

# Planning Agenda

**Wednesday, 26 July 2023 at 6.00 pm**

Council Chamber, Muriel Matters House, Breeds Place, Hastings, TN34 3UY.  
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democraticservices@hastings.gov.uk

		Page No.
1.	Apologies for Absence	
2.	Declarations of Interest	
3.	Minutes of previous meeting 21/06/23	1 - 10
4.	Notification of any additional urgent items	
5.	Planning applications	
(a)	Land Adjacent, 777 The Ridge, (East of Harrow Lane), St Leonards-on-sea (HS/FA/23/00016)  <i>P. Howson (Principal Planning Officer)</i>	11 - 34
(b)	29 Langham Road, Hastings, TN34 2JE (HS/FA/23/00119)  <i>L. Fletcher (Planning Officer)</i>	35 - 50
6.	Planning Appeals and Delegated Decisions	51 - 52

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# Agenda Item 3 Public Document Pack

## PLANNING

21 JUNE 2023

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

### 1. APOLOGIES FOR ABSENCE

None received

### 2. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Cllr Beaver	5(a,b,c)	Personal – East Sussex County Councillor
Cllr Cannan	5(a)	Prejudicial – Chair of Foreshore Trust
Cllr O'Callaghan	5(b)	Personal – Contacted by applicant.

### 3. MINUTES OF PREVIOUS MEETING 17/05/23

**RESOLVED** – that the minutes of the meetings held on 17<sup>th</sup> May 2023 be approved as a true record

### 4. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None received

### 5. PLANNING APPLICATIONS

### 6. THE STADE FAMILY AMUSEMENT PARK, THE STADE, HASTINGS, TN34 3AR (HS/FA/21/00946)

Proposal	Proposed extension and refurbishments to main amusement
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## PLANNING

21 JUNE 2023

	building (amended)
Application No	HS/FA/21/00946
Conservation Area	Yes - Old Town
Listed Building	No
Public Consultation	Yes – 29 objections

### **Cllr Cannan left the Council Chamber**

The Senior Planning Officer updated that in response to public comments on the application, the existing and proposed site plans were updated to show the intended route for the pedestrian pathway, as approved as part of application ref: HS/FA/18/01009. However, the applicant has since advised that he may elect to maintain the existing pathway through the site as an alternative depending on the feedback from the landlord, from whom consent is sought. The landlord response will determine the route of the pathway. This is for information purposes only, as the footpath does not form part of this application. A new local representation was received on Friday 16th June 2023 objecting to the proposal on the following grounds: The loss of the pedestrian footpath through the site, Potential breaches in the implementation of application ref: HS/FA/18/01009 relating to the discharge of conditions 5, 7 and 8 and in relation to the works carried out on the site, Concerns relating to the Conservation Officer's comments, Concerns relating to the lack of consultation response from The Foreshore Trust. The Enforcement team are investigating the recent concerns raised in the representation regarding potential planning breaches. The applicant has advised that the works undertaken above ground level are for waterproofing the building.

The Senior Planning Officer showed slides of a location plan and an aerial photograph. Slides were shown of the existing site and floor plan and then the proposed site and floor plan. The Senior Planning Officer explained the footprint is further extended from the 2018 application. Slides were shown of the proposed floor plans from the approved 2018 application and then then a slide of the floorplans for this application. Slides were shown of the existing eastern and western elevations and then the proposed elevations. Slides were shown of the existing northern and southern elevations and then the proposed elevations. Slides were shown of the existing, approved and proposed roof form. The Senior Planning Officer highlighted the difference of what has already been approved and the proposed plans. Slides of site photos were shown including the listed bus shelter.

The appearance of the eastern and western elevations of the building have been improved and the additional scale and bulk is largely hidden from view. This will result in a more functional building.

## PLANNING

21 JUNE 2023

Councillor Julia Hilton spoke to the committee as the ward Councillor. That was good to have some updates, but the work has already started on this building. In a way we're really playing catch up here. This should be a retrospective planning consent. But my main concern actually and it's even increased given the update from the officer is that the applicants saying that landlord consent will determine the root of the pathway if this is allowed to go ahead, the existing pathway is blocked. The alternative pathway is blocked at the moment. I don't know if you've been down to look at the site, but it's rammed with rides. There's no way either route can be put in. The revised drawings, they make mention of relocating the public footpath as approved in the application and there's been no access pretty much since and you can see on the drawing that the location of the mouse coaster conflicts with this footpath. There's also another ride behind. The relocation of the ride won't fit with the existing rides. The whole premise that there's still going to be a footpath is frankly nonsense. It's mentioned in the report, and it says that the site plans have been updated to indicate this. There's no drawing showing how the new mouse ride can be cited without conflicting with the relocated path, and we already have a half dismantled big wheel sitting in the wrong place as permission was never granted for it to be cited so close to buildings. If that's due to be relocated as well, then there's no room for the path and it's also blocked by the aircraft ride and the Pirate Galleon. If you go down and look at the site the existing site plan is misleading as it shows the 2018 proposed path in situ, which of course is not the case. It should show the existing path which has now been blocked since 2019 and the design and access statement is also misleading as this does not show the relocated public footpath and clearly blocks the existing route. The committee report ignores the fact that the applicant is under no obligation to implement this previous position and therefore has no obligation to build a footpath. There are no detailed drawings of the proposed relocated foot path. I would like to see a condition added that this new path must be implemented before any further work is carried out in the buildings to ensure we actually get our new footpath, even if it's inferior to the existing wide route that is being closed off for many years. That's my main concern.

The Senior Planning Officer responded that a meeting has been had with the applicant and although the footpath is not part of this application the intention of the applicant is to maintain a pedestrian access through the site. The Planning Service Manager explained to the committee that the foot path is not part of this application, and they aren't able to assess the merits of this scheme based on whether the football's there or not.

