

PLANNING

16 OCTOBER 2019

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

156. APOLOGIES FOR ABSENCE

Apologies for lateness were received from Councillor Davies

157. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Beaver, Scott and Webb	Any item that concerns highways	Personal – East Sussex County Councillors
Beaver	5a	Personal – friends owns property in the vicinity

158. MINUTES OF PREVIOUS MEETING

RESOLVED – that the minutes of the meeting held on 11 September 2019 be approved by the Chair as a true record.

159. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

160. PLANNING APPLICATIONS ATTRACTING A PETITION

161. 9 WESLEY SALMON CLOSE (HS/FA/19/00459)

Proposal	Change of use from C3 (dwelling house) to a mixed use comprising C3 (dwelling house) and A1 (use of utility room for hairdressing).
Application No.	HS/FA/19/00459
Conservation Area	No
Listed Building	No
Public Consultation	Yes – 1 letter of objection, 4 letters of support, 1 petition of support, 1 neutral comment received – Petition of support received contrary to officer's recommendation

Councillor Davies was not present for the officer's report so was not able to take part or vote on this item and sat in the public gallery during consideration of this item.

The Planning Services Manager presented the item which was recommended for refusal, she commented that the number of support letters has increased from 4 to 5

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and an additional neutral comment has been received since the publication of the agenda.

Councillors were shown plans and photographs of the application site. The Planning Services Manager set out the planning history for the site and explained that a complaint was received in 2018, following which a planning application was submitted. The proposed use introduces business activity, noise disturbance and was not an acceptable use as it was considered to be a harmful change to the character of the area and contrary to guidance in the NPPF.

Christine Crouch was present and spoke on behalf of the Petitioner in support of the application. She commented that she has lived in Wesley Salmon Close for 12 years and was aware of the planning application. Although there is congestion in the immediate area, Wesley Salmon Close is only congested in the evenings, which is outside of the proposed business hours of the application. Turning and manoeuvring is difficult due to the layout of the cul-de-sac which is not signposted as such. A lot of the traffic is people trying to drive through not knowing that it is a cul-de-sac. Around 30 residents have supported this application and believe that parking would not be a problem and the salon has not impacted parking for residents so far. She said that the visitors were considerate of the neighbours and that the applicant's customers park on the properties driveway and don't disrupt the area. She commented that she wasn't even aware that there was a business running until this application.

Councillors asked questions of the petitioner's nominated speaker.

Graham Fifield, the applicant's agent, was present and spoke in favour of the application. He commented that there has been lots of support from local residents for the application and similar applications have been granted before. The business has been running for 17 months and the residents who most of which didn't realise it was there until a sign went up will have the best knowledge of the impact on the area that the business has. The owner was not aware that she would require planning permission for this. The use that was previously applied for was for a much more in depth salon, in the new application the extent of the dwelling is reduced as is the opening times. No staff are employed. When the salon is not in use it will be used as a utility room. The traffic harm to residents from the officer report is not apparent, it is hard to manoeuvre in the road but there is no evidence that this is due to the presence of the salon. A nearby parking survey showed no impact on traffic. Other concerns from the officer's report are expansion of the business or inclusion of additional A1 uses, this is not true. A personal condition may be appropriate. He stated that by refusing the application the applicant would be deprived of her livelihood.

Councillors asked questions of the applicant

Councillors asked questions of the Planning Services Manager

The Planning Services Manager commented that the parking survey mentioned by the applicant in the area was of limited scope so useful conclusions could not be drawn

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from this. There are key differences between other application that have been granted and this one. Through roads can show less impact from increased activity.

Councillors discussed the use of paragraph 127 of the National Planning Policy Framework (NPPF) in the officer's report. The Planning Services Manager commented that paragraph 127 is that the application creates a safe place with high standards for residents. The development was discovered because of a complaint made to the council.

Councillors discussed the potential of adding a personal condition to limit growth of the business. The Planning Services Manager commented that personal conditions are very rarely used and the Government's advice is to avoid their use. The number of customers could be restricted but the current number of customers is not known.

The Planning Services Manager suggested that from councillor's discussions two conditions could be added:

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

Location Plan

Block Plan

Floor Plan and Elevations Drawing no PLAN GRF1

2. The use of the hairdressing salon hereby granted shall operate only within the following times:-

14:30 to 17:30 on Mondays

10:00 to 12:00 and 14:00 to 16:00 on Wednesday and Friday

11:00 to 13:00 on Thursdays

9:30 to 12:30 on Saturdays

Not at all on Sundays or Public Holidays

Councillor Beaver proposed a motion seconded by Councillor Scott that planning permission be approved with the two conditions agreed as set out in the below resolution.

RESOLVED – (7 for, 2 abstentions.) that Full Planning Permission be approved subject to the following conditions:

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

Location Plan

Block Plan

Floor Plan and Elevations Drawing no PLAN GRF1

2. The use of hairdressing salon hereby granted shall operate only within the following times:-

14:30 to 17:30 on Mondays

10:00 to 12:00 and 14:00 to 16:00 on Wednesday and Friday

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11:00 to 13:00 on Thursdays
9:30 to 12:30 on Saturdays
Not at all on Sundays or Public Holidays

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. To safeguard the amenity of adjoining and future residents.

