

# Planning Agenda

**Wednesday, 11 September 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 Democratic Services on 01424 451484 or email:  
democraticservices@hastings.gov.uk

		Page No.
1.	Apologies for Absence	
2.	Declarations of Interest	
3.	Minutes of previous meeting held on 14 August 2019	1 - 12
4.	Notification of any additional urgent items	
5.	Planning applications attracting a petition	
(a)	1A Park Wood Road, Hastings, TN34 2RN (HS/FA/19/00188) ( <i>E Meppem, Senior Planning Officer</i> ) <a href="http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=_HSTBC_DCAPR_116205">http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=_HSTBC_DCAPR_116205</a>	13 - 22
6.	Other Planning Applications	
(a)	New Visitor Centre, Hastings Country Park, Lower Coastguard Lane, Fairlight, Hastings, TN35 4AB (HS/FA/19/00499) ( <i>E Meppem, Senior Planning Officer</i> ) <a href="http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=_HSTBC_DCAPR_116518">http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=_HSTBC_DCAPR_116518</a>	23 - 32
(b)	Roebuck House, 26-27 High Street, Hastings, TN34 3EY (HS/FA/19/00157) ( <i>S Wood, Principal Planning Officer</i> ) <a href="http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=_HSTBC_DCAPR_116173">http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=_HSTBC_DCAPR_116173</a>	33 - 48

(c) Fishermens Museum, Rock-a-Nore Road, Hastings, TN34 3DW | 49 - 58  
(HS/LB/19/00519)  
(*S Richard, Planning and Assistant Conservation Officer*)  
[http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= HSTBC\\_DCAPR\\_116538](http://publicaccess.hastings.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=HSTBC_DCAPR_116538)

7. Planning Appeals and Delegated Decisions | 59 - 60

# Agenda Item 3 Public Document Pack

## PLANNING

14 AUGUST 2019

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

### 142. APOLOGIES FOR ABSENCE

None received.

### 143. DECLARATIONS OF INTEREST

None received.

### 144. MINUTES OF PREVIOUS MEETING

**RESOLVED** – that the minutes of the meeting held on 10 July 2019 be approved by the Chair as a true record.

### 145. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

### 146. PLANNING APPLICATIONS ATTRACTING A PETITION

#### 146.1 Rocklands Private Caravan Park (HS/FA/19/00172)

<b>Proposal</b>	Construction of paving slab patio around holiday let building
<b>Application No.</b>	HS/FA/19/00172
<b>Conservation area</b>	No
<b>Listed building</b>	No
<b>Public consultation</b>	Yes – 1 petition and 5 letters of objection.

The Principal Planning Officer, Mrs Wood, presented the application for construction of paving slab patio around holiday let building.

The Principal Planning Officer informed the Committee that some amendments had been made to the conditions since the publication of the report. Condition 1, a time limit for implementation, was deleted and condition 3 (now condition 2) was amended to reflect the works had commenced. The Principal Planning Officer read out the wording of the amendments.

It was confirmed that the application does not amend or overturn the original conditions relating to the holiday let building itself or the appeal decision (APP/B1415/C/15/3029007) which resulted in consent granted under the amended scheme 'scheme 3A'.

The Principal Planning Officer confirmed that investigations are underway into other unauthorised works but as these are not the subject of the application they were not considered in the officer's report.

## PLANNING

14 AUGUST 2019

Objections suggested that the application should not be considered as a stand-alone application, but rather, should be considered as a variation to the approved consent under APP/B1415/C/15/3029007. The Principal Planning Officer noted paragraph 5(g) of the report (other matters raised by objectors) which states that the Council will argue that whilst the holiday let building is not yet occupied, the permission has indeed been implemented due to the nature and scale of the works undertaken so far. This means that a variation of permission is not applicable in this instance and the applicant submitted the correct application for the proposed works.

It was confirmed that the site does not encroach into Council owned land, and therefore the correct certificates of ownership have been completed. The Principal Planning Officer stated that the planting had not yet been implemented and would not be affected by the patio.

The Principal Planning Officer informed the Committee that there had been no objections from statutory consultees in relation to drainage and Scheduled Monument Consent had been applied for by the applicant and granted. She explained that there had been concerns from residents regarding drainage. She stated that the small increase in hardstanding would not result in a significant increase in surface water run-off and would not affect land stability.

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

The petitioner, Mr Okines, was present and spoke against the application. Mr Okines said that whilst the construction of a patio may seem trivial there is great concern about the works being part retrospective and encroaching on Hastings Borough Council land. Additionally the petitioners have concerns about the accuracy of the planning officer's report and fear treating the application as a separate application could mean the loss of previous conditions. Mr Okines commented that past failures were being repeated in the handling of this application and the report failed to address the petitioners' objections regarding procedural errors and loss of conditions. Further to this the case officer has ignored unauthorised works. No details have been provided of the run offs and soakaways referenced in the report. The patio may also impact on holly trees that are considered to be part of the mitigating screening. Mr Okines requested that the application be refused or deferred until procedural issues have been dealt with.

The Committee asked questions of Mr Okines.

The applicant did not attend to speak in support of the application.

The Principal Planning Officer reassured the Committee that the application would not result in the loss of planning conditions from the appeal decision and that alleged breaches of planning control are being investigated. The Planning Services Manager

## PLANNING

14 AUGUST 2019

added that drainage systems were put in place and connected to a combined sewer. She stated that no soakaway was proposed with this site and that rainfall would drain naturally.

Councillor Edwards proposed a motion, seconded by Councillor Bishop, to grant the application, subject to the amended conditions, as set out in the resolution below.

**RESOLVED – (7 for, 2 against) that Full Planning Permission be granted subject to the following conditions:**

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

11.396/04 A,

2. The development shall be undertaken in accordance with the measures outlined in the Arboricultural Report (The Mayhew Consultancy) dated March 2019, unless the scheme, or programme of measures contained within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. To protect features of recognised nature conservation importance.

Notes to the Applicant

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

2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.

3. The applicant is reminded that should any changes to the originally approved scheme be made in light of any subsequent revisions to drainage or relevant ground works that may occur through the building regulation process, then the drainage and soft landscaping conditions discharged under HS/CD/16/00655 may not be deemed to be discharged, and a further application may be required.

### **147. OTHER PLANNING APPLICATIONS**

#### **147.1 50 Sedlescombe Road South (HS/FA/19/00168)**

Proposal	Replacement external staircase
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## PLANNING

14 AUGUST 2019

	(Retrospective)
<b>Application No.</b>	HS/FA/19/00168
<b>Conservation area</b>	Yes - Springfield Road
<b>Listed building</b>	No
<b>Public consultation</b>	Yes – 15 letters of objection 6 letters of support

The Planning and Assistant Conservation Officer, Mr Richard, presented the application for replacement external staircase (Retrospective).

No 50 Sedlescombe Road South is a detached Victorian building over 3 floors, currently arranged as flats. The surrounding area also consists of large Victorian houses typically of 3 floors that make up the character of the Springfield Road Conservation Area.

The Planning and Assistant Conservation Officer explained that the application is retrospective and seeks permission for the retention of a brick staircase on the side (western) elevation. The staircase replaced a timber framed staircase which had been in situ for over 4 years. The staircase provides access to the first floor flat.

On initial application the replacement staircase was built on top of the boundary wall. Ownership of the boundary wall could not be proven and the staircase has subsequently been demolished and reconstructed within the boundary of 50 Sedlescombe Road South.

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

Councillor Beaver proposed a motion, seconded by Councillor O'Callaghan, to grant the application as set out in the resolution below.

**RESOLVED – (unanimously) that Full Planning Permission be granted subject to the following conditions:**

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

P-331-05, P-331-03, P-331-06, 1085.17B, 1085.18

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

## PLANNING

14 AUGUST 2019

proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.

### 147.2 Ground Floor Shop & Premises, 379 London Road (HS/FA/19/00220)

<b>Proposal</b>	Change of use of existing lower ground floor from B1 (Business) to one bedroom flat (C3) and erection of single storey rear extension
<b>Application No.</b>	HS/FA/19/00220
<b>Conservation area</b>	No
<b>Listed building</b>	No
<b>Public consultation</b>	Yes Application by Councillor

The Planning Services Manager, Mrs Evans, presented the application for change of use of existing lower ground floor from B1 (Business) to one bedroom flat (C3) and erection of single storey rear extension.

The application seeks permission for the change of use of the existing lower ground floor of No.379 London Road from B1 (office) to residential accommodation C3 use as a one bedroom flat. It is also proposed to erect a small, single storey, infill extension at the rear of the premises. The Planning Services Manager said the application would cause no harm to the character of the area.

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

The Committee asked questions of the Planning Services Manager.

A concern was raised regarding the deterioration of the unmade access road to the rear of property caused by works vehicles. The Planning Services Manager understood the concern but noted that it is difficult to quantify the harm caused by specific vehicles.

In response to a question the Planning Services Manager confirmed that the applicant's submission stated that the premises is not an active shop and has been unoccupied since the beginning of the year.

Councillor Edwards proposed a motion, seconded by Councillor Marlow-Eastwood, to grant the application as set out in the resolution below.

**RESOLVED – (8 for, 1 against) that Full 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:

## PLANNING

14 AUGUST 2019

00A, 01 & 02.

3. Prior to occupation the bin stores as shown on drawing 00A are to be provided with evidence being submitted to and approved in writing by the Local Planning Authority. The bin stores shall then be retained on site thereafter for the use of residents.

4. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday

08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays.

### Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To safeguard the amenity of adjoining and future residents.
4. To safeguard the amenity of adjoining residents.

### Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.
3. The proposal may be a material change of use to which the Building Regulations 1991 apply and a building regulation submission may be necessary before the change of use takes place.
4. Consideration should be given to the provision of a domestic sprinkler system.