Councillors asked the Senior Planning Officer if permission had lapsed on the previous application? The Senior Planning officer answered that the deadline for implementing the permission that has lapsed. The applicant has commenced groundworks on the site, so in their view work has commenced and satisfied the requirement for that application to still be running. The Planning Service Manager explained if potential unlawful activity is claimed then it will be investigated

## PLANNING

21 JUNE 2023

Councillors debated.

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

### **RESOLVED (8 votes for, 1 abstentions)**

#### **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:  
  
BA2164.01, BA2164.05 Rev C, BA2164.06 Rev H, BA2164.07 Rev B, BA2164.09
3. Samples of all the materials to be used in the construction of the external surfaces of the new buildings/extensions shall be submitted to the local planning authority for approval, prior to the above ground works going ahead on site. The samples shall be labelled to clearly state the manufacturer, product name and reference, colour and finish variation provided. Samples submitted shall include all colour and finish variations proposed for use. The development shall then be carried out in full accordance with the approved details.
4. No works shall commence on the above ground works until the following details have been submitted to and approved in writing by the local planning authority :
  - Full details of the proposed new joinery (windows, doors, etc.) to include elevations at 1:10 scale of each door or window type, plus 1:2 or full size horizontal and vertical section drawings, showing the section sizes and profiles through all new joinery elements, to include proposed frames, cills, heads, jambs, rails, panels, casements, sashes, glazing bars, and horns.
  - Full details of the proposed new covered terrace to the east elevation of the new building, to include detailed elevations at 1:20, plus 1:5 scale typical vertical section drawings through the new covered terrace structure (east-west and north-south).
  - Full details of the proposed new roof lights, to include the manufacturer's brochure details, model reference, dimensions, materials, and finishes, plus 1:10 elevations, and 1:2 sections through the proposed new roof lights, including installation details of the roof lights within the proposed roof structure.
  - Details of all new external roller shutters, information submitted to include the siting, size, appearance, materials and finishes, the position and size of the shutter housing, the slat size, and the degree of solidity of the slats.
  - Section details through one of the new gable features on the east and west

## PLANNING

21 JUNE 2023

elevations of the building, to include example details of the proposed profiles for the windows, eaves, soffits, fascias, gutters, verges and abutments, drawn at a scale of 1:5, plus confirmation of the proposed materials and finishes of these elements of the building.

- Full details of the proposed new rainwater goods, to include the manufacturer's brochure details and confirmation of the sizes, profiles, materials and finishes of all types being proposed for use.
- Full details of any new external lighting elements on the new buildings/extensions, to include siting, size, profile, appearance, materials, colour, and degree of illumination

The development shall then be carried out in full accordance with the approved details.

5. The lower level terne coated stainless steel flat roof to the eastern side of the new building shall be set out with traditional round batten rolls to replicate the appearance of a lead roof.
6. 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.
7. The property shall not be occupied until such time as it has been connected to the main drainage system to the satisfaction of the Local Planning Authority.

### Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. In the interests of the visual amenity of the area and in order to conserve and enhance the character and appearance of the Conservation Area.
4. In the interests of the visual amenity of the area and in order to conserve and enhance the character and appearance of the Conservation Area.
5. In the interests of the visual amenity of the area and in order to conserve and enhance the character and appearance of the Conservation Area.
6. To safeguard the amenity of nearby residents.
7. To prevent increased risk of flooding.

## PLANNING

21 JUNE 2023

### 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 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)

7. **LAND TO THE REAR OF 11 LINTON ROAD, HASTINGS, TN34 1TN**  
**(HS/FA/23/00131)**

Proposal	Proposed single detached dwelling at land to the rear of 11 Linton Road
Application No	HS/FA/23/00131
Conservation Area	No
Listed Building	No
Public Consultation	Yes – 10 objections

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### CLlr Cannon returned to the Council Chamber

The Senior Planning Officer updated the Committee that recent amendments to the plans in response to public comments include the following. Initial amendments were submitted by the agent to widen the pedestrian access pathway leading from the side access to the front of the proposed dwelling. The glazing of the windows along the rear elevation of the proposed property at first floor level were also obscure-glazed to address overlooking concerns. Confirmation was also received from the agent



## PLANNING

21 JUNE 2023

regarding the removal of two of the applicant's vehicles from the front driveway serving 11 Linton Road. The agent for the applicant subsequently supplied draft revisions to the plans at the end of last week which sought to address the issues raised in relation to the minimum size requirements for bedrooms and parking spaces. However, the most recent amendments to the plans have not been accepted due to the lack of time or opportunity to consult or readvertise prior to the Planning Committee.

The Senior Planning Officer explained the planning history for the site. An outline application was submitted in 2018 for a two storey detached dwelling on the same land and consent was being sought for the access, layout and scale, with appearance and landscaping details to be reserved and the application was refused by the Council on Highway Safety and design grounds. A second application was then submitted in 20/18/2022 and this application related to the erection of two semi-detached dwellings on the site. This application was refused by the Council.

Slides were shown of the location plan, an aerial photograph and the existing and proposed site plan. Slides were shown of the floor plans and the proposed elevations. Rear renovations have been amended so that the rear windows at first floor level are to be obscured glazed and the window at the side. Slides of site photographs were shown of the application site.

The application is recommended for refusal as it goes against the general development pattern and its uncharacteristic for the area to have a new building in a garden. It would be overbearing and create a tunnelling affect.

Councillors asked the drop from the application site to the road. The Senior Planning Officer explained the site would be higher than both Linton Road and Winterbourne Close.

Councillors debated.

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

### **RESOLVED (Unanimously)**

#### **Refuse for the following reasons:**

1. The development proposal is considered to be contrary to the general development pattern in the area. The area surrounding the application site is characterised by road facing dwellings with generous gardens that are separated by planting, trees or lawns. The proposed new dwelling, by contrast, will be sited with a section of rear garden and the scale of the development, coupled with the raised and open nature of the site, will result in a development proposal which is highly visible and overly dominant in the context of the views leading into Winterbourne Close. The proposal is

## PLANNING

21 JUNE 2023

therefore considered to be a visually incongruous form of development which is contrary to the requirements of policy DM1 of the Hastings Development Management Plan 2015.

