

PLANNING

20 JULY 2022

Present: Councillors O’Callaghan (Chair), Collins (Vice-Chair), Bacon, Beaney, Beaver, Roark, Roberts, Sinden and Williams.

356. APOLOGIES FOR ABSENCE

Apologies for absence received from Councillors Cannan and Edwards. Councillor Sinden was present as a substitute for Councillor Cannan.

357. DECLARATIONS OF INTEREST

Councillor	Minute	Interest
Beaver	All items relating to highways	Personal – East Sussex County Councillor
Williams	359.3 – Land adjoining 5 Essenden Road, St Leonards-on-sea	Personal – Used to live close to the site and knows some of the local residents with whom there has been no discussion of the application
Bacon	359.1 – Rocklands Private Caravan Park, Rocklands Lane, Hastings	Personal – Knows some of the residents who have submitted comments

358. MINUTES OF PREVIOUS MEETING

Previous minutes not yet circulated.

359. PLANNING APPLICATIONS

359.1 Rocklands Private Caravan Park, Rocklands Lane, Hastings (HS/FA/22/00339)

Proposal	Proposed asphalt surface to existing hardcore access ramp
Application No	HS/FA/22/00339
Conservation Area	No
Listed Building	No
Public Consultation	Yes – 12 letters of objection received

Mr Howson, Principal Planning Officer, presented the application for a proposed asphalt surface to an existing hardcore access ramp.

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Since publication four additional representations have been received objecting to the application. No new issues are raised, but they do expand on previous objections which are addressed in the report.

The proposal would not alter the dimensions of the access ramp but would provide a permeable and permanent asphalt surface contained by concrete edging. The current ramp surface is a mix of stones, soil and grass. The approved planting area would not be affected by the proposal.

The existing access ramp is lawful and has been in situ in its current form for over four years. As such only the asphalt surface requires planning permission. Archaeology would be unaffected as there are no ground works required.

In conclusion the proposal is only for minor works and no harm has been identified. Therefore, the application is recommended for approval.

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

Councillor Beaver proposed approval of the recommendations, seconded by Councillor Roark.

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 plan: 21.408/01A

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.

Notes to the applicant:

1. Failure to comply with any condition imposed on this decision 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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3. The applicant is reminded that should any changes to the originally approved scheme be made in light of any subsequent revisions to drainage or relevant ground works that may occur, then the drainage and soft landscaping details approved under HS/CD/16/00655 may not be deemed to be discharged, and a further application may be required.
4. The applicant is advised to also apply to Historic England for Scheduled Monument Consent to undertake any changes to the ramp including resurfacing.

359.2 Land adjacent 14 Cornwallis Street, Hastings (HS/FA/22/00343)

Proposal	Replacement of decayed timber shoring to gable wall with new steel equivalent
Application No	HS/FA/22/00343
Conservation Area	No
Listed Building	No
Public Consultation	Yes - Council application on Council owned land

At the request of the Senior Planning Officer the Chair moved this item up the agenda.

The Planning Services Manager presented the application for the replacement of decayed timber shoring to a gable wall with new steel equivalent

The application has been brought to the Planning Committee as it is a Council application on Council owned land. The area comprises a small parcel of grass land, bin storage and vegetation. There has been a resolution to grant permission for a five-storey hotel to be built on the adjacent car park and there is another application for the site to consider a substation for the hotel.

The application has been submitted as the existing shorings are subject to decay and the replacements will provide extra stability. Steel shorings will be fixed to concrete foundation pads and the appearance of the structure will change minimally.

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

Councillor Beaver proposed approval of the recommendations, seconded by Councillor Roark.

RESOLVED (unanimously) that planning permission be granted subject to the following conditions:

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

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

Site location plan (H6185/Site Plan) and Existing and proposed plans (H6185/01)

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

08.00 - 18.00 Monday to Friday

08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays.

4. In the event that the shoring is removed, the surface of the wall where the shoring was attached to shall be made good by finishing the wall to match that of the remainder of the side elevation.

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 form of development in the interests of the character and amenity of the area.

Notes to 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. Your attention is drawn to the requirements of the Party Wall etc. Act 1996.

4. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure or kill Great Crested Newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide

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a defence against prosecution under these acts. Should Great Crested Newts be found at any stages of the development works, then all works should cease immediately, and Natural England should be contacted for advice.

More details on the district licensing scheme can be found at www.naturespaceuk.com
Contact details: info@naturespaceuk.com

5. 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

359.3 Land adjoining 5 Essenden Road, St Leonards-on-sea (HS/FA/22/00226)

Proposal	Removal of prefabricated concrete garages, creation of one dwelling with parking.
Application No	HS/FA/22/00226
Conservation Area	Yes - Grosvenor Gardens
Listed Building	No
Public Consultation	Yes – 9 letters of objection received

Mrs Meppem, Senior Planning Officer, presented the application for the removal of prefabricated concrete garages and the creation of one dwelling with parking.