### **147.3 White Rock Fountain (HS/CD/19/00528)**

<b>Proposal</b>	Discharge of condition 4 (proposed fountain details) of Planning Permission HS/FA/18/00453 - Renovation and alteration of the existing fountain and installation of bench seating, paved area,
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## PLANNING

14 AUGUST 2019

	planting area and water misters play area.
<b>Application No.</b>	HS/CD/19/00528
<b>Conservation area</b>	Yes - White Rock
<b>Listed building</b>	No
<b>Public consultation</b>	No Council application on Council land

The Principal Planning Officer, Mrs Wood, presented the application for the discharge of condition 4 (proposed fountain details) of Planning Permission HS/FA/18/00453 - Renovation and alteration of the existing fountain and installation of bench seating, paved area, planting area and water misters play area.

The application was supported by documents detailing the lighting, misting feature and drinking fountain.

The Principal Planning Officer informed the Committee that there were no objections from the Conservation Officer.

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

In response to a question about designing out crime the Principal Planning Officer confirmed that Sussex Police were consulted as part of the initial application for the renovation and alteration of the existing fountain.

Councillor Beaver proposed a motion, seconded by Councillor Scott, to grant the application as set out in the resolution below.

**RESOLVED – (unanimously) that:**

Condition 4 of planning permission HS/FA/18/00453 is discharged.

**147.4 White Rock Fountain (HS/CD/19/00604)**

<b>Proposal</b>	Discharge of condition 5 (soft landscaping) of Planning Permission HS/FA/18/00453 - Renovation and alteration of the existing fountain and installation of bench seating, paved area, planting area and water misters play area.
<b>Application No.</b>	HS/CD/19/00604
<b>Conservation area</b>	Yes - White Rock
<b>Listed building</b>	No
<b>Public consultation</b>	No Council application on Council land

The Principal Planning Officer, Mrs Wood, presented the application for the discharge of condition 5 (soft landscaping) of Planning Permission HS/FA/18/00453 - Renovation and alteration of the existing fountain and installation of bench seating, paved area, planting area and water misters play area.

## PLANNING

14 AUGUST 2019

The application was supported by a landscaping plan and details of the proposed planting. The Principal Planning Officer stated that the landscaping was incorporating coastal features within the design.

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

Councillor Edwards proposed a motion, seconded by Councillor Roberts, to grant the application as set out in the resolution below.

**RESOLVED – (unanimously) that:**

Condition 5 of planning permission HS/FA/18/00453 is discharged.

**147.5 Field east of Jenners Lane, adjacent to Dingle Cottage, Jenners Lane (HS/FA/19/00486)**

<b>Proposal</b>	Erection of field shelter
<b>Application No.</b>	HS/FA/19/00486
<b>Conservation area</b>	No
<b>Listed building</b>	No
<b>Public consultation</b>	Yes

The Principal Planning Officer, Mrs Wood, presented the application for the erection of a field shelter to house alpaca's. The shelter will be located in the south eastern corner of the field.

The Principal Planning Officer informed the Committee that due to the minor scale of the development the application is not considered to have any impact on neighbouring amenities or the character and appearance of the area. It was also noted that the Arboriculturalist had no objections as no trees would be lost. The field was sited within the AONB.

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

Councillor Beaver proposed a motion, seconded by Councillor O'Callaghan, to grant the application as set out in the resolution below.

**RESOLVED – (unanimously) that Full 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:

Drawing No 1. Elevations Proposed, TQRQM19159145811601

## PLANNING

14 AUGUST 2019

3. The building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday

08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays.

4. No development shall take place until the measures outlined in the submitted ecological statements and reports as set out below have been fully implemented, unless:

(i) the programme for such measures is otherwise specified within that document (for example with regard to measures related to monitoring, further survey work, the erection of bird boxes on buildings or other conservation enhancements), in which case the works shall be carried out in accordance with the timescales contained therein or;

(ii) unless the scheme(s), or programme(s) of measures contained within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.

The submitted ecological statements and reports are:

- Arboricultural Report (Barry Holdsworth Ltd, June 2019)
- Phase 1 Report (Ecology and Habitat Management Ltd, June 2019)

### Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To safeguard the amenity of adjoining residents.
4. To protect features of recognised nature conservation importance.

### Notes to the Applicant

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

## PLANNING

14 AUGUST 2019

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 set.

4. 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](mailto:wildlife@naturalengland.org.uk) Telephone 020 802 61089 or Environment and Natural Resources on [parks@hastings.gov.uk](mailto:parks@hastings.gov.uk) Telephone 01424 451107 prior to commencement of any works.

### 147.6 Dingle Cottage, Jenners Lane (HS/FA/19/00487)

<b>Proposal</b>	Installation of first floor side (North East) elevation window
<b>Application No.</b>	HS/FA/19/00487
<b>Conservation area</b>	No
<b>Listed building</b>	No
<b>Public consultation</b>	Yes

The Principal Planning Officer, Mrs Wood, presented the report for installation of first floor side (North East) elevation window.

The Principal Planning Officer confirmed that the proposed window does not overlook neighbours and looks out onto a field. She explained that it only needed planning permission as the window was not obscure glazed.

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

Councillor Scott proposed a motion, seconded by Councillor Edwards, to grant the application as set out in the resolution below.

### **RESOLVED – (unanimously) that Full 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:

H5901/01

3. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday

## PLANNING

14 AUGUST 2019

08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays.

4. The new window hereby permitted should be of white uPVC construction to match those in the existing building.

### Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To safeguard the amenity of adjoining residents.
4. In the interests of the visual amenity of the area.

### 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.

### **148. PLANNING APPEALS AND DELEGATED DECISIONS**

The Principal Planning Officer presented the planning appeals and delegated decisions report and informed the Committee that the Council had received £8,500 from the applicant in costs for the Barley Lane appeal.

The Chair thanked officers for their work on the appeal.

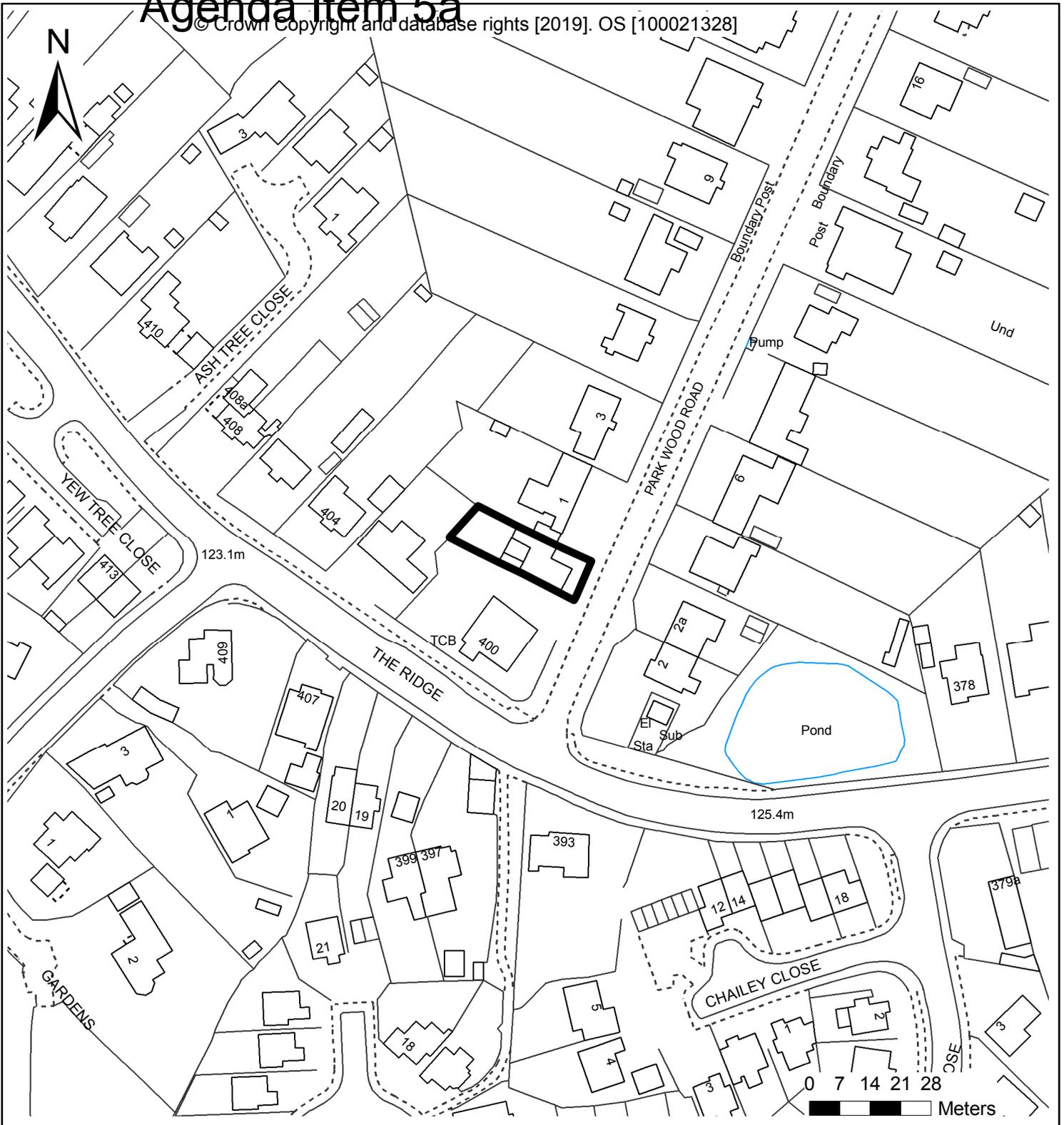
The report was noted by the Committee.

