of the Hastings Development Management Plan 2015.**
- 4. Insufficient information has been submitted to demonstrate that the proposed development system can be accommodated on site and as a result, formal assessment of the development by the Lead Flood Risk Authority has not been possible. The proposal therefore**

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provide adequate information to ensure all material considerations are taken into account, and is considered contrary to Policy DM6 of the Hastings Development Management Plan 2015 and Policy SC7 of the Hastings Planning Strategy 2014.

5. The proposed mitigation measures included within the Ecological Report are not considered sufficiently robust to ensure the functionality and continued usability of the proposed Badger tunnel for the lifetime of the consent as required by Paragraph 175 of the National Planning Policy Framework. The proposed development is therefore considered contrary to paragraph 175 of the National Planning Policy Frameworks along with Policy DM6 of the Hastings Development Management Plan 2015 and Paragraph SC7 of the Hastings Planning Strategy 2014.
6. Insufficient soft landscaping is provided to balance the extent of hard landscaping and built form proposed. As such the proposed development is considered to be contrary to Policy DM1 of the Hastings Development Management Plan 2015 and Paragraph 130 of the National Planning Policy Framework.

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 paragraph 38 of the National Planning Policy Framework.

Councillor Scott left the Committee meeting during consideration of the next item and did not take part in the voting.

76. OTHER PLANNING APPLICATIONS

76.1 Land at Ore Place and Centurion Rise, Hastings

Proposal:	Outline planning permission for a residential dwelling with all matters reserved
Application No:	HS/OA/18/00463
Conservation Area:	Yes - Ore Place
Listed Building	No
Public Consultation	34 letters of objection received

The Senior Planning Officer, Mrs Meppem, introduced this outline application for a residential dwelling with all matters reserved at Land at Ore Place and Centurion Rise, Hastings. She said it was an outline application which was contrary to local and national policy.

Members were shown plans, photographs and elevations of the application site.

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Councillor Davies proposed a motion to refuse the application. This was seconded by Councillor Beaver.

RESOLVED – (Unanimously) that planning permission be refused subject to the following reason:

1. **The principle of development of this site for a single residential dwelling is considered unacceptable by virtue of the loss of protected trees, the introduction of built form and the associated infrastructure would cause harm to the significance of the character of the area and the Ore Place Conservation Area. The proposal is therefore contrary to Policies DM1, HN1 and HN8 of the Hastings Development Management Plan, Policy EN3 of the Hastings Planning Strategy and Paragraphs 127, 130 and 171 of the National Planning Policy Framework.**

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 paragraph 38 of the National Planning Policy Framework.**

76.2 Land adjoining 3 Ore Place, Hastings

Proposal:	Outline planning permission for a residential dwelling with all matters reserved
Application No:	HS/OA/18/00464
Conservation Area:	Yes - Ore Place
Listed Building	No
Public Consultation	32 Letters of objection received.

The Senior Planning Officer, Mrs Meppem, presented this application for Outline planning permission for a residential dwelling with all matters reserved at Land adjoining 3 Ore Place, Hastings. She stated that the site was covered by a TPO and the loss of trees was contrary to policy and would be detrimental to the area.

Members were shown plans and photographs of the application site.

Councillor Davies proposed a motion to refuse the application. This was seconded by Councillor Beaver.

RESOLVED – (unanimously) that planning permission be refused subject to the following

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1. **The principle of development of this site for a single residential dwelling is considered unacceptable by virtue of the loss of protected trees and the resultant harm to the significance of the character of the area and the Ore Place Conservation Area. The proposal is therefore contrary to Policies DM1, HN1 and HN8 of the Hastings Development Management Plan, Policy EN3 of the Hastings Planning Strategy and Paragraphs 127, 130 and 171 of the National Planning Policy Framework.**

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 paragraph 38 of the National Planning Policy Framework.**
- 76.3 Site of former Hastings College of Arts and Technology, Archery Road, St. Leonards on Sea**

Proposal:	Variation of Conditions 3 (Approved Plans) and 34(Affordable housing) of Planning Permission HS/FA/15/00175 (As varied by HS/FA/17/00439) - Amendment for conversion of the listed terrace, into 12 units rather than 24 residential units, including minor external & internal alterations and reduction of affordable housing units from 56% to 25%.
Application No:	HS/FA/18/00291
Conservation Area:	Yes - Burtons' St. Leonards
Listed Building	Grade II
Public Consultation	9 letters of objection received and 1 neutral comment received

The Principal Planning Officer, Mr Temple, presented this application for variation of Conditions 3 (Approved Plans) and 34(Affordable housing) of Permission HS/FA/15/00175 (As varied by HS/FA/17/00439) - Amendment for conversion of the listed terrace, into 12 units rather than 24 residential units, including minor external & internal alterations and reduction of affordable housing units from 56% to 25%.

Members were informed of several updates to the report:-

- Amended drawings 554_230 P3, 554_232 P5, 554_513 P3 and 554_521 P3 received following requirements of Conservation officer. These relate to external stair and railing of unit 8, garden wall detailing (Block K- listed building), section details of Block K, and an existing rear elevation of Block K respectively
- Tree Officer consultation response- **No objection.**

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- “Deed of variation” to be removed from page 145. An S106 will now be submitted if the committee resolve to grant permission.

Mr Temple explained that the only physical changes were to Block K. Members were shown plans, photographs and elevations of the application site.

Councillor Davies sought clarification on the accessibility of the footpath. The Planning Services Manager said she would add an informative to advise that the footpath at the northern end of the site is not closed off and kept open.

Councillor Beaver proposed a motion to approve the application subject to an Informative. This was seconded by Councillor Davies.

RESOLVED – (unanimously) that the Planning Services Manager be authorised to issue planning permission upon completion of an agreement under S106 of the Town and Country Planning Act to secure:

- a financial contribution towards libraries (£28,667) and local public right of way improvements (£2616);
- a financial contribution towards local policing (£30,522.37)
- a financial contribution towards improving and upgrading local play facilities (£95,000);

unless it has been conclusively shown that the development would not be viable and it would still be acceptable in planning terms without the identified development contributions. In the event that the Agreement is not completed by 15th February 2019 that permission be refused on the grounds that the application does not comply with the relevant policies (policies H3, CI1 and CI3) of the Hastings Local Plan, The Hastings Planning Strategy 2011-2028 or the Hastings Local Plan, Development Management Plan unless an extension of time has been agreed in writing by the Planning Services Manager in consultation with the Chair and Vice Chair of the Planning Committee.

Subject to the above, Grant Full Planning Permission subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from 22 November 2016.
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

No working on Sundays or Public Holidays.

3. The development hereby permitted shall be carried out in accordance

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with the following approved plans:

554/001 P2, 554/002 P3, 554/004 P9, 554/005 P9, 554/006 P9, 554/009 P7, 554/009 P9, 554/012 P6, 554/014 P2, 554/501 P1, 554/502 P3, 554/503 P2, 554/504 P3, 554/505 P2, 554/506 P2, 554/507 P2, 554/508 P3, 554/509 P1, 554/510 P2, 554/511 P2, 554/512 P2, 554/513 P3, 554/514 P2, 554/515 P1, 554/516 P2, 554/517 P1, 554/518 P1, 554/519 P2, 554/520 P2, 554/521 P3, 554/522 P2, 554/523 P2, 554/524 P3, 554/203 P1, 554/204 P1, 554/205 P1, 554/206 P1, 554/207 P1, 554/208 P1, 554/209 P1, 554/210 P1, 554/211 P1, 554/212 P1, 554/213 P1, 554/214 P1, 554/215 P1, 554/216 P2, 554/217 P1, 554/218 P2, 554/221 P1, 554/222 P1, 554/225 P1, 554/226 P3, 554/227 P1, 554/228 P1, 554/229 P2, 554/230 P3, 554/231 P1, 554/232 P5, 554/233 P1, 554/234 P1, 554/235 P1, 554/240 P1 together with all submitted documentation relating to the contents of these plans.

4. The development shall be carried out in accordance with the approved details of brick approved by HS/CD/17/00164.

No further work shall take place regarding the external elevations of all visible external elevations and boundary walls until sample boards, measuring 1.5m x 1.5m of all materials to be used on all visible external elevations and boundary walls of the new development shall be submitted to and approved in writing by the Local Planning Authority. Where relating to brick and stone sample panels, such details shall show the bond pattern and mortar pointing. The development shall be carried out in accordance with the approved details.

5. Notwithstanding the details shown on the submitted plans and having regard to Condition 4, the sample panels in respect of the brick elevations to Blocks A and B shall include details of the brick bond, window dressings and string courses formed either by brick or stone to match copings.
6. Development shall be undertaken in accordance with the details of the bridge from the northern end of the site to the podium, approved under planning reference HS/CD/17/00448. These included elevations and sections showing details of the construction of the walkway, balusters and balustrades, privacy screens and supports including samples of materials and details of finishes.
7. No development shall take place until the following details under criterions 7i, j, m, and p listed below have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Development in relation to criterions 7 a, b, c, d, e, f, g, h, k, l, n, o, q, r shall be undertaken in accordance with the details approved under HS/CD/17/00448 and HS/CD/17/ 00662 as relevant, and shall be maintained thereafter in accordance with those approved details.

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- windows and door type variations for the proposed new development (including bin stores and garage doors), to include the manufacturers details, size, appearance, materials and finishes proposed, without trickle vents or detailing concealed trickle vents plus 1:10 elevation drawings and 1:2 or full size horizontal and vertical cross-sections through each type;
- a. roof profiles, colour and finish, plus details of the abutment to the main roof slopes, 1:10 plans and 1:2 or full size section details to be provided.
- b. roof mounted plant, to include details of all solar panels and photo voltaic installations proposed on visible roof slopes. Details to include information on the size and proposed location of the array, the size of each panel, its appearance, materials, finish, plus full details of any supporting framework required.
- c. dormers (Block K) and other roof extensions, to include 1:10 front, side and roof elevations, plus 1:2 or full size horizontal and vertical cross-sections.
- d. rainwater goods, to include proposed locations, sizes profiles, material and finishes.
- e. visible external flues and extract vents, to include proposed locations, sizes, appearance, materials and finishes.
- f. louvered panels including the profile, size, materials and finish, 1:10 elevation details and 1:2 or full size horizontal and vertical sections to be provided.
- g. balconies on the new buildings, to include full details of the frameless glazing (glass type/colour/reflective qualities), any top rail or vertical support, fixings for the railing and the proposed materials, profile and finishes to all balcony floors. Details to be provided as 1:10 elevations and 1:2 or full size sections.
- h. in respect of Block K full details of all new and replacement windows and external doors. Elevations shall be provided for each item at a scale of 1:10, with full size or 1:2 scale horizontal and vertical sections. Full details of all proposed door and window furniture should also be provided. Window details shall include sections through cills, heads, frames, meeting rails and opening lights, glazing bars and mullions. Doors shall include sections through fanlights, top rails, mid rail, bottom rail, panel details and frame. All new doors and windows on the listed buildings shall match an existing original example profile as agreed with the local planning authority.
- i. in respect of Block K only, full constructional details of the

