

Planning Agenda

Thursday, 17 December 2020 at 6.00 pm

This meeting will be held digitally. A viewing link to this meeting will be posted to our website nearer the time.

For further information, please contact Democratic Services on 01424 451484 or email: democraticservices@hastings.gov.uk

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Present: Councillors Roberts (Chair), Bacon, Davies, Foster, Marlow-Eastwood, O'Callaghan, Patmore and Scott.

The Chair thanked Councillors Beaver and Edwards for their work on the Committee and welcomed Councillors Patmore and Foster as new members of the Committee.

217. APOLOGIES FOR ABSENCE

Apologies for absence received from Councillor Cox and Councillor Bishop. Councillor Bacon gave apologies for having to leave the meeting early.

218. DECLARATIONS OF INTEREST

Councillor	Minute	Declaration
Scott	Any item relating to highways	Personal – East Sussex County Councillor
Patmore	221.1	Prejudicial – Lives opposite the property and has commented on the application in the past
Davies	220.1	Prejudicial – Has been involved in this application as a ward councillor and already has a clear view

219. MINUTES OF PREVIOUS MEETING

RESOLVED – that the minutes of the meeting held on 23 September 2020 be approved by the Chair as a true record.

220. PLANNING APPLICATIONS ATTRACTING A PETITION

220.1 3 Kenwood Close (HS/FA/20/00442)

Because of technical issues this item was moved up the agenda by the Chair.

Proposal	Loft conversion with the inclusion of multiple roof lights, windows within both gable ends and cladding to the rear gable end. Alterations to the arrangement of openings at ground floor level and the replacement with UPVC units finished in anthracite grey. Raised decking to the rear of the property (part retrospective).
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Application No	HS/FA/20/00442
Conservation Area	No
Listed Building	No
Public Consultation	Yes – 14 letters of objection and 1 petition of objection.

Due to a prejudicial interest Councillor Davies left the meeting for the duration of this item.

The Planning Services Manager presented the application for a loft conversion with the inclusion of multiple roof lights, windows within both gable ends and cladding to the rear gable end. Alterations to the arrangement of openings at ground floor level and the replacement with UPVC units finished in anthracite grey. Raised decking to the rear of the property (part retrospective).

Following publication of the agenda a petition of objection was received on Monday, 19th October. All of the matters raised in the petition were already addressed in the report.

The site comprises a detached 3-bedroom bungalow located at the end of a residential cul-de-sac. Kenwood Close principally consists of detached bungalows, some of which have been altered and extended. There are examples of roof lights and dormer windows in the immediate locality and this contributes to the character of the area.

The proposal includes a loft-conversion, three roof lights to facilitate the loft conversion and four lower roof lights to provide high level light to the ground floor. The Planning Services Manager confirmed that the proposal is not for an additional self-contained unit within the existing building. This was originally proposed but the applicant was advised it would be unacceptable and it was therefore withdrawn from the application.

The rear decking will not be visible from the public realm and there will be no impact on the character and appearance of the area. The proposed decking will be slightly larger and higher than the existing patio but not to a large extent.

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

The petitioner, Kim Winborn, was present and spoke against the application. Ms Winborn said the proposal would provide sub-standard accommodation as there would not be sufficient head height. The proposal would allow the occupants to look out into the gardens and windows of residents in Kenwood Close, St Helens Down and Pilot Road. Ms Winborn said that the relocation of the front door less than 1 metre from the boundary with number 4 Kenwood Close is a concern as it will lead to additional noise, light and disturbance for the occupants. The additional glazing will increase light pollution both to surrounding properties and to local wildlife which

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includes badgers and foxes. Residents have asked why an ecologist's report has not been commissioned to assess the impact of light pollution. On site parking has been withdrawn from the application and vehicles associated with the property are currently parked on Kenwood Close. They are primarily parked on the path which blocks the pavement for disabled residents and parents with prams.

Councillors asked questions of the petitioner.

The applicant was not present to speak in favour of the application.

The Planning Services Manager said that the site is not of any special designation and it is very unlikely that there would be any habitat for protected species. Therefore, an ecologist's report is not necessary. As the property is on a residential road it is unlikely an additional window within the roof space will impact on wildlife. Local residents would have to submit their own report to demonstrate otherwise.

Councillors asked questions of the Planning Services Manager. It was confirmed that any concerns about the head height within the loft space would be a matter for Building Control.

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

RESOLVED - (6 for, 1 against) that planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

8440/000 P/01, 8440/001 P/02, 8440/002 P/00, 8440/003 P/00, 8440/004 P/03, 8440/005 P/02, 8440/006 P/01 and 8440/007 P/02

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 property of 3 Kenwood Close, Hastings, TN 2AT shall remain as a single dwelling house and at no time shall be divided into separate residential units.

5. The side panes of the first floor rear gable window shall be obscure glazed with obscure glass to a minimum level of obscurity equivalent to Pilkington Texture Glass

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Level 3, or similar equivalent and be permanently fixed shut and non-opening below 1.7 metres from finished floor level. The development hereby approved shall not be occupied until the obscure glass is installed, and once installed, the window shall be permanently maintained in that condition.

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 ensure a satisfactory standard of development.
5. To safeguard the amenity of adjoining and future 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 applicant is advised that a building regulation submission may be necessary before the works can take place. The applicant is advised to contact Building Control at Wealden District Council on 01892 602005 or by email: building.control@wealden.gov.uk

220.2 40 Marina (HS/FA/20/00230)

Councillor Davies returned to the meeting for the remaining items. Councillor Bacon had to leave the meeting early and left during this item without voting.

Proposal	Proposed new shop front including pavement lights, rear fenestration changes, minor internal changes. Change of use to mixed use E and F1 under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.
Application No	HS/FA/20/00230
Conservation Area	Yes - Burtons' St. Leonards
Listed Building	Grade II

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Public Consultation	Yes - 9 letters of support, 12 letters of objection and 1 petition of objection
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Mr Richard, Assistant Planning and Conservation Officer, presented the application for proposed new shop front including pavement lights, rear fenestration changes, minor internal changes. Change of use to mixed use E and F1 under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

Three late comments were received, 2 objecting and 1 in support. One objection cited the wide application of the new class E and F1 uses and other comments were similar to those already received.

The property comprises a small shop unit with a basement below and flats located above. The property was originally part of a wider development that spanned from numbers 37 to 40 Marina. This particular property is believed to have been split into two shops in the 1920's. The proposal is to put in a traditional, late Victorian style shop front, in line with the design of the shop front next door. At the ground floor level the proposals include a disabled toilet and soundproofing works to the ceiling.