(The Chair declared the meeting closed at 7.07pm)

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# Agenda Item 5a

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**1A Park Wood Road  
Hastings  
TN34 2RN**

Removal of existing flat roof and the construction of a new Mansard roof extension to provide two bedrooms with showers



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](mailto:planning@hastings.gov.uk)

Date: Aug 2019

Scale: 1:1,250

Application No. HS/FA/19/00188

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**Report to:** PLANNING COMMITTEE

**Date of Meeting:** 11 September 2019

**Report from:** Assistant Director of Housing and Built Environment

**Application Address:** 1A Park Wood Road, Hastings, TN34 2RN

**Proposal:** Removal of existing flat roof and the construction of a new Mansard roof extension to provide two bedrooms with ensuite showers

**Application No:** HS/FA/19/00188

**Recommendation:** REFUSE

Ward: CONQUEST 2018  
Conservation Area: No  
Listed Building: No

Applicant: Mr Scollay per PGA Management 107 High Street Evesham Worcester, United Kingdom. WR11 4EB

**Public Consultation**

Site Notice:	Yes
Press Advertisement:	No
Letters of Objection:	4
Petitions of Objection Received:	1
Letters of Support:	15
Petitions of Support Received:	0
Neutral comments received	0

Application Status: Not delegated - Petition received  
Letters of support received, contrary to officer recommendation.

## 1. Site and surrounding area

The site consists of a detached, two storey dwelling on Park Wood Road. The property is set back from the road with a large area of hard surface to the front. The boundary treatment surrounding the property consists of a mix of block and timber fence panels with a gated entrance to the front. The premises is rectangular in design with a flat roof and is finished in a mix of brick and hanging tile. The property sits forward of the building line established by the detached bungalows in Park Wood Road and is visually prominent in the street scene.

To the north of the site are bungalows of various designs and architectural finishes and to the south is a recently developed site providing three new, two storey dwellings.

### Constraints

Tree Preservation Order - front boundary, not affected by proposal

SSSI Impact Risk Zone

## **2. Proposed development**

This application seeks permission for the erection of a mansard roof extension to the existing premises to create two bedrooms with en suite showers. To facilitate the development it is proposed to remove the existing flat roof.

The proposed roof extension (mansard) is shown to be 2.75 metres in height and spans the full length of the roof, approximately 10.59 metres. The roof extension is to be mansard in style sloping up to a flat top. The mansard is to be clad in dark blue cement slate to the side elevations and cedar cladding to the gable ends. This cedar cladding is to be extended down over the first floor, replacing the existing hanging tile. The existing chimney is to be extended through the mansard roof.

For clarification:

The term 'Mansard' means a roof which has two slopes on all the four sides where the lower slope becomes steeper than the upper one. The roof proposed as part of this application is a 'false mansard' in that there are not two slopes on each side.

The application is supported by the following documents:

- Design and Access Statement
- Site Waste Management Plan

### **Relevant planning history**

None

### **National and local policies**

Hastings Local Plan – Planning Strategy 2014

Policy FA2 - Strategic Policy for Central Area

Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way

Hastings Local Plan – Development Management Plan 2015

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

### Other policies/guidance

- Householder Development, Sustainable Design - Supplementary Development
- Urban design lessons: Housing layout and neighbourhood quality - 2014
- East Sussex County Council - Minor Planning Application Guidance

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

Paragraph 130 also seeks to ensure that the quality of an approved development is not materially diminished between permission and completion through changes to the permitted scheme.

## Planning Practice Guidance (PPG)

Design - Paragraph 026 states that 'decisions on building size and mass, and the scale of open spaces around and between them, will influence the character, functioning and efficiency of an area. In general terms too much building mass compared with open space may feel overly cramped and oppressive, with access and amenity spaces being asked to do more than they feasibly can. Too little and neither land as a resource or monetary investment will be put to best use'

### **3. Consultation comments**

None required

### **4. Representations**

In respect of this application a site notice was displayed at the front of the site. In response to this 15 letters of support, 5 letters of objection and a petition against the development have been received. These letters raised the following points;

Support:

- Development would improve the appearance of the dwelling
- Other mansards within Park Wood Road
- The proposal would improve the street scene
- Development would make the property more in keeping within the road

Objection:

- Prominence within the street scene
- Excessive height and massing
- Out of keeping with existing bungalows and existing local character
- Contrary to local policy
- Unimaginative design
- Lack of climate change mitigation
- Over dominance when viewed from neighbouring properties
- Roof design does not relate to existing built form
- Additional traffic in the road
- Loss of privacy to neighbouring properties

Objection Petition signed by 15 people:

- Poor design with excessive height and massing
- Resultant additional prominence of the site
- Intrusive and incongruous design
- Exceeding the height of existing properties

### **5. Determining issues**

#### a) Principle

The site is in a sustainable location and the application is therefore in accordance with Policy LP1 Hastings Local Plan - Development Management (2015) in this respect and acceptable in principle subject to other local plan policies.

## b) Impact on character and appearance of area

Policy DM1 of the Hastings Development Management Plan states that all proposals must reach a good standard of design, which includes efficient use of resources, and shows appreciation of the surrounding neighbourhood's historic context, street patterns, plot layouts and boundaries, block sizes and scale, height, massing and materials as well as good performance against nationally recognised best practice guidance on sustainability, urban design and place-making, architectural quality and distinctiveness.

Park Wood Road is generally characterised by single storey bungalows, although some include rooms in the roof space. Three new dwellings have recently been constructed on the corner of Park Wood Road and The Ridge, the closest of which (496 The Ridge) is orientated at a 90 degree angle to the application site. These new dwellings are 2 storey in height with further rooms in the roof space, and clad in weatherboarding. The application property however, backs on to the rear of these new dwellings and is not visible when travelling along the Ridge. Taking that into account, when considering local character and the streetscene, the application site is considered in the context of the low lying Park Wood Road properties, rather than the more modern properties fronting The Ridge.

The application property is currently two storeys in height with a flat roof, finished in red brick and tile hanging. The existing property currently stands out in a negative manner in the streetscene. In addition, the application dwelling sits at odds with the existing building line of Park Wood Road, projecting out approximately 7m further towards the road, leaving limited space for a front garden area. This is not consistent with the remainder of the streetscene, which all incorporate larger front gardens and are set back from the road.

The proposal involves the addition of a mansard roof, adding a further 2.75m to the height of the dwelling. The addition of a mansard roof would not cause further detriment to the building line, given that the positioning of the dwelling will not change, however, it is considered that the additional bulk and mass will cause further detrimental harm to the appearance of the property, in the context of wider streetscene. It is also considered that the development would be particularly overbearing in terms of the relationship with its neighbour to the North, a single storey bungalow at 1 Park Wood Road.

It is acknowledged that whilst the works to the exterior of the dwelling, which include the addition of cedar cladding to the first and second storeys as proposed, together with the alteration of the existing flat roof to be more in keeping with other properties, may improve the current appearance of the dwelling when considered in isolation, the increased height and bulk of the dwelling do not reflect existing street patterns, nor enhance local character. Taking these factors in to account, it is considered that the proposed development fails to comply with the requirements of Policy DM1 of the Development Management Plan 2015 and paragraph 127 and 129 of the National Planning Policy Framework which seeks to achieve good design that adds to the overall quality and character of the area.

### c) Layout

The proposed roof extension will provide an additional two bedrooms on this third floor. The bedrooms will measure approximately 20sqm, and as such greatly exceed the minimum requirement of 7.5sqm for a double bedroom as required by the government publication "Technical housing standards – nationally described space standard" (CLG, March 2015). The proposed development will therefore provide an adequate standard of living accommodation, in accordance with Policy DM3 of the Development Management Plan 2015.

### d) Impact on neighbouring residential amenities

Policy DM3 of the Hastings Development Management Plan states that 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. This includes 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.

#### **1 Park Wood Road:**

A separation distance of approximately 3 metres exists between the application dwelling and its neighbour at 1 Park Wood Road. Given the existing relationship between the two properties, and the design of the mansard roof, it is not considered that the increase in height of the building will have a significant impact in terms of loss of sunlight or daylight to No.1. However, the additional mass created as a result of the roof addition is considered to have an increased visual prominence and resultant overbearing impact when viewed from the front windows of 1 Park Wood Road. Taking these factors in to account, it is considered that the proposed development would have an unacceptable impact on the amenities of No.1 Park Wood Road contrary to the aims of Policy DM3 of the Development Management Plan 2015.

#### **New dwellings at 400 The Ridge:**

No.1A Park Wood road ranges in distance from 11.7 metres to 13.8 metres from the new dwellings at 400 The Ridge. These dwellings are two storeys in height, with the rear elevations and gardens facing towards the side (south) elevation of No. 1A Park Wood Road. The rear windows of these properties that face towards the development site serve, living and dining space at ground floor level and a bedroom and bathroom at first floor level. The rooflights in the rear roof slope of the new dwellings serve a stairwell and a further bedroom. While the proposed roof extension will add additional bulk to the roof, due to the separation distances between these properties, it is considered that the relationship between these properties would not be detrimentally altered as a result of the development.

#### **Overall impact on amenities:**

Taking the above in to account, it is considered that the proposed development, due to the additional bulk and massing, would result in an overbearing and visually dominant development that would have a detrimental impact on the residential amenities of No.1 Park Wood Road. The proposed development therefore fails to comply with the aims of Policy DM3 of the Hastings Development Management Plan 2015 which seeks to adverse impact on amenity of neighbouring properties.

#### e) Highway safety/parking

Presently on site there are large areas of hardstanding that provides parking for multiple vehicles. The parking demand calculator provided by East Sussex County Council Highways Authority stipulates that, for a four bed dwelling in this location, 2.34 parking spaces should be provided. This is achievable within the site due to the level of existing hard surface on site. As a result of this, it is considered that there would not be an impact in terms of parking or highway safety as a result of the development.

