

## PLANNING

22ND DECEMBER 2022

Present: Councillors O'Callaghan (Chair), Collins (Vice-Chair), Bacon, Beaney, Beaver, Cannan, Edwards, Williams and Sinden

Officers: Kirsty Cameron (Principal Solicitor), Eleanor Evans (Planning Services Manager), Emily Meppem (Senior Planning Officer), Neil Holdsworth (Planning Officer)

### 378. APOLOGIES FOR ABSENCE

Councillors Roberts substituted by Councillors Sinden

### 379. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Cllr Beaver	5(a,b,c)	Personal – East Sussex County Councillor
All	5(a)	Personal – Councillor lives near by
Cllr Edwards	5(c)	Personal – Member of Hastings Country Park Forum

### 380. MINUTES OF PREVIOUS MEETING 23.11.22

**RESOLVED** – that the minutes of the meetings held on 23<sup>rd</sup> November 2022 be approved as a true record

### 381. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None received

### 382. PLANNING APPLICATIONS

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**383. RIDGE HOUSE, 27 BOSCOBEL ROAD, ST LEONARDS-ON-SEA  
(HS/FA/22/00788)**

Proposal	Proposed conversion of building to form 5no. self-contained flats including the installation of a door in the South elevation and replacement of windows in the rear elevation with French doors.
Application No	HS/FA/22/00788
Conservation Area	Yes - Burtons' St. Leonards
Listed Building	No
Public Consultation	Yes – 9 objections received

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The Senior Planning Officer presented. This is a resubmission following a previous refusal. The applicant and agent have worked with officers to overcome the previous reasons for a refusal. Slides were shown, these include a photograph of the front of the building, an aerial view, drawings of the proposed internal layout and of the elevation. The only external alterations are to some windows and doors at ground floor level to the side and rear. It's also proposed to remove an existing dilapidated Conservatory at the back of the premises. There have been some concerns from residents in relation to parking, however there's been no objection from the highway's authority.

No Questions were asked of the Senior Planning Officer.

Councillors debated.

Councillor Beaver proposed approval of the recommendation, seconded by Councillor Edwards.

**RESOLVED (Unanimously)**

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
7257/1/A, 7257/2, 7257/3/A, 7257/LBP, 7257/EX/1, 7257/EX/2.
3. (i) Prior to occupation of the development, details of cycle storage must be submitted to and approved in writing by the Planning Authority.

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- (ii) No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with the approved details. The areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
4. (i) 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.
- (ii) No part of the development shall be occupied until the all the approved details have been implemented. The refuse store and bin collection point shall thereafter be retained in perpetuity.
5. The existing parking area is to be retained for use by residents of the new units and shall not be used other than for the parking of motor vehicles.
6. Prior to occupation, the north elevation window to the bathroom of flat 1 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. Once installed, the windows shall be permanently maintained in that condition.
7. 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.
8. 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.

### 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. To ensure a satisfactory standard of development.

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5. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
6. To safeguard the amenity of adjoining and future residents.
7. To safeguard the amenity of adjoining residents.
8. To protect features of recognised nature conservation importance.

### Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.
3. Consideration should be given to the provision of a domestic sprinkler system.
4. The proposal may be a material change of use to which the Building Regulations 1991 apply and a building regulation submission may be necessary before the change of use takes place.
5. The developer is advised to inspect the external escape stair for structural integrity prior to occupation of the units. Should this feature be found unsafe, a further planning application will be required for its replacement.

### **384. 20 BRANKSOME ROAD, ST LEONARDS-ON-SEA (HS/OA/22/00514)**

Proposal	Outline Planning Permission with all matters reserved for the demolition of the existing dwelling and proposed construction of 5 No. dwellings with associated parking and landscaping. -
Application No	HS/OA/22/00514
Conservation Area	No
Listed Building	No
Public Consultation	Yes – 7 objections received

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The Senior Planning Officer presented. This is a resubmission of an application whereby it was refused last time and dismissed at appeal. Since the production of the committee report 1 further letter of objection has been received. This letter raised additional points in respect of planting Silver Birch trees, land levels of the site in comparison to neighbouring properties and the use of hedges rather than fences. A further letter was also received; however, this was after the closing date for late comments. No new matters of concern were raised in this letter.

Slides were shown showing a location plan, aerial view, and a photograph from Branksome Road. A slide showed the Indictive layout showing plot number one has been moved away from a large tree at the front of the site and also has been moved away from the side and elevation of number 20A.

Councillors asked regarding the previous refusal. The Senior Planning Officer answered previously the Planning Inspector dismissed the appeal on character of the area, but specifically focused on plot one, stating that it was too small. There was a concern about the impact on a window in the side of 20A because of the proximity of the new build. This has now been confirmed to be a garage window. Another reason for concern was the impact on the large tree at the front of the site. Proposed plot one has now been moved back away from the tree.

Councillor O'Callaghan proposed approval of the recommendation, seconded by Councillor Sinden.