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

The petitioner, Mrs Mount, spoke against the application. Mrs Mount said that residents of 40 Marina spent 3 years campaigning for the sale of the units and welcomed ideas for their return to use. Residents of 40 Marina did not have objections with the proposed art gallery. However, there are fundamental faults with this planning application. The petitioners believe the report ignores environmental health and human rights laws. Environmental health concerns were first raised in June 2019. In January solicitors began providing the petitioners with a clear legal analysis of the application. Conditions are required to address the concerns of noise being conducted through the fabric of the building. There are 3 flats at 40 Marina, above 2 shops. All bedroom windows face the rear of the property, overlooking the rear basement service yard which acts as an echo chamber. Mrs Mount said her flat's 2 bedrooms are above the shop, separated only by a wooden ceiling which provides no sound insulation. Footsteps and conversations can be heard from below. It is unclear how effective the noise mitigation measures will be as modern regulations are not appropriate for an historic building.

Councillors asked questions of Mrs Mount.

The agent, Mr Derhun, was present and spoke in favour of the application. Mr Derhun welcomed the report and made clear that unauthorised works were subsequently rectified. The main thrust of the application has always been adequate sound proofing between the commercial and residential elements. The applicant is investing money into the property and will be involved for the long-term in order to create a sustainable business. Mr Derhun said there had been positive engagement with planners and

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there is no intention to do anything other than adhere to regulations and keep all parties happy.

Councillors asked questions of the agent.

The Assistant Planning and Conservation Officer said that a balance has to be struck between enhancing and sustaining the character and appearance of the conservation area, and dealing with residential and amenity issues including soundproofing, rear access and the use of the building. Details of the acoustic insulation will have to be submitted to, and approved by, the Local Planning Authority and the Local Building Control Partnership. The use class is being restricted within Class E to avoid any use which may not be suitable for the type of building.

Councillors asked questions of the officer.

The Planning Services Manager informed the Committee that condition number 7 should include 'gallery' after the words 'retail shop' as the application is for a retail shop with gallery.

Councillor Marlow-Eastwood proposed a motion, subject to the amendment to condition 7, seconded by Councillor O'Callaghan, to approve the planning 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:

SD/725/01a, SD/725/02c, SD/725/03b, SD/725/04d, SD/725/05a and SD/725/06a

3. Building works required to carry out the development and the delivery of goods to and from the premises during construction 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 use hereby permitted shall not commence until details of the acoustic insulation have been submitted to and approved in writing by the Local Planning Authority and has also been approved by the Building Control Partnership. The acoustic insulation, as approved, shall then be installed prior to the use hereby approved commencing.

5. The development may only open to the public between the following times:

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Monday - Sunday 9am - 9pm inclusive of Bank Holidays.

Deliveries of goods to the premises shall be made to the front of the building (Marina) and may only occur between the following times:

Monday - Saturday: 8am - 6pm

Sunday and Bank Holidays: 8am - 4pm

6. The development shall not be occupied until details of refuse storage have been submitted to and approved in writing by the Local Planning Authority. If the refuse bins or storage area is located within a building, suitable ventilation and sound proofing, where appropriate, shall be included within the details. Details shall also include refuse bin collection points, where relevant.

The use approved shall not commence until the all the approved details have been implemented. The refuse store and bin collection point (if required) shall thereafter be retained in perpetuity.

7. Notwithstanding the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 the use of the property shall be restricted to use as a retail shop, gallery, provision of financial and professional services, and use as an office under Class E and as a Museum and Exhibition Hall under class F1.

8. The commercial use of the basement and ground floors, hereby approved, applies to the internal areas of the building only. The rear courtyard may not be used for commercial purposes.

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 safeguard the amenity of adjoining residents.
5. To safeguard the amenity of adjoining residents.
6. In order to secure a well-planned development that functions well, protects the visual amenities of the area and the living conditions of future residents.
7. To safeguard the amenity of adjoining residents.
8. To safeguard the amenity of adjoining residents.

Notes to the Applicant

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

220.3 40 Marina (HS/LB/20/00231)

Proposal	Proposed new shop front including pavement lights, rear fenestration changes, minor internal changes. Change of use to mixed use E and F1 under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.
Application No	HS/LB/20/00231
Conservation Area	Yes - Burtons' St. Leonards
Listed Building	Grade II
Public Consultation	Yes – 7 letters of objection and 1 petition of objection

The Assistant Planning and Conservation Officer presented the Listed Building Consent application for proposed new shop front including pavement lights, rear fenestration changes, minor internal changes. Change of use to mixed use E and F1 under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

Two late comments were received after the publication of the report. Both were letters of objection similar in theme to previously received comments.

The property was originally a 17-bedroom dwelling, since converted into shops and subsequently amalgamated to form a department store. In more recent years the amalgamation has been reversed back into single units. The proposed new shop front will be of great benefit to the heritage asset and replaces a 1970's shop front which was detrimental to the area. Overall the proposal does not cause any harm and will not involve the removal of historic fabric.

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

The petitioner, Mrs Mount, spoke against the application. Mrs Mount said that although the sound proofing will meet building regulations it is unclear how effective it will be as modern building regulations are not always appropriate for historic buildings. The regulations acknowledge in Part E that there should be special consideration for this type of building.

The agent, Mr Derhun, spoke in favour of the application. Mr Derhun apologised for advising his client that he could demolish the rear structure without approval. The structure was a 1970's blockwork construction and was detrimental to the fabric of the building. The ultimate goal is to get the property back to its original status and breathe new life into the building.

There were no questions to the petitioner or agent.

The Assistant Planning and Conservation Officer said that whilst he understood the concerns regarding the soundproofing it would be a waste of a good opportunity to enhance the character and appearance of the conservation area, and the listed building, to not allow this use. Both the agent and the applicant have been reminded that it is a criminal offence to carry out works to a listed building without consent. However, Mr Derhun is correct in that the significance of the fabric removed is negligible.

There were no questions to the officer.

Councillor O'Callaghan proposed a motion, seconded by Councillor Davies, to approve Listed Building Consent as set out in the resolution below.

RESOLVED - (unanimously) that Listed Building Consent be granted subject to the following conditions:

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

SD/725/01a, SD/725/02c, SD/725/03b, SD/725/04d, SD/725/05a and SD/725/06a

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. Prior to plastering works commencing at basement level, details of lime based materials to be used for plastering and refinishing the rear basement room are to be submitted to the Local Planning Authority for approval. The plastering works as approved shall be completed prior to commencement of the use hereby approved.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.

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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 materials used do not harm the designated heritage asset.

Notes to the Applicant

1. Failure to comply with any condition imposed on this consent 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.

The reason for granting this consent is:

1. National Planning Policy Framework Section 16 applies. The works proposed will positively enhance the designated heritage asset.

221. OTHER PLANNING APPLICATIONS

221.1 29 Boscobel Road (HS/FA/20/00092)

Proposal	Variation of condition 2 (approved plans) of planning permission HS/FA/17/00344 - Change of use from C2 (residential institution) to 6 x 2 bedroom flats C3 (residential) - Amendments - alteration to front porch, alterations to openings within north, south and west elevations, creation of new pathways including ramped access to front porch, alterations to rear single storey projection to include revised roof and alterations to the internal floor layouts (part-retrospective) (amended description).
Application No	HS/FA/20/00092
Conservation Area	Yes - Burtons' St. Leonards
Listed Building	No
Public Consultation	Yes – 12 letters of objection

Due to a prejudicial interest Councillor Patmore left the meeting.

