

PLANNING

25 JANUARY 2023

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

Officers: Surinder Atkar (Principal Solicitor), Eleanor Evans (Planning Services Manager), Emily Meppem (Senior Planning Officer), William Larkin (Planning Officer)

387. APOLOGIES FOR ABSENCE

Apologies received from Councillors Roberts

388. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Cllr Beaver	5(a,b,c)	Personal – East Sussex County Councillor

389. MINUTES OF PREVIOUS MEETING

RESOLVED – that the minutes of the meetings held on 22nd December 2022 be approved as a true record

390. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None received

391. PLANNING APPLICATIONS

392. MORRISONS, 170 QUEENS ROAD, HASTINGS (HS/AA/22/00688)

Proposal	Advertisement consent application for 3 x white aluminium panels, to cover the south-east, north-east and south-west clock faces on the existing clock tower. (Retrospective)
Application No	HS/AA/22/00688
Conservation Area	No

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Listed Building	No
Public Consultation	Yes – 37 objections received

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The Planning Officer presented. This is a retrospective application. There were no updates. Slides showed a location plan, block plan and an aerial view of 170 Queens Road. A slide was shown of the advertisement and a photo of how the advertisement is seen from the car park of Morrisons and a photo of how the advertisement looks from the West Hill. The Planning Officer explained there had been 37 letters of objection received most responses the primarily concerned with the covering of the clock faces. The Planning Officer explained the application site is not a listed building. not within a conservation area and the clock is not required to be retained by a condition of the original planning permission from 1987.

No Questions were asked of the Planning Officer

Councillors debated.

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

RESOLVED (Unanimously)

Grant Advertisement Consent 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 advertisement hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan, Block Plan, Site Plan, Hastings (353) - Planning Booklet, C62114-A1 Aluminium Face Panel
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.

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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. 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 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 the interests of safeguarding the amenities of the area.
6. In the interests of safeguarding the amenities of the area.

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 consent may result in enforcement action without further warning.

393. LAND REAR OF 77-79 MOUNT ROAD, HASTINGS (HS/FA/22/00679)

Proposal	Proposed new dwelling to the rear of 77-79 Mount Road with access from Mount Road with associated parking. -
Application No	HS/FA/22/00679

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Conservation Area	No
Listed Building	No
Public Consultation	Yes – 10 objections received

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The Senior Planning Officer presented. There have been no updates. Slides were shown showing a location plan, block plan and an aerial photograph of 77-79 Mount Road. Photographs were shown of windows of the Baptist Church and drawing of the proposed new dwelling. This application is a resubmission following an earlier refusal and there refused scheme saw the erection of two dwellings and they were located much closer to the boundary of the site. A slide was shown showing the elevation from each side. The proposed dwelling will appear single storey from the North East and two storey from the South west

Councillors asked the Senior Planning Officer about the history of the site and whether there was a covenant restricting the site as an allotment. The Planning Service Manager explained that matters of covenant are not a material consideration in determining a planning application. Whilst very valid, they're not material to whether we can approve or refuse an application. The Planning Services Manager also advised that, if the site were an allotment, it would be allocated as such in the Local Plan.

Councillors asked regarding waste bin storage and collection. The Senior Planning officer explained that residents would be required to move their bin to the curbside on Mount Rd on the relevant collection day. The Planning Service Manager explained that the distances residents would have to move their bins would be set out in building regulations, which is the next step after planning permission.

Councillors debated.

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

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:

20-9119-01B, 20-9119-02B.

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3. Prior to commencement of development a Method Statement is to be submitted to, and approved in writing by, the Local Planning Authority. 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 construction works, including measures to prevent mud on the highway;
 - a scheme for controlling noise and vibration from 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].
4. (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.
5. All Arboricultural measures and works shall be carried out in accordance with the details contained in the Arboricultural Survey (6062/22-01 REV 01) and the Arboricultural Impact Assessment (6062/22-02 REV 01) prepared by PJC Consultancy Ltd, and submitted as part of this application, and agreed in principle with the Local Planning Authority prior to determination.
6. 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.
7. 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

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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,
- 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, paying particular attention to the boundary of the site with No.75 Mount Road and the Neighbouring Allotments;
- 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.

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.

8. (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.
9. All ecological measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecology Assessment (4871E/22) June 2022, prepared by PJC Consultancy Ltd, as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.
10. No development shall take place above damp proof course level until full

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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.