#### 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.

## **6. Conclusion**

The proposed roof extension, by reason of its scale and massing will result in an overbearing form of development that will be incongruous in the streetscene, negatively impacting on the local character and the amenities of neighbouring residents. The proposal therefore fails to comply with the Development Plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

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

## **7. Recommendation**

### **Refuse for the following reasons:**

1. The proposed development by virtue of its design, scale, bulk would result in an incongruous form of development that would be out of keeping with, and harmful to, the character of the area. The proposal is therefore considered contrary to Policy DM1 of the Hastings Development Management Plan (2015) and Paragraphs 127 and 130 of the National Planning Policy Framework (2019).
2. The proposed development by virtue of its design, scale and bulk would result in a development that is overbearing and detrimental to the residential amenities of the residents at No.1 Park Wood Road. The proposal is therefore considered contrary to Policy DM3 of the Hastings Development Management Plan (2015) and Paragraph 127 of the National Planning Policy Framework (2019).

### **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.

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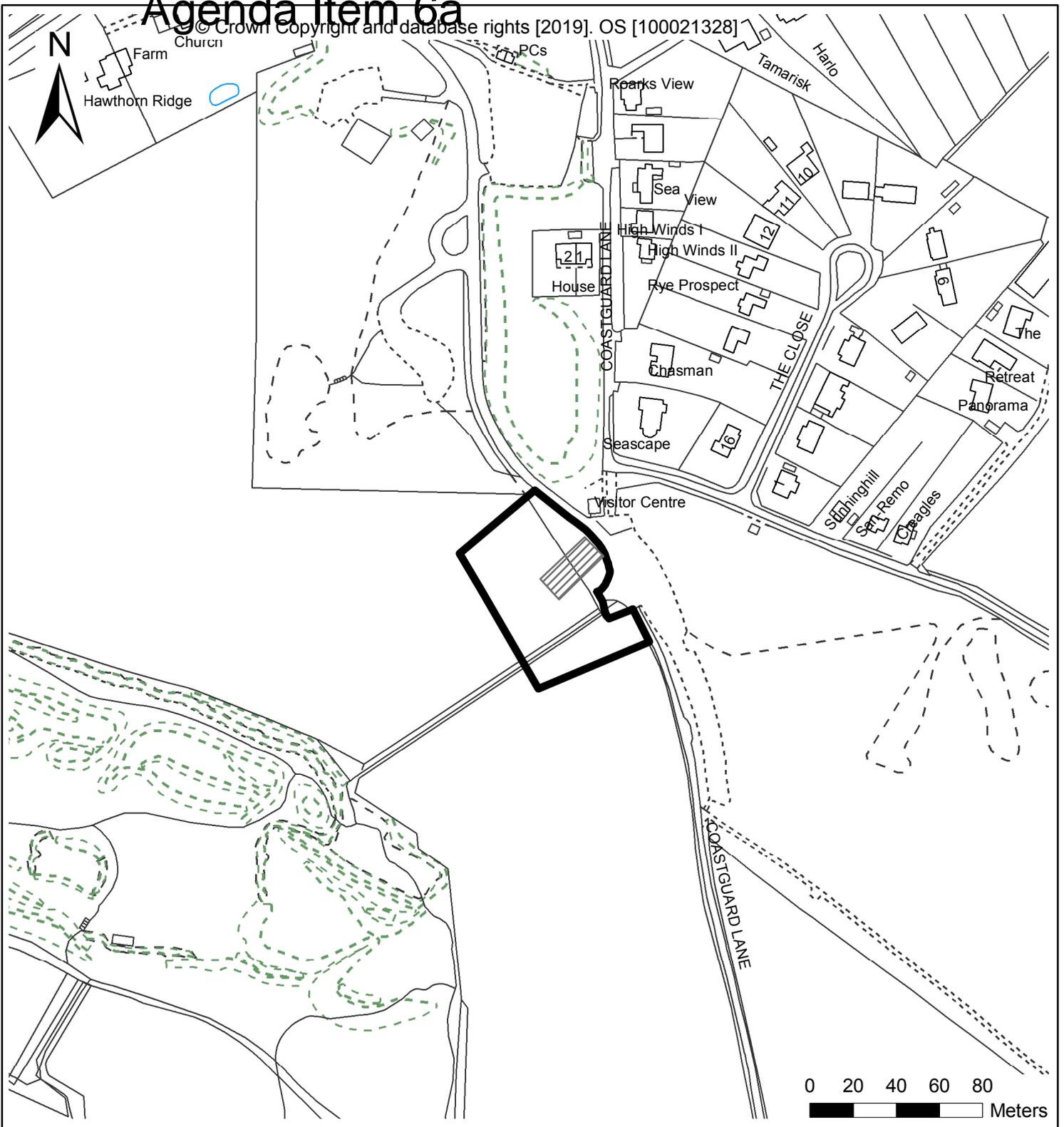
### **Officer to Contact**

Mrs E Meppem, Telephone 01424 783288

### **Background Papers**

Application No: HS/FA/19/00188 including all letters and documents

# Agenda Item 6a



**New Visitor Centre  
Hastings Country Park  
Lower Coastguard Lane  
Fairlight, TN35 4AB**

Proposed new boundary extended 20m from currently approved application (App' ref: HS/FA/14/01033) boundary and proposed new swale.



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](mailto:planning@hastings.gov.uk)

Date: 03/09/2019

Scale: 1:2,500

Application No. HS/FA/19/00499

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**Report to:** PLANNING COMMITTEE  
**Date of Meeting:** 11 September 2019  
**Report from:** Assistant Director of Housing and Built Environment

**Application Address:** **New Visitor Centre, Hastings Country Park,  
Lower Coastguard Lane, Fairlight, Hastings,  
TN35 4AB**  
**Proposal:** **Proposed new boundary extended 20m from  
currently approved application (App' ref:  
HS/FA/14/01033) boundary and proposed new  
swale.**  
**Application No:** **HS/FA/19/00499**

**Recommendation:** **Grant Full Planning Permission**

Ward: ORE 2018  
Conservation Area: No  
Listed Building: No

Applicant: Hastings Borough Council Davidson per The Cave  
Co-operative Siddeley House 50 Canbury Park  
Road Kingston Upon Thames, Surrey. KT2 6LX

**Public Consultation**

Site Notice: Yes  
Press Advertisement: Yes - General Interest  
Letters of Objection: 1  
Petitions of Objection Received: 0  
Letters of Support: 0  
Petitions of Support Received: 0  
Neutral comments received 0

Application Status: Not delegated -  
Council application on Council owned land

**1. Site and surrounding area**

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

The main function of the approved visitor centre will be a facility which provides information and education regarding the local landscape and special character and beauty of the Hastings Country Park/AONB.

The Council can advise that the development of the visitor centre has lawfully commenced, albeit that works to date are only below ground.

### Constraints

AONB

Local Wildlife Site

Local Nature Reserve

PROW

## **2. Proposed development**

For clarification this application has been separated in to two elements. The first of these is the extension of the site boundary by 20 metres. The second element is the creation of a drainage swale.

Swale dimensions:

7.23 metres in width

18.8 metres in length

0.7 metres in depth.

For clarification:

*A swale is a shallow channel with gently sloping sides. Such a swale may be either natural or man-made. Artificial swales are often infiltration basins, designed to manage water runoff, filter pollutants, and increase rainwater infiltration.*

The application is supported by the following documents:

- Design and Access Statement

### **Relevant planning history**

HS/FA/19/00303 - Variation of condition 4 (Foul sewerage) of planning permission HS/FA/17/01018 (Amendment to the disposal and management of foul sewerage) (amended description) - Granted 10.07.2019

HS/NM/18/00059 - Non Material Amendment application to vary the wording of condition 4 of planning permission HS/FA/14/01033 (Erection of a new visitor centre) requiring the SuDS details to be submitted prior to commencement of development above ground level rather than prior to the construction of the development. Granted 9.2.2018

HS/FA/17/01018 - Section 73 application for the variation of condition 13 (approved drawings) of planning permission HS/FA/14/01033 - Amendments to roof structure, window openings, ventilation unit and weatherboarding material. Granted 7.3.2018

HS/CD/17/01101 - Discharge of conditions: 4 (sewerage, surface water & drainage details), 7 (Soft landscaping), 10 (Construction Management Plan), 14 (Archaeology) of Planning Permission HS/FA/14/01033 -Erection of a new visitor centre - Part discharged on 02/02/2018 as set out below: Conditions 4: A Septic tank is proposed to accommodate the sewerage from the proposed building. Part discharged on 2.2.2018 (the condition at that time also related to surface water drainage and further details were required in respect of that aspect in order to fully discharge the condition).

HS/FA/14/01033 Erection of a new visitor centre - Granted 6th March 2015 (expires 6th March 2018) This permission has lawfully commenced.

### **National and local policies**

#### Hastings Local Plan – Planning Strategy 2014

Hastings Local Plan - Planning Strategy (2014)

Policy EN3 - Nature Conservation and Improvement of Biodiversity

Policy EN5 - Local Nature Reserves (LNR)

Policy EN6 - Local Wildlife Sites (LWR)

Policy EN7 - Conservation and Enhancement of Landscape

Policy FA5 - Strategic Policy for Eastern Area

Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way

Policy T3 - Sustainable Transport

#### Hastings Local Plan – Development Management Plan 2015

Policy LP1 - Considering planning applications

Policy HN8 - Biodiversity and Green Space

Policy HN9 - Areas of Landscape Value

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

Paragraph 130 also seeks to ensure that the quality of an approved development is not materially diminished between permission and completion through changes to the permitted scheme.

### **3. Consultation comments**

Borough Estates - **No objection**

County Flood Risk Authority - **No objection, subject to condition (No.5)**

Southern Water - **No objection, subject to condition (No.4)**

### **4. Representations**

In respect of this application a site notice was displayed and an advert placed in the local paper. One letter of representation was received raising objection to the proposal. The concerns within this letter include;

- Potential impact on an existing path
- Querying why the development needs to be located in this position

In response to the concerns raised within this representation the site has been cross referenced with the public foot path database managed by East Sussex County Council. No public footpath appears to intersect the site.