### **RESOLVED (9 Votes for and 1 against)**

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

1. No development shall start until details of the:
  - a) Access
  - b) Appearance
  - c) Landscaping
  - d) Layout
  - e) Scale

Hereafter called "the reserved matters" have been submitted to and approved in writing by the Local Planning Authority. Application for the approval of the reserved matters shall be made within three years of the date of this permission. The development shall accord with the approved details.

2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, the means of access to the site and the soft and hard landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

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3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
5. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
19.062.10.F, 19.062.11.
6. All Arboricultural measures and works shall be carried out in accordance with the details contained in the Arboricultural Impact Assessment (STA 2024 AIA AMS 20 BRANKSOME ROAD REV 2) prepared by St Aubyn Tree Consultancy, and submitted as part of this outline application, and agreed in principle with the Local Planning Authority prior to determination.
7. No development shall take place until temporary protective fences to safeguard the trees and/or hedges to be retained on the site have been erected in accordance with the current BSI 5837 standards and to the satisfaction of the Local Planning Authority. All such fences shall be kept in a sound, upright and complete condition until the development has been completed and/or the Local Planning Authority confirm in writing that the works have been sufficiently completed for the fencing to be removed.
8. The soft landscaping details submitted pursuant to condition (1) above, shall include full details of soft landscaping which shall include indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development. New soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme. All soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority.

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.

9. The soft landscaping details submitted pursuant to condition (1) above, shall include full details of all proposed tree planting, and the proposed times of

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planting. All Tree planting works shall then be carried out prior to occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority.

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 County Planning Authority prior to the commencement of any tree planting.

10. The landscape details submitted pursuant to condition (1) above, shall include full details of the hard landscape works including existing and proposed finished levels or contours of the proposed driveway; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g refuse areas, lighting etc); proposed and existing functional services above and below ground (e.g drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc). All hard landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority.
11. The details submitted in pursuance of condition (1) above shall show car parking and turning areas along with cycle parking areas in accordance with the approved County Parking Standards. Upon approval the areas shall be provided, surfaced and drained in accordance with the approved details prior to first occupation of the unit, and thereafter the areas shall be retained for that use and shall not be used other than for the parking of motor vehicles and cycles.
12. The proposed parking spaces shall measure at least 2.5m by 5m (with an extra 50cm on either dimension when adjacent to a wall or fence).
13. The layout details submitted pursuant to condition (1) above, shall include full details of the alterations to the western access along with the specification for the construction of the access. The development shall not be occupied until the construction of the access has been completed in accordance with the agreed specification as set out on Form HT407 which is attached to and forms part of this permission.
14. The details submitted pursuant to condition (1) above, shall include full details of the materials to be used in the construction of the external surfaces of the development and all hard standing areas and the details shall include sample materials of all external surfaces to be used in the construction of the development. Thereafter development shall be carried out in accordance with the approved details and the works shall be carried out prior to first occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority.

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15. Prior to commencement of development an updated Preliminary Ecological Appraisal and Biodiversity Gain Plan are to be submitted to and approved in writing by the Local Planning Authority.
- No development shall take place until the measures outlined in the submitted ecological statements and reports have been fully implemented unless the scheme, or programme of measures contained within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.
16. No construction or demolition work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
- measures to control the emission of dust and dirt generated by demolition and construction works, including measures to prevent mud on the highway;
  - a scheme for controlling noise and vibration from demolition and construction activities [including details of any piling];
- the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and their storage and restoration of any damage to the highway [including vehicle crossovers and grass verges].
17. (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority.
- (ii) Development shall then be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings hereby approved shall occur until those works have been completed. and
- (iii) No occupation of any of the dwellings 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.
- (iv) Prior to the occupation of development, evidence (including photographs) should be submitted and approved in writing by the Local Planning Authority, showing that the drainage system has been constructed as per the agreed detailed drainage designs.
18. 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:-



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08.00 - 18.00 Monday to Friday

08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays.

19. 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.
20. The dwellings 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.
21. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband.
22. (i) 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.  
  
(ii) No part of the development shall be occupied until the all the approved details have been implemented. The refuse store and bin collection point shall thereafter be retained in perpetuity.
23. (i) Prior to occupation of the development, details of cycle storage must be submitted to and approved in writing by the Planning Authority.  
  
(ii) No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with the approved details. The areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

### Reasons:

1. The application is in outline only and to comply with Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990.
4. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990.
5. In order to ensure a satisfactory access, site layout, scale, appearance to the development in the interests of the visual amenities, character and

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- appearance of the locality and the amenities of the neighbouring occupiers.
6. In the interests of the health of the trees and the visual amenity of the area.
  7. In the interests of the health of the trees and the visual amenity of the area.
  8. In the interests of the health of the trees and the visual amenity of the area.
  9. In the interests of the health of the trees and the visual amenity of the area.
  10. To ensure an acceptable form of development.
  11. In the interests of highway safety and for the benefit and convenience of the public at large.
  12. To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
  13. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
  14. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
  15. To protect features of recognised nature conservation importance.
  16. In the interests of highway safety, for the benefit and convenience of the public at large and to secure a well planned development that functions properly.
  17. In order to secure a well-planned development that functions properly and in order to prevent increased risk of flooding.
  18. To safeguard the amenity of adjoining residents.
  19. To ensure the development complies with Policy SC3 of the Hastings Planning Strategy.
  20. To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with policies contained in the NPPF.
  21. To ensure the development complies with Policy SC1 of the Hastings Local Plan: The Hastings Planning Strategy.
  22. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
  22. To ensure a satisfactory form of development in the interests of the character and amenity of the area.