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The Planning Services Manager presented the application for variation of condition 2 (approved plans) of planning permission HS/FA/17/00344 - Change of use from C2 (residential institution) to 6 x 2 bedroom flats C3 (residential).

The proposed amendments to the previously approved planning application include alteration to front porch, alterations to openings within north, south and west elevations, creation of new pathways including ramped access to front porch and alterations to rear single storey projection to include revised roof and alterations to the internal floor layouts (part-retrospective) (amended description).

The site comprises a substantial two storey detached building previously used as a care home but currently vacant. The building is within the Burton St Leonards Conservation Area.

The proposed amendments are minor and the application is not considered to harm neighbouring residential amenity. The Conservation Officer raised no objection and the application is considered to be in accordance with Local Plan policies.

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

Councillors asked questions of the Planning Services Manager.

Councillor Roberts proposed a motion, seconded by Councillor Davies, to approve the planning 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:

Site location plan, STL29BR101, STL29BR102, STL29BR107, STL29BR302 REV H, STL29BR303 REV D, STL29BR304 REV B, STL29BR305 REV A, STL29BR306 REV A, STL29BR308 and STL29BR309

2. The materials to be used to update the external surfaces shall match the colour and style used in the existing building.

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. No part of the development shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. The area shall

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thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

5. 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

6. Notwithstanding that shown on the approved drawings no flat hereby approved shall be occupied until refuse storage and collection areas have been provided in accordance with details submitted to and approved in writing by the Local Planning Authority.

7. Prior to the occupation of the flats, the ground floor window (north elevation) serving the lounge of flat No. 2 shall be fitted with obscure glass and shall be non-openable and the second floor window (north elevation) serving the stairs/stairwell shall be fitted with obscure glass, and once fitted, the windows shall be permanently maintained in that condition.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. In the interests of the visual amenity of the area.
3. To safeguard the amenity of adjoining and future residents.
4. To provide car-parking space for the development
5. To provide alternative travel options to the use of the car in accordance with current sustainable transport policies
6. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
7. To safeguard the amenity of adjoining and future 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.

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4. The applicant is advised that flats 4 and 6 only meet the minimum floor space requirements for a 2 bedroomed, 3 person unit, and as such bedroom 2 of each flat should therefore only be used for a single person. It is also acknowledged that bedroom 2 of flat 5 only meets the minimum floor space requirement for a single bedroom and therefore should only be used by a single person.
5. 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.
6. 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

G5 8JD

Tel: 01414 184093 OR 0845 0703497

Search online at:

www.linerearchbeforeyoudig.co.uk

SGN personnel will contact you accordingly.

222. PLANNING APPEALS AND DELEGATED DECISIONS

The Committee noted the report.

(The Chair declared the meeting closed at 7.55 pm)

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Present: Councillors Roberts (Chair), Cox (Vice-Chair), Bacon, Bishop, Foster, Marlow-Eastwood, O'Callaghan and Patmore.

223. APOLOGIES FOR ABSENCE

None received.

224. DECLARATIONS OF INTEREST

None received.

225. MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting will be verified at the next meeting.

226. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None received.

227. PLANNING APPLICATIONS

227a 8-10 Clifton Road, Hastings (HS/FA/20/00248)

Proposal	Change of use from Care Home (C2) to a 17 bedroom HMO (Sui Generis), including permanent onsite staff accommodation/office at basement level and the addition of ground floor roof lights (amended description).
Application No	HS/FA/20/00248
Listed Building	No
Public Consultation	6 letters of objection

The Senior Planning Officer presented the application for change of use from Care Home (C2) to a 17 bedroom HMO (Sui Generis), including permanent onsite staff accommodation/office at basement level and the addition of ground floor roof lights.

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

The application fronts onto Clifton Road. Frederick Road runs to the west of the site and Speckled Wood is on the east. The site is in a residential area, close to public services and shops and a bus stop is directly outside, which goes to Hastings train station and Tesco Hollington.

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The Senior Planning Officer explained that there is no onsite parking provision. East Sussex County Council was consulted on the application and raised no objection. Typically, a development of this scale would require 5 parking spaces, however given the type of accommodation that is proposed, which is temporary, generally the level of car ownership is far less. As a result of the type of accommodation and the accessibility to public transport links the development is not considered to have a significant impact on the parking demand in the area.

The roof lights are proposed on the flat roof towards the rear of the building. The boundary fence runs along Clifton Road and is where the amenity space will be.

There are proposed changes to the internal layout to the building to provide additional kitchen and bathroom facilities on the basement and ground floors. The internal layout and bedroom sizes are compliant with Hastings Borough Council's guidance on housing in multiple occupation and amenity standards and there were no objections raised to the internal layout by HMO Licensing. The internal layout of the building is secured by Condition 5, which protects the future amenities of occupiers but also the retention of staff accommodation at basement level. The application is also supported by a management plan which is secured by Condition 6, which outlines that staff accommodation will be provided.

Councillor Cox proposed a motion, seconded by Councillor O'Callaghan, to approve the planning application.

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: Site Location Plan, Block Plan, ENA-001-125, 1505-100, 1505-101, 1505-110 Rev B and 1505-111 Rev B.
3. The development shall not be occupied or brought into use until cycle parking areas have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The cycle parking area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
4. The development shall not be occupied until details of refuse storage have been submitted to and approved in writing by the Local Planning Authority. Details shall also include refuse bin collection points, where relevant. The refuse storage area and collection point shall thereafter be retained for that purpose.
5. The use of the property hereby approved shall at all times operate in accordance with the layout as shown on approved drawing nos. 1505-111 Rev B and 1505-11-Rev B with no alteration to the internal layout, unless first otherwise agreed in writing with the Local Planning Authority.
6. The development hereby approved shall be managed in accordance with the Clifton Residence Management Plan Dated June 2020. Any subsequent revisions or

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amendments to the management plan, shall be agreed in writing with the Local Planning Authority prior to any changes made.

7. No external lighting scheme shall be installed unless full details of the provisions for the avoidance of 'Spill light', that is to say light that obtrudes beyond the area it was intended to light and into surrounding areas or onto surrounding properties, has been submitted to and approved in writing by the Local Planning Authority. Any external lighting scheme shall be installed and maintained in accordance with the approved details.