### **5. Determining issues**

The main issue to be considered in respect of this application is whether the extension to the site boundary and the creation of a swale would be acceptable having regard to the character of the area, the environment and relevant consultation responses.

### a) Principle

The site is in a sustainable location and the application is therefore in accordance with policy LP1 Hastings Local Plan - Development Management (2015) in this respect and acceptable in principle subject to other local plan policies.

### b) Impact on character and appearance of area/heritage

As stated above this application seeks permission for the extension of the site boundary approved under HS/FA/14/01033 and the creation of a swale within this extended site area. Each of these elements has been addressed below.

The first element of the proposal is the extension of the site boundary by 20 metres. The extension area wraps around the site in a horseshoe shape, extending in a general westerly direction. The extension of the site boundary is proposed with the aim of providing a drainage swale to serve the visitors centre. At this time no details have been provided in relation to any proposed boundary treatment encompassing the extended site, however, this is a factor that can be adequately secured by condition (No.3). As a result of this, it is considered that the proposed extension to the site boundary is acceptable subject to condition, and would not have a detrimental impact on the established character of the The High Weald Area of Outstanding Natural Beauty (AONB) or the Local Nature Reserve (LNR) and as such is acceptable.

With regards to the proposed drainage swale, it is considered that element of the proposal has been designed to be sympathetic to the openness of the AONB and would not appear overly dominant or visually intrusive. Once installed the swale, by virtue of the design, will blend into the surroundings and appear as a minor earthwork within the wider site. It is however, suggested that a condition be imposed to secure the maintenance and upkeep of the swale to ensure it remains fit for purpose.

Taking the above in to account, it is considered that the proposal would not have a detrimental impact on the character of The High Weald Area of Outstanding Natural Beauty (AONB) or the Local Nature Reserve (LNR). The proposal therefore complies with both local and national planning policy and is acceptable.

### c) 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." In this instance the site is in a sensitive area however the scale of the proposed works is small and as such screening for the purposes of EIA development is not required in this instance.

## **6. Local finance considerations**

The Hastings Visitor Centre is funded by Hastings Borough Council together with an award of £475,000 from Interreg North West Europe. The Interreg award is part of the innovative project called 'Up Straw' which is increasing awareness of public building with straw across North West Europe.

## 7. Conclusion

The proposal is considered acceptable and it is recommended the application be granted.

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

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

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

## 8. Recommendation

### **Grant Full Planning Permission subject to the following conditions:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
240/312 K, 240/319 K, 240/327 J, 240/354 A & 240/357
2. Prior to installation, details of any boundary treatment to be installed along the site boundary are to be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall then be installed in accordance with the approved details.
3. Prior to creation of the swale a statement is to be provided outlining the following;
  - The responsibilities of each party for the implementation of the SUDS scheme.
  - A timetable for implementation.
  - A management and maintenance plan for the lifetime of the development.
4. Upon completion of the swale, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

### **Reasons:**

1. For the avoidance of doubt and in the interests of proper planning.
2. To ensure a satisfactory standard of development and in the interests of the openness of The Area of Outstanding Natural Beauty and Local Nature Reserve.

3. To ensure a satisfactory standard of development.
4. To ensure a satisfactory form of development in the interests of the character and amenity of the area.

#### **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.

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#### **Officer to Contact**

Mrs E Meppem, Telephone 01424 783288

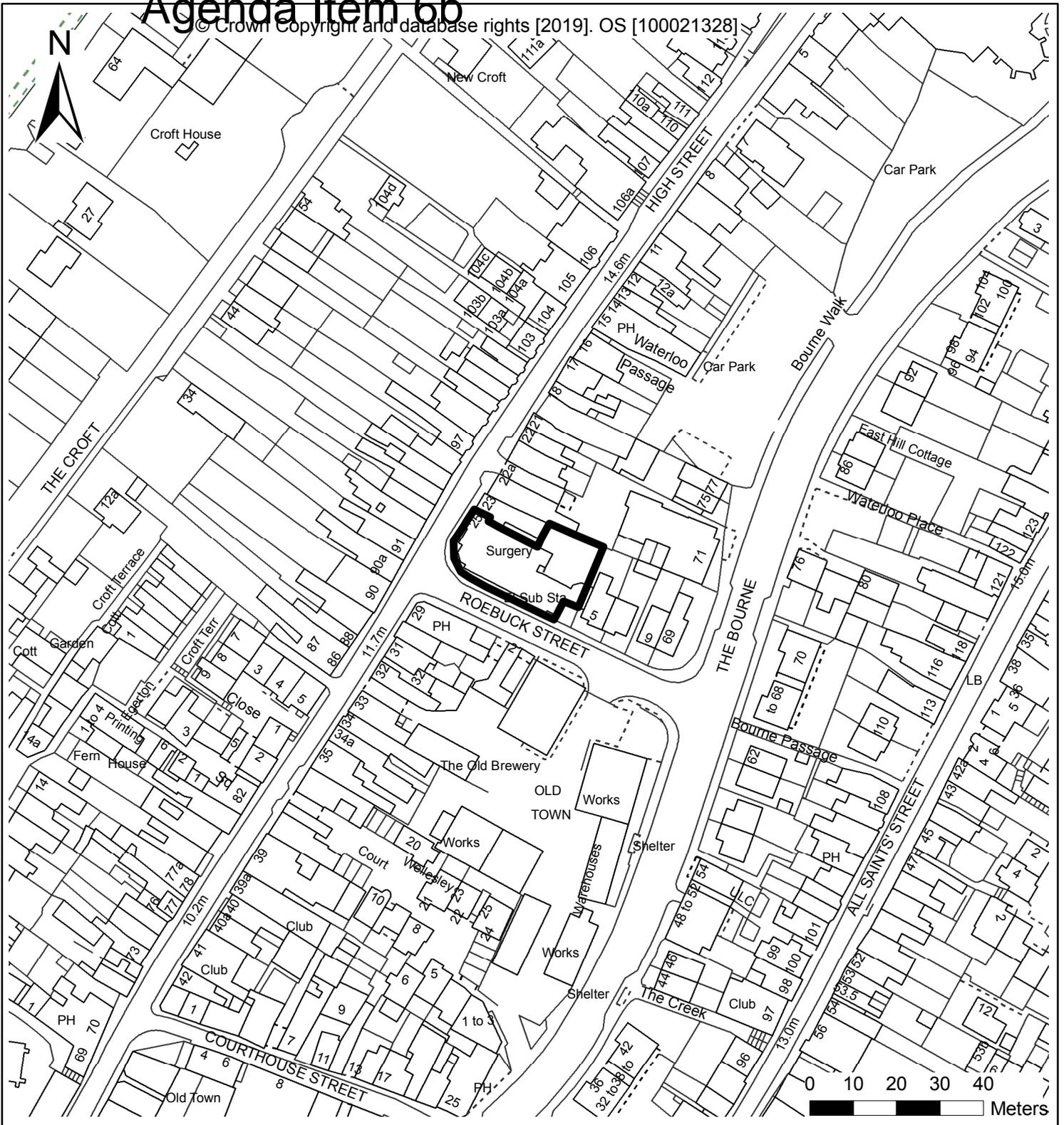
#### **Background Papers**

Application No: HS/FA/19/00499 including all letters and documents

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# Agenda Item 6b

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**Roebuck House**  
**26-27 High Street**  
**Hastings**  
**TN34 3EY**

Conversion of existing (D1) doctors surgery to form 9 x flats including external alterations (materials and finishes)



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](mailto:planning@hastings.gov.uk)

Date: Aug 2019

Scale: 1:1,250

Application No. HS/FA/19/00157

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**Report to:** PLANNING COMMITTEE

**Date of Meeting:** 11 September 2019

**Report from:** Assistant Director of Housing and Built Environment

**Application Address:** **Roebuck House, 26-27 High Street, Hastings, TN34 3EY**

**Proposal:** **Conversion of existing (D1) doctors surgery to form 9 x flats including external alterations (materials and finishes).**

**Application No:** **HS/FA/19/00157**

**Recommendation:** **Grant Full Planning Permission**

Ward: OLD HASTINGS 2018  
Conservation Area: Yes - Old Town  
Listed Building: Grade II

Applicant: Melisande Properties Ltd per House - Design & Architecture Rosemeath Little Common Road Little common, Bexhill on Sea. TN39 4SB

**Public Consultation**

Site Notice:	Yes
Press Advertisement:	Yes - Conservation Area Amended Plans
Letters of Objection:	11
Petitions of Objection Received:	0
Letters of Support:	0
Petitions of Support Received:	0
Neutral comments received	1

Application Status: Not delegated - 5 or more letters of objection received

## 1. Site and surrounding area

The site comprises a prominent three storey corner building. Roebuck House consists of two buildings and the floors above 25 High Street, which have over time, been amalgamated into Roebuck House, with the postal address of 26-27 High Street. 26 High Street is of Victorian decent, although has undergone significant modernisation over the last century with a significant portion carried out with the construction of the 1960's extension that forms 27 High Street.

The bulk of the property faces Roebuck Street and has an undercroft access to the west part of the building through to a small courtyard parking area to rear. The building includes clay hanging tiles and rendered bay windows, white painted timber windows and beige rendered walls with some brickwork to the eastern part of the building.

The site is located within the Old Town Conservation Area, and the upper floors above the shop at 25 High Street are listed. The application building is surrounded by attractive two and three storey buildings in both commercial and residential use, many of which are also listed. The building occupies an extremely prominent corner position as a more modern structure in the conservation area, despite being part listed.