Condition 17 has been amended to also remove permitted development for the addition of further storeys to the property as allowed by Class AA of Part 1 of Schedule 2 and Class AD of Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

This has been done to ensure no harmful impact on the neighbouring properties in future.

Comments have been received from the Conservation Officer who has no overall objection however requests specific information which have been included in an additional Condition 19. This condition requests details of the proposed windows, doors, and external balcony to be approved by the Local Planning Authority.

The site is accessed from Essenden Road and is well hidden from the main road. The existing garages are too small to meet current requirements and therefore cannot be used for modern cars. There have been previous refusals for large developments on the site and the current proposal has been designed to meet climate change requirements, including sustainable drainage.

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A preliminary ecology report was submitted and concluded that the site is of low ecological value.

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

Councillor Beaver proposed approval of the recommendations, subject to the amendment of Condition 17 and addition of Condition 19, seconded by Councillor Sinden.

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:

4904.1B, 4904.2A, 4904.3A, 4904.LP.

3. Prior to the commencement of works or demolition on site, a pre-demolition asbestos survey of all buildings to be demolished shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

4. No works of demolition shall be undertaken until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- The sequence of demolition phases
- Protection measure for existing retaining structures on site
- Measures to control the emission of dust and dirt during each phase of demolition and construction
- Measures to limit noise disturbance during demolition and construction
- Method of removing rubble and spoil from the site
- The arrangements for deliveries associated with all demolition and construction works, loading/ unloading of plant & materials
- Storage of plant and materials used in demolition and construction
- Wheel washing facilities
- A scheme for recycling/disposing of waste resulting from demolition works
- Details of public engagement both prior to and during construction works to ensure minimal disruption to adjoining residents.

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Details of how any restoration of damage caused to the highway [including vehicle crossovers and grass verges] is to be carried out.

5. (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management are to be submitted to and approved in writing by the Local Planning Authority. The designed system must take into account design standards of those responsible for maintenance, including details of who will be responsible for managing all aspects of the surface water drainage system, including piped drains and evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development

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

(iii) No occupation of the dwelling hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.

6. Prior to commencement of development above ground, full details of the soft and hard landscape works are to be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to occupation of the dwelling hereby approved or within the time scales agreed by the Local Planning Authority. These details shall include, but not be restricted to the following;

- A proposed soft landscaping and planting plan, paying particular attention to the boundary of the site with 58 West Hill Road;
- A schedule of plants, noting species, plant sizes, proposed numbers and densities (where appropriate) together with an implementation programme;
- Finished levels or contours;
- Means of enclosure/boundary treatment;
- Details of the proposed materials for the new parking area along with method for dealing with water run-off;
- Proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same location.

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All trees produced abroad but purchased for transplanting shall spend at least one full growing season on a UK nursery and be subjected to a pest and disease control programme. Evidence of this control programme, together with an audit trail of when imported trees were needed and their origin and how long they have been in the nursery will be supplied to the Local Planning Authority prior to the commencement of any tree planting.

7. (i) All planting seeding or turfing comprised in the approved Soft Landscaping Scheme shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner.

(ii) All soft and hard landscape works shall be carried out in accordance with the approved details.

8. All ecological measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecology Assessment (EA/108721) January 2022, as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

9. No development shall take place above damp proof course level until full details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

10. The development hereby approved shall not be occupied until the parking and turning areas have been provided in accordance with the approved plan (4904.1A) unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority. These spaces shall be a minimum of 2.5m by 5m with an extra 0.5m where a space abuts a wall. The parking areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

11. Prior to occupation of the dwellings 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.

12. Any external bathroom windows in the dwelling hereby approved shall be obscure glazed with obscure glass to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3, or similar equivalent and be permanently fixed shut and non-opening below 1.7 metres from finished floor level. The dwelling hereby approved shall not be occupied until the obscure glass is installed, and once installed, the

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windows shall be permanently maintained in that condition.

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.

14. Prior to occupation of the dwellings hereby approved provision shall be made for the ability to connect to fibre-based broadband.

15. The dwelling hereby approved shall not be occupied until a minimum of one electric vehicle charging point has been installed with dedicated 'on plot' parking and shall thereafter be retained for that purpose.