2. The proposed new dwelling, is likely to create a tunnelling affect as the new development will create a long expanse of built form along the neighbouring boundary. The new dwelling measures approximately 11 metres in width and it will be sited adjacent to the neighbouring garden at 10 Linton Road. As the proposed new dwelling will be two storeys in height, it is considered to have an overbearing impact on the garden serving the neighbouring dwelling. The proposal will therefore materially impact neighbouring outlook and negatively impact the future enjoyment of the neighbouring outside space, contrary to the requirements of policy DM3 of the Hastings Development Management Plan 2015.
3. The proposed parking spaces fail to meet minimum size requirements and the arrangements are impractical and fail to allow sufficient turning space for the manoeuvring and parking of vehicles. In addition, the location of the parking spaces will impede the ability to open and close the front entrance gates. The proposal is therefore contrary to the requirements of policy DM4 of the Hastings Development Management Plan 2015.
4. The first and third bedrooms of the proposed new dwelling fail to meet minimum size requirements as set out in the nationally described space standards. As a consequence, the proposal will fail to provide a sufficiently high standard of amenity for future occupants, contrary to the requirements of paragraph 130 of the NPPF and policy DM3 of the Hastings Development Management Plan 2015.

### Note 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.

8. **6-10 CASTLEHAM ROAD, ST LEONARDS-ON-SEA, TN38 9NR**  
**(HS/FA/22/01000)**

Proposal	Overlay of asbestos cement roofing sheets with stainless steel roofing sheets. Inserting insulation in the void between the two roofs. Replacement of roof lights. Lining of rainwater goods (valleys) - retrospective (amended description)
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## PLANNING

21 JUNE 2023

Application No	HS/FA/22/01000
Conservation Area	No
Listed Building	No
Public Consultation	Yes

The Planning Officer showed slide of the location plan, block plan, aerial photograph and the roof plan. The Planning Officer explained this is a retrospective application to overlay asbestos cement roofing sheets with stainless steel roofing sheets and to place insulation in the void between the two roofs. Replacement of rooflights in existing openings. The key points are the asbestos will not be disturbed, there are no objections from environmental health or visible from the public realm.

The Councillors asked why the asbestos is not being removed. The Planning officer explained that due to the building being occupied by businesses it would need to be vacated for a period of time which isn't practical.

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

### **RESOLVED (Unanimously)**

#### **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:  
  
Aerial Plan, Location Plan, TP1001 0, Site Plan, Block Plan, Proposed Roof Plan
2. 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.

#### **Reasons:**

1. For the avoidance of doubt and in the interests of proper planning.
2. To safeguard the amenity of adjoining 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. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act

## PLANNING

21 JUNE 2023

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)

3. 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.