### Constraints

- Old Town Conservation Area
- SSSI Impact Risk Zone
- Archaeological Notification Area
- Area affected by ground water flooding
- Grade II Listed Building

The building is also located within the Old Town and Stade Cultural Quarter as defined by the Hastings Local Plan - Development Management Plan 2015.

## **2. Proposed development**

The application proposes the conversion of the building from a doctors surgery (Use Class D1) to 9 residential flats, together with works to update and improve the external appearance of the building. Specifically, the development will provide:

- 4 x 1 bedroom flats
- 3 x 2 bedroom flats
- 2 x 3 bedroom flats
- New painted finish to render - light grey
- White painted timber windows, panels, soffits and facias
- Retention of existing tile hanging
- Repair/retention of existing concrete roof tiles

Bin and cycle storage is provided within the site boundary, together with 2 parking spaces.

A separate Listed Building Consent application is to be submitted for the works undertaken to the section of the building above the shop at 25 High Street.

The application is supported by the following documents:

- Planning and Heritage Statement
- HER Report
- Flue details
- Construction Management Plan

## Relevant planning history

- HS/FA/10/00536 Relocation of surgery entrance together with associated works to provide disabled access  
GRANTED 29 October 2010
- HS/FA/96/00002 Erection of three storey side extension fronting Roebuck Street and extension of existing roof to form a mansard roof with additional rooms and small extension to car park  
GRANTED 23 February 1996
- HS/FA/95/00605 Erection of supporting rooms to the main surgery  
REFUSED 23 February 1996
- HS/FA/95/00335 Erection of three storey and single storey extension at rear (fronting Roebuck Street)  
APPEAL ALLOWED 2 September 1996
- HS/FA/89/01276 Replacement of windows and replacement of weatherboarding with tile hanging  
GRANTED 16 February 1990
- HS/FA/89/00867 Erection of extensions and change of use of 1st and 2nd floors of no.25 to doctors surgery  
GRANTED 9 October 1989
- HS/FA/88/01042 Erection of first and second floor extension at rear  
GRANTED 2 November 1988
- HS/FA/77/00505 Conversion of ground floor of existing surgery from car parking to consulting rooms, demolition of adjoining disused bakery to form car park for 6 cars  
GRANTED 4 October 1977
- HS/FA/73/01084 Erection of covered way and formation of enquiry/prescription office  
GRANTED 9 August 1973
- HS/FA/66/01092 Erection of 2 doctors surgeries, 2 flats and covered parking for 5 vehicles  
GRANTED 12 December 1966
- HS/OA/65/00040 Erection of three-storey building containing accommodation for doctors consulting rooms with residential accommodation over  
GRANTED 9 March 1965
- HS/FA/57/00090 Formation of parking space for two vans  
GRANTED 12 March 1957

## National and local policies

### Hastings Local Plan – Planning Strategy 2014

- Policy DS1 - New Housing Development
- Policy FA5 - Strategic Policy for Eastern Area
- Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way
- Policy SC7 - Flood Risk
- Policy EN1 - Built and Historic Environment
- Policy H2 - Housing Mix
- Policy T3 - Sustainable Transport

### 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  
Policy HN4 - Development Affecting Heritage Assets with Archaeological and Historic Interest or Potential Interest  
Policy SA3 - Shops and Services outside Shopping Areas  
Policy CQ1 - Cultural Quarters

#### Other policies/guidance

Supplementary Planning Document 2 - Replacement Doors and Windows for Listed Buildings and Conservation Areas

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

Paragraph 130 also seeks to ensure that the quality of an approved development is not materially diminished between permission and completion through changes to the permitted scheme.

Paragraph 192 states that in determining planning applications, local planning authorities need to take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 makes clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 requires any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), to be supported by clear and convincing justification.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

### **3. Consultation comments**

Southern Water - **no objection**

Request informative requiring formal connection to the sewer

East Sussex County Council (Highways) - **no objection subject to conditions (conditions 5-7)**

Consider proposed development to reduce trips generated, and that cycle and parking provision is acceptable in this location.

East Sussex County Council (Archaeology) - **no objection**

Do not consider the development to result in an impact on archaeological remains

Hastings Borough Council (Waste) - **no objection**

Note that there is already a waste collection service on this road, and that the waste storage room is available for storage of waste bins.

Hastings Borough Council (Conservation) - **no objection subject to conditions (conditions 8-9)**

No objections to the proposed change of use subject to conditions relating to paint colour and details of extract systems. Confirm that a separate listed building consent is required for the works to the floors above the shop at 25 High Street.

UK Power Networks - **no objection**

Note that the proposed development is in close proximity to a substation and provide guidelines that need to be followed.

## **4. Representations**

11 letters of objection, 1 general comment, from 12 individuals, were received following the display of a site notice at the initial consultation stage. No further representations were received following the display of the amended plans site notice.

A summary of the issues raised is provided below:

- Inappropriate use of materials, particularly the proposed black colour and the loss of existing hanging tiles
- Would result in additional parking pressure
- Overlooking and noise impacts on existing residents
- Potential for inappropriate lighting installations causing light pollution
- Traffic management during construction
- Noise during construction
- Require replacement footway

Many of these issues have been addressed through the submission of amended plans, although no objections have been withdrawn by residents. The issues raised are discussed in detail throughout the remainder of this report.

## **5. Determining issues**

This application proposes the conversion of an existing doctors surgery into 9 x flats. Whilst the conversion to flats is generally supported by neighbouring residents subject to detailed consideration of parking requirements, concerns relate mostly to the general appearance of the building, based on the initially submitted plans. Taking this into account, the main considerations therefore relate to the impact of the development on the character and appearance of the area in light of the site's location in the Old Town Conservation Area being partly listed, together with the impact on parking and the wider highway network, and neighbouring residential amenity.

## a) Principle

Policy LP1 of the Hastings Local Plan - Development Management Plan (2015), paragraph 4.3 of the Hastings Local Plan – Planning Strategy (2014) and paragraph 11 of the NPPF set out a presumption in favour of sustainable development. The site is within a sustainable location with reasonable/good access to public transport, shops, services and facilities and as such the development is considered acceptable in principle subject to other local plan policies.

## b) Impact on character and appearance of area and the Old Town Conservation Area

Roebuck House is a large-scale prominent corner building. It currently has a mix of colours and textures of external materials that generally fit in with the predominantly pale render, red brick work or red clay tile hanging to frontages in this part of the Old Town Conservation Area. Together with the pub opposite, the existing surgery building frames the junction of High Street with Roebuck Street. The surgery building also forms a harmonious architectural grouping with the other buildings on Roebuck Street and High Street.

As originally submitted, the application proposed to paint the majority of the building black and replace the existing hanging tiles with timber cladding. The proposed use of materials was considered to have a negative impact on the architectural harmony of this grouping in Roebuck Street and the High Street, and resulted in an over dominant building in the context of the overall streetscene. Following feedback of these concerns, the applicant has since revised the scheme and submitted amended plans detailing the following:

- New painted finish to render - light grey
- White painted timber windows, panels, soffits and facias
- Retention of existing tile hanging
- Retention of facing brickwork
- Repair/retention of existing concrete roof tiles

The proposed use of external materials are now considered acceptable, and have addressed many of the objections raised by concerned neighbours in terms of the impact of the development on the character and appearance of the area. Policies DM1 and HN1 of the Development Management Plan are therefore complied with in that the amended proposal has taken reference to local character and will not cause harm to the significance or setting of the Old Town Conservation Area or part listed building.

To facilitate the development, it is also necessary to install two flue ducts at ground and first floor levels to the High Street elevation and a single flue duct at second floor level on the Roebuck Street elevation to serve flats 1, 4 and 8. These will extend out 150mm from the facade and cannot be avoided given the fire and access issues from the internal layout. The Council's Conservation Officer has confirmed that the submitted flue details are acceptable, and will not cause harm to the significance and setting of the conservation area or part listed building.

## c) Impact on the listed building

As stated above, the property at the northern extent of the site, above the shop at 25 High Street is a listed building. Listed building consent will therefore be required to carry out the

internal alterations being proposed to the first and second floors of this building to form self-contained flats.

The internal works being proposed consist mainly of the sub-division of the central room on each of the upper floors to form a kitchen and bathroom area for each flat. It is possible that this central room is the site of the original staircase for the property, which is likely to be acceptable in terms of alterations the listed building, subject to further detail being submitted in respect of the listed building application.

#### d) Archaeology

Although this application is situated within an Archaeological Notification Area, no groundworks are involved and as such, there will be no impact on any significant archaeological remains. Policy HN4 of the Development Management Plan 2015 is therefore complied with.

#### e) Layout

Since originally submitted, the number of flats proposed has been reduced from 10 to 9, in order to make for a better standard of accommodation. Each of the 9 flats proposed now meet the minimum standards for internal floorspace requirements, as set out in the government publication "Technical housing standards – nationally described space standard" (CLG, March 2015), and demonstrated below:

<b>Flat</b>	<b>No of beds</b>	<b>No of persons</b>	<b>Floorspace (sqm)</b>	<b>National requirement (sqm)</b>
1	2	4	73.8	70
2	1	2	51.2	50
3	1	1	44.8	39
4	2	4	77.9	70
5	1	1	40.1	39
6	3	4	84.9	74
7	1	1	40.1	39
8	2	4	73.8	70
9	3	4	84.9	74

The layout has been designed to ensure that there will be sufficient natural light entering the residential units and communal areas, and adequate provision has been made for the storage of waste. A dedicated waste storage room is provided at ground floor level, which meets the dimensions required by the waste team. It measures 3.5m wide at its widest point and comprises a floor area of just under 7sqm. The submitted plans identify that 2 x 110 litre bins will be provided on site, for collection on the required day. The Waste Management Team have no objection to the proposal.