16. Prior to the commencement of works above ground, details of appropriate climate change mitigation and adaptation measures as required by Policy SC3 and in accordance with the hierarchy of Policy SC4 of the Hastings Planning Strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

17. Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or alterations to the building or the roof of the premises, permitted by Classes AA, B & C of Part 1 of Schedule 2 or AD of Part 20 of Schedule 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

18. The internal layout of the dwelling hereby approved shall not be altered so as to create additional residential accommodation within the roofspace without the prior written approval of the Local Planning Authority.

19. Prior to commencement of development above ground details of the proposed windows, doors and external balcony are to be submitted to, and approved in writing by the Local Planning Authority. The details should include elevation and section drawings at a scale of 1:10 or 1:20, and show the proposed material, finish colour and glazing type. Works shall then be carried out in accordance with the proposed details.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

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2. For the avoidance of doubt and in the interests of proper planning.
3. To protect those redeveloping the site, local residents and any future occupants.
4. To limit the impact the development has on the amenity of the locality.
5. To ensure a satisfactory standard of development.
6. To ensure a satisfactory standard of development.
7. To ensure a satisfactory standard of development.
8. To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified.
9. To ensure a satisfactory standard of development.
10. To provide adequate space for the parking and turning of vehicles and to ensure the safety of persons and vehicles entering and leaving the access onto Essenden Road.
11. To ensure a satisfactory standard of development.
12. To safeguard the amenity of adjoining and future residents.
13. To safeguard the amenity of adjoining residents.
14. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
15. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
16. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
17. To safeguard the amenity of adjoining and future residents.
18. To safeguard the amenity of adjoining and future residents
19. To ensure a satisfactory form of development in the interests of the character and amenity of the area.

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Notes to the applicant:

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.
3. Consideration should be given to the provision of a domestic sprinkler system.
4. The applicant is advised that they must ensure the proposed works, hereby approved, do not contravene laws protecting wildlife including the Countryside and Wildlife Act 1981. Where the applicant is in doubt they should contact Natural England on wildlife@naturalengland.org.uk Telephone 020 802 61089 or Environment and Natural Resources on parks@hastings.gov.uk Telephone 01424 451107 prior to commencement of any works.
5. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice. More details on the district licensing scheme can be found at www.naturespaceuk.com. Contact details: info@naturespaceuk.com.
6. 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
7. The applicant is advised that retaining walls in excess of 1.5m in height, taken from the lowest ground level adjacent to the retaining wall, will require the submission of a Retaining Wall Application to Building Control in accordance with the Hastings Act 1988 - Retaining Walls. The application should include detailed structural calculations. Works should not commence until the approval of any such application. The applicant is advised to contact the East Sussex Building Control Partnership at Wealden District Council on 01892 602005 or by email: building.control@wealden.gov.uk for further advice and to ascertain whether a separate Retaining Wall Act application is required.
8. The applicant is reminded that demolition should not take place until any asbestos

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within the garages is removed. The applicant should comply with the requirements of managing asbestos as set out in Regulation 4 of the Control of Asbestos Regulations 2012.

359.4 12-13 York Buildings, Wellington Place, Hastings (HS/LB/22/000143)

Proposal	Retention of Alteration works to existing timber staircase. Replacement newel post. Replacement of existing UPVC hopper and downpipe for new Aluminium Pipe located down the front facade. Works completed 03/05/2021.
Application No	HS/LB/22/00143
Conservation Area	Yes – Hastings Town Centre
Listed Building	Grade II
Public Consultation	Yes – Council application on Council owned land

The Planning Services Manager introduced the application for retention of alteration works to existing timber staircase. Replacement newel post. Replacement of existing UPVC hopper and downpipe for new Aluminium Pipe located down the front facade. Works completed 03/05/2021.

The works have already been completed. Condition 1 has been amended to read:

The retrospective development hereby permitted shall be retained in accordance with the following approved plans: 8933/155C; 8933/156D; 8933/157C; 8933/159B; 8933/160B; 8933/201 REV3; 8933/550B and 8933/P.1.

The application is a Council application on Council owned land. The building is Grade II listed and consists of a shop on the ground floor, with a further three floors under refurbishment for residential use. The site is in the Hastings Town Centre Conservation Area.

The works are to a design that is more in keeping with a listed building and are considered acceptable and the application is recommended for approval.

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

Councillor Sinden proposed approval of the recommendations, subject to the amendment to Condition 1, seconded by Councillor Bacon.

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

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

8933/155C; 8933/156D; 8933/157C; 8933/159B; 8933/160B; 8933/201 REV3; 8933/550B and 8933/P.1.

Reasons:

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

Notes to the applicant:

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

National Planning Policy Framework Section 16 applies. The works proposed will not harm (or alternatively, "will positively enhance") the designated heritage asset.

360. PLANNING APPEALS AND DELEGATED DECISIONS

The Committee noted the report.

(The Chair declared the meeting closed at 6.37pm)