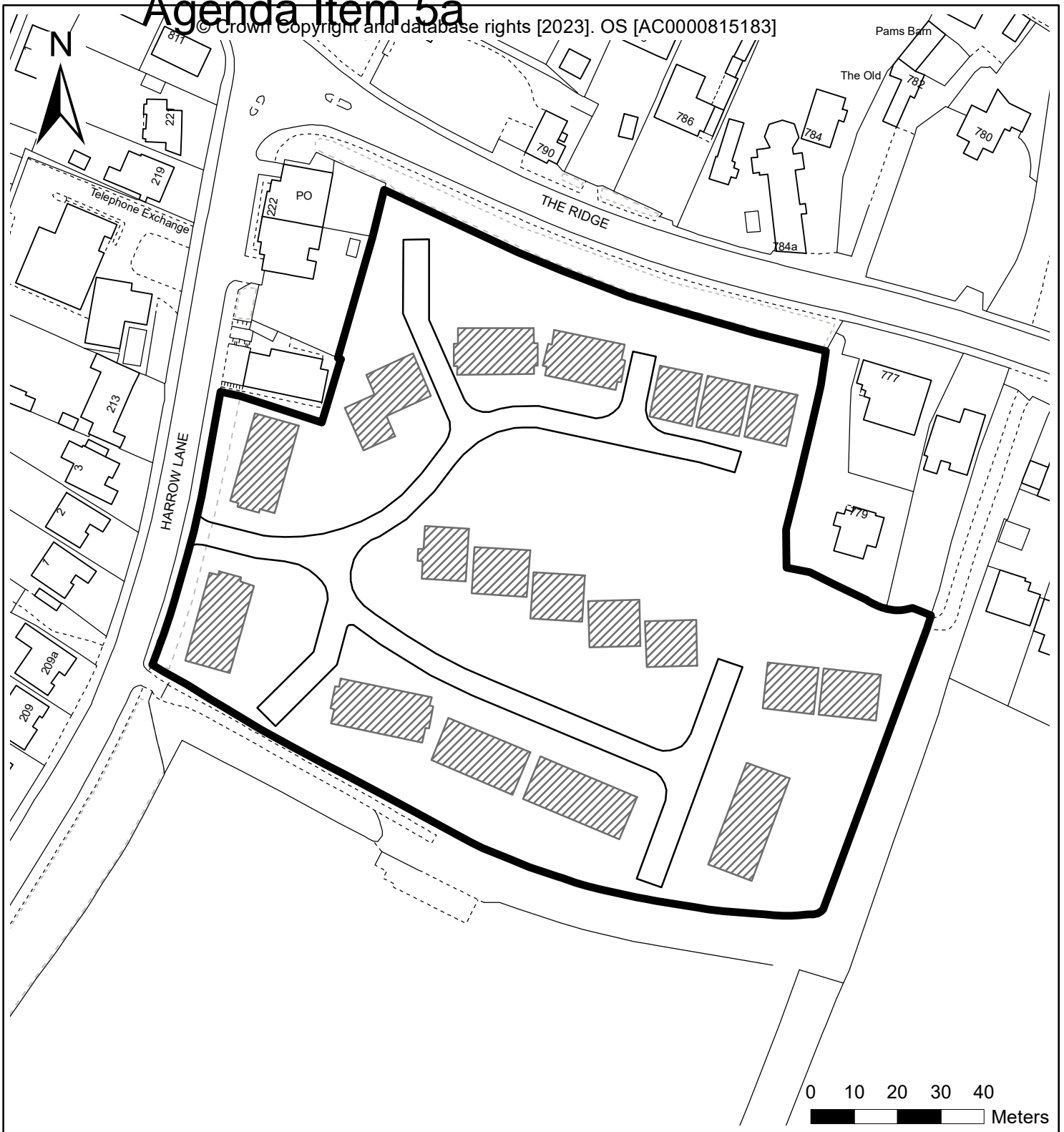
### 9. PLANNING APPEALS AND DELEGATED DECISIONS

The Committee noted the report.

(The Chair declared the meeting closed at. 6.43 pm)

# Agenda Item 5a

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**Land Adjacent, 777 The Ridge  
(East of Harrow Lane)  
St Leonards-on-sea**

Erection of 71 dwellings together with access, open space, parking and landscaping.



Planning Services Manager  
Hastings Borough Council,  
Muriel Matters House, Breeds Place,  
Hastings TN34 3UY  
Tel: 01424 451090  
email: [planning@hastings.gov.uk](mailto:planning@hastings.gov.uk)

Date: Jul 2023

Scale: 1:1,250

Application No. HS/FA/23/00016

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**Report to:** PLANNING COMMITTEE

**Date of Meeting:** 26 July 2023

**Report from:** Planning Services Manager

**Application address:** Land Adjacent, 777 The Ridge, (East of Harrow Lane), St Leonards-on-sea

**Proposal:** Erection of 71 dwellings together with access, open space, parking and landscaping.

**Application No:** HS/FA/23/00016

**Recommendation:** Grant Full Planning Permission

Ward: ASHDOWN 2018  
Conservation Area: No  
Listed Building: No

Applicant: Park Lane Homes (SE) Ltd per Town & Country Planning Solutions Sandhills Farmhouse Bodle Street Green HAILSHAM BN27 4QU

**Public Consultation**

Site notice:	Yes
Press advertisement:	Yes - General Interest
Neighbour Letters:	No
People objecting:	7
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 application site constitutes a 1.86ha greenfield site on the outskirts of Hastings, in the northwestern part of the Borough. It is bordered by The Ridge (B2093) to the north and Harrow Lane to the west. The site adjoins development sites that are allocated in the Hastings Local Plan 2011-2028, which now have planning permission - Holmhurst St Mary (208 units) directly to the east, and Harrow Lane Playing Fields (140 dwellings) to the south.

The site has a slight south-easterly slope and was undeveloped, however, work has now commenced on site to implement the extant planning permission, as is the case on the adjoining allocated sites and at the nearby site of the former Ashdown House.

It is a roughly rectangular plot except for development in the northern corners (Harrow Lane Stores and community building in the north-west corner; and, 777 and 779 The Ridge at the north-east corner (both outside the development site area)) which interrupt the rectangular form. The site was an open field with densely planted hedgerows with mature trees on its boundaries. The High Weald Area of Outstanding Natural Beauty (AONB) extends as far as The Ridge, which borders the site to the north. The setting of the site within close proximity to the AONB, and the visual landscape links are important considerations to this site, given its raised position and current undeveloped character.

The site is in an elevated position in relation to the north and western boundaries with Harrow Lane and The Ridge. There is a footpath (Public Right of Way (PROW) 143) which wraps around the south and eastern boundary of the site and connects to PROW 144 and PROW 142.

The primary access point to the site is currently on the south-west corner of the site off Harrow Lane, which can accommodate vehicular access. Pedestrian access is also available from a public footpath from The Ridge. However, the site is currently out of bounds, enclosed by Heras fencing, construction having recently commenced on-site.

Residential development in the surrounding area is primarily two storey in scale with pitched roofs. Development recently approved on adjoining sites is of a similar scale, with some buildings extending to three storey where land levels and setting allow for an increase in height.

Policy LRA3 of the Hastings Planning Strategy allocates the site for residential development, with an identified capacity of 50 dwellings. This allocation is carried through into the draft Local Plan, however the identified capacity has increased to 98 dwellings and the requirement for open space within the site is removed. As such, the proposed number of houses will sit between the two identified capacities. The application site had outline planning permission for up to 50 dwellings (reference HS/OA/17/00645). Subsequently, full planning permission for 67 dwellings was granted at appeal, which constitutes the extant permission on the site (reference HS/FA/20/00970) as varied by HS/FA/22/00906.

### Constraints

- Buffer zone of the SGN High Pressure Pipeline (pipeline runs north to south in Harrow Lane)
- 250m buffer zone of a historic landfill site
- Archaeological Notification Area
- SSSI Impact Risk Zone
- The site lies near and is visible from the High Weald AONB

## **2. Proposed development**

The applicant seeks full planning permission for the erection of 71 dwellings with a vehicular access from Harrow Lane, open space, parking and landscaping. This is as an alternative to the 67 dwelling scheme granted at appeal, which constitutes the extant permission on the site (reference HS/FA/20/00970) as varied by HS/FA/22/00906, to provide an additional 4 dwellings (plots 24A, 26A, 28A and 30A). The house layout changes relating to the additional dwellings are within the central and south eastern parts of the site, and the additional dwellings would integrate into an existing building line on the approved scheme. Generally, in all other respects the development remains largely as previously approved by the most recently approved permission HS/FA/22/00906, with a few exceptions including alterations to the housing mix by changing the house types on some plots, summarised below. The minor changes to the original consent, to some of the house type drawings, such as slight adjustment to door positions and aligning windows and the external material finishes have already been approved in principle under planning reference HS/FA/22/00906.