162. OTHER PLANNING APPLICATIONS

163. 25 WEST HILL ROAD (HS/FA/19/00431)

Proposal	Conversion of upper ground floor and first floor from house to 2 x 2 bed flats. Replacement rear elevation windows, enlargement of two upper ground floor windows and the formation of Juliet balcony with associated door (part-retrospective) (amended description).
Application No.	HS/FA/19/00431
Conservation Area	Yes - Grosvenor Gardens
Listed Building	No
Public Consultation	Yes – 10 letters of objection received

Councillor Davies joined the committee from the start of this item after arriving late.

Councillors were shown plans and photographs of the application site

The Planning Services Manager presented the item and commented that no additional comments have been received. She explained that the application was part retrospective. She stated that many of the houses in the area were converted into flats. Policy HC1 deals with conversion. She stated that the loss of the dwelling to flats had already occurred and that there was no harm to residential amenities.

Councillors commented that they were frustrated that the application is retrospective, and that they should continue to be concerned about retrospective applications in the future.

Councillor Beaver proposed a motion seconded by Councillor Edwards that planning permission be granted 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.

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

114.200A, 114.100B, 114.101, 114.102, 114.110, 114.111, 114.201A, 114.202A, 114.210B and 114.211A

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

08.00 - 18.00 Monday to Friday

08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays.

4. Any replacement windows or doors should have white frames.

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. In the interests of the character and amenity of the Grosvenor Gardens Conservation 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.

164. 52A BURRY ROAD (HS/FA/19/00357)

Proposal	Proposed demolition of existing building (currently used as a Beauty Salon) and erection of a two storey contemporary dwelling with off street parking (amended design).
Application No.	HS/FA/19/00357
Conservation Area	No
Listed Building	No
Public Consultation	Yes – 6 letters of objection, 1 neutral

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	comment received
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Councillors were shown plans and photographs of the application site

The Planning Services Manager presented the item for the demolition of a building and the erection of a 2 storey building, commenting that the only update is that the agent had advised that the site is currently in use but the report says that it is vacant. She commented that there was a smaller footprint than existing. It was considered appropriate in the street scene and was not considered to be harmful.

Councillors asked questions of the Planning Services Manager. She explained that the application was set slightly further forward than before but would have minimal impact on number 52.

Councillor Beaver proposed a motion seconded by Councillor Scott that planning permission be granted 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:
19.056/01 B, 19.056/02 C
3. Prior to commencement of development above ground, full details of the proposed external materials to be used in the construction of the development hereby approved are to be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved materials.
4. (i) Prior to commencement of development full details of the proposed means of foul sewerage and surface water disposal/management, including evidence of a 'build over' agreement from Southern Water for any necessary works, are to be submitted to and approved in writing by the Local Planning Authority.

(ii) Development shall then be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings hereby approved shall occur until those works have been completed.

and

(iii) No occupation of any of the dwelling hereby approved shall occur until evidence (including photographs) have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the necessary drainage infrastructure capacity is now available to adequately service the development.

5. Prior to commencement of development, including any ground works or works of demolition, a Construction Management Plan is to be submitted to and approved in

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writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:

- The anticipated number, frequency and types of vehicles used during construction,
- The method of access and egress and routeing of vehicles during construction,
- The parking of vehicles by site operatives and visitors,
- The loading and unloading of plant, materials and waste,
- The storage of plant and materials used in construction of the development,
- The erection and maintenance of security hoarding,

The provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders).

6. Prior to occupation of development hereby approved, full details of the soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to occupation or within the timescales agreed by the Local Planning Authority. These details shall include the proposed planting plan; written specifications, schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme, finished levels or contours; means of enclosure; parking layouts; hard surfacing materials; minor artefacts; proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).

7. The first and second floor (side) west elevation windows shall be fitted with obscure glazing and fixed shut prior to occupation and thereafter retained.

8. All soft and hard landscaping shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

9. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no external alterations or extensions are to be carried out to the dwelling hereby approved or any outbuildings erected within the curtilage, without the prior written approval from the Local Planning Authority.

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order with or without modification) no windows or openings

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(other than those expressly authorised by this permission) shall be inserted into the south and west elevation(s) of the dwelling hereby permitted.

11. Prior to occupation of the dwelling hereby approved the parking spaces within the site serving the new dwelling are to be provided. These areas are to be retained and available for the parking of vehicles at all times.

12. Prior to occupation of the dwelling hereby approved areas for the storage of bins and cycles are to be provided on site, with evidence being submitted to and approved in writing by the Local Planning Authority. These areas are to then be retained on site for the perpetuity of the development.

13. 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 ensure a satisfactory form of development in the interests of the character and amenity of the area.
4. To ensure a satisfactory development and prevent increased risk of flooding.
5. In the interests of highway safety and the amenities of the neighbouring residents.
6. To ensure a satisfactory standard of development and in the interests of the visual amenities of the area.
7. To safeguard the amenity of adjoining and future residents.
8. To ensure a satisfactory standard of development.
9. To ensure a satisfactory standard of development and in the interests of the visual amenities of the area.
10. To safeguard the amenity of adjoining and future residents.
11. To ensure a satisfactory development and in the interests of highway safety.
12. To ensure a satisfactory standard of development.

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

4. The application should contact BT in respect of the telegraph pole at the front of the site. Any required works must be done at the applicants expense. Further guidance can be found via the following link;

<https://www.openreach.com/network-services/altering-our-network>

5. The applicant is advised to engage with local residents in respect of a programme of development.

165. PLANNING APPEALS AND DELEGATED DECISIONS

The Planning Services Manager gave an update on planning appeals and delegated decisions.

The report was noted by the Committee.

(The Chair declared the meeting closed at. 7.21 pm)