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- proposed new rear elevation canopy and balcony, to include 1:20 elevations and roof plan, plus full size or 1:2 scale cross-sections through the canopy, and details of the materials, finishes and proposed fixing to the building. Detailed drawings shall show elevations and sections through the canopy profile, canopy ribs/supports, the railing profile and the balcony construction.
- j. in respect of Block K full constructional details of the new rear staircase atrium. To include the proposed fixing in to the original fabric of the listed buildings, plus elevations and roof plans at 1:20 and 1:2 or full size sections through the new construction (to include profiles through the proposed brise soleil, steps and handrails), and a full palette of materials to be used in the construction (roof, walls, floors and staircase).
 - k. in respect of Block K full details of proposals for the area below the retained Victorian infill, to the rear of the main entrance area, at basement level. Details shall be provided of all structural proposals, making good works and of any new doors, windows or other new construction proposed.
 - l. in respect of Block K full details of the proposed new front wall railings and gates to include the siting, size, appearance, materials and finishes and the proposed method of fixing. Details shall include 1:10 elevation drawings and 1:2 or full size cross-sections through the top rail, baluster profile, queen post profile, rear support bracket profile and a full size detail of all proposed finial types.
 - m. in respect of Block K full details of the new porticos to be reinstated to the front elevation of the terrace. To include 1:10 front, side and roof elevations and sections, plus 1:2 or full size sections through the render mouldings. Full details shall also be provided of all the materials and finishes proposed.
 - n. in respect of Block K full details of the new external staircase to the front area to Apt. 1, to include elevation and plan drawings at 1:10 and the step profile and handrail profile at 1:2 or full size, plus details of materials and finishes proposed;
 - o. in respect of Block K full details of any proposed new hanging lanterns to the front elevation of the terrace. To include 1:10 elevations and sections, plus details of their fixing to the building and the materials and finishes for the lanterns.
 - p. a methodology statement to be submitted and approved in writing by the local planning authority for the refurbishment of the existing lanterns which are to be rehung in a location to be agreed with the local planning authority. The methodology to include repairs to cast iron lantern and associated brackets,

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details of proposed replacement glass, fixing details into the masonry substrate and details of the luminaire to be inserted;

- (i) existing hanging lanterns to be carefully recorded by way of drawings which will form the template of the proposed and the details are to be submitted in the form of 1:10 plans, elevations and sections, plus details of their fixing to the building and materials and finishes.
- (ii) the locations of the new hanging lanterns to be agreed with the local planning authority.
- (iii) in respect of Block K full details of the proposals in relation to the area of original party/garden wall that is to be retained to the rear garden area of the listed buildings. These are to include a methodology statement for the following:
 - q. Any areas of existing wall to be taken down;
 - (i) Reconstruction of wall including full specification for the works;
 - (ii) Specification for reconsolidation of existing parts of the wall to be retained. The methodology statement should include all means of temporary supports to facilitate the works and be accompanied by a detailed drawing showing the extent of each element of works. Should new materials be required, a sample panel showing the proposed materials, width of mortar joint and finish of joint be constructed on site for approval and thereafter maintained on site until completion of the works.
- (iii) in respect of Block K full details of all new surface treatments to yard and garden areas, where immediately abutting the listed buildings

8. Development shall be undertaken in accordance with the details approved under HS/CD/17/00164 in relation to the measures outlined in the submitted ecological statements and reports Updated Extended Phase 1 Habitat Survey, Updated Badger Survey and Bat Survey, by PJC Ecology, dated March 2013, unless:
- r. 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;
 - (i) 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.

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9. **Development should be undertaken in accordance with the details approved under HS/CD/17/00164 in relation to the Wildlife Protection Plan for Construction. The plan includes:**
- (ii) An appropriate scale plan showing 'wildlife protection zones' where all construction activities are restricted and where protective measures will be installed or implemented.**
 - (iv) Details of wildlife features of importance such as ancient woodland, Sites of Nature Conservation Importance and protected species.**
 - (v) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction. These to include measures such as the covering of trenches and manholes, during construction; the safeguarding of badgers setts, runs and foraging area, especially relating to the throughput of construction and other vehicular traffic, timing of operational activities; the erection of protective fencing at agreed distances from sensitive habitats and wildlife areas.**
 - (vi) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed, such as the bird nesting season and other wildlife breeding seasons.**
- Persons responsible for:**
- (viii) Compliance with legal consents relating to nature conservation;**
 - (a) Compliance with planning conditions relating to nature conservation;**
 - (b) Installation of physical protection measures during construction;**
 - (c) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;**
 - (d) Provision of training and information about the importance of 'wildlife protection zones' to all personnel on site.**
 - (e) Species monitoring in accordance with condition 19 below. This list to be updated whenever necessary to keep the contact list current.**

All construction activities shall be implemented in accordance with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

10. **No development shall take place until fencing and warning signs have**

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been erected in accordance with the approved 'Wildlife Protection Plan for Construction' submitted and discharged in accordance with condition 9. All fencing and warning signs will be maintained in accordance with the plan, unless otherwise approved in writing by the Local Planning Authority.

11. A scheme of surveying and monitoring all important and protected species found on site to show the effects of the scheme during construction and for a period of ten years after the last house has been occupied must be submitted in accordance with the details approved under HS/CD/17/00164. The scheme includes:
- (f) A clear statement of the proposed aims and objectives of monitoring;
 - i) Details and justification for selection of baseline data and any changes or thresholds that, if occurring or reached, will trigger detailed remedial measures;
 - ii) Details of positive conservation targets along with any associated performance standards or success criteria that will indicate that targets have been reached;
 - iii) Details of the important and protected species and their places of shelter such as sett, hibernation sites, that are to be monitored;
 - iv) Methods for sampling and analysing, including the timetable and location for field survey;
 - v) Details of any legally required licences obtained from statutory agencies for the duration of the period of the construction and any changes to those licences which may be necessary during and post construction;
 - vi) Submission of a report on the monitoring to the local planning authority at intervals to be agreed after the commencement of construction works, or as otherwise approved in writing by the local planning authority, including a report on actual or anticipated changes in communities or populations, the reasons for the changes and any remedial measures considered to be necessary to modify the changes;
 - vii) Procedures to be put in place to enable the monitoring reports to be considered by the local planning authority in consultation with the developer. Should the local planning authority consider that remedial measures are necessary as a result of considering the monitoring report and any consultation responses under the above clause they shall give written notice to the developers. Within one month of receiving such written notice from the local planning authority

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the developers shall submit a scheme of remedial measures which shall include (but should not be limited to) the further mitigation and/or changes to any approved mitigation schemes and /or changes to working practices and programme of implementation for the approval of the local planning authority. The approved remedial measures shall be implemented in accordance with the approved scheme and programme unless otherwise approved in writing by the local planning authority.

12. The hard landscape works shall be carried out as approved by HS/CD/17/00662. These details 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.
13. All hard landscape works shall be carried out in accordance with the details approved by HS/CD/17/00662. 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.
14. All boundary fences, walls and enclosures shall be erected in compliance with approved details in HS/CD/17/00662. All such boundary fences, walls and enclosures shall be erected before the building to which they relate are occupied.
15. Development shall be undertaken in accordance with the scheme of soft landscaping approved under reference HS/CD/17/00164, which includes 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.

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

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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.

16. Temporary protective fences to safeguard the trees and/or hedges to be retained on the site shall be erected in accordance with details approved under HS/CD/17/00164 and the current BSI 5837 standards. All such fences shall be kept in a sound, upright and complete condition until the development has been completed and/or the Local Planning Authority confirm in writing that the works have been sufficiently completed for the fencing to be removed.
17. Demolition and development on site shall be undertaken in accordance with the Construction Management Plan approved under HS/CD/17/00448. This sets out mitigation measures to protect against disruption caused during demolition and construction and Includes:
 - viii) Parking for vehicles of site personnel, operatives and visitors;
 - a) loading and unloading of plant and materials;
 - b) storage of plant and materials
 - c) programme of works (including measures for traffic management)
 - d) Proposed methods of excavation, demolition, piling and all other construction associated with the development;
 - e) Noise and vibration monitoring arrangements for any piling that may be undertaken;
 - f) Methods of controlling dust emissions from the site
 - g) Details of wheel washing facilities and equipment to be provided during periods of demolition, excavations, earthworks and construction to be provided within the site to prevent the carrying and deposition of mud, dust or other debris on their wheels and to prevent contamination and damage to adjacent roads.
18. Demolition and commencement of development shall be undertaken in accordance with the measures in the approved Traffic Management Scheme (HS/FA/17/00662).
19. (i) Detailed site investigation for the presence of contaminants, methane and carbon dioxide in soil shall be undertaken in accordance with the details approved under HS/CD/17/00662 prior to the commencement of construction works on site. Such investigation and assessment should be carried out by suitably qualified personnel in accordance with current Government,

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Environment Agency and British Standard Guidance. Should any significant risks be identified by such an investigation, a remediation scheme including suitable monitoring and verification methodologies shall be agreed in writing by the Local Planning Authority.

- (ii) The remediation scheme, as agreed by the Local Planning Authority, shall be fully implemented before the development is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. The remediation scheme is to include considerations and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval. On completion of the works the developer shall provide written confirmation that all works were completed in accordance with the agreed details.
20. The new estate roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to their subsequent adoption as publicly maintained highway.
21. No development shall take place within the application site until the applicant or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with the written scheme of investigation approved under HS/CD/17/00164.
22. The development shall take place in accordance with the on-site watching brief approved by HS/CD/17/00164. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller excavation, then construction work shall cease until the applicant has secured the implementation of a programme of archaeological work in accordance with a revised written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
23. There shall be no obstruction to visibility in either direction onto Archery Road within splays of 2.4 X 43 metres at the junction with the access roads into the development
24. The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of vehicles.
25. Construction of the development shall be undertaken in accordance

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with details of the proposed means of foul sewerage and surface water disposal/management approved under reference HS/CD/17/00164.

26. Development shall be carried out in accordance with the details approved under condition 25 and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed.
27. 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.
28. No dwelling hereby approved shall be occupied until readily accessible storage space for refuse bins awaiting collection have been provided to the satisfaction of the Local Planning Authority.
29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby approved shall be kept available for the parking of motor vehicles at all times.
30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-G shall take place on the dwelling houses hereby permitted or within their curtilage.
31. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no television, radio aerial, satellite dish or other form of antenna shall be affixed on the exterior of any building forming part of the development hereby permitted.
32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the flank elevations of Blocks C, D, F, G, H, L, M of the development hereby permitted.

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33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed forward of the principal wall of the dwellings forming Blocks C and F.
34. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
- (i) the numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 25% of housing units which equates to 28 housing units.
 - (ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing. The phasing of occupancy within the scheme for the provision of affordable housing shall include a requirement that no more than 50% occupancy of the market housing shall be allowed until 100% of the affordable housing units have been constructed.
 - (iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);
 - (iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - (v) a signed nomination agreement setting out the Council's rights to nominate from its housing register (or another list that the Council is required to keep for the discharge of its housing responsibilities) a new tenant or tenants in respect of three of every four Dwellings which become true voids.
 - (vi) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
 - (vii) details of the notice given to the Council when a vacancy of an affordable unit becomes available and when a vacancy has been filled.
 - (viii) details of liability connected with the exercise of Nomination Rights, which shall require that the loss of rent, Service Charge, for any legal or other costs or fees or any other expenses incurred by the

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Housing Association arising from the exercise of the Nomination Rights shall remain with, be covered by and be the responsibility of the Housing Association.

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 Local Plan 2004 Policies DG1 and DG3).
3. For the avoidance of doubt and in the interests of proper planning.
4. In the interests of the character and amenity of the St. Leonards West Conservation Area.
5. In the interests of the character and amenity of the St. Leonards West Conservation Area.
6. To ensure a satisfactory form of development and in the interests if the character and amenity of the St. Leonards West Conservation Area.
7. In the interests of the character and amenity of the St. Leonards West Conservation Area.
8. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 Policies NC8 and NC9.)
9. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9.)
10. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9.)
11. To protect features of recognised nature conservations importance. (Hastings Local Plan 2004 policies NC8 and NC9.)
12. In the interests of the character and amenity of the St. Leonards West Conservation Area.
13. In the interests of the character and amenity of the St. Leonards West Conservation Area.
14. In the interests of the character and amenity of the St. Leonards Conservation Area.
15. In the interest of the character and amenity of the St. Leonards West Conservation Area.