The proposed revised housing mix is:

- 46 x 2 bed houses
- 5 x 2 bed houses with Home Office
- 18 x 3 bed houses
- 2 x 4 bed houses

The proposed changes in the current application from planning reference HS/FA/22/00906 are:

No changes to the plots on the approved layout of HS/FA/22/00906 other than:

- Plots 23-30 change from 4 pairs of 4 bed houses; to 4 terraces of 3x 2 bed houses (which will include the additional plots 24A, 26A, 28A and 30A)
- Plots 31 & 32 change from a pair of 4 bed houses; to 2x 2 bed houses and 1x 3 bed house
- Plots 33 & 35 change from terrace of 3x 4 bed houses; to 2x 4 bed houses

The application is supported by the following documents:

- Planning, Design and Access Statement
- Arboricultural Impact Assessment and Method Statement
- Landscape and Visual Appraisal
- Ecological Enhancement, Management and Mitigation Plan
- Preliminary Ecological Assessment
- Flood Risk and Drainage Assessment
- Transport Statement
- Travel Plan
- Air Quality Assessment
- Ecological Air Quality Assessment
- Preliminary Ground Contamination Risk Assessment
- Archaeological Strip, Map and Sample Report
- Heritage Statement
- Viability Report
- Waste Management Plan
- Schedule of Submitted Drawings
- Ground Gas Risk Assessment
- Construction Method Statement
- Sustainability Statement
- Statement of Community Involvement

### **Relevant planning history**

HS/OA/17/00645 – Outline proposal, with all matters reserved for future approval in respect of the residential development of the site for approximately 50 dwellings – Granted 10.05.2019

HS/FA/20/00970 - Erection of 67 dwellings together with access, open space, parking and landscaping -Granted (at appeal) 31.10.2022

HS/FA/22/00906 - Variation of condition 2 (approved plans), condition 15 (landscape drawing) and deletion of condition 19 (apartment building) of Planning Permission HS/FA/20/00970 granted on appeal APP/B415/W/21/3285744 (Erection of 67 dwellings together with access, open space, parking and landscaping) - Amendment to proposed housing mix and housing types including minor alterations to landscaping, elevation treatments and fenestration.– Resolved to be granted

22.03.2023 (subject to legal agreement)

## **National and local policies**

### Hastings Local Plan – Planning Strategy 2014

Policy DS1 - New Housing Development  
Policy FA2 - Strategic Policy for Central Area  
Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way  
Policy SC2 - Design and Access Statements  
Policy SC3 - Promoting Sustainable and Green Design  
Policy SC4 - Working Towards Zero Carbon Development  
Policy SC6 - Renewable Energy Development  
Policy SC7 - Flood Risk  
Policy EN1 - Built and Historic Environment  
Policy EN2 - Green Infrastructure Network  
Policy EN3 - Nature Conservation and Improvement of Biodiversity  
Policy EN5 - Nature Reserves  
Policy EN6 - Local Wildlife Sites  
Policy EN7 - Conservation and Enhancement of Landscape  
Policy EN8 - Open Spaces - Enhancement Provision and Protection  
Policy H1 - Housing Density  
Policy H2 - Housing Mix  
Policy H3 - Provision of Affordable Housing  
Policy CI1 - Infrastructure and Development Contributions  
Policy T1 - Strategic Road and Rail Schemes  
Policy T2 - Local Road Improvements  
Policy T3 - Sustainable Transport  
Policy T4 - Travel Plans

### Hastings Local Plan – Development Management Plan 2015

Policy LP1 - Considering Planning Applications  
Policy LP2 - Overall Approach to Site Allocations  
Policy LRA3 - Land adjacent to 777 The Ridge site allocation (50 dwellings)  
Policy DM1 - Design Principles  
Policy DM3 - General Amenity  
Policy DM4 - General Access  
Policy DM5 - Ground Conditions  
Policy DM6 - Pollution and Hazards  
Policy HN7 - Green Infrastructure in New Developments  
Policy HN8 - Biodiversity and Green Space  
Policy HN9 - Areas of Landscape Value  
Policy HN10 - Amenity Green Spaces

### Other policies/guidance

AONB Management Plan 2019-2024  
National Design Guide 2019  
Air quality and emissions mitigation guidance for Sussex (2020)  
The Department for Communities and Local Government Technical Guidance for Space Standards (TGSS)

### The Hastings Local Plan Consultation Draft (Regulation 18)

Policy HL3: Land Adjacent to 777 The Ridge

## National Planning Policy Framework (NPPF)

Paragraph 8 of the NPPF sets out the three overarching objectives of the planning system in order to achieve sustainable development. Those are: 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 (to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;); and environmental (to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy).

Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development. For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 of the NPPF states that the development plan is the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Paragraph 58 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

Paragraph 130 of the NPPF requires that decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear

of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 134 of the NPPF states that development that is not well designed should be refused but that significant weight should be given to development that reflects local design policies and government guidance on design and development of outstanding or innovative design which promotes high levels of sustainability and raises the standard of design in the area, provided they fit with the overall form and layout of their surroundings.

Paragraph 135 of the NPPF seeks to ensure that the quality of an approved development is not materially diminished between permission and completion through changes to the permitted scheme.

### 3. Consultation comments

- ESCC Highways – **No objection**
- ESCC Flood Risk Management – **No objection**
- ESCC Contributions - Financial contributions required from the proposed development would amount to £20,377
- ESCC Archaeology - **No objection**
- HBC Waste Services - **No objection**
- HBC Housing Officer – **No objection**
- HBC Arboricultural Officer – **No objection**
- HBC Parks & Open Spaces - Financial contributions required from the proposed development would amount to £33,000
- HBC Environmental Health - **No objection**
- HBC Conservation - **No objection**
- HBC Ecology - **Have not provided comments**
- Southern Water - **No objection**
- Natural England - **No objection**
- National Highways - **No objection**
- Environment Agency - **Have not provided comments**
- High Weald AONB Unit - **Have not provided comments**
- Climate Change Team – Note lack of low or zero carbon heating and power

### 4. Representations

In respect of this application four site notices were displayed and an advert placed in the local paper. One notice was posted on Harrow Lane adjacent to the footpath entrance; one on The Ridge opposite the footpath entrance; one on The Ridge opposite the entrance to Beaulieu Gardens; and, one on the turning head of Beaulieu Gardens.