8. No House in Multiple Occupation (HMO) room hereby approved shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority indicating that the approved HMO rooms conform to the 'indoor ambient noise levels for dwellings' guideline values specified within BS 8233:2014. The approved sound insulation and noise reduction measures shall be installed prior to occupation and in accordance with the approved details and retained as approved thereafter.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development
4. In order to secure a well planned development that functions well, protects the visual amenities of the area and the living conditions of future residents.
5. In the interests of local character, the amenity of neighbouring residential occupiers and to ensure that occupants have a good living standard of accommodation.
6. In order to secure a well managed development, protects the visual amenities of the area, the living conditions of future occupiers and in the interests of neighbouring residential amenity.
7. In the interests of neighbouring residential amenity.
8. In the interests of the amenity of the future occupiers of the HMO rooms.

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

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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
G5 8JD
Tel: 01414 184093 OR 0845 0703497
Search online at:
www.linesearchbeforeyoudig.co.uk
SGN personnel will contact you accordingly.
4. Waste should be contained within 1280 litre bins, to be supplied by the developer.

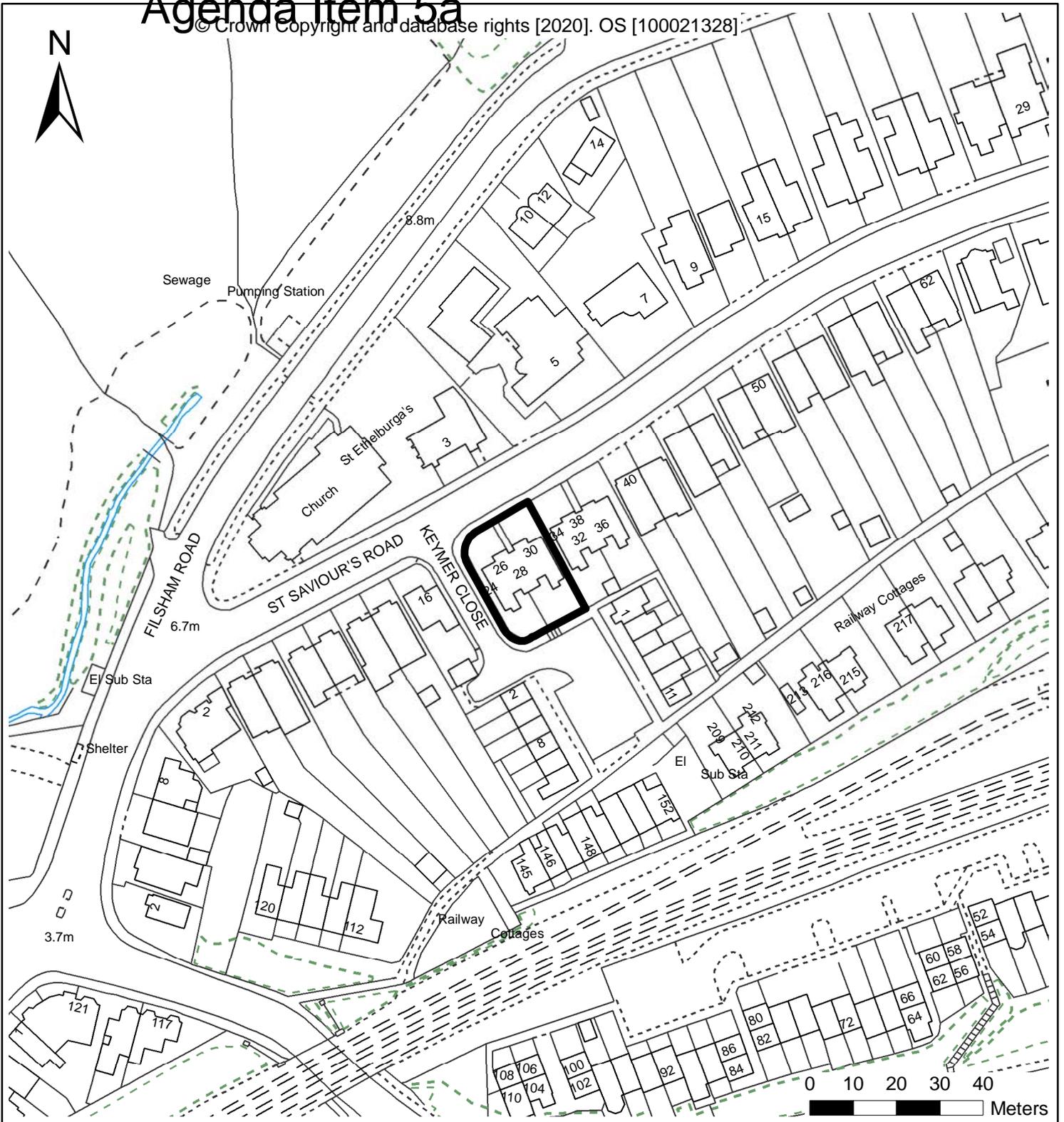
228. PLANNING APPEALS AND DELEGATED DECISIONS

The Committee noted the report.

(The Chair declared the meeting closed at 6:18pm)

Agenda Item 5a

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**24-30 St Saviours Road
St Leonards-on-sea
TN38 0AP**

Proposed alterations to existing roof design with the formation of gable ends and formation of a new rear mansard roof in order to provide a one bed self-contained flat



Assistant Director Housing & Built Environment
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Date: Dec 2020

Scale: 1:1,250

Application No. HS/FA/20/00518

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Report to: PLANNING COMMITTEE

Date of Meeting: 17 December 2020

Report from: Assistant Director of Housing and Built Environment

Application address: 24-30 St Saviours Road, St Leonards-on-sea, TN38 0AP

Proposal: Proposed alterations to existing roof design with the formation of gable ends and formation of a new rear mansard roof in order to provide a one bed self-contained flat

Application No: HS/FA/20/00518

Recommendation: Grant Full Planning Permission

Ward: WEST ST LEONARDS 2018
Conservation Area: No
Listed Building: No

Applicant: Mr Cheeseman per Elevations Design Ltd Junction House 1 Sedlescombe Road South St Leonards on Sea, East Sussex. TN38 0TA

Public Consultation

Site notice:	Yes
Press advertisement:	No
Neighbour Letters:	No
People objecting:	18
Petitions of objection received:	0
People in support:	0
Petitions of support received:	0
Neutral comments received:	0

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

1. Site and surrounding area

The site comprises of a large, two-storey detached property located on the south eastern side of St Saviours Road. The property is currently divided into 4 flats, and sits in an elevated position which is higher than the road. A retaining wall forms the front boundary wall following the downwards slope of the road from east to west. The building is one of two, which are the same in design and incorporate a pitched roof, front gables and sash windows. St Saviours Road is predominately residential and consists of buildings of varied character and design.

The application building is located on the corner of St Saviours Road and Keymer Close, which forms a square of dwellings to the rear, with a parking area for residents of the Close at the centre. No dedicated parking exists for the application site, although uncontrolled, on-street parking is available along the majority of the length of St Saviours Road.