Whilst there is no dedicated amenity space serving the development, this is not unusual for residential development in this historic location with its constrained site characteristics. Whilst the lack of amenity space for the larger units in particular is regrettable, given the site's location in such close proximity to the beach and the town centre, it is considered that on balance, refusal of permission on these grounds could not be justified in this instance.

Policy DM3 of the Development Management Plan 2015 is therefore complied with in terms of providing a good standard of living accommodation for future occupants, and ensuring there is sufficient provision for the storage and removal of waste.

#### f) Housing mix

The application proposes a mix of 1, 2 and 3 bedroom flats within the existing building. This is a suitable mix for this location, and shows that consideration has been given to delivering a balanced mix of housing in accordance with Policy H2 of the Hastings Planning Strategy 2014

#### g) Loss of existing use

Whilst the loss of a doctors surgery in this location is unfortunate, the surgery is to be relocated to a new building more suitable for its purpose nearby in Rock-a-Nore Road. Therefore, the services that the surgery provides will not be lost to the community. The proposed residential use will bring a viable use to this building, and provide a valuable contribution to meeting the town's overall housing target as set out in Policy DS1 of the Hastings Planning Strategy 2014, and be in accordance with Policy SA3 of the Development Management Plan, which seeks to retain key services outside of main shopping areas.

#### h) Impact on neighbouring residential amenities

Concern has been raised from neighbouring residential occupiers regarding overlooking and resultant noise from the change of use to residential. Whilst these concerns are noted, the development does not involve any new openings for windows that would provide further impacts in terms of overlooking, and the proposed use will ultimately reduce the number of people entering and leaving the property given its existing use as a doctors surgery. In addition, condition 3 has been applied to control the hours of work during the conversion of the building, and a Construction Management Plan has been submitted to ensure disturbance from vehicle movements during the construction phase, which has been accepted by the Highway Authority as fit for purpose.

Taking the above into account, it is not considered therefore, that there will be any additional impacts in terms of overlooking or noise disturbance, in accordance with Policy DM3 of the Development Management Plan 2015.

#### i) Drainage

Southern Water have identified that the site is located close to a public water distribution main. Whilst the application is not proposing any additional load or changes to the foundations that could affect this, an informative has been added (4) to remind the applicant of their responsibilities in terms of the maintenance of this main. The development will connect to the existing foul drainage system, which will require approval of connection by Southern Water (informative 3).

Whilst the application site is located in an area at risk of ground water flooding, there is no increase in hardstanding area and no further groundworks are taking place. This means therefore, that there will be no increase in surface water run off and that there will be no negative impact on this site constraint.

Policy SC7 of the Hastings Planning Strategy is therefore complied with, in that there will be no impact in terms of flood risk.

#### j) Air quality and emissions

Having regard to guidance contained within 'Air Quality and Emission Mitigation' 2013 produced by Sussex Air Quality Partnership, the proposed development will not exceed statutory guidelines for airborne pollutants and Environmental Health Officers have no objection in this respect. No external lighting is proposed and residential amenities are not harmfully affected. The development will not give rise to ground or surface water pollutions. The development is therefore in accordance with Policy DM6 of the Hastings Development Management Plan 2015.

#### k) Highway safety/parking

The existing use as a doctors surgery is considered a high trip generator given the nature of short appointments, whereas in contrast, the proposed residential use is likely to result in less than 5 vehicle trips per day. Therefore, it is considered that the proposed development is likely to result in a reduction in traffic movements to and from the site, compared to the existing use.

In terms of parking provision, only 2 spaces are proposed in the existing courtyard area. These are utilised from the existing layout serving the doctors surgery, which is not in line with the requirements of East Sussex County Council's parking guidance. However, the building is constrained in terms of available space for additional parking, and the site is located in a very accessible location in Hastings Old Town, close to bus routes, local amenities and the town centre. On street parking (with controls) is also available in the immediate area. Providing that the two parking spaces are allocated to specific flats, it is not considered that the proposed development would result in a severe impact on the highway or surrounding transport network. East Sussex County Council (Highways) are supportive of the proposal and raise no objection in terms of parking provision. Policy DM4 of the Development Management Plan is therefore complied with.

Cycle storage for 8 cycles is provided at ground floor level, accessed through the main entrance hall. This amount of provision is acceptable and will contribute to encouraging modes of transport other than the private car in accordance with Policy T3 of the Hastings Planning Strategy 2014.

#### l) Other considerations

The site is within close proximity to a substation, and UK Power Networks have provided guidelines for development in such situations. There are no windows that directly overlook the substation, and a communal stair and en-suite shower room separate the sleeping accommodation from it. Given that the works relate to an existing premises, with other residential properties in equally close proximity, it is not considered that the change of use is inappropriate in such a location. The layout has been designed with the constraints of the substation in mind, resulting in an acceptable standard of development for future residential occupiers. Policy DM3 of the Development Management Plan is therefore complied with in this respect.

#### m) 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.

#### n) Affordable housing and other contributions

No contributions are required given that the number of dwellings proposed falls short of the minimum requirement to provide contributions, as set out in National Planning Practice Guidance paragraph 023 Reference ID: 23b-023-20190315). In light of this, it is not appropriate in this instance to require a contribution towards footway improvements as suggested by an objector.

## 6. Conclusion

The design of the proposed development has been amended to improve its appearance in the streetscene, resulting in the significance and setting of the conservation area being preserved. The proposed change of use to residential is appropriate in this location, and there is not considered to be any harm caused to neighbouring residential amenities. The proposal therefore complies with the Development Plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

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

## **7. Recommendation**

### **Grant Full Planning Permission subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
18.171/01, 18.171/02, 18.171/03C and 18.171/04C
3. The building works required to carry out the development allowed by this permission must only be carried out within the following times:-  
  
08.00 - 18.00 Monday to Friday  
08.00 - 13.00 on Saturdays  
No working on Sundays or Public Holidays.
4. 1 x 1100 litre wheeled waste bin and 1 x 1000 litre wheeled recycle bin should be provided within the designated waste storage room on first occupation of the flats hereby approved.
5. No part of the development shall be occupied until the car parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles
6. No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
7. The submitted Construction Management Plan (House Designs, August 2019) shall be implemented and adhered to in full throughout the entire construction period.

8. Prior to the commencement of painting works, full details shall be provided of the proposed paint colour to be used for the render surfaces of the building should be submitted to and approved in writing by the Local Planning Authority. These details shall include a paint colour chart clearly marked up to show the proposed colour, paint type and manufacturer. The works must then be undertaken in accordance with the approved details.
9. Prior to the installation of any other extract systems, full details of the proposed siting of any extract terminals on the visible elevations of the building, or anywhere on the listed building, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include elevations showing the proposed locations of the vent terminals and details of the size, appearance, materials and finishes of the terminals. Thereafter, the approved form of extract terminal shall be fitted in the agreed locations.

**Reasons:**

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To safeguard the amenity of nearby residents.
4. To ensure a satisfactory standard of development.
5. To provide car-parking space for the development.
6. To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.
7. In the interests of highway safety and the amenities of the area.
8. To ensure a satisfactory form of development in the interests of the character and appearance of the area.
9. To ensure a satisfactory form of development in the interests of the character and appearance of the area.

**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. 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](mailto:developerservices@southernwater.co.uk).
4. Any changes to the building foundations will require Southern Water approval. An investigation of the water main is required to ascertain its condition, size and depth. The design for erection of additional floor and extensions should take into account additional load of that construction that will be affecting the public apparatus. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)".
5. Consideration should be given to the provision of a domestic sprinkler system.
6. The waste bins will need to be provided by the developer and owner of the property upon completion.
7. All works should be undertaken with due regard to Health & Safety guidance notes HS(G)47 Avoiding Danger from Underground Services. This document is available from HSE offices.
8. The applicant is reminded that a separate Listed Building Consent application is required for the proposed works that affect the listed parts of the building, above the shop at 25 High Street. Conversion works should not commence to any part of the listed building until this consent has been obtained.

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### **Officer to Contact**

Mrs S Wood, Telephone 01424 783329

### **Background Papers**

Application No: HS/FA/19/00157 including all letters and documents



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**Report to:** PLANNING COMMITTEE  
**Date of Meeting:** 11 September 2019  
**Report from:** Assistant Director of Housing and Built Environment

**Application Address:** Fishermens Museum, Rock-a-Nore Road,  
Hastings, TN34 3DW  
**Proposal:** Fixing of eyelets to the front elevation to  
stabilise a hanging sign with chains. (amended  
description)  
**Application No:** HS/LB/19/00519

**Recommendation:** Grant Listed Building Consent

Ward: OLD HASTINGS 2018  
Conservation Area: Yes - Old Town  
Listed Building: Grade II

Applicant: Hastings Borough Council 4th Floor Muriel Matters  
House Breeds Place Hastings TN34 3UY

**Public Consultation**

Site Notice: Yes  
Press Advertisement: Yes - Affects a Listed Building  
Letters of Objection: 0  
Petitions of Objection Received: 0  
Letters of Support: 0  
Petitions of Support Received: 0  
Neutral comments received 0

Application Status: Not delegated -  
Council application on Council owned land

**1. Site and surrounding area**

The Fishermen’s Museum is a former chapel situated on Rock a Nore Road. It is in the immediate vicinity of the commercial fishing area of Hastings. Along with the unique net shops, the chapel building makes a valuable contribution to the setting and has a great historical significance in relation to the local fishing fleet.

Now used as a museum, it attracts many visitors to the town making a valuable contribution to the local tourism industry.