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16. In the interest of the character and amenity of the St. Leonards West Conservation Area.
17. In the interest of the character and amenity of the St. Leonards West Conservation Area.
18. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1).
19. In the interests of highway safety and for the benefit and convenience of the public at large.
20. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.
21. In the interest of public safety.
22. In view of the position of the site in an area of archaeological interest. In accordance with the aims of Policy C6 in the Hastings Local Plan 2004.
23. In view of the position of the site in an area of archaeological interest. In accordance with the aims of Policy C6 in the Hastings Local Plan 2004.
24. To ensure that an acceptable standard of access is provided in the interests of pedestrians safety.
25. To prevent flooding
26. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
27. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
28. To ensure the deliver of sustainable development in accordance with the interests of the NPPF and emerging Policy EC4 of the Development Managing Plan.
29. To ensure the deliver of sustainable development in accordance with the interests of the NPPF and emerging Policy EC4 of the Development Managing Plan.
30. To ensure the deliver of sustainable development in accordance with the interests of the NPPF and emerging Policy EC4 of the Development Managing Plan.
31. In the interests of the character and amenity of the St. Leonards West

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Conservation Area.

32. In the interests of the character and amenity of the St. Leonards West Conservation Area.
33. In the interest of the character and amenity of the St. Leonards West Conservation Area.
34. To ensure that the proposal provides an appropriate level of affordable housing provision within the development and to meet the requirements of Policies H3 and CI1 of the Hastings Planning Strategy Local Plan (2014).

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. There may be badgers on the site and your attention is drawn to the provisions of the Badger Protection Act 1992. It is a criminal offence to kill or injure a badger; to damage or obstruct access to its sett; or to disturb a badger when it is occupying a sett.
4. This permission is the subject of a legal agreement, agreed by application HS/FA/15/00175 as per the agreed deed for variation and a new legal agreement as part of of this consent under S106 of the Town and Country Planning Act 1990 (as amended).
5. It will be necessary to enter into a Section 38 Agreement for the adoption of the roads before works commence.
6. Due to the nature of the highway in the vicinity of the site, construction traffic could damage the carriageway/verges. The highway authority will require the applicant to reimburse their legitimate expenses in making good any such damage. Prior to the commencement of development the applicant should contact East Sussex highways 0345 60 80 193 to arrange a photographic survey and joint inspection of the local highway network.
7. The developer should enter into a formal agreement with southern Water to provide necessary sewerage infrastructure required to service this development. Please contact Atkins Ltd, Anglo st James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688) or

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www.southernwater.co.uk

8. A formal application to requisition water infrastructure is required in order to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688) or www.southernwater.co.uk
9. Consideration should be given to the provision of domestic sprinkler systems within the properties.
10. The applicant is advised that the UPVC windows within the development shall be of a slim line form that responds positively to the character and appearance of the conservation area.
11. The applicant is reminded of their obligations in respect of the Combined Geotechnical and Ground Contamination Risk Assessment (Ashdown Site Investigation Limited, October 2015) and the identified measures in relation to land stability in undertaking these works.
12. Conditions imposed on permissions HS/FA/15/00175 and HS/FA/17/00439 must still be complied with during and after development.
13. It is advised that the footpath at the northern end of the site should be retained and remain open at all times.

76.4 109 St. Helens Park Road, Hastings

Proposal:	Change of use from (D1) Non-residential to C3 (Dwelling house)
Application No:	HS/FA/18/00597
Conservation Area:	No
Listed Building	No
Public Consultation	1 neutral comment received – Councillor Sabetian has an Ownership interest.

The Planning Services Manager presented this application for Change of use from (D1) Non-residential language school to C3 (Dwelling house) at 109 St Helens Park Road, Hastings. She advised that Policy E4 seeks to retain language schools unless it can be demonstrated that they are no longer viable. She said that the business had not made a profit and the property had been vacant for almost 2 years and that the loss of the language school was justified.

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Members were advised that this application had been brought to Planning Committee because the applicant is an existing Councillor.

Members were shown plans, photographs and elevations of the application site.

Councillor Edwards proposed a motion to approve the application. This was seconded by Councillor Beaver.

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:**

2000/151/LBP

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.**

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 paragraph 38 of the National Planning Policy Framework.**
- 76.5 Former lifeguard hut at Pelham Beach, Pelham Place, Hastings (HS/FA/18/00735)**

Proposal:	Change of use from sui generis to D1 (childrens playhut)
Application No:	HS/FA/18/00735
Conservation Area:	Yes – Old Town
Listed Building	No
Public Consultation	Not delegated - Application by Hastings Borough Council

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The Planning Services Manager presented this retrospective application for change of use from sui generis to D1 (childrens playhut) at Former Lifeguard Hut at Pelham Beach, Pelham Place, Hastings.

Members were advised that this application had been brought to Planning Committee because the applicant is Hastings Borough Council.

Members were shown plans, photographs and elevations of the application site.

The Planning Services Manager explained that since the publication of the agenda, it was noted that the red boundary line on the plan was incorrect for both the Full Planning Application (HS/FA/18/00735) and Advertisement application (HS/AA/18/00736) and should be corrected. She therefore recommended the application be deferred for the plan to be corrected.

Councillor Marlow-Eastwood proposed a motion to defer the application. This was seconded by Councillor Edwards.

RESOLVED – (Unanimously) that consideration of the application be deferred to amend the plan and for the application to be considered at the next available Planning Committee meeting once the relevant publicity period has expired.

76.6 Former lifeguard hut at Pelham Beach, Pelham Place, Hastings (HS/AA/18/00736)

Proposal:	2x Banners 45cmx120cmx1cm and 4x metal signs 45cmx60cmx1cm
Application No:	HS/AA/18/00736
Conservation Area:	Yes – Old Town
Listed Building	No
Public Consultation	Not delegated - Application by Hastings Borough Council

The Planning Services Manager presented this retrospective application for advertisement consent for 2x Banners 45cmx120cmx1cm and 4x metal signs 45cmx60cmx1cm, at the Former Lifeguard Hut at Pelham Beach, Pelham Place, Hastings. The applicant is Hastings Borough Council.

Members were shown plans, photographs and elevations of the application site.

The Planning Services Manager explained that since the publication of the agenda, it was noted that the red boundary line on the plan was incorrect for both the Full Planning Application (HS/FA/18/00735) and Advertisement application (HS/AA/18/00736) and should be corrected. She therefore recommended the application be deferred for the plan to be corrected.

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Councillor Roberts proposed a motion to defer the application. This was seconded by Councillor Bishop.

RESOLVED – (Unanimously) that consideration of the application be deferred to amend the plan and for the application to be considered at the next available Planning Committee meeting once the relevant publicity period has expired.

77. **PLANNING APPEALS AND DELEGATED DECISIONS**

The Planning Services Manager reported that one planning appeal has been received and four appeals had been dismissed. She also reported on the number of delegated decisions.

All matters had arisen between 3 September 2018 and 28 September 2018.

The report was noted.

(The Chair declared the meeting closed at. 8.57pm)**PLANNING APPEALS AND DELEGATED DECISIONS**

The Planning Services Manager reported that one planning appeal has been received and four appeals had been dismissed. She also reported on the number of delegated decisions.

All matters had arisen between 3 September 2018 and 28 September 2018.

The report was noted.

(The Chair declared the meeting closed at. 8.57pm)**PLANNING APPEALS AND DELEGATED DECISIONS**

The Planning Services Manager reported that one planning appeal has been received and four appeals had been dismissed. She also reported on the number of delegated decisions.

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The report was noted.

(The Chair declared the meeting closed at. 8.57pm)

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Agenda Item 3b

PLANNING

12 DECEMBER 2018

Present: Councillors Roberts (Chair), Davies (Vice-Chair), Bishop, Cox, O'Callaghan, Scott, Beaver, Edwards, Marlow-Eastwood and Webb

Apologies for absence were notes for Councillor

85. APOLOGIES FOR ABSENCE

None

86. DECLARATIONS OF INTEREST

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

Councillor	Minute	Interest
Beaver, Scott and Webb	5a- 85 -86 Castleham Road	Personal Interest- Member of East Sussex County Council.
Beaver, Scott and Webb	5b- Land Adjoining 14-16 Harley Way	Personal Interest- Member of East Sussex County Council.
Beaver	5a- 85 -86 Castleham Road	Personal Interest- Has received emails and spoken to residents but did not give an opinion and maintains an open mind.
Marlow-Eastwood and Edwards	5a- 85 -86 Castleham Road	Personal Interest- Application is in the ward they represent and have received emails from residents
Roberts	6e- Store 1 Bottle Alley, Eversfield Place, Lower Promenade	Personal Interest- Lives near to location but not affected by application.

87. MINUTES OF PREVIOUS MEETING HELD ON 10 OCTOBER 2018 AND 7 NOVEMBER 2018

The minutes from 10 October were missing from the agenda pack and will be approved at the next meeting

RESOLVED – that the minutes of the meeting held on 7th November 2018 be approved and signed by the Chair as a true record

-that the minutes of the meeting held on 10 October 2018 will be approved at the next meeting

88. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

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89. PLANNING APPLICATIONS ATTRACTING A PETITION

89.1 85-86 Castleham Road HS-FA-18-00777

75.1 85 -86 Castleham Road

Proposal:	Change of use from the council archive (B1) and storage site (B8) to the councils Direct Service Organisation (DSO) Street Cleansing operational depot (B2).
Application No:	HS/FA/18/00777
Conservation Area:	No
Listed Building:	No
Public Consultation:	39 letters of objection received and 1 petition of objection received

The Principal Planner Mrs Wood, presented this application for change of use from the council archive (B1) and storage site (B8) to the councils Direct Service Organisation (DSO) Street Cleansing operational depot (B2).

Members were informed of one update to the report:-

- One additional comment had been received

Members were shown plans, photographs and elevations of the application site.

Peter Emmanuel, petitioner spoke against the application. , He said he was there to represent local residents and the people who have raised objections. He had identified issues around the following;

- Change of use- Report states other units in plot have B2 status but none are within 18 metres of residents or operate 7 days a week. None have vehicles moving from 5am and operate until 8pm
- Suitability of the site- Local residents and an East Sussex County Council Highways officer have concerns that the site isn't large enough for the area. Report states there are no issues of the overlooking residential area. Believes to be untrue and several properties will overlook the internal compound and will see the tippers that collect the bulky waste and non-hazardous fly tips waste.
- Noise and proposed operating hours- Vehicles will be starting from 6am and left idly especially in winter months which will increase noise and petrol fumes. This has a health impact for local residents.
- Environmental impact- Environment agency has requested full noise report which has not been published. When will this be produced? This should be a prerequisite before planning permission should be granted. With regard to the impact the applicant in a document dated 22nd November, 7 weeks after

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planning notice was published that there will be waste stored overnight in the vehicles. Concern about the implications of this as stored all year round. Concerns about the disposal of contaminated water from the cleaning of the vehicles. Southern Water has had to previously investigate the capacity due to problems in the area. There will also be problems of spill light from the site.

- Planning process- From resident's point of view believes there are issues from the applicant, quality of application and potential breaches of procedures. This has been documented separately and formed parts of formal complaints. Many of the third party comments were done before final operating times were declared. The proposals need to be revisited in light of these changes. The council should be a role model in planning applications. Believes there has been inconsistencies throughout application and that the council are trying to 'shoe horn' this application through.

Mike Hepworth, of Hastings Borough Council; applicant, spoke in favour of the application. He responded to the points raised by the petitioner. He is responsible for the waste and cleansing operation within the council and explains how operations will work from the site. It will only be waste that hasn't been off loaded at Pebsham tip that will be stored overnight in the vehicles on site. In most cases they will be off loaded at the Pebsham site. When they can't there will only be 4 types of waste on the site and they will be stored on the vehicles and not offloaded

- Street sweeping- Mechanical street sweepers x2 that will generally be used only on weekdays. They will finish operating at 2pm and will be able to offload. Litter will be swept up and left in a sealed vehicle. No odour issues if left in vehicle overnight.
- Litter bins- Will use a mini freighter with compacter. Bags will be put in the back, compacted and mechanically transferred to a sealed unit in the vehicle.
- Hazardous fly tip waste- Will use a 7&1/2 ton cage tipper. Most is household or inert builders waste. Generally operating during times that they can offload at the tip during the working day.
- Bulky- Will use a 7&1/2 ton cage tipper. Will generally be household waste and white goods. Generally operating during times that they can offload at the tip during the working day.