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23. To ensure a satisfactory form of development in the interests of the character and amenity of the area.

### Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.
3. The applicant is advised that they must ensure the proposed works, hereby approved, do not contravene laws protecting wildlife including the Countryside and Wildlife Act 1981. Where the applicant is in doubt they should contact Natural England on [wildlife@naturalengland.org.uk](mailto:wildlife@naturalengland.org.uk) Telephone 020 802 61089 or Environment and Natural Resources on [parks@hastings.gov.uk](mailto:parks@hastings.gov.uk) Telephone 01424 451107 prior to commencement of any works.
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 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](http://www.naturespaceuk.com). Contact details: [info@naturespaceuk.com](mailto:info@naturespaceuk.com).
5. Consideration should be given to the provision of a domestic sprinkler system.
6. Nothing in this permission shall be construed as giving approval to the details shown on the plans accompanying the application hereby approved. Such plans have been treated as being indicative only.
7. The applicant will be required to enter into a Section 184 Licence with East Sussex Highways, for the provision of a new vehicular access. The applicant is requested to contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the licence being in place.
8. The applicant is advised to contact East Sussex County Highways Authority (0345 60 80 193) in respect of the lighting column at the front of the site.

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9. The pedestrian footway provided along the main part of the access road and connecting the visitors' parking spaces to the dwellings should operate as a shared surface.

**385. PROPOSED VISITOR CENTRE HASTINGS COUNTRY PARK,(THE BALE HOUSE), LOWER COASTGUARD LANE, FAIRLIGHT, HASTINGS (HS/FA/22/00601)**

Proposal	Variation of condition 3 (operational hours) of Planning Permission HS/FA/19/00303 (Erection of a new visitor centre - originally granted under HS/FA/14/01033). Amendment is to increase operational hours to 8am-9pm (for community use) Monday - Sunday. -
Application No	HS/FA/22/00601
Conservation Area	No
Listed Building	No
Public Consultation	Yes – 6 objections received

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The Planning Officer presented. There are updates of a letter of support received from Cllr Roark stating that Hastings Country Park Nature Reserve Management Forum formally supports the application by Groundwork South to extend the opening hours of the Bale House. Friends of Hastings Country Park Nature Reserve reiterate support subject to use being limited to community purposes. An Objection letter on grounds of insufficient information on noise, light and opening hours, and on the general environmental impact of the proposal. Clarification was also sought on whether Fairlight Council were consulted – they did reply, and their views have been taken in to account.

Slides were shown showing the location plan, interior photographs, and Aerial photo showing the visitor centre and car park. The extended hours requested are primarily to accommodate requests for education activities including heritage walks and talks, Nature based art activities such as flora and fauna walks and talks, and other requests to user spatial for education. The cafe will keep the same hours as has now (9am-5pm). Concerns have been raised by local residents that the building would be used for commercial use. The building is within class F of the use classes order, which means that it has to be used as a as a visitor centre or a public hall as it is at the moment and any commercial activity has to be strictly ancillary to that.

No Questions were asked of the Planning Officer.

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Councillors debated.

Councillor Beaver proposed approval of the recommendation, seconded by Councillor Bacon.

### **RESOLVED (9 votes for, 0 against and 1 abstention)**

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
101C; 108C; 240/204D; 240/205B; 240/106/D; 240/107/D; 240/219E; 240/214B; 240/223.
2. The visitor centre shall not be used except between the following hours:  
8am - 9pm Monday to Sunday.  
  
Within these operating hours
  - i) no food, drinks or other forms of refreshment shall be sold within the visitor centre to visiting members of the public between the hours of 5pm and 9pm daily.
  - ii) no Live or recorded music shall be played in the venue between the hours of 5pm and 9pm daily.
3. The Amphitheatre is to be used as an outdoor classroom only and for no other use.

#### **Reasons:**

1. For the avoidance of doubt and in the interests of proper planning.
2. To safeguard the amenity of adjoining and future residents, and to preserve the tranquillity of the High Weald Area of Outstanding Natural Beauty.
3. To protect the amenity of neighbouring residents.

#### **Notes to the Applicant**

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

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3. You are advised that the Council consider that the Visitor Centre falls within the F1 use class, having regard to the The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

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

The Committee noted the report.

(The Chair declared the meeting closed at. 6.33 pm)