17 letters of objection (10 from one person) have been received from 7 different households raising the following concerns:

- Development will increase traffic congestion on The Ridge
- Gross overdevelopment of the site/surrounding area
- Housing mix conflicts with Policy H2
- Loss of architectural features
- Lack of sustainability features
- No affordable housing
- New application needs to be judged on its own merits [**Officer note: the extant permission is the fallback position which is a material planning consideration**]
- Work has started on site [**Officer note: the site has an extant planning permission**]

- Viability Reviews not public **[Officer note: these are commissioned subsequent to receipt of an application and publicised as soon as they become available]**
- S106 agreement not public **[Officer note: legal agreements are not generally completed prior to an application being considered by planning committee, where one is required if planning permission is granted the decision is not issued until the agreement is completed]**

## 5. Determining issues

### a) Principle

Given the extant planning permission and the site being allocated for residential development in the Local Plan, the principle of residential development on the site has already been accepted. Policy LP1 of the Hastings Local Plan - Development Management Plan (2015), paragraph 4.3 of the Hastings Local Plan – Planning Strategy (2014), and paragraph 11 of the NPPF set out a presumption in favour of sustainable development. The site is within a sustainable location with good access to public transport, shops, services and facilities and as such the development is considered acceptable in principle subject to other Local Plan policies.

### b) Background

The site has an extant permission for 67 dwellings; reference HS/FA/20/00970 as varied by HS/FA/22/00906 (subject to completion of legal agreement). The current proposal seeks approval for an additional 4 dwellings, to take the total to 71.

Therefore, the purpose of this application is not to revisit the principle of developing the site for housing, nor whether the site can accommodate 67 dwellings, as this has already been established. As such, the scope of this appraisal is limited to assessing whether the site can accommodate the additional dwellings over and above those already approved, without resulting in material planning harm; as well as assessing the impact of changes to the approved scheme to accommodate the additional dwellings, such as the changes of house types on some plots and the addition of some new house types.

Policy LRA3 of the Hastings Planning Strategy allocates the site for residential development, with an identified capacity of 50 dwellings, however, the site now has an extant permission for 67 dwellings, so it is accepted that the site can accommodate 67 units. It is also of note that the site allocation is carried through into the draft Local Plan, with the identified capacity proposed to increase to 98 dwellings. As such, a case can be made that the proposed number of houses the site can accommodate could be somewhere between these two identified capacities. This report will assess whether the addition of 4 extra houses to the previously approved scheme would cause material harm, so as to result in a different planning outcome.

### c) 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. It is considered that the additional dwellings proposed would positively contribute to the Council's housing stock, in-line with the NPPF which seeks that available housing sites make efficient use of land to boost housing supply, which is particularly pertinent in Hastings due to the housing land supply shortfall. However, this positive of the scheme needs to be weighed against any harm identified in this assessment.

### d) Proposed housing mix

The revised housing mix proposed by this current application is:

- 46 x 2 bed houses
- 5 x 2 bed houses with Home Office
- 18 x 3 bed houses
- 2 x 4 bed houses

The revised scheme (including the 4 additional units) would result in fewer 4 bedroom units, down from 13 to 2 in this current proposal. These in turn would be replaced by more 2 & 3 bed units. There would be 14 additional 2 bed units compared to the most recent scheme (HS/FA/22/00906), 1 additional 3 bed unit and the number of 2 bed units with home office would remain the same. The application states this is partly due to changed housing market conditions since the original scheme was submitted, where according to the applicant demand remains strong in the local market for 2/3 bed units, but demand has fallen for larger units. Furthermore, the change in housing mix facilitates the four additional units, making more efficient use of the land to boost housing supply in the Borough. The provision of more 2 & 3 bedroom units ensures the development continues to provide a good range of different housing options to meet local housing demand, and there is no specific policy requirement to include 4 bed units on the site as part of a market housing development.

The proposed amendments are considered acceptable in this regard, and as such meets the Council's aims of providing mixed and balanced communities. Therefore, the proposal is considered to be in accordance with Policy H2 (Housing Mix) of the Hastings Local Plan.

#### e) Layout, Design, Character and Appearance

The general layout, design, character and appearance have already been approved on two separate occasions, with development well underway on-site. Therefore, the purpose of this appraisal is not to re-visit the appropriateness of the general layout and design of the scheme, as acceptance of this has been established through the previous planning application processes.

The housing layout changes as a result of the additional dwellings proposed by this current application are within the central and south eastern parts of the site, with the new plot numbers 24A, 26A, 28A and 30A comprising the additional 4 units. This is achieved in the main by the respective semi-detached Type D 4-bed houses in the original approved layout, being replaced by terraces of three Type A3/4 2-bed houses.

There are also minor changes to the house type drawings from the original approved scheme(s), but it should be noted that since this application was submitted, these have been accepted by the resolution to approve planning application HS/FA/22/00906. Also, as with application HS/FA/22/00906, this application would remove the block of flats from the original scheme and replace them with 2-bedroom houses, which have also been accepted by the previous resolution to approve.

Whilst it is acknowledged that the additional 4 units would increase the density of the development in the central and south eastern parts of the site, as demonstrated by the submitted rendered street scene drawings this would not materially negate the previous positive assessment of the layout and design, and would not detrimentally impact on the character and appearance of the overall scheme. The revised proposal retains the approved layout concept of a central public open space area, with the site retaining good connectivity with the public rights of way network and adjoining new housing sites.