All vehicles would be serviced off site.. Maintenance on site would be minimal and would only be for issues such as wiper blades and pumping up tyres. Any issues relating to noise, fumes and contamination from washing vehicles would be subject to conditions from statutory authorities and guidelines. These conditions would have to be met before site operation could begin. Hastings Borough council doesn't have a lot of sites that would be suitable to this operation. Are considering other site but very few

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are suitable. Current contract with Kier who are based at Bulverhythe. The operation is moving as Hastings Borough Council is taking the cleansing contract on. Concerns about parking spaces on site were addressed. Not all of the operation is based here and the site has a very small work base based there. The site plan shows wide areas that will allow vehicles to enter site and park. Vehicles won't be left running for fumes to be created and in terms of building ventilation, a ventilation system will be fitted to a high specification by professionals.

The Principal Planner, Mrs Wood, responded to the issues that were raised. Issues concerning the ventilation system are addressed by condition 14 that meant the ventilation system would need to be approved by planning. In terms of noise, conditions 12 and 13 address this and state that measures would need approval by the environmental health department in conjunction with the planning department before operations commenced. The parking issue meant that a revised parking plan was submitted that East Sussex County Council Highways team are now happy with. Drainage issues are addressed throughout the report and condition 5 notes that discharge rates are restricted as much as possible. This is an identified industrial estate and not a residential area as defined by national planning policy. Planning doesn't have to consider an alternative site at this stage and is not material to the consideration of this application.

Councillor Davies proposed a motion to grant the application as per the officer recommendation. This was seconded by Councillor Scott.

Councillors discussed the application in detail. During the discussion it was suggested that an informative was added regarding acoustic fencing for the site to reduce noise for the residents. This was agreed by the proposer and seconder of the motion to approve.

RESOLVED – by (7 votes for and 3 against) 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:**
 - BA1874.01 - Existing site location and block plan**
 - BA1874.03 - Existing site plan**
 - BA1874.04 - As existing floor plan for storage**
 - BA1874.05 - As existing floor plan for facilities**
 - BA1874.06 - Existing elevations**
 - BA1874.09 - Proposed plan**
 - BA1874.10 - Proposed site plan**
 - BA1874.11B - Parking plan**

3. **Waste shall not be off loaded or sorted on site at any time.**

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4. The premises shall not be operational except between the following hours:-

- **Monday - Sunday: 5.30am - 8.30pm**

Maintenance of vehicles must only take place during offices hours as follows:

- **Monday - Friday 8-30am to 5.30pm**
- **At no time on weekends or bank holidays.**

In the case of major events where these hours cannot be adhered to, permission must be sought in writing by the Local Planning Authority in advance.

- 5. (i) The authorised use 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. This shall include drainage details to show attenuation methods and necessary infrastructure to restrict water flow to existing levels, prior to discharge into the public system. The details should also include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.**
- (ii) Development shall then be carried out in accordance with the details approved under (i) and the use hereby approved shall not commence until those works have been completed.**

and

- (iii) The use hereby approved shall not commence 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.**

6. The location and condition of the existing drainage system should be investigated up to its outfall with the intention to reuse this system wherever possible. Any required improvements to the condition of the drainage system should be carried out prior to connecting into this system.

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7. The parking spaces shown on the approved plan (BA187411B) 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.
8. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans (plan no. BA1874.11B) or details which have been submitted to and approved in writing by the Planning Authority, and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
9. The proposed parking spaces shall measure at least 2.5m by 5m (with an extra 50cm where spaces abut walls)
10. Prior to the commencement of the proposed use a full noise report covering the whole site in accordance to BS 4142: 2014 shall be submitted to and approved in writing by the Local Planning Authority.

Any noise mitigation measures recommended in the submitted noise report shall be installed prior to the commencement of the proposed use and shall be retained thereafter.
11. Prior to the commencement of the proposed use, details of any lighting scheme, such as flood lighting or security lighting, shall be submitted to and approved in writing by the Local Planning Authority.
12. Details, including acoustic specifications of all fixed plant machinery and equipment associated with air moving equipment, including fans, ducting and external openings, compressors, generators or plant or equipment of like kind, installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved in writing by the Local Planning Authority prior to installation.
13. Details of the times of operation for any proposed jet washing facilities to be used at the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the proposed use.
14. Prior to the commencement of the proposed use details of the

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proposed ventilation systems shall be submitted to and approved in writing by the Local Planning Authority, and following approval, shall be retained thereafter.

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 health and safety and to safeguard the amenity of neighbouring residential properties.**
- 4. To safeguard the amenity of neighbouring residential properties.**
- 5. To prevent increased risk of flooding.**
- 6. To prevent increased risk of flooding.**
- 7. To ensure an adequate level of off-street parking to serve the development.**
- 8. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.**
- 9. To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.**
- 10. To safeguard the amenity of neighbouring residents.**
- 11. To safeguard the amenities of neighbouring residents and the character of the surrounding area.**
- 12. To safeguard the amenities of neighbouring residents and the character of the surrounding area.**
- 13. To safeguard the amenities of neighbouring residents.**
- 14. To safeguard the amenity of adjoining and future residents.**

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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 paragraph 38 of the National Planning Policy Framework.**
- 3. To be read in conjunction with condition 5:**

The location and condition of the existing drainage system should be investigated up to its outfall with the intention to reuse this system wherever possible. Any required improvements to the condition of the drainage system should be carried out prior to connecting into this system.

Surface water discharge rates should be no greater than existing discharge rates from the site. This is subject to a capacity check undertaken by Southern Water with evidence of this and hydraulic calculations, submitted to the Local Planning Authority.

Prior to construction of the development, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

- 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.**
- 5. To be read in conjunction with Condition 10:
Consideration must be given to the provision of acoustic fencing on the northern and eastern boundaries of the site.**

89.2 Land Adjoining 14-16 Harley Way HS-OA-18-00726

Proposal:	Outline application (seeking approval of Access), for the erection of up to 4 no.2 bed apartments
Application No:	HS/OA/18/00726

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Conservation Area:	No
Listed Building:	No
Public Consultation:	11 letters of objection received and 1 petition of objection received

The Principal Planner, Mrs Wood, presented this application for Outline application (seeking approval of Access), for the erection of up to 4 no.2 bed apartments. Members were shown plans, photographs and elevations of the application site. The Petitioner, Sharon Melville-Smith, spoke against the application. She said that she was there as a representative of the residents against planning and lives on Harley Way. She was concerned that they are here again at the committee due to the application being previously declined twice. No new evidence has been submitted by the applicant to support the application which is still contrary to Policy DM5 Only one new document has been submitted by the applicant on this application and all the others are 12-24 months old. New document contradicts itself and provides information that isn't true. It states that knotweed will be eradicated, no structural damage to the garage block. Petitioner states this is not true. The report use subjective words and is a misleading report. It also states that the thick vegetation is contributing land stability and good water flow. The have a small narrow road and can only park on one side of the road and the turning circle in the report is in fact too small for this. East Sussex County Council Highways say they have no objections to the application and that residents shouldn't be parking there. Residents cannot find anything that indicates that they cannot legally park there. Residents are using their garages and the spaces in front of them despite the committee being told that they weren't. Residents have ground movement on the road and walls which affects the drains. Area is on a steep sloping ground.

The applicant's representative, Brian Woods, spoke in support of the application.. Previous applications have been refused on the grounds of not enough information regarding the ground stability. New application includes a ground issues update letter provided by a specialist. Planning officers consulted with building control officers which had led to the inclusion of condition 22 which relates to before any works can be carried out a detailed site investigation must be completed. Building control have no record of land instability at the site only anecdotal evidence from residents. No suitably qualified professionals have provided evidence of this. No reasonable grounds for this application to be refused. The report in terms of land stability and risk refers to national planning policy framework, national policy guidance and policy DM5. Other residents concerns not addressed as only land stability caused previous applications to be refused. The applicant wants to develop on the land as urban area. No other third party experts have talked about land instability or produced evidence. The Principal Planner, Mrs Wood, responded to the issues that were raised. She discussed how an outline application is different from a planning application. There is no policy or legislative reason why approval can't be granted subject to a more detailed site investigation report and that is what is being required by condition 22. After receiving the objection the planning officer spoke to the agent to make sure that the investigation was carried out by a suitably qualified site investigator as required by the policy. Drainage can be further investigated. The parking concerns are addressed as the new accommodation will have parking on site. East Sussex County Council highways are our professional consultee for advice.

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Councillor Beaver proposed a motion to refuse the application on the ground that is contrary to para 127 of the National Planning Policy Framework and does not add to the quality of the area for the lifetime of the development. This was seconded by Councillor Edwards.

VOTE: 3 for and 7 against. Recommendation to refuse unsuccessful

Councillor Roberts proposed a motion to grant the application. This is seconded by Councillor Davies.

RESOLVED – by (8 votes for and 2 against) that planning permission be granted subject to the following conditions:

1. **Approval of the details of the layout, scale and external appearance of the building, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.**
2. **Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the siting, design and external appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.**
3. **Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**
4. **The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**
5. **The development hereby permitted shall be carried out in accordance with the following approved plans:**

GEG-100-1-B and TSP/BBCN/P3114/002
6. **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.
7. **The reserved matters application required by condition 1 shall include details of the means of vehicular access to the site, including road widths, kerb radii, visibility splays and details of finishes and materials. The approved details shall be implemented prior to occupation.**

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8. The access shall have maximum gradients of 2.5% (1 in 40) for the whole width of the footway and continuing for 5m into the site and 11% (1 in 9) thereafter.
9. The reserved matters application required by condition 1 shall include details of covered and secure cycle parking. The approved details shall be implemented prior to occupation and shall thereafter be retained for that use and shall not be used other than for the parking of vehicles and cycles.
10. The reserved matters application required by condition 1 shall include details of the proposed surface water drainage to prevent discharge of surface water from the proposed site onto the public highway, and similarly, to prevent the discharge of surface water from the highway onto the site. The approved details shall be implemented prior to occupation.
11.
 - (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 then be carried out in accordance with the details approved under (i) and no occupation of any of the flats hereby approved shall occur until those works have been completed.

and

 - (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.
12. The reserved matters application required by condition 1 shall include evidence (in the form of hydraulic calculations) with the detailed drainage drawings showing surface water discharge rates that are limited to 5.0l/s for all rainfall events, including those with 1 in 100 (+40% for climate change) annual probability of occurrence. The hydraulic calculations should take into account the connectivity of the different surface water drainage features. This should include evidence that the Southern Water network has capacity to accept the proposed surface water discharge into its network.
13. If a new connection or diversion of a public sewer is proposed, the reserved matters application required by condition 1 shall include details of the permission on the acceptability of this.

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14. The reserved matters application required by condition 1 shall include details of the proposed attenuation, storage tank, permeable paving and water butts outlined in the Drainage Strategy Report (2016). The approved details shall be implemented prior to occupation.
15. The reserved matters application required by condition 1 shall include details of a maintenance and management plan for the entire drainage system, including culverted and open watercourses. This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details. Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.
16. The reserved matters application required by condition 1 shall include a Site Waste Management Plan detailing measures to minimise and manage waste generated by the construction and demolition works. Thereafter the development shall only be carried out in accordance with the approved details.
17. The reserved matters application required by condition 1 shall include details of any plant e.g. to heat the buildings or other equipment. 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.
18. The reserved matters application required by condition 1 shall include a Construction Environmental Management Plan (CEMP) based on the submitted Construction Traffic Management Statement (CTMS).

