

## PLANNING

4 MARCH 2020

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

### 179. APOLOGIES FOR ABSENCE

None.

### 180. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Beaver, Scott & Webb	All items relating to highways	Personal – East Sussex County Councillor
Beaver	5a	Personal – Knows the agent

### 181. MINUTES OF THE PREVIOUS MEETING HELD ON 8TH JANUARY 2020

**RESOLVED** – that the minutes of the meeting held on 8 January 2020 be approved by the Chair as a true record.

### 182. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None received.

### 183. PLANNING APPLICATIONS ATTRACTING A PETITION

#### 183.1 Christ Church, 458 Old London Road (HS/FA/19/00889)

<b>Proposal</b>	Installation of 30 Solar panels on church roof
<b>Application No</b>	HS/FA/19/00889
<b>Conservation Area</b>	No
<b>Listed Building</b>	Grade II
<b>Public Consultation</b>	Yes – 50 letters of support and 1 petition of support received

The Planning Services Manager presented the application for installation of 30 Solar panels on church roof at Christ Church, 458 Old London Road.

The Planning Services Manager informed the Committee that since publication of the agenda 1 additional letter of support had been received. It was also confirmed that the agent had sent a letter addressing the need for a structural engineer's report for the church roof.

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A separate application for 26 solar panels on the roof of the church hall adjacent to Christ Church was approved under delegated authority subject to conditions. The Church Hall is unlisted and is part of the overall Church grounds.

The application is for 30 solar panels to the eastern slope of the roof, facing and running parallel to Old London Road.

Each panel will be 1650mm high, 991mm wide and 35mm in depth. The panels will project 70mm from the roof. The solar panels are noted as having an outstanding performance in low levels of sun light.

The Church positively contributes to the character and appearance of the area which is generally commercial with some residential above shops.

The Planning Services Manager explained that any external changes to a heritage asset and proposals for renewable energy are considered in line with national and local policy. Local Plan Policy FC6 of the Hastings Planning Strategy supports renewable energy unless the scale and impact is not compatible with, amongst other things, listed buildings and the purpose of their destination. Policy HN1 of the Hastings Development Management Plan states that permission should only be given for schemes that affect the heritage asset where the scheme shows the full understanding of the significance of the heritage asset.

The Church is highly visible and prominent. The panels would be clearly visible against the background of the roof and there is no clear or convincing justification for the harm that will be provided. The church and its roof are currently prominent and positive features and it has not been made clear if the church roof can accommodate the weight of the panels.

The solar panels would have a shiny surface contrasting with the matt tiles of the church roof. The difference between the roof and the solar panels would be such that they would appear as an incongruous and harmful feature on the roof and the building.

The Planning Services Manager said that there had been no clear and convincing justification provided for the harm that has been identified. Therefore, whilst the proposal will make a small contribution to the effects of climate change it is not considered that it would outweigh the effects of the harm to the listed building.

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

The petitioner, Val Smith, was present and spoke in favour of the application. Ms Smith said the application was extremely important as the project will reduce electricity costs, helping both the Church and many local groups who use the busy premises. The project also hopes to provide help to residents in fuel poverty. The panels will be installed and maintained by Energise Sussex Coast. The panels are not a permanent fixture and after 25 years they will be reviewed. The visibility of the panels sends the message that this is an eco-church. The benefit of these panels is evident and are in

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response to the climate change emergency declared by Hastings Borough Council. The Church of England, as custodians of church buildings, have given overwhelming support for the application.

Councillors asked questions of the petitioner.

In response to a question from the Committee it was confirmed that a structural engineer is looking at the roof to ensure it can take the weight of the solar panels. The petitioner said that after spending many years raising money to replace the Church roof there is no intention to install panels which might damage the structure.

The Planning Services Manager clarified that no data has been submitted to suggest that the solar panels could not be relocated to the inner pitch of the double pitch roof, particularly as these have been identified as solar panels which have high performance in low levels of daylight.

Councillor Battley, Ward Councillor, spoke in favour of the application. Councillor Battley said he appreciates that the Church is a heritage asset, however it must be remembered that the Council voted unanimously last year to declare a climate emergency and do everything to tackle climate change. The Council has a target in its Corporate Plan to champion plans to make the Borough carbon neutral and energy self-sufficient. If we are going to make an impact on climate change, we will have to consider some unusual sites for solar arrays. We should be welcoming proposals of this nature because it is hopefully going to be part of a bigger scheme.