To the rear of the site, ground works have commenced involving the excavation of earth, the removal of a tree/shrubs, the removal of a retaining wall and the erection of a fence in the existing rear garden area. These works do not form part of this application (as confirmed by the agent) and will not be discussed in the remainder of the report. The agent/applicant has been advised that planning permission is required for these works, however their inclusion within this application is not essential to its assessment or acceptability of the application under consideration. Please note that the removal of a tree that is not in a Conservation Area and not covered by a Tree Preservation Order is permitted without the submission of an application to the Council.

Constraints

Historic Landfill Site 250 metre buffer

SSSI Impact Risk Zone, the thresholds of which are not exceeded.

2. Proposed development

It is proposed to convert the existing loft space of the building into a 1 bedroom self-contained flat. The proposed alterations to the existing roof design include; the formation of gable ends, a rear mansard roof served by 5 dormer windows.

The external materials will match those used on the existing building.

A ventilated bin storage area will be provided inside the flat and also within the communal hallway on the ground floor. Cycle storage will also be provided within the communal hallway on the ground floor.

Relevant planning history

HS/FA/17/00123 Construction of mansard roof to provide two apartments with associated dormer windows and rooflights. Access and front garden altered to provide communal bin store. Refused. 31.7.17

National and local policies

Hastings Local Plan – Planning Strategy 2014

Policy DS1 - New Housing Development

Policy FA1 - Strategic Policy for Western Area

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

Policy H2 - Housing Mix

Hastings Local Plan – Development Management Plan 2015]

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

Policy DM4 - General Access

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.

Other policies/guidance

National Design Guide

East Sussex County Council - Minor Planning Application Guidance (2017)

East Sussex County Council Car Ownership Parking Demand Tool

Department for Communities and Local Government - Technical housing standards - nationally described space standards.

3. Consultation comments

There were no consultees for this application.

4. Representations

In respect of this application site notices were displayed on St Saviour's Road and Keymer Close. In total 21 letters of representation were received from 18 different properties. These have raised the following concerns;

- Not in keeping with the character of the area
- Will upset the symmetry of the pair of identical properties
- Increase parking demand
- Loss of privacy
- Concern for the access and exit of residents in the event of a fire
- Roof is bulky and awkward combination of pitched and flat roof
- Detrimental to the value of neighbouring properties (officer comment - this is not a material planning consideration)
- Unsightly when viewed from Keymer Close
- The flats numbers have been incorrectly annotated on the plans (officer comment - this was double checked on site and with the freeholder, and is correct)
- Extra bins would be required on the highway which would be unsightly (officer comment - this has been amended, please see paragraph g)
- Proposed cycle storage would be in the demise of No.28 St Saviours (officer comment - this has been amended, please see paragraph h)
- Works to create a car parking space, remove a retaining wall, excavate soil and erect a fence have taken place at the rear of the site (officer comment - as discussed already these works do not form part of this application)
- The bathroom and kitchen should be located on the west side of the building to enable greater ease of connection to existing pipe work (officer comment - this is not a material planning consideration)
- The freeholder has taken over and wants to extend before maintaining the building (officer comment - this is a civil matter)
- There is poor fire safety in the building (officer comment - this is not a material planning consideration)
- Bin area should not be in communal hallway because of smell

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 the character and appearance of the area

Policy DM1 of the Hastings Development Management Plan states that all proposals must reach a good standard of design.

The proposed development would see significant alterations to the roof to accommodate a one-bedroom, self-contained flat. The application building is one of two buildings of the exact same character and design, but is set on a lower level due to the topography of St Saviours Road.

This part of St Saviours Road is characterised by a mix of different building types including; two-storey and single-storey detached, two-storey semi-detached and terraced properties. The roof forms are varied and consist of hipped and gable ends and some properties have unsympathetic two-storey flat roofed extensions and large bulky dormers, which are visible in the street scene. Overall, the character and design features of buildings within the street scene is varied.

The application building is highly prominent because of its elevated position and relationship to the surrounding development. The alterations to the roof would see the ridge line extended the whole length of the building and the hipped ends raised to gables. The rear roof would be altered to a mansard style roof with five dormer windows. It is acknowledged that the proposed alterations to the roof will add additional bulk, however this is not considered to be out of proportion with the host building. The alterations will remove the symmetry currently displayed with the adjacent property, 32-38 St Saviours Road, however, given the application building is on a lower ground level, the difference in roof form will not be so blatant. Overall, the proposed alterations are not considered to cause significant harm to the character of the area and therefore a refusal of planning permission cannot be justified. As discussed above, St Saviours Road is characterised by different buildings of varying character and design. The positive features of the host dwelling such as the two projecting front gables, which is a consistent feature in the street scene, will not be altered. For the reasons stated above, the proposed development is consistent with Policy DM1 of the Hastings Development Management Plan.

c) Proposed residential use

The proposed development would see the creation of a one bedroom, self-contained flat. Policy H2 of the Planning Strategy states the Council wishes to encourage a greater variety of provision in terms of dwelling types and sizes. In particular, the provision of larger homes (3 or more bedrooms) given the bias in the stock towards smaller dwellings and flats. St Saviours Road does contain a mix of different dwelling types and sizes. The proposed flat is limited in size and could not offer three bedrooms. The application building does not have any off-street parking and the proposed flat would not have its own private external amenity space. It is considered that the proposed development, which offers a good sized,

one-bedroom flat is more suitable for this location. The proposed development is therefore in accordance with Policy H2 of the Planning Strategy.

d) Impact on neighbouring residential amenities

Policy DM3 of Hastings Development Management Plan requires new development to avoid any adverse impact on the amenity of neighbouring properties. The proposed conversion of the loft to a self-contained flat is consistent with the existing residential use of the building, and surrounding buildings; therefore, not causing detriment to neighbouring residential amenity.

The proposed development includes alterations to the existing roof. These alterations are not considered to have an unacceptable impact on the outlook or light enjoyed by surrounding residential properties. The proposal also includes the addition of five dormer windows on the rear elevation. The outlook from these dormers will be towards the central parking area of Keymer Close and not directly into the private amenity space of surrounding neighbouring properties.

For these reasons, the proposed development would not have an unacceptable impact on the living conditions of neighbouring properties and is therefore in accordance with Policy DM3 of the Hastings Development Management Plan.

e) Future residential amenities

Policy DM3 of Hastings Development Management Plan requires dwellings to be designed to allow residents to live comfortably and conveniently with sufficient internal space and provide appropriate levels of private external space.

Internal Accommodation

The Technical Housing Standards (nationally described space standards) as produced by the Department for Communities and Local Government requires dwellings to have to minimum floor area. The internal floor area is as follows;

- One bedroom, two person flat - approximately 63 square metres.

The Technical Housing Standards also stipulates the minimum size requirements for bedrooms. This is 11.5m² for a double bed space and 7.5m² for a single.

The proposed one-bedroom, self-contained flat over one floor exceeds the minimum internal floor area requirements for two persons and the bedroom complies with the minimum size requirements.