The document shall also include:

- a) parking provision for site operatives and visitors;
- b) provision for loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) measures to prevent deposit of mud on the highway;
- e) measures to minimise dust during demolition;

The approved CEMP shall be adhered to throughout the construction period.

19. No development shall take place until the measures outlined in the submitted ecological statements and reports have been fully implemented, unless:

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- (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.

The submitted reports include

- Update Ecological Appraisal, September 2017 (David Archer Associates)
 - The Ecological Appraisal Report, May 2016 (Ash Partnership)
 - Report on Badger Activity February, 2017 (Peter Mortimer Badger Consultant)
 - Mitigation and Method Statement, March 2017 (Peter Mortimer Badger Consultant)
 - Report on Bat Survey, December 2016 (Eagle Trees Management)
20. The reserved matters application required by condition 1 shall include details of the role and responsibilities and operations to be overseen by an appropriately competent person (e.g. an ecological clerk of works, on-site ecologist). The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
21. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared following completion of measures identified in the approved remediation scheme a verification report must be prepared. All the above should be approved in writing by the Local Planning Authority.
22. The reserved matters application required by condition 1 shall include a full and adequate Land Stability and Soils Report, which sets out intrusive site investigation, undertaken in accordance with established procedures. Work shall not proceed until and unless measures deemed to be necessary by the Authority as a result of such report have been incorporated in the development proposals.

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23. The reserved matters application required by condition 1 shall include a detailed scheme of external lighting. The approved details shall be implemented prior to occupation. The scheme shall be maintained and shall not be altered without prior written approval of the Local Planning Authority.
24. The reserved matters application required by condition 1 shall include details of open space, planting, and all boundary fences, including provision for free access to wildlife. The approved details shall be implemented prior to occupation.
25. The reserved matters application required by condition 1 shall include a full tree report, which determines where replanting will take place. The approved details shall be implemented prior to occupation
26. The reserved matters application required by condition 1 shall include details of readily accessible external storage space for refuse bins awaiting collection. The approved details shall be implemented prior to occupation
27. The reserved matters application required by condition 1 shall include details of electric vehicle charging points, including a programme for their installation, maintenance and management. The electric vehicle charging points as approved shall be installed prior to occupation of the buildings hereby permitted and shall thereafter be retained and maintained in accordance with the approved details.
28. The reserved matters application required by condition 1 shall include details of appropriate climate change mitigation and adaptation measures as required by Policy SC3 of the Hastings Planning Strategy 2014. The approved details shall be implemented prior to occupation.

Reasons:

1. The application is in outline only.
2. The application is in outline only.
3. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990.
4. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990.
5. For the avoidance of doubt and in the interests of proper planning.
6. To safeguard the amenity of adjoining residents.
7. In the interests of road safety.

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- 8. In the interests of road safety.**
- 9. In the interests of vehicular and pedestrian safety.**
- 10. In the interests of highway safety and for the benefit and convenience of the public at large.**
- 11. To prevent increased risk of flooding.**
- 12. To prevent increased risk of flooding.**
- 13. To prevent increased risk of flooding.**
- 14. To prevent increased risk of flooding.**
- 15. To prevent increased risk of flooding.**
- 16. To minimise the amount of construction and demolition waste being disposed of in landfill sites.**
- 17. To ensure a satisfactory standard of development.**
- 18. To safeguard the amenity of adjoining and future residents.**
- 19. To protect features of recognised nature conservation importance.**
- 20. To protect features of recognised nature conservation importance.**
- 21. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.**
- 22. To ensure that the construction takes account of the local ground conditions and the sloping nature of the site.**
- 23. To safeguard the amenity of adjoining and future residents.**
- 24. To ensure a satisfactory standard of development.**
- 25. In the interests of the visual amenity and to improve biodiversity.**
- 26. To ensure a satisfactory standard of development.**
- 27. To ensure a satisfactory standard of development.**
- 28. To ensure a satisfactory standard of development in accordance with the requirements of Policy SC3 of the Hastings Planning Strategy.**

Notes to the Applicant

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1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.
3. The applicant is advised that they must ensure the proposed works, hereby approved, do not contravene laws protecting wildlife including the Countryside and Wildlife Act 1981. Where the applicant is in doubt they should contact Natural England on wildlife@naturalengland.org.uk Telephone 020 802 61089 or Environment and Natural Resources on parks@hastings.gov.uk Telephone 01424 451107 prior to commencement of any works.
4. There may be badgers on the site and your attention is drawn to the provisions of the Badger Protection Act 1992. It is a criminal offence to kill or injure a badger; to damage or obstruct access to its sett; or to disturb a badger when it is occupying a sett.
5. No site clearance or tree or hedge removal shall be carried out on site between 1 March and 31 July inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.
6. The applicant is advised that the development is likely to be reliant on the existing public highway being incorporated into the development site and as such must be formally Stopped Up to remove the highway rights over it. A 'Stopping Up' order would need to be processed separately to the planning process in accordance with the Town & Country Planning Act 1990. This process must be successfully completed prior to any highway land being enclosed within the development and before any reserved matters application. In order to commence the stopping up order process, the applicant will need to contact the Department for Transport's National Casework Team (0207 9444115).

The applicant should note that the stopping up is subject to public consultation and objection and therefore success cannot be guaranteed.

7. The applicant's attention is drawn to the need for a licence to construct the access. The applicant should contact East Sussex Highways on 0345 6080193 to apply for a licence to ensure the construction is to an acceptable standard.
8. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer

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capacity check to identify the appropriate connection point for the development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order of:

- a) Adequate soakaway or infiltration system
- b) Water course
- c) Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate planning conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors. The design of drainage should ensure that no land drainage or ground water is to enter public sewers network.

90. OTHER PLANNING APPLICATIONS

91.1 Muriel Matters House HA-PA-18-00887

76.1 Muriel Matters House, Breeds Place

Proposal:	Installation of a 18.09kW Solar PV array on the roof
Application No:	HS/PA/18/00887
Conservation Area:	No
Listed Building:	No
Public Consultation:	Nothing received

The Principal Planner, Mr Temple, presented this application for prior approval for installation of a 18.09kW Solar PV array on the roof of Muriel Matters House, Breeds Place.

The Principal Planner explained that this was a council application and that the application met all the criteria and conditions and that the Council recommended that prior approval be given subject to conditions.

Members were shown plans and photographs of the application site.

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Councillor Beaver proposed a motion to grant prior approval. This was seconded by Councillor Bishop.

RESOLVED – (Unanimously) that prior approval be given subject to the following conditions:

1. (a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and
(b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

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
No working on Sundays or Public Holidays.

Reasons:

1. To ensure that the proposed development falls within the limit of permitted development within Class J of Part 14 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

2. To safeguard the amenity of adjoining residents.

Note to the Applicant

1. The applicant is advised that great consideration should be given in the interest of the neighbouring amenity, in regards to potential noise and dust that may be generated through the construction works.

91.2 Castleham Business Centre East, Stirling Road HS-PA-18-00936

Proposal:	Installation of a 38.34kW Solar PV array on the roof
Application No:	HS/PA/18/00936
Conservation Area:	No
Listed Building:	No

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Public Consultation:	Nothing received
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The Principal Planner, Mr Temple, presented this application for prior approval for installation of a 18.09kW Solar PV array on the roof of Muriel Matters House, Breeds Place.

The Principal Planner explained that this was a council application and that the application met all the criteria and conditions and that the Council recommended that prior approval be given subject to conditions.

Members were shown plans and photographs of the application site.

Councillor Scott proposed a motion to grant prior approval . This was seconded by Councillor Roberts.

RESOLVED – (Unanimously) that prior approval be given subject to the following conditions:

1. (a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and
(b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

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
No working on Sundays or Public Holidays.

Reasons:

1. To ensure that the proposed development falls within the limit of permitted development within Class J of Part 14 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

2. To safeguard the amenity of adjoining residents.

Note to the Applicant

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1. The applicant is advised that great consideration should be given in the interest of the neighbouring amenity, in regards to potential noise and dust that may be generated through the construction works.

91.3 Former Lifeguard Hut at Pelham Beach, Pelham Place HS-FA-18-00735

Proposal:	Change of use from sui generis to D1 (childrens playhut)
Application No:	HS/FA/18/00735
Conservation Area:	Yes-Old Town
Listed Building:	No
Public Consultation:	Nothing received

The Principal Planner, Mrs Wood, presented this application for change of use from sui generis to D1 and explained that this was a retrospective application.

Members were shown plans and photographs of the application site.

Councillor Beaver proposed a motion to grant the application. This was seconded by Councillor Scott.

RESOLVED – (Unanimously) that planning permission be granted subject to the following condition:

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

BT/P2/2/4, BT/P2/2/2, BT/P2/2/3

Reason:

1. 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 paragraph 38 of the National Planning Policy Framework.

91.4 Former Lifeguard Hut at Pelham Beach, Pelham Place HS-AA-18-736

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Proposal:	2x Banners 45cmx120cmx1cm and 4x metal signs 45cmx60cmx1cm
Application No:	HS/AA/18/00736
Conservation Area:	Yes- Old Town
Listed Building:	No
Public Consultation:	Nothing received

The Principal Planner Mrs Wood, presented this application for publicity consisting of 2x Banners 45cmx120cmx1cm and 4x metal signs 45cmx60cmx1cm for the Former Lifeguard Hut at Pelham Beach, Pelham Place.

Members were shown plans and photographs of the application site.

Councillor Beaver proposed a motion to grant the application. This was seconded by Councillor Edwards.

RESOLVED – (Unanimously) that advertisement consent be granted subject to the following conditions:

1. **No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.**
2. **No advertisement shall be sited or displayed so as to—**
 - a) **endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);**
 - b) **obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or**
 - c) **hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.**
3. **Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.**
4. **Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.**
5. **Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.**
6. **The period of consent lapses at the expiration of five years from the date of issue.**

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7. **The development hereby permitted shall be carried out in accordance with the following approved plans:**

BT/P2/2/4, BT/P2/2/2, BT/P2/2/3

Reasons:

1. **In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.**
2. **In the interests of safeguarding the amenities of the area.**
3. **In the interests of safeguarding the amenities of the area.**
4. **In the interests of safeguarding the amenities of the area.**
5. **In the interests of safeguarding the amenities of the area.**
6. **In the interests of safeguarding the amenities of the area.**
7. **For the avoidance of doubt and in the interests of proper planning.**

Notes to the Applicant

1. **Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.**
2. **Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.**

91.5 Store 1 Bottle Alley, Eversfield Place, Lower Promenade, HS-FA-18-00535

Proposal:	Change of use from B8 (Storage) to D1 (Gallery/Studio. And alterations to front elevation (amended description).
Application No:	HS/FA/18/00535
Conservation Area:	Yes- Warrior Square
Listed Building:	No
Public Consultation:	Nothing received – Application on Council owned land

The Planning Officer, Ms Ranson, presented this application for change of use from B8 (Storage) to D1 (Gallery/Studio). And alterations to front elevation (amended description) for Store 1 Bottle Alley, Eversfield Place, Lower Promenade. Members were shown plans and photographs of the application site. The Planning

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Officer explained that it was a local designated heritage asset and that the Conservation Officer had no problem as long as the windows were painted which was conditioned.

Councillor Davies proposed a motion to grant the application. 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

BF/L1/5/3/6, BF/L1/5/3/5, BF/L1/5/3/4, BF/L1/5/3/1
3. Prior to use of the Gallery commencing the opening hours shall be submitted to and agreed in writing by the Local Planning Authority.
4. The use hereby approved is for Art Gallery (D1 use) only and there shall be no further change of use to other uses without planning permission first being applied for and approved in writing by the Local Planning Authority.
5. Hours of opening / operation of the gallery must be submitted to and agreed in writing with the Local Planning Authority within 6 weeks of the Gallery use being started.
6. Prior to the gallery use hereby approved being brought into use details of suitable waste storage and collection must be submitted to and agreed in writing with the Local Planning Authority.
7. Before the change of use hereby approved is first brought into use, the white aluminium windows shall be painted either dark grey or black and the windows internal reveal and finish shall be made good to a standard to be agreed with the Conservation Officer.