The Committee asked questions of the Planning Services Manager and the Conservation Officer.

In response to a question the Planning Services Manager confirmed there are 2 areas of concern. The first is the impact on the character of the area, to which the church very positively contributes. The second is the impact on the listed building itself.

The Conservation Officer explained that the Government sets the levels of harm in relation to heritage assets. Less than substantial harm covers a broad spectrum. The key issue is the architectural significance of the Church and this is what is supposed to be protected through the listing.

Councillor Scott proposed a motion, seconded by Councillor Marlow-Eastwood, to refuse the application. This motion was rejected by 6 against, to 4 for.

Councillor Davies proposed a motion, seconded by Councillor Edwards, to approve the planning application as set out in the resolution below.

**RESOLVED - (by 6 for, to 4 against) that Full Planning Permission be granted, subject to the following conditions:**

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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: 1518-01A, 1518-08A & 1518-09A.
3. No works shall take place until a glint and glare report has been submitted to and approved in writing by the Local Planning Authority.
4. Before any works are carried out, a roof stability assessment by a qualified structural engineer shall be carried out and submitted to and approved in writing by the Local Planning Authority
5. The solar panels shall be anti-reflective and retained as such thereafter.
6. Prior to the solar array coming into use, the supporting framework shall be painted black to the satisfaction of the local planning authority.
7. Once the solar array has reached the end of its productive life, all of the equipment shall (the panels, supporting frameworks, any associated wiring and other plant), within 3 months of this end date, be removed from the roof and interior of the church. The church roof shall then be re-slatted, in a matching slate, to the satisfaction of the Local Planning Authority.

### Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. In the interest of highways safety and the neighbouring amenity.
4. In the Interest of health and safety and to ensure the listed building is capable of accommodating the solar panels.
5. In the interest of highways safety.
6. To reduce the visual impact of the new installation.
7. To ensure that all unused plant is removed from the roof as soon as possible after it is decommissioned.

### Notes to the Applicant

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1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. In dealing with this application, Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.
3. The applicant is advised in respect of condition 3, that should the glint and glare report demonstrate that there is an unacceptable level of reflection and glare, condition 3 will not be discharged.

### **184. OTHER PLANNING APPLICATIONS**

#### **184.1 Hastings Museum & Art Gallery, Bohemia Road (HS/FA/19/00926)**

Councillor Bishop was not present for all of this item so did not take part in the debate or vote and remained in the public gallery.

<b>Proposal</b>	To install three new sections of high-security fencing and gates at the north, south and east boundaries of the site to permit emergency access and maintenance (amended description).
<b>Application No</b>	HS/FA/19/00926
<b>Conservation Area</b>	No
<b>Listed Building</b>	No
<b>Public Consultation</b>	Yes Council application on Council owned land

The Planning Services Manager presented the application to install three new sections of high-security fencing and gates at the north, south and east boundaries of the site to permit emergency access and maintenance (amended description). There were no updates.

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

The Planning Services Manager stated that the proposed fencing and gates were not visible from the public realm and were not harmful to the character or appearance of the area.

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

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

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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:

BT/M2/4/1, BT/M2/4/2, BT/M2/4/3A, BT/M2/4/4A, BT/M2/4/5A and BT/M2/4/6

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. The materials to be used must be galvanised steel fence posts and gates with galvanised steel wire mesh panels. All posts, gates and mesh are to be polyester powder-coated, colour: green.

### 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 ensure a satisfactory visual appearance in the interest of the amenities 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. The development subject to this application falls within a highlighted proximity of a mains gas pipe which is considered a major hazard. The applicant/ agent/ developer is strongly advised to contact the pipeline operator PRIOR to ANY works being undertaken pursuant to the permission granted/ confirmed by this notice.

Address is:

Southern Gas Networks Plc  
SGN Plant Location Team  
95 Kilbirnie Street  
Glasgow

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G5 8JD

Tel: 01414 184093 OR 0845 0703497

Search online at:

[www.linesearchbeforeyoudig.co.uk](http://www.linesearchbeforeyoudig.co.uk) SGN personnel will contact you accordingly.

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

The Planning Services Manager informed the Committee that the Council is potentially going to enter into a Planning Performance Agreement for Archery Road.

A Planning Performance Agreement is not a legal contract but is an agreement between the Council and the Developer to deal with an application in a certain time period. That is enabled by the Council getting funding from the developer for additional resources.

The report was noted by the Committee.

(The Chair declared the meeting closed at 7.06pm)