The additional four dwellings would not fundamentally change the character of the development, nor discernibly alter the appearance of the completed development, either within the site or from the wider area outside the site. In fact, the additional units would have a more modest visual impact, as they would form a row of two storey dwellings as opposed to the three storey dwellings in the equivalent central area of the site, on the previously approved layout. As such, whilst the density would be greater, the visual impact would be marginally diminished. It is also noted that the side elevation of plot 35 which is viewed from the site entrance on Harrow Lane, will remain as approved, to maintain the appearance of the scheme from the public domain, as approved.

Therefore, in the context of the housing development in its entirety the proposed additional dwellings over and above those already approved, as well as the minor changes to the approved scheme(s) to facilitate the 4 additional dwellings, would not result in any material planning harm on the general

character and appearance of the proposal. As such, when compared to the approved scheme(s) for 67 units, which have already been deemed as acceptable, and retain the fallback position given the extant permission(s), it is considered that the revised development as proposed continues to comply with the NPPF policies and Local Plan Policy DM1 of the Development Management Plan 2015.

f) Impact on High Weald AONB and Heritage Assets

The High Weald Area of Outstanding Natural Beauty (AONB) boundary is on the northern side of the Ridge, as is the Grade II listed Baldslow Windmill. As stated above, the main changes proposed in this current application are in the central and south eastern part of the site and as such, are well away from the designated countryside and the closest above ground heritage asset. As such, there will be no additional harm to these nationally designated assets arising from the additional 4 dwellings over and above the previous two 67 unit schemes, and therefore, they would not additionally exacerbate the visual impact on the wider area outside of the development site. As such this revised scheme for 71 units, would have a 'neutral' additional visual impact, preserving the special qualities of the nearby High Weald AONB thereby complying with NPPF policies and Local Plan Policies DM1, DM3, and HN9 of the Development Management Plan 2015, Policy EN7 of the Hastings Planning Strategy 2014.

Furthermore, the same applies to above ground heritage assets referred to above, and as a comprehensive archaeological investigation has already been undertaken as part of the original consent it is considered that heritage impacts have been appropriately considered, and that the development is acceptable in terms of Policy EN1 of the Hastings Planning Strategy and Policies HN1 and HN4 of the Development Management Plan.

g) Impact on neighbouring residential amenities / Future residential amenities

The site borders existing residential areas on the fringes of the urban area, as well as allocated housing sites at Harrow Lane Playing Fields and Holmhurst St Mary. However, the proposed additional dwellings would be within the central part of the site and will not affect occupiers of existing or new residential units outside of the site whatsoever. In terms of the inter-relationship with the rest of the development on the site, as referred to in this report, the additional dwellings would integrate into an existing building line within the central part of the site, and as such will remain within acceptable limits in terms of privacy, loss of light and overbearing impact for future occupiers, as already deemed acceptable in the earlier consents. Furthermore, all the proposed dwellings (including the additional 4 dwellings) will continue to comply with Nationally Described Internal Floor Space Standards in terms of room sizes; and, the external amenity space is also policy compliant. Taking the above into account, it is not considered that the proposed revised development will result in any harm to existing or future residential amenities. As such, the proposal complies with Policy DM3 - General Amenity of the Development Management Plan.

h) Ecology

Ecological enhancement, management and mitigation form part of the extant permission overseen by the Council's Ecology Manager. Any conditions to secure these measures would be carried forward to any new permission. It is considered the proposed changes in the current application, would have no greater ecological impact.

Natural England were consulted, and they have no objection to the development.

Given this, it is considered that the proposed revised development complies with the NPPF Policies, and Policy HN8 and Policy LRA3 c) of the Hastings Development Management Plan 2015, and Policy EN3 of the Hastings Planning Strategy 2014.

i) Landscaping, Trees and Open Space

The extant permission features a central open space as the focal point of the development, this remains integral to the current proposal. The proposed landscaping scheme is substantially the same as the approved scheme, and the changes proposed by this current application, specifically the additional four dwellings, would have no material impact on the previously approved landscape arrangement. The additional dwellings have been added to an existing building line within the

approved layout, and as such they would not impinge on the open spaces within the development. Equally, the proposed changes do not affect the existing trees and hedgerows on the various boundaries. The Council's arboriculture officer has reviewed the revised landscaping plan and raises no objection.

#### j) Air quality and contamination

Air quality assessment forms part of the extant permission, where impact of the development during construction was deemed 'not significant' and traffic emissions from the development were predicted to be 'negligible'. Overall, it was assessed that, the development of the site would not adversely impact on air quality and that air quality factors were not considered a constraint to the development. HBC Environmental Health officers raise no objection to the current application, and it is considered that the addition of four dwellings would not change the outcome of the original assessment.

#### k) Highway safety, access and parking

This application is to increase the approved quantum of dwellings (67) to and a new total of 71. This small increase in units equates to a 4% increase in trip generation. This increase to 71 units has been assessed within a supplementary Technical Transport Note, accompanying this application.

The internal road layout remains the same as approved, and the current proposal would provide 119 vehicle parking spaces (one more than the approved scheme). The aforementioned reduction in 4-bed units means only one additional parking space is required for the proposed parking provision to remain in accordance with the Council's adopted parking standards.

ESCC Highways officers have reviewed the submitted plans and Technical note and raise no objection (subject to conditions). They point out that the proposed revised housing mix with an increase in 2/3 bed and reduction in 4 bed units, justifies a revised lower trip rate being calculated. Recalculating on this basis indicates trip rates over and above those previously agreed of just 4% which is acceptable in relation to the overall proposals, with ample spare capacity within the proposed access junction.

Given this, it is considered that the development of 71 units is acceptable in highway terms, proposes an acceptable vehicular access, and can provide acceptable onsite car parking for future users. As such the revised development complies with the provisions of Policy DM4 of the Hastings Development Management Plan 2015 and the East Sussex County Council residential car parking guidance 2017.