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 proper planning and to protect neighbour amenity.

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4. To ensure that any further change of use is appropriate to the level of flood risk.
5. In the interest of local amenity.
6. In the interest of local amenity.
7. In the interest of conserving the significance and character of the heritage asset.

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 paragraph 38 of the National Planning Policy Framework.
3. The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. If you are planning to replace windows and doors, appropriate security standards should be adopted. For further information please see www.securedbydesign.com or contact Sussex Police.
4. Any alterations to the door or windows / shutters will require planning permission and you are strongly advised that they be designed for appropriate flood protection to help protect the gallery as this unit is at high risk of sea flood (Environment Agency zones 2 & 3).
5. There shall be no material external alterations made to the store unit hereby granted change of use to (Gallery D1 use) without further planning permission first being applied for and approved in writing by the Local Planning Authority. External alterations include alterations to the window and door openings.

92. PLANNING APPEALS AND DELEGATED DECISIONS

The Principal Planner reported that 3 planning appeals had been received, 3 appeals had been dismissed and 1 had been withdrawn. No appeals had been allowed. They also reported on the number of delegated decisions.

The report was noted.

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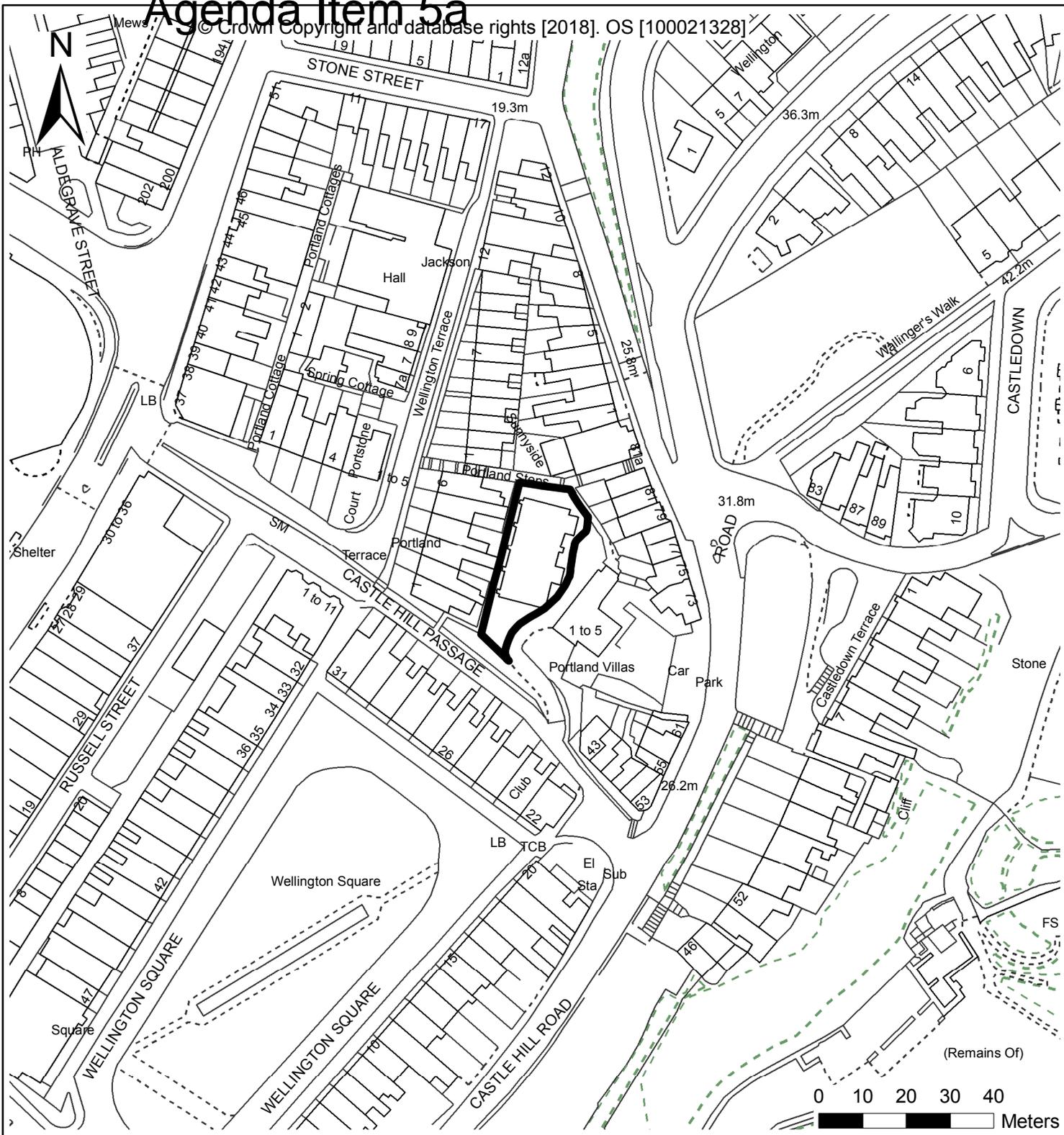
12 DECEMBER 2018

(The Chair declared the meeting closed at 7.34pm)

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Agenda Item 5a

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**St Marys Church Hall
25 Castle Hill Passage
Hastings**

Variation of condition 16 (approved plans) of Planning Permission HS/FA/11/00510 (Conversion of the original hall and annexe into three residential units) - Amendments - Addition of one room at first floor level, reconstruction of the windows on the south elevation & double glazed units, substitution of hedge planting with fencing.



Assistant Director Housing & Built Environment
Hastings Borough Council,
Muriel Matters House, Breeds Place,
Hastings, East Sussex TN34 3UY
Tel: 01424 451090
email: planning@hastings.gov.uk

Date: Nov 2018

Scale: 1:1,250

Application No. HS/FA/18/00496

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Report to: PLANNING COMMITTEE
Date of Meeting: 09 January 2019
Report from: Assistant Director of Housing and Built Environment

Application Address: St Marys Church Hall, 25 Castle Hill Passage, Hastings
Proposal: Variation of condition 16 (approved plans) of Planning Permission HS/FA/11/00510 (Conversion of the original hall and annexe into three residential units) - Amendments - Addition of one room at first floor level, reconstruction of the windows on the south elevation & double glazed units, substitution of hedge planting with fencing.
Application No: HS/FA/18/00496

Recommendation: REFUSE

Ward: CASTLE 2018
Conservation Area: Yes - Old Town
Listed Building: No

Applicant: Mr Hanlon per John McCart Architect The Studio 14 Claremont Hastings, East Sussex. TN34 1HA

Public Consultation

Site Notice: Yes
Press Advertisement: Yes - Conservation Area
Letters of Objection: 4
Petitions of Objection Received: 1
Letters of Support: 0
Petitions of Support Received: 0
Neutral comments received 0

Application Status: Not delegated - Petition received

1. Site and Surrounding Area

The application site relates to St Mary's Church Hall, a red brick building with a Flemish bond and clay tile roof. It is noted that the land drops from the east to the west, therefore the hall is one storey in height when viewed from the east and two storeys in height when viewed from

the west. Exact level changes have not been provided. St Mary's Railway Mission Hall was built in 1892 to accommodate the spiritual and social needs of the railway workforce and their families, the hall is one of the few known examples of a purpose built hall by the Railway Mission.

The building is surrounded to the north, east and west by residential dwellings and flats. The building is located on the north side of Castle Hill Passage and to the south side of Portland Steps. The site adjoins Portland Villas to the south east and a raised walkway at the rear of 75-81A Castle Hill Road to the east. To the north east of the site are the properties of Sunnyside, Portland Steps and Castle Hall, Stonefield Road. The site also adjoins the rear of 1-6 Portland Terrace to the west, a terrace of two storey properties located at a lower ground level than the application site by approximately 1m. To the south of the site, on the opposite side of Castle Hill Passage, are the rear elevations of 4 storey terraced dwellings fronting onto Wellington Square. These properties are Grade II listed buildings. The hall due to its siting makes a significant contribution to views from Portland Steps, part of which lies within the Old Town Conservation Area. The hall is also partially visible behind a row of trees along Castle Hill Passage, which is also within the Old Town Conservation Area. Access to the site is from the south via a shared drive which slopes upwards and gives access to Portland Villas. A bank also runs along the south boundary which is covered by mature trees. The site is not within a Conservation Area but is positioned within close proximity to the Old Town Conservation Area.

There have been ongoing construction works on site in connection with the planning application for the conversion of the hall into residential units which was approved in 2011 under planning application HS/FA/11/00510, although at the time of a site visit no works were being carried out. The external elevations of the building are in a poor state of repair and the external areas are being used for storage of construction materials and dumping waste. There is also construction hoarding erected around the site. In its current state the building and site do not enhance the character and appearance of the building, area and the nearby Conservation Area. It is also important to note that the hall has been recently nominated for a local listing as a heritage asset, in view of its local importance. The hall has also been included within the recent Hastings Central Conservation Area Draft Appraisal, with the possible boundary extension of the Old Town Conservation Area.

Constraints

Conservation Area 20m buffer (Old Town)

Local Heritage Asset recommended to be nominated in the Consultation Draft Hastings Central CAA

Archaeological Notification Area

SSSI Impact Risk Zone (threshold not applicable)

Low Pressure Pipeline SGN

Wellington Square Grade II listed buildings (opposite the site)

2. Proposed development

An application can be made under Section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a Section 73 application is to seek a minor material amendment, where there is a relevant (drawing number) condition that can be varied.

The application is an amendment to the previously approved planning application HS/FA/11/00510, which was for the conversion of the original hall and annexe into three residential units. The proposal is to vary condition 16 (approved plans) and focuses on the following amendments:

- The addition of another bedroom at first floor level.
- The re-configuration of the windows to the south elevation with the creation of double glazed casement side hung windows and the removal and replacement of the arched heads with concrete lintels.
- The substitution of hedge planting with 1.8m high timber vertical boarded fence panels to the south east boundary.

In comparing the submitted plans and the approved plans of HS/FA/11/00510 a number of other proposed amendments have been identified, not listed within the application form, but which form part of this application. These other amendments are:

- The replacement of the reeded glass non-opening windows to the west and east elevations.
- Insertion of obscure glazing and side hung windows as follows - The east elevation comprises of two large windows and the west elevation comprises of four large windows, each with twelve panes, the lower eight panes are proposed to be obscure glazed with the panes at either end of the lowest row to be side hung opening. Glass which is reeded consists of vertical flute detailing which obscures views providing a level of privacy.
- Changes to land levels - There also appears to be a number of proposed changes to the land levels on site, however this has not been made clear on the submitted plans.
- Reconfiguration of the car parking area in which it will be moved in from the west boundary of the site, and the provision of six refuse bins to the northern edge of the car parking area.

In addition, following site visits, it is evident that:

- Additional roof lights have been inserted into the roof than previously approved under HS/FA/11/00510. These roof lights are not shown in the submitted plans to this application. It is unclear whether the applicant intends to remove these additional roof lights. In addition, the non openable roof lights, approved as part of the previous application, are now proposed to be capable of opening. A further change not clearly listed in the application form or supporting information.

This application has been submitted, in part, to overcome construction works that have occurred that have not been in accordance with the parent permission. However as noted above, it is clear some works still are omitted from the application plans.