External Accommodation

Policy DM3 of Hastings Development Management Plan requires new development to provide appropriate levels of private external space.

The proposed flat would have no private amenity space, which is consistent with the flats on the upper floors. The building is within walking distance of the Seafront and it is considered appropriate, in this instance, to assume that future occupants can make use of this public

space and the situation will remain consistent with the residential units on the upper floors of this building and with other flats along St Saviours Road.

f) Highway safety/parking

The application site is within a sustainable location, in close proximity to shops, local services and good public transport links. The proposed development would have a nil parking provision. There is uncontrolled on-street parking available at the front along St Saviours Road. Using the East Sussex County Council Parking Demand Tool, the proposed flat would have a parking demand of 1.02. Whilst this demonstrates that one car parking space is normally required for a development of this type, in this area, the addition of 1 x one-bedroom flat is not considered to have a significant impact on the parking demand in the area. The site is situated in a sustainable location with good pedestrian access to public transport and local facilities and therefore future occupants would not be wholly reliant on private cars to access everyday services and facilities. For the reasons outlined, the absence of any on-site parking in this location is acceptable and would be in keeping with the surrounding residential development.

East Sussex County Council Minor Application Guidance states that for a one or two bed flat, 0.5 cycle spaces should be provided if communal or 1 cycle space if individual. Plan 19.153.1E shows a cycle storage area at ground floor level in the communal hallway. Condition 5 secures the provision and retention of the cycle storage area.

g) Waste and Refuse

Part H of the Building Regulations sets out that waste containers should be sited so that residents don't have to push the container more than 30m to an accessible collection point, so any collection points for bins should be within that distance. This should also be no more than 25m from the point where the refuse vehicle stops to collect the bin.

It is proposed to install a ventilated bin storage area within the flat and also within the communal entrance hallway. This would mean that on the day of collection waste storage bags would be presented on the highway, next to an existing collection point, used by existing flats within the building. Condition 4 secures the provision, maintenance and retention of the ventilated bin storage area.

h) 5 Year Housing Land Supply

As the Council cannot demonstrate a 5-year housing supply at this time, the tilted balance of NPPF paragraph 11d) is engaged. The recommendation is for approval and the need to deliver housing adds further weight in favour of granting planning permission.

6. Conclusion

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.

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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
3. The development hereby permitted shall be carried out in accordance with the following approved plans:

19.153.1.A, 19.153.1.E
4. The development shall not be occupied or brought into use until the waste storage facilities have been provided in accordance with plan 19.153.1.E. The ventilated bin storage area(s) shall be maintained as such and retained for that use only.
5. The development shall not be occupied or brought into use until the cycle storage facilities for the new residential unit have been provided in accordance with plan 19.153.1.E. The area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
6. Both internal and external building works required to carry out the development allowed by this permission must only be carried out within the following times:-

Monday to Friday: 08.00 - 18.00

Saturday: 08.00 - 13.00

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. In the interests of the visual amenity of the area.
3. For the avoidance of doubt and in the interests of proper planning.
4. In order to secure a well planned development that functions properly.
5. In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.
6. To protect the amenity of the occupiers of nearby properties.

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 advised that the works at the rear of the site do not form part of this application and a separate application for planning permission is required.
-

Officer to Contact

Rebecca Fellows, Telephone 01424 783253

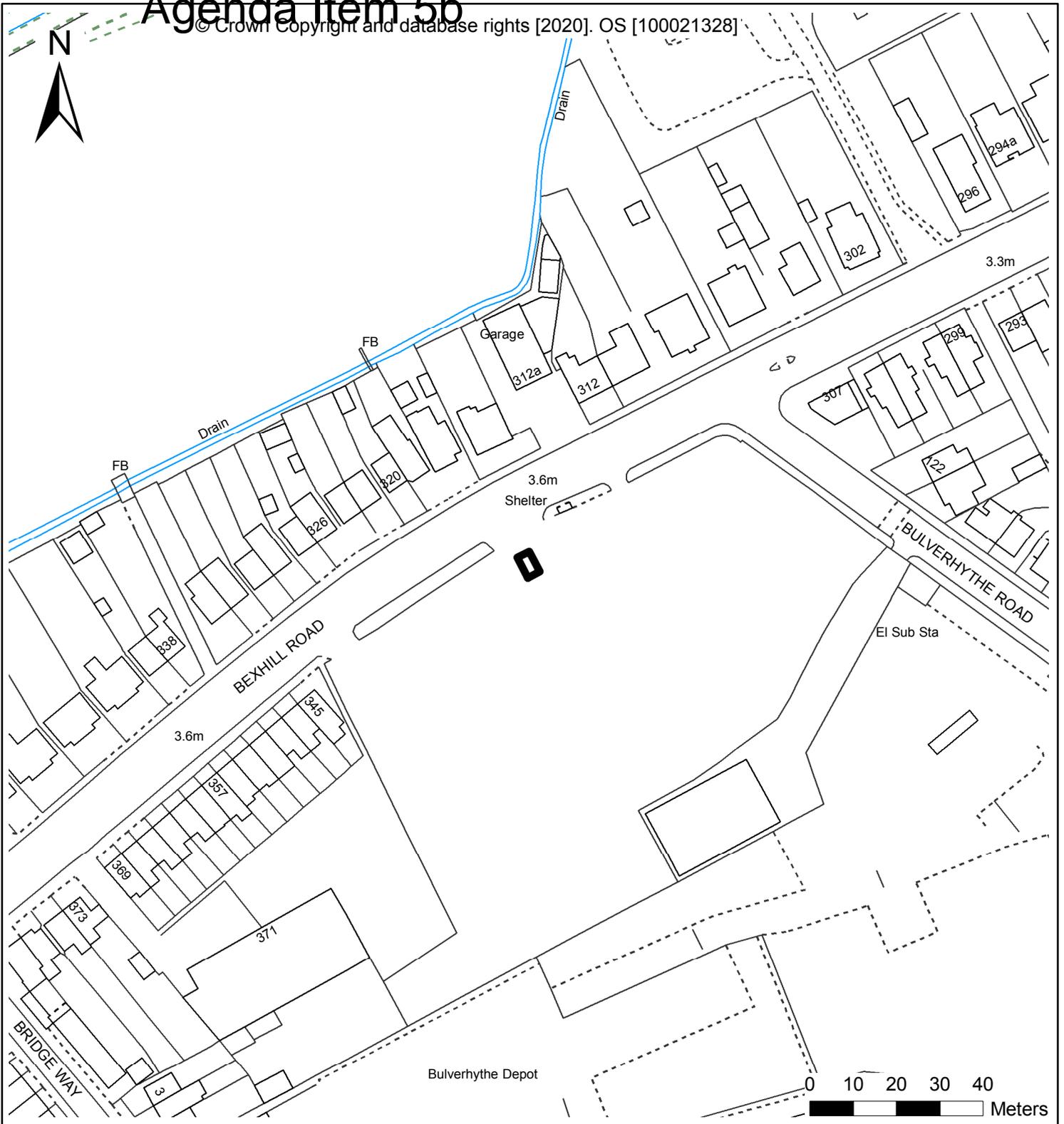
Background Papers

Application No: HS/FA/20/00518 including all letters and documents

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Agenda Item 5b

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Bulverhythe Retail Park
Bexhill Road
St Leonards-on-sea