## Constraints

Grade II Listed Building

SSSI Impact Risk Zone

## Listing Details

ROCK-A-NORE ROAD (South Side) No 21, Hastings Fishermen's Museum

(Formerly listed as Fishermen's Museum, ROCK-A-NORE ROAD)

The listing states:

*"11 1854. Built as Fishermen's Church now a museum. Plain. Coursed stone, stuccoed south, east and west walls, exposed masonry on north wall with stuccoed quoins. Low-pitched slated roof with coped gable ends, east end with stone cross at apex and west end with bellcote. North and south walls have tall lancets, south wall with later lean-to vestry. East and west ends have tripartite lancets, taller at centre. Four-centred arch doorway at west end of north and south walls. No division between nave and chancel. Gallery across the west end."*

## **2. Proposed development**

The addition of a pair of black finished metal chains and eyelets with screw fixings fitted to main wall, with a further eyelet fitted to the end of the existing horizontal timber hanging sign support beam to stabilise and support the existing sign, which currently relies purely on the friction created by a simple socket support hole in the uncoursed rubble stone main front wall for its stability

The application is supported by the following documents:

Heritage Statement

### **Relevant planning history**

<b>Application No.</b>	HS/LB/89/00757
<b>Description</b>	BLOCKING UP OF EXISTING REDUNDANT DOORWAY TO SOUTH ELEVATION OF MUSEUM HALL, AND PROVISION OF GLAZED LIGHTS OVER.
<b>Decision</b>	on 07/08/91
<b>Application No.</b>	HS/LB/97/00284
<b>Description</b>	INSTALL SECURITY GRILLES TO ALL WINDOWS EITHER INTERNALLY OR EXTERNALLY AND REINSTATE ROOF VENTS.
<b>Decision</b>	Listed Building Consent with Conditions on 09/10/97
<b>Application No.</b>	HS/FA/00/00206
<b>Description</b>	ERECTION OF TWO STOREY EXTENSION (APPLICATION HS/LB/00/207 ALSO APPLIES)
<b>Decision</b>	Permission with conditions on 01/06/00
<b>Application No.</b>	HS/LB/00/00207
<b>Description</b>	ERECTION OF TWO STOREY EXTENSION (APPLICATION HS/FA/00/206 ALSO APPLIES)
<b>Decision</b>	Listed Building Consent with Conditions on 01/06/00

<b>Application No.</b>	HS/FA/00/00566
<b>Description</b>	ERECTION OF SINGLE STOREY EXTENSION (APPLICATION HS/LB/00/571 ALSO APPLIES)
<b>Decision</b>	Permission with conditions on 02/11/00
<b>Application No.</b>	HS/LB/00/00571
<b>Description</b>	ERECTION OF SINGLE STOREY EXTENSION (APPLICATION HS/FA/00/566 ALSO APPLIES)
<b>Decision</b>	Listed Building Consent with Conditions on 02/11/00
<b>Application No.</b>	HS/LB/12/00493
<b>Description</b>	Wooden notice board (1m x1m) adjacent to main door .
<b>Decision</b>	Listed Building Consent with Conditions on 06/12/12
<b>Application No.</b>	HS/FA/91/00224
<b>Description</b>	TIMBER VIEWING PLATFORM FOR PUBLIC USE ADJOINING THE FISHING VESSEL "EDWARD AND MARY"
<b>Decision</b>	Permission with conditions on 30/05/91
<b>Application No.</b>	HS/FA/07/01016
<b>Description</b>	Locate all historic fishing boats belonging to the museum onto the area immediately adjacent to the museum
<b>Decision</b>	Permission with conditions on 04/02/08

### **National and local policies**

#### Hastings Local Plan – Planning Strategy 2014

Policy FA4 - Strategic Policy for Eastern Area

Policy FA5 - Strategic Policy for The Seafront

Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way

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

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

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

Paragraph 130 also seeks to ensure that the quality of an approved development is not materially diminished between permission and completion through changes to the permitted scheme.

Paragraph 193 states: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 states: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) Grade II listed buildings, or Grade II registered parks or gardens, should be exceptional;
- b) Assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, Grade I and II\* listed buildings, Grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 196 states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

### **3. Consultation comments**

Conservation Officer – The Grade II listed Victorian church building was formerly the Fishermen’s Church, but is now a Fishermen’s Museum. It is a relatively small-scale building, tucked in at the back of the fishing beach, and fronting onto Rock-A-Nore Road.

The proposals are for the fixing of a couple of new metal eyelets into the North wall of the church, immediately above the main entrance door. The function of the eyelets is to provide a fixing point for new metal restraining chains that in turn will help to stabilise the timber beam that projects just above the door. The museum hanging sign is attached to this timber beam.

The north wall of the chapel is constructed of exposed sandstone masonry. The masonry is roughly coursed, though there is some variation in the size of the stones. The metal eyelets will be fixed into this stone wall. It is generally preferable to fix into the mortar joints rather than into the stones themselves, so as to avoid the risk of cracking the stones.

The works are very minor in nature and should cause no harm to the significance of the listed building. The works comply with the requirements of the NPPF in respect of the need to conserve heritage assets. The works also comply with adopted local plan policies EN1 and HN1.

**Recommendation:** No objection.

### **4. Representations**

In respect of this application a site notice was displayed outside the entrance to the museum and an advert placed in the local paper. No responses were received.

### **5. Determining issues**

The main issue for consideration is whether the addition of the chains will be detrimental to the character and significance of this Grade II Listed Building.

## a) Heritage

As the Conservation Officer has detailed above in the consultation comments, the building is constructed of sandstone and is roughly coursed. The elevation is to the north which largely protects it from the harsh marine environment. Nevertheless, sandstone is prone to cracking and the insertion of the metal eyelets could cause initial cracking or cracking at a later date following corrosion and expansion of the eyelets. To mitigate this risk conditions will be imposed to place the eyelets in a mortar line and that the eyelets should be of stainless steel.

However the introduction of the eyelets will assist in the remounting of the hanging sign for the museum which is in the interests of the building to promote on going viable use and in the interests of local tourism.

## 6. Conclusion

The proposal satisfies the criteria under policy HN1 of the Hastings Development Management Plan (2015) with regard to materials, finishes and understanding the significance of the building.

It also satisfies paragraph 196 of the NPPF as the less than substantial harm caused is mitigated by promoting the continued viable use of the building that is in the public interest in terms of contributing to the local tourism industry.

These proposals comply with the Development Plan in accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

## 7. Recommendation

### **Grant Listed Building Consent subject to the following conditions:**

1. The works hereby permitted shall be carried out in accordance with the following approved plans:  
  
FM/S/2019/01A
2. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.
3. The new eyelets shall be fixed into the mortar joints between the stones, rather than into the stones themselves.
4. The new eyelets and chains shall be made from stainless steel and painted black, unless otherwise agreed in writing with the Local Planning Authority.

**Reasons:**

1. For the avoidance of doubt and in the interests of proper planning.
2. This condition is imposed in accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. To ensure the character and appearance of a Grade II listed building is preserved.
4. To ensure the character and appearance of a Grade II listed building is preserved.

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

The reason for granting this consent is:

National Planning Policy Framework Section 12 applies. The works proposed will not harm the designated heritage asset.

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**Officer to Contact**

Mr Simon Richard, Telephone 01424 783320

**Background Papers**

Application No: HS/LB/19/00519 including all letters and documents

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# Agenda Item 7

Agenda Item: 7

<b>Report to:</b>	Planning Committee
<b>Date:</b>	11th September 2019
<b>Report from:</b>	Planning Services Manager
<b>Title of report:</b>	<b>PLANNING APPEALS &amp; DELEGATED DECISIONS</b>
<b>Purpose of report:</b>	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 05/08/2019 to 30/08/2019
<b>Recommendations:</b>	That the report be noted

## The following appeals have been received:

<b>Address/ Application Number</b>	<b>Proposal</b>	<b>PSM's Rec</b>	<b>Where the decision was made</b>	<b>Type of Appeal</b>
99 Battle Road, St Leonards-on- sea, TN37 7AB HS/FA/18/01093	Change of Use of a redundant unit to form a new dwelling	Refuse planning permission	Delegated	Planning
Land Between 82 - 92 & 94 Rye Road, Hastings, TN35 5DG HS/FA/19/00037	Proposed Studio Dwelling	Refuse planning permission	Delegated	Planning
130 Bohemia Road, St Leonards-on- sea, TN37 6RP HS/FA/18/01031	Extension and alterations to create a sustainable dwelling	Refuse planning permission	Delegated	Planning
26 Ironlatch Avenue, St Leonards-on- sea, TN38 9JE HS/FA/19/00085	Proposed roof extension and loft conversion with the inclusion of front and rear dormer windows and roof lights within the side elevation. Garage conversion. Replacement	Refuse planning permission	Delegated	Planning

	and enlargement of the front porch and alterations to the fenestration of the property (amended description)			
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**The following appeals have been allowed:**

Nothing to report

**The following appeals have been dismissed:**

<b>Address/ Application Number</b>	<b>Proposal</b>	<b>PSM's Rec.</b>	<b>Where the decision was made</b>	<b>Type of Appeal</b>
Garages Wellington Mews (Rear Of 79/82 Queens Road), Formerly known as 18-20 Wellington Mews, Hastings, TN34 1QJ HS/FA/18/01060	Demolition of existing garages and erection of 2 No. 2 bedroom dwellings with parking under	Refuse planning permission	Delegated	Planning
Unit A, Brook Way, Hastings, TN35 4NN HS/EX/18/00607	Application for a Certificate of Lawful development for existing use of a parking and storage area	Refuse planning permission	Delegated	Planning

<b>Type of Delegated Decision</b>	<b>Number of Decisions</b>
Granted Permission	54
Appeal Against Non-Determination	1
General PD (Approval)	1
Part Granted	2
Refused Permission	4
Prior Approval Approved	1
Withdrawn by Applicant	1
<b>Total</b>	<b>64</b>

**Background Papers:**

Various correspondences with Planning Inspectorate

**Report written by**

**Lucy Brooks** – Tel: (01424) 783264

Email: [planning@hastings.gov.uk](mailto:planning@hastings.gov.uk)