Relevant Planning History

HS/FA/11/00510 Conversion of the original hall and annexe into three residential units.
Granted with conditions 07/02/2011

HS/FA/05/00414 Convert derelict former church hall into 2 x 3 bedroom homes.
Granted with conditions 22/07/2005

HS/72/01563 Use extended as a play-group.
Granted with conditions 16/11/1972

There have been numerous planning enforcement investigations relating to this site since planning permission was granted for the conversion into residential units relating to the ongoing construction works at the site including works not in compliance with the approved plans / conditions and the condition of the site including rubbish and pollution. Enforcement is on hold, pending the determination of this application.

National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

Policy DS1 - New Housing Development

Policy FA2 - Strategic Policy for Central Area

Policy EN1 - Built and Historic Environment

Hastings Local Plan – Development Management Plan (2015)

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

Policy DM4 - General Access

Policy HN1 - Development Affecting the Significance and Setting of Designated Heritage Assets (including Conservation Areas)

Policy HN2 - Changing Doors, Windows and Roofs in Conservation Areas (site is within the setting of a Conservation Area)

Policy HN5 - Non-Designated Heritage Assets

Other Policies/Guidance

Planning Improvement Plan (PIP) 2015:

The PIP states in relation to Minor Material Amendments where the dimensions of a building are not changed by more than 10% and the description of the development in the original permission has not changed then the Council may consider changes as minor material amendments. The PIP states that they are only guidelines and each case will be considered in the context of the original approval.

The National Planning Policy Guidance (NPPG):

The NPPG states there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. Pre-application discussions will be useful to judge the appropriateness of this route in advance of an application being submitted.

Planning (Listed Buildings and Conservation Areas) Act 1990:

72.-(1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned respects in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

East Sussex County Council Highways - Minor Planning Application Guidance (2017)
Supplementary Planning Document: Parking Provision in New Developments

National Planning Policy Framework (NPPF)

Paragraph 11 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay.

Paragraph 12 of the NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Three dimensions of sustainability given in paragraph 8 are to be sought jointly: economic (by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst paragraph 9 advises that plans and decisions need to take local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas.

Section 12 of the NPPF sets out the requirement for good design in development. Paragraph 124 states: "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Paragraph 127 of the NPPF requires that decisions should ensure developments:

- Function well;
- Add to the overall quality of the area for the lifetime of that development;
- Are visually attractive in terms of:
 - * Layout
 - * Architecture
 - * Landscaping
- Are sympathetic to local character/history whilst not preventing change or innovation;
- Maintain a strong sense of place having regard to:
 - * Building types
 - * Materials
 - * Arrangement of streets
- Optimise the potential of the site to accommodate an appropriate number and mix of development;
- Create safe places with a high standard of amenity for future and existing users

Paragraph 184

Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 190

Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a

heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 197

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

3. Consultations comments

Conservation Officer - **Objection**

More information is required to fully assess the impact of the proposed changes on the character, appearance and setting of the conservation area and building.

Boundary treatment:

The extent of timber fencing currently proposed would appear out of keeping and harm to the historic character of the area. The architect needs to explore other possible options.

Fenestration amendments:

Further information is required as there is a lack of detail on the drawings to fully understand and assess the windows changes. Casement opening windows would be out of keeping with the character of the building and would fail to safeguard neighbour privacy.

Additional internal floor space:

Cross-section drawing required to demonstrate the relationship between the floor level and windows to ensure the floor does not interrupt the windows and is not visible externally.

Following site visit 04/12/2018:

The works that are the subject of this application have now been partly implemented on site. We therefore made a site visit to assess the impact of these new works.

The modified window arrangement to the south elevation is considered unacceptable, this elevation is publicly visible. The original heads of the window openings were formed by shallow brick arches. The flat raw concrete replacement window heads that have now been installed on this side of the building do not adequately reflect the original character of the building, they are detrimental to views of the south elevation, and so cause harm to the character of the building itself, the setting of the wider conservation area, and the setting of the Grade II listed buildings at Wellington Square. This is contrary to the requirements of local plan policies EN1, HN1 and HN2.

4. Representations

A site notice was put up and an advert placed in the local newspaper allowing members of the public to comment on the proposed amendments. 4 letters of objection and 1 petition of objection from neighbouring properties has been received, raising the following concerns;

- The proposed windows have a totally different appearance to the originals

- Overlooking into the rear gardens and properties of Portland Terrace.
- Additional screening is required.
- Increased noise from the new window openings.
- The potential for residents to smoke out of these new window openings.
- Soft landscaping is required.

5. Determining Issues

This is an application for a minor material amendment to a previously approved scheme. Due to the nature of the proposed changes it is not necessary to reconsider all previous aspects of the approved development. Key considerations are whether the proposal constitutes a minor material amendment and the impact of the proposed amendments on the character and appearance of the area and the neighbouring residential amenities.

a) Principle

The site is in a sustainable location and the application is therefore in accordance with Policy LP1 Hastings Local Plan - Development Management Plan (2015) in this respect and acceptable in principle subject to other local plan policies. Although the principle of making changes to a building nearby to a Conservation Area is acceptable in principle, in this instance the details of the changes proposed are either not clearly set out or are considered harmful as set out below.

b) Whether the proposal constitutes a minor-material amendment

Planning Improvement Plan (PIP) 2015:

There is no formal definition of what constitutes a non-material or minor material amendment, and each case needs to be considered on its merits in the context of the development. The PIP states in relation to MMA where the dimensions of a building are not changed by more than 10% and the description of the development in the original permission has not changed then the Council may consider changes as minor material amendments. The PIP states that they are only guidelines and each case will be considered in the context of the original approval.

The National Planning Policy Guidance (NPPG):

There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. Pre-application discussions will be useful to judge the appropriateness of this route in advance of an application being submitted.

Taking the above definitions from the PIP and NPPG into account, the proposed amendments do constitute minor material amendments. The addition of another bedroom at first floor level will not result in a physical change to the building, with only internal alterations proposed to accommodate this additional bedroom.

c) Impact on Character and Appearance of Area

Policy HN1 of the Hastings Local Plan - Development Management Plan (2015) states, permission will be given for those schemes that show a full understanding of the significance of the asset and convincingly demonstrate how their chosen design sustains and enhances the significance of any heritage assets affected (including conservation areas).

The application site, St Mary's Railway Mission Hall was built in 1892 to accommodate the spiritual and social needs of the railway workforce and their families, the hall is one of the few known examples of a purpose built hall by the Railway Mission. The hall is clearly a heritage asset in view of its local importance and this is reflected in the recent nomination for a local listing as a heritage asset. The hall has also been included within the recent Hastings Central Conservation Area Draft Appraisal, with the possible boundary extension of the Old Town Conservation Area to form a new Hastings Central Conservation Area. The hall is in a prominent position with the Old Town Conservation Area surrounding the site in most parts. As such, the hall makes a significant contribution to the views from Portland Steps, part of which lies within the Old Town Conservation Area and the partial views achieved behind the row of trees along Castle Hill Passage, which is also within the Old Town Conservation Area.

As established in policy HN5 of the Hastings Local Plan - Development Management (2015), the effect of a development on the significance of, or on the setting of, a non-designated heritage asset is a material consideration in the planning process. The weighting that can be given to the conservation of the heritage asset, within the assessment of the development proposals, will depend on the balance between the scale of harm or loss that will result from the development, and the significance of the asset. It is clear that this building is of local importance and as such any development needs to be sympathetic and sensitive to the building and its setting.

The application proposes a number of amendments to the previously approved planning permission HS/FA/11/00510. However more information is required to understand exactly what is proposed and therefore be able to fully assess the impact of the proposed changes on the character and appearance of the area, the setting of the Old Town Conservation Area and the building. Without this information it is not possible to determine whether harm arises from each element of the scheme. The agent has been contacted a number of times requesting further information in relation to the proposed boundary treatment and the fenestration amendments, so the proposal could be assessed. The agent was also given alternative options to the elements of the scheme which were considered unacceptable by the Conservation Officer. The council made every attempt to obtain the information required, in which there has been no response from the agent. Therefore, we are unable to determine whether the proposal is acceptable and whether it will cause harm to the building and the setting without this information. This is therefore contrary to Policies DM1, HN1, HN2, HN5 and EN1 of the Hastings Local Plan in which proposals should protect and enhance the local character.

Policy HN5 of the Hastings Local Plan - Development Management Plan (2015) states, permission will be given for those developments that secure the preservation and enhancement of non-designated heritage assets and their settings. Schemes that show a positive commitment to retaining the asset, as an active part of the site will be encouraged. Development that would result in the loss of, or demonstrably harm the significance or setting of a non-designated heritage asset, will be resisted, unless the proposed development has other public benefits that clearly outweigh the loss of, or harm to, the asset, or there is no other feasible means of bringing a key development site forward.

The previously approved planning application HS/FA/11/00510 included a hedge planted along the east boundary, however this application proposes the hedge is replaced with a timber close boarded fence. The Conservation Officer was consulted on this proposal, in

which further information is required from the agent to demonstrate that a hedge would not grow in this location. It is understood there is a need for privacy and security of the site and that some sort of boundary treatment is required. However the proposed timber close boarded fencing would appear dominant, out of keeping with the typical boundary treatment in this location and would cause harm to the character and appearance of the area which is against policies DM1, HN1, HN2, HN5 and EN1 of the Hastings Local Plan in which the local character should be protected and enhanced. The agent was also given an alternative option in which the existing wall could be raised with a low fence on top to break up the mass of the boundary treatment and to provide privacy and security for the site. No response was received.

The application also proposes a number of amendments to the window fenestration of the hall. Further information is also required for these elements as there is a lack of detail on the submitted drawings to be able to fully understand and assess the window changes and to whether the proposed changes will result in harm to the building and its setting in the Conservation Area. From the information provided it is unclear what part of the original frames are to be retained, if it is just the glass which is breaking during construction then only the glass needs to be replaced not the frames. Any replacement fenestration would need to be timber as the timber windows of the hall are a key characteristic of this building which need to be protected. The principle of the timber double glazing is considered acceptable however they would need to be slimline 12mm double glazing units. The Conservation Officer has also mentioned that small scale cross sections of all the different types of double glazed units are required, as the works have already started. These works are not in accordance with the approved plans then these details needed to be submitted before the application was determined, these details cannot be conditioned. The proposed opening casement windows would appear out of keeping and would cause harm to the character of the building. In particular, the modified window arrangement to the south elevation is publicly visible, the original heads of the window openings were formed by shallow brick arches. The flat raw concrete replacement window heads that have now been installed on this side of the building do not adequately reflect the original character of the building, they are detrimental to views of the south elevation. As such, this will cause harm to the character of the building itself, the setting of the wider conservation area, and the setting of the Grade II listed buildings at Wellington Square. The new concrete lintels are an unacceptable change to the building and the resulting development is contrary to the requirements of Policies DM1, HN1, HN2, HN5 and EN1 of the Hastings Local Plan.

It is further noted that the application proposes the internal re-arrangement of some of the rooms within the residential units and the addition of an extra bedroom at first floor level. Cross-section drawings are required to demonstrate the relationship between the floor level, walls and windows to ensure the floor does not interrupt the windows and is not visible externally impacting upon the building and the area. It is acknowledged that the previous planning application HS/FA/11/00510 included a number of section drawings which formed part of the approved drawings, these have not been amended and carried over with this application. In view of the above, without the requested information we are unable to determine whether the proposed changes are acceptable and to whether the significance of the building and setting of the Old Town Conservation Area will be harmed as a result of the proposal. This is against Policies DM1, HN1, HN2, HN5 and EN1 of the Hastings Local Plan and Section 16 of the National Planning Policy Framework.