Proposed Managing Agent Sign on Existing Totem



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

Date: Dec 2020

Scale: 1:1,250

Application No. HS/AA/20/00587

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Report to: PLANNING COMMITTEE

Date of Meeting: 17 December 2020

Report from: Assistant Director of Housing and Built Environment

Application address: **Bulverhythe Retail Park, Bexhill Road, St Leonards-on-sea**

Proposal: **Proposed Managing Agent Sign on Existing Totem**

Application No: **HS/AA/20/00587**

Recommendation: **Grant Advertisement Consent**

Ward: WEST ST LEONARDS 2018
Conservation Area: No
Listed Building: No

Applicant: Estates Service Muriel Matters Breeds Place
Hastings TN34 3UY

Public Consultation

Site notice:	Yes
Press advertisement:	No
Neighbour Letters:	No
People objecting:	0
Petitions of objection received:	0
People in 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

This application relates to an existing totem pole to support advertisements for businesses within the site. The totem pole was approved under application HS/AA/18/00621 and is positioned to the front of the site near the access of the Bulverhythe Retail Park. This retail site was originally approved under application HS/FA/17/00941 for the erection of two buildings to provide one supermarket (A1) and two smaller A1/A3 units, with a revised scheme approved under application HS/FA/19/00495 for the sub-division of the two smaller units into three units. The units have now all largely been built and completed on site, with

an Aldi Supermarket, Costa Coffee and Greggs. The site is located in an area containing a mix of residential, commercial and industrial premises and is abutted by the busy Bexhill Road with residential properties positioned opposite and to the east of the site. To the rear of the site there is a building yard, Hastings Self-Storage facility and a waste transfer facility. It is acknowledged there are a number of signs affixed to the units of the retail park and the associated totem pole which can easily be seen from the public realm.

Constraints

SSSI Impact Risk Zone (threshold not exceeded)
Land Owned by Hastings Borough Council
Groundwater Flooding
Pevensey Cuckmere Water Levels Board
Climate Change Outline Tidal 200 Years and 1000 years 20%
Authorised and Historic Landfill Site 250m Buffer
Flood Zones 2 and 3 Environment Agency

2. Proposed development

This application is seeking consent for a sign to be placed at the base of the approved totem pole. The sign advertises the management company associated with the site. The approved totem pole is positioned adjacent to the entrance of the Bulverhythe Retail Park.

The proposed sign will measure 0.65m from the ground and will measure 0.6m in height by 1.6m in width. The sign will be positioned to sit fairly flush on the existing totem and will project 0.003m. The sign will be constructed of aluminium with black and orange cut vinyl graphics on a white background and will be non-illuminated.

Relevant planning history

- HS/AA/20/00193 Three vinyl graphics to side and rear elevations (amended description)
Permission with conditions on 26/06/20
- HS/AA/19/00946 Proposed signage:
Sign 01: 2070 x 2470mm Internally illuminated Aldi Logo Signcase Sign
02: 760 x 2150mm non-illuminated Aldi Welcome Vinyl on glazing Sign
03: 1240 x 1480mm non-illuminated Aldi Logo Vinyl on glazing Sign 04:
2070 x 2470mm Internally illuminated Aldi Logo Signcase Sign 05: 1600
x 1600mm Double faced, internally illuminated Aldi Logo Signcase on
Totem.
Permission with conditions on 06/04/20
- HS/FA/19/00927 Variation of conditions 2 (Approved Plans) 5 (Car Parking) 6 (Cycle
Parking) and 22 (Soft Landscaping) of Planning Permissions
HS/FA/19/00495, HS/FA/18/00562 and original consent
HS/FA/17/00941(Redevelopment of site to form 2 buildings comprising
A1 & A3 units) - Amendments - Elevational alterations to Unit 2 and
alterations to the landscaping in the vicinity of the retail units in the
addition of 3 small litter bins
Permission with conditions on 11/02/20

- HS/FA/19/00495 Variation of conditions 2 (Approved Plans) 5 (Car Parking) 6 (Cycle Parking) and 22 (Soft Landscaping) of planning permission HS/FA/18/00562 (Variation of Condition 27 (Opening Hours) of planning application HS/FA/17/00941) Amendments - Elevational alterations and sub-division of Units 2 and 3 to provide an additional Use Class A1/A3 unit, enlarge refuse area, alterations to landscaping and outdoor seating, replacement ornamental boundary treatment, hard landscaping changes and extension to timber fence.
Permission with conditions on 08/10/19
- HS/AA/19/00545 Three fascia signs and two internal posters to unit 2 (amended description).
Permission with conditions on 13/09/19
- HS/FA/19/00544 Three fascia signs and two internal posters to unit 2 (amended description).
Permission with conditions on 13/09/19
- HS/FA/18/00929 Variation of conditions 2 (approved plans) and 10 (Traffic Regulation Order) of HS/FA/18/00562 and HS/FA/17/00941 (Demolition of existing buildings on site and erection of two buildings to provide one supermarket (A1) and two smaller A1/A3 units along with the relocation of vehicular access, provision of car and cycle parking, delivery and servicing facilities, hard and soft landscaping and associated development)) - Variations include external materials of units 2 and 3, amendment to site layout and soft landscaping along with clearance and demolition work timing.
Permission with conditions on 19/02/19
- HS/FA/18/00562 Variation of Condition 27 (Opening Hours) of planning application HS/FA/17/00941.
Permission with conditions on 13/09/18
- HS/AA/18/00621 1 no. illuminated totem sign
Permission with conditions on 05/09/18
- HS/FA/17/00941 Demolition of existing buildings on site and erection of two buildings to provide one supermarket (A1) and two smaller A1/A3 units along with the relocation of vehicular access, provision of car and cycle parking, delivery and servicing facilities, hard and soft landscaping and associated development.
Permission with conditions on 07/06/18

National and local policies

Hastings Local Plan – Planning Strategy 2014

Policy FA1 - Strategic Policy for Western 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

Policy DM4 - General Access

Other policies/guidance

National Design Guide

Supplementary Planning Document - Shopfronts and Advertisements

Highways East Sussex County Council Minor Planning Application Guidance (2017)

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 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 132 states that advertisements which are poorly sited and designed can harmfully affect the quality and character of places. It further states that applications for advertisement consent should be assessed having regard to the interests of amenity and public safety only, having regard to cumulative impacts.

3. Consultation comments

East Sussex County Council Highways - **No objection subject to conditions**

1. There shall be a minimum clearance of 2.1 metres from the footway/verge level to the underside of the projecting sign.
2. The level of illumination shall not exceed that recommended by the Institute of Lighting Engineers in its current Technical Report Number 5.