11. The external bathroom window on the north west elevation of 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 windows shall be permanently maintained in that condition.
12. The development hereby approved shall not be occupied until the parking and turning areas have been provided in accordance with the approved plan (20-9119-02B) 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 and turning areas shall thereafter be retained for that use and shall not be used other than for the parking or turning of motor vehicles.
13. Prior to occupation of the dwellings hereby approved full details of the proposed bin and cycle stores are to be submitted to and approved in writing by the Local Planning Authority. These stores are to then be installed on site in accordance with the approved details prior to occupation and thereafter retained on site for the perpetuity of the development.
14. 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.
15. Prior to occupation of the dwelling hereby approved provision shall be made for the ability to connect to fibre-based broadband.
16. Prior to the commencement of works above ground, details of appropriate climate change mitigation and adaptation measures, such as the installation of a minimum of one electric vehicle charging point, 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

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roof of the premises, permitted by Classes B & C of Part 1 of Schedule 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To limit the impact the development has on the amenity of the locality.
4. To ensure a satisfactory standard of development.
5. In the interests of the health of the trees and the visual amenity of the area.
6. In the interests of the health of the trees and the visual amenity of the area.
7. To ensure a satisfactory standard of development.
8. To ensure a satisfactory standard of development.
9. To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified.
10. To ensure a satisfactory standard of development.
11. To safeguard the amenity of adjoining and future residents.
12. 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 Mount Road.
13. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
14. To safeguard the amenity of adjoining residents.
15. To ensure a satisfactory standard of development.
16. To ensure the development complies with Policy SC3 of the Hastings Planning Strategy 2014 and to promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with policies contained in the NPPF.
17. To safeguard the amenity of adjoining and future residents.

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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. 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,

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Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: developerservices@southernwater.co.uk.

394. WEST LODGE, MAZE HILL, ST LEONARDS-ON-SEA (HS/FA/22/00866)

Proposal	Change of use from Visitor and Interpretative Centre (Class F1.e) to one residential unit (Class C3) with no external alterations proposed (amended description). -
Application No	HS/FA/22/00866
Conservation Area	Yes - Burtons' St. Leonards
Listed Building	Grade II
Public Consultation	Yes

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The Planning Officer presented. There have been no updates. Slides were shown showing a location plan, block plan and an aerial photograph of West Lodge and the surrounding area. This building has been a visitor centre since 1999. A photo was shown of the public access to Grade II listed St Leonards Gardens which will remain. The conservation officer responded positively towards a proposal as they see this as an opportunity to restore some original features as this building was originally designed to be a home. This application is for a change of use only with a condition of further application prior to occupation.

No Questions were asked of the Planning Officer.

Councillors debated.

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

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:

22.436.2.A

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3. Prior to the residential occupation of the site, details of a proposed bin store and details of those responsible for its maintenance are to be submitted to and approved in writing by the Local Planning Authority. This store shall then be provided on site, prior to commencement of use of the hall and in accordance with the approved details. The store shall thereafter be retained for the storage of bins.
4. Prior to occupation, details must be submitted and approved by the Local Planning Authority in terms of floor sizes in order to ensure that the space standards set out within the Technical Housing Standards (2015) are met. Works shall be carried out in accordance with the details approved and no occupation of any building approved shall occur until those works have been completed.
5. The development shall not be occupied until a bin store has been provided in accordance with approved details which shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained for that purpose.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure a satisfactory standard of development.
4. To safeguard the amenity of future residents.
5. In order to secure a well planned development.

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. This planning permission is for a change of use of West Lodge to a single residential unit only. No consent has been granted for the sub-division of the property or for any internal or external changes to the building associated with the change of use. As the building is Grade II listed, formal listed building consent must have been applied for and obtained prior to any internal or external changes being made to the listed building, including changes to any curtilage structures (e.g. garden boundary walls). It is a

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criminal offence to carry out unauthorised works to a listed building.

3. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.

395. PLANNING APPEALS AND DELEGATED DECISIONS

The Planning Service Manager highlighted the application for 40 - 41 Queens Road to the committee. The decision has been appealed and planning permission has been granted. The Committee gave thanks to the officers for their time and effort trying to uphold the Planning Committee's decision. The Committee noted the report.

(The Chair declared the meeting closed at. 6.37 pm)