Policy DM3 of Hastings Development Management Plan (2015) requires adequate space for storage of waste and the means of its removal. Storage for waste should be discreet and easily used in a safe way. It would appear from viewing the submitted plans that six refuse

bins are proposed to be positioned along the northern edge of the car parking area. The approved plans of HS/FA/11/00510 did not include an area for the storage of waste. Therefore a condition was attached to the previous application in which the refuse storage details would need to be submitted to the council before the dwellings are occupied. The proposed position of the refuse storage area will sit forward of the building and will be visible within the public realm. The refuse bins are not discreetly located, as required by the National Planning Policy Guidance and will create visual clutter and will therefore have a harmful impact on the character and appearance of the building and the surrounding Conservation Area which is contrary to Policy DM1 of Hastings Development Management Plan (2015) in which development should enhance and protect local character and Policy DM3 of Hastings Development Management Plan (2015), which requires adequate space for the storage of waste.

The proposal also involves the reconfiguration of the car parking area in which it will be moved in from the west boundary of the site and still provides two parking spaces. Given the nature of the works and the minor amendment to the layout it is considered there will be a neutral impact upon the character and appearance of the building and the surrounding setting.

Another element of the proposal is for an additional bedroom at first floor level, which uses a previous void space. Given that the bedroom has no windows only a roof light then there will be no visible elevational change and therefore no impact on the character and appearance of the building and the surrounding area.

d) Impact on Neighbouring Residential Amenities

Policy DM3 of the Hastings Local Plan - Development Management Plan (2015) states, in order to achieve a good living standard for future users of proposed development and its neighbours it should be demonstrated that amenity has been considered and appropriate solutions have been incorporated into schemes. Permission will be given for development where:

- the use of the scale, form, height, mass, and density of any building or buildings, reduces or avoids any adverse impact on the amenity (privacy, over shadowing, loss of daylight) of neighbouring properties.

One of the proposed amendments includes the replacement of the original fixed shut reeded glass windows with plain glass to the top row, obscure glass to the lower two rows with side opening casement windows to the west and east elevations. It was mentioned in the original report under HS/FA/11/00510 that the use of these existing windows would be acceptable given the topography of the area and the proposed boundary treatments. However, it is noted that the original windows were non opening. There is now a concern that the proposed casement opening windows will facilitate the overlooking of the private rear gardens and properties of Portland Terrace and will not safeguard neighbouring privacy which is one of the aims of policy DM3 of the Hastings Local Plan - Development Management Plan (2015). However, we are unable to assess this relationship as the plans do not seem to accurately represent the relationship and distances between the windows to the west elevation of the site and these neighbouring properties or show the windows to these neighbouring properties. It is understood that the residential units may require ventilation, however this could be achieved via inward opening hoppers in the top section of the windows together with obscure glass to the lower 2 rows, therefore providing greater ventilation to these residential units whilst preserving the privacy of these neighbouring properties. This is reiterated in the Conservation Officers comments also. This concern has also been raised in

a number of objection letters from the neighbouring properties at Portland Terrace, with additional concerns to increased noise from new openings and the potential for residents to smoke out of these new window openings. However, this is not considered to be of any concern given that the hall has already been approved as residential units previously under HS/FA/1100510 in which the units will be fitted with smoke alarms.

The other proposed alterations are to windows which are already in existence or where new windows are proposed, it is not considered the new windows will cause additional levels of overlooking due to the position and elevation of these windows in relation to neighbouring properties. Following a site visit it is acknowledged that there are more roof lights already installed within the east and west roof slopes than shown on the submitted plans, it is not clear whether these are to be removed in line with the plans. It is also noted that the roof lights can be opened, which is not shown on the submitted plans either, this could lead to unacceptable overlooking into the neighbouring residential properties and their private rear gardens. If the proposal has been acceptable then conditions could have been attached to restrict the openings of the windows and the roof lights. The footprint of the hall is to remain the same as previously approved therefore there will be no impact on neighbouring properties in terms of outlook and daylight levels.

e) Highway Parking/Safety

The application proposes the reconfiguration of the car parking area in which it will be moved in from the west boundary of the site and still provides two parking spaces. The proposed parking spaces measure 2.4x4.7m and therefore do not meet the requirements of the East Sussex County Council Highway Authority standing advice (2017) in terms of the minimum dimensions of a parking space of 2.5x5m. This could lead to the vehicles overhanging the access road and causing an obstruction to passing vehicles. Furthermore, the proposed reconfiguration of the car parking area will create parking spaces at acute angles making it difficult for cars to access the spaces in a safe and coherent manner. It is considered the proposed amendment to the car parking area is unacceptable in this regard and is contrary to the East Sussex County Council Highway Authority standing advice (2017), Supplementary Planning Document: Parking Provision in New Developments and policy DM4 of the Hastings Local Plan - Development Management Plan (2015).

f) Environmental Impact Assessment

The National Planning Practice Guidance (Paragraph: 017 Reference ID: 4-017-20170728) states that "Projects which are described in the first column of Schedule 2 but which do not exceed the relevant thresholds, or meet the criteria in the second column of the Schedule, or are not at least partly in a sensitive area, are not Schedule 2 development."

This development is not within a sensitive area as defined by Regulation 2 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and does not exceed the thresholds of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

g) Screening of Application under Habitats Regulations 2017 - Impact of Development on Ashdown Forest Special Area Conservation (SAC)

The Council undertook an Air Quality Impact Assessment in 2018. The purpose of the assessment was to identify likely significant effects of planned housing and employment growth in Hastings Borough on the conservation objectives of Ashdown Forest Special Area of Conservation (SAC) from 2017 to 2033. The assessment took account of the traffic growth

expected on roads within the vicinity of the Ashdown Forest SAC/Special Protection Area (SPA), not just arising from development within Hastings, but also, compliant with the requirement of the Conservation of Habitats and Species Regulations 2017, in combination with the anticipated growth arising from the development plans of other neighbouring authorities. The focus of the Assessment was on Ashdown Forest SAC and SPA.

It was not considered necessary to consider air quality implications of growth in Hastings Borough on the Pevensey Levels SAC and Ramsar site or the Lewes Downs SAC. In respect of Pevensey Levels SAC/Ramsar site the interest feature of this SAC (*Anisus vorticulus* - aka. a snail) is not affected by nitrogen from vehicle emissions. Lewes Downs SAC is too far removed to be affected. Nitrogen deposition from additional traffic beyond that modelled would have to be four times that currently expected from all traffic to exceed critical load at this location.

The Council has modelled the expected growth in Hastings to 2033 including the Local Plan, existing planning permissions and the emerging Area Action Plan and demonstrated that development will not result in an adverse effect on the integrity of Ashdown Forest either alone or in combination with other plans or projects. As such the proposed development is considered to be within the allowances made within the strategic modelling and is not considered to harm the special conservation objectives of Ashdown Forest, Pevensey Levels or Lewes Downs Special Areas of Conservation.

6. Conclusion

Taking the above into account, from the limited information provided it is not possible to fully assess the impact of the proposed changes on the character, appearance and setting of the Old Town Conservation Area and building, and whether the proposed changes will have a harmful impact. Accordingly the submitted application cannot demonstrate compliance with Policies DM1, HN1, HN2, HN5 and EN1 of the Hastings Local Plan and section 16 of the National Planning Policy Framework. The application, in terms of the proposed opening casement windows and in particular the modified window arrangement to the south elevation, refuse storage and fence will cause harm to the building and consequently the character and appearance of the area and setting of the Old Town Conservation Area which is against Policies DM1, HN1, HN2, HN5 and EN1 of the Hastings Local Plan and section 16 of the National Planning Policy Framework. The proposed reconfiguration of the car parking area will result in inadequate parking spaces in terms of the dimensions of the parking spaces and the acute angle at which the cars must access the parking spaces, this is contrary to the East Sussex County Council Highway Authority standing advice (2017), Supplementary Planning Document: Parking Provision in New Developments and Policy DM4 of the Hastings Local Plan - Development Management Plan (2015). There is also a concern to the level of overlooking which may be achieved as a result of the side opening casement windows and roof lights. Given the insufficient information which has been submitted with this application, the council are unable to be satisfied that these openings would not harm the neighbouring residential amenities in terms of privacy which is contrary to Policy DM3 of the Hastings Local Plan - Development Management Plan (2015). The council is unable to be satisfied that the remainder of the proposed works would not harm the character and appearance of the building and its setting. It is therefore recommended that permission is refused.

7. Recommendation

Refuse for the following reasons:

1. The application fails to provide sufficient information in which to assess the impact of the proposed amendments on the character and appearance of the hall and the surrounding Old Town Conservation Area. It is therefore unclear to whether the character and appearance of the building and its setting will be harmed as a result of the proposed changes which is contrary to Policies DM1, HN1, HN2, HN5 and EN1 of the Hastings Local Plan and Section 16 of the National Planning Policy Framework.
2. The proposed siting for the storage of waste is considered to represent poor design which will create visual clutter, and will harmfully affect the character and appearance of the building and the surrounding Conservation Area. The proposed storage of waste is therefore contrary to Policies DM1 and DM3 of the Hastings Development Management Plan Local Plan (2015) and the relevant sections of the National Planning Policy Framework.
3. The proposed fence will appear out of keeping and will have little regard to the building and its setting. The proposal will therefore harmfully affect the character and appearance of the building and the setting of the Old Town Conservation Area and is against Policies DM1, HN1, HN5 and EN1 of the Hastings Local Plan and Section 16 of the National Planning Policy Framework.
4. The proposed reconfiguration of the car parking area fails to meet the minimum dimensions of a parking space which could lead to the vehicles overhanging the access road and causing an obstruction to passing vehicles. The proposal will also create parking spaces at acute angles making it difficult for cars to access the spaces in a safe and coherent manner. The proposed car parking area is therefore contrary to the East Sussex County Council Highway Authority standing advice (2017), Supplementary Planning Document: Parking Provision in New Developments and Policy DM4 of the Hastings Local Plan - Development Management Plan (2015).
5. The proposed opening casement windows and in particular the modified window arrangement to the south elevation are considered unacceptable. This elevation is clearly visible, the flat raw concrete replacement window heads that have now been installed do not adequately reflect the original character and appearance of the building. As such, they cause harm to the character of the building itself, the setting of the wider conservation area, and the setting of the Grade II listed buildings at Wellington Square. This is contrary to Policies DM1, HN1, HN2, HN5 and EN1 of the Hastings Local Plan and Section 16 of the National Planning Policy Framework.

Notes 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 paragraph 38 of the National Planning Policy Framework.
2. The applicant is advised that should a new application be submitted for this site to overcome the above noted reasons for refusal, that additional information regarding land levels and position of windows in adjacent properties relative to the proposed windows where changes are proposed should be submitted to the council in order for an assessment to be made in respect impact on neighbouring residential amenity and specifically, matters of privacy.

Officer to Contact

Mrs L Fletcher, Telephone 01424 783261

Background Papers

Application No: HS/FA/18/00496 including all letters and documents

Agenda Item 6

Agenda Item: 6

Report to:	Planning Committee
Date:	09 January 2018
Report from:	Planning Services 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 01/12/2018 to 19/12/2018
Recommendations:	That the report be noted

The following appeals have been received:

Address/ Application Number	Proposal	PSM's Rec.	Where the decision was made	Type of Appeal
23 Shirley Drive, St Leonards-on- sea, TN37 7JW HS/OA/17/01061	Erection of a 3 bed dwelling adjacent to no 23 Shirley Drive, TN37 7JW	Refuse Planning Permission	DELEGATED	PLANNING
Land to the rear of 33 Filsham Road, St Leonards-on- sea, TN38 0PA HS/FA/18/00266	Construction of a single detached 2 storey house including new access onto Gleneagles Drive (amended description).	Refuse Planning Permission	DELEGATED	PLANNING

The following appeals have been dismissed:

Nothing to report

The following appeals have been withdrawn:

Nothing to report

The following appeals have been allowed:

Nothing to report

Type of Delegated Decision	Number of Decisions
Granted Permission	35
Refused Permission	4
Self-Certificate – Permitted	1
Withdrawn by Applicant	1
Total	41

Background Papers:

Various correspondences with Planning Inspectorate

Report written by:

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