The proposed sign will be attached to the existing totem pole and will sit fairly flush, as such the existing arrangement will remain the same and so it is not considered this condition is required in this instance.

The proposed sign will be non-illuminated, as such it is not considered that this condition is relevant in this case.

4. Representations

In respect of this application a site notice was displayed to the front of the site along Bexhill Road. No responses were received.

5. Determining issues

The Town and Country Planning (Control of Advertisements) Regulations 2007 require that applications for advertisement consent are assessed in terms of their impact on amenity and public safety. There are no specific local plan policies in respect of advertisements but general policies such as DM1 and DM3 of the Hastings Development Management Local Plan (2015) apply, which require development to have regard to both the character of the area and neighbouring residential amenity.

a) Impact on amenity

Policy DM3 (i) of the Hastings Local Plan - Development Management Plan (2015) states, outdoor advertisements and signs should not detrimentally affect the appearance of any building(s) and/or the surrounding area and should not result in a danger to the public highway.

The proposed agent sign is to be attached to the existing totem pole which displays the name of the site and the businesses within. It is located at the entrance of this park but set back from the public highway. The totem pole is situated within the approved development site which comprises of an Aldi supermarket (A1) and a number of smaller A1/A3 units. As mentioned above the site is located in an area containing a mix of residential, commercial and industrial premises and is located nearby to the busy Bexhill Road. As such, the proposed agent sign will be visible from certain viewpoints.

The proposed agent sign will be of a moderate size and will be attached to the brickwork base of the existing totem pole. The development site is not listed or within a conservation area or nearby to any listed buildings or conservation areas. The design of the proposed sign will provide a professional appearance and will relate well to the existing totem and other signs attached and is considered appropriate and acceptable within this commercial setting.

As noted above, the site is located nearby to residential uses with residential properties positioned opposite and to the east of the site. As such, any proposed signage needs to be carefully considered to ensure that it does not harmfully impact upon the amenity of the neighbouring properties. The proposed agent sign will be non-illuminated with the white vinyl being non-reflective. It is also acknowledged that the existing totem and associated signage faces away from the neighbouring properties opposite the site and is positioned a considerable distance away. As such, it is not considered that the proposed agent sign will

have a harmful impact upon any of these neighbouring properties. No objections have been received from members of the public following consultation.

In view of the above, it is considered the proposed agent sign will not harm the character and appearance of this approved commercial area or the surrounding residential area and is thereby in agreement with Policy DM3 of the Hastings Local Plan - Development Management Plan (2015).

b) Impact on public safety

Policy DM3 (i) of the Hastings Local Plan - Development Management Plan (2015) states, outdoor advertisements and signs should not detrimentally affect the appearance of any building(s) and/or the surrounding area and should not result in a danger to the public highway.

The proposed agent sign is to be attached to the existing totem pole which advertises the park and is located at the entrance of this park but set back from the public highway. Although, it is acknowledged that the sign will be visible from certain viewpoints. This will however be lessened by the signs position at the base of the existing totem pole with the sign to be non-illuminated and the white vinyl to be non-reflective. The sign will be positioned fairly flush on the existing totem and will not move or overhang the public highway as to not cause obstruction to pedestrian flow or the views of passing vehicles. The proposed sign meets the requirements of the Highways East Sussex County Council Minor Planning Application Guidance (2017) and ESCC Highways have concluded that they raise no objections to the proposals subject to conditions. However as discussed earlier in this report, the proposed conditions would not be required here given that the sign is proposed to be located on the existing totem and the sign is not illuminated. Given the above, it is not considered that the sign will be prominent or harmful to public safety, the proposal is acceptable in this regard and complies with Policy DM3 and DM4 of the Hastings local Plan - Development Management Plan (2015).

6. Conclusion

Taking the above assessment into account, the proposed agent sign will be moderate in size, non-illuminated and will be attached to the existing totem pole. This proposed sign is considered appropriate and acceptable on this existing totem pole within this commercial setting. As such, it is considered the proposal will not harm the local amenity or public safety. The proposal is therefore in compliance with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007, Policies DM1, DM3 and DM4 of the Hastings Local Plan and the relevant sections of the National Planning Policy Framework, and, therefore it is recommended that consent is granted subject to the attached conditions.

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.

7. Recommendation

Grant Advertisement Consent subject to the following conditions:

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

Site location plan (ESAD 1828), block plan (BG/I3/1/1), existing totem (001 revision 1) and proposed managing agent sign on existing totem (002 revision 1)
2. This consent is for ten years from the date of this decision and is subject to the standard conditions set out in the Regulations
3. No advertisement shall be sited or displayed so as to—
 - a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007

3. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
4. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
5. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
6. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.

Notes to the Applicant

1. Failure to comply with any condition imposed on this consent 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 L Fletcher, Telephone 01424 783261

Background Papers

Application No: HS/AA/20/00587 including all letters and documents

Agenda Item 6

Agenda Item: 6

Report to:	Planning Committee
Date:	17 December 2020
Report from:	Planning Services Manager
Title of report:	PLANNING APPEALS & DELEGATED DECISIONS
Purpose of report:	To inform the Planning Committee of any planning appeals that have been lodged, of any decisions received from the Planning Inspectorate and the number of delegated decisions made between 05/11/2020 to 02/12/2020
Recommendations:	That the report be noted

The following appeals have been received:

Address/ Application Number	Proposal	PSM's Rec	Where the decision was made	Type of Appeal
Bannow Retirement Home, Quarry Hill, St Leonards-on-sea, TN38 0HG (HS/LB/19/00841)	Internal alterations to include formation of a office area on the ground floor and adaption of existing rooms to form further bedrooms on the 1st and 2nd floor (amended description).	Refuse Planning Permission	DELEGATED	Planning
8 Old Top Road, Hastings, TN35 5DJ (HS/FA/20/00172)	Loft conversions with new gable end, rear flat roof dormer and front pitched roof dormer.	Refuse Planning Permission	DELEGATED	Planning

The following appeals have been allowed:

None

The following appeals have been dismissed:

Address/ Application Number	Proposal	PSM's Rec	Where the decision was made	Type of Appeal
20 Winchelsea Lane, Hastings, TN35 4LG (HS/FA/18/01112)	Retrospective application to extend existing apron to front (north-west) and side (north-east) of building with timber decking, steps and ramp down to garden. Erection of fence to north east side boundary	Refuse Planning Permission	DELEGATED	Planning
Garages at Portstone Court, Portland Place, Hastings (HS/FA/20/00004)	Demolition of two garages and erection of two storey studio	Refuse Planning Permission	DELEGATED	Planning

Type of Delegated Decision	Number of Decisions
Deemed Discharge	1
Granted Permission	41
Part Granted – Part Refused	1
Refused	9
Total	52

Report written by
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