Furthermore, the site is in a sustainable location with good access to services and public transport, and provision is made for cycle storage. The current application also maintains the footpath connections to the public rights of way network, providing pedestrian access to services and adjacent housing sites.

Highways officers have recommended planning conditions and confirmed the provisions of the original s106 agreement to be carried forward to the new permission. Where works have already started, the wording of the conditions / legal agreement can be varied accordingly.

#### l) Drainage

The drainage strategy has already been approved by ESCC Flood Risk Management officers and Southern Water had already confirmed there was sufficient capacity to accommodate the development. The drainage drawings have been updated to reflect the layout changes to accommodate the additional dwellings, but the proposed changes will have no material impact on the approved drainage arrangement.

#### m) Affordable housing

Policy H3 of the Hastings Planning Strategy 2014 and Policy LRA3 a) of the Hastings Development Management Plan 2015 requires developments of this size to provide 40% affordable housing on site, unless a submitted viability report demonstrates that this will not be appropriate.



The current application is accompanied by a Viability Report which has been appraised by an independent consultant commissioned by the Council.

The background to the affordable housing for this site began when outline permission HS/OA/17/00645 was granted permission in May 2019 subject to a s106 agreement securing 30% (15) onsite affordable housing units. Subsequently, a further planning application for full planning permission was submitted (HS/FA/20/00970). Prior to planning application HS/FA/20/00970 being considered by planning committee, the applicant agreed to provide 40% (26 units) affordable housing units onsite and indicated a willingness to enter into a legal agreement to secure this. Consequently, the application was progressed on that basis and presented to the committee members with a recommendation for approval. However, members resolved to refuse planning permission on the grounds of overdevelopment of the site. As such, affordable housing did not form part of the Council's reasons of refusal, as the proposal was policy compliant in that regard, and the applicant's stated position on viability at the date of the Committee meeting was such that it was not a reason for the Committee's decision to refuse.

The applicant appealed the refusal of planning permission. Viability did not form part of the appeal, as it was not relevant, given that there were no grounds of refusal on affordable housing to appeal. However, at around the same time that the Planning Inspectorate (PINS) were considering the appeal the applicant elected to return to a dialogue with the Council about affordable housing and raise viability as an issue. The Viability Report submitted to the Council at that time was subject to a review on behalf of the Council, by an independent viability consultant, which concluded that the development was unable to support the provision of any affordable housing or any other alternative contribution towards affordable housing. The Planning Inspectorate were made aware of these discussions and acknowledged in the decision that the Council in the light of the independent review, accept that the development could not support a contribution for affordable housing. As such, when the appeal was allowed, no affordable housing was required by the Planning Inspectorate in their granting of planning permission.

Following the granting of planning permission in October 2022, housing market conditions had worsened, and construction costs increased since the application was first submitted. Thus, when planning application HS/FA/22/00906 was submitted to amend certain aspects of the approved scheme (as carried forward to the current application) in November 2022, the application was supported by an Addendum Viability Study (Turner Morum) to demonstrate that the revised scheme remained unviable were it to provide affordable housing as part of the proposal. The submitted Addendum Financial Viability Assessment was subject to a further review by an independent viability professional, which made some adjustments to the applicant's open market values and build cost assumptions. Having made these adjustments, the independent review downgraded the applicant's suggested deficit of £-863,294 to £-205,153. Nevertheless, the conclusion of the independent review was that the scheme as amended remained unviable were it to provide affordable housing. As such, with the viability independently verified as not being able to provide a surplus for the delivery of affordable housing, the application was granted a resolution to approve planning permission with no affordable housing onsite, nor a commuted sum for affordable housing elsewhere in the Borough.

The current application, now being considered, also has a supporting Viability Study, with the assumptions adjusted to take account that the proposal is now for 71 units, as opposed to 67 units in the extant permission(s). The Viability Study (Turner Morum (December 2022)) submitted contends that the situation would remain the same, even with 4 additional dwellings provided onsite, in that the development would not be viable were it to include affordable housing. It concludes there would be a deficit of £-115,000 and it should be noted that this included an offer from the applicant to provide a £50,000 commuted sum towards affordable housing.

As is normal practice, and as was the case with the previous applications for this site, the Council commissioned a viability consultant, to provide an independent review of the submitted Viability Study. All Council's depend on independent advice on viability, as it is a specialised discipline. The resultant Financial Viability Assessment (March 2023) identified that a surplus of £440,921 was available to provide affordable housing, via a commuted sum payment.

This divergence from the applicant's own assessment was down to the review not agreeing with some of the applicant's assumptions, particularly regarding the Open Market Values the housing units would achieve, which were upgraded; and, the Build Costs which were downgraded, based on the

evidence provided in the review. When allowing for these adjustments, contrary to the viability assessment provided by the applicant, the review demonstrated that the scheme could viably provide a contribution towards affordable housing.

In the interests of fairness, the applicant was given the opportunity to respond to the viability review undertaken on behalf of the Council. Representing the applicant, Turner Morum challenged the assumptions made by the Council's appointed consultant, with particular reference to the open market revenues that could be achieved. Based on a Market & Revenue Update (McLaren Clark Consultancy (March 2023)), the applicant's consultants downgraded their previous Gross Development Value (GDV) to demonstrate that in their view the scheme could not support affordable housing.

The Council then referred back to its appointed independent consultant, for a view on the applicants revised assumptions. The verdict was that the applicant's case did not stack up, as the evidence provided for market analysis, was not based on a like-for-like locational equivalent. As such, the Council's viability consultant, reaffirmed its position on the open market values which could be achieved, in a FVA Response (April 2023), which remained at £22,931,396, £341,396 above the original assumptions made by the applicant. Thus, when taking account of the additional evidence provided by the applicant, the conclusion based on the revised inputs was that £465,495 could viably be provided for affordable housing as part of the current application.

The applicant submitted a further challenge from their consultant, opposing some of the inputs and calculations used to reach the revised surplus. The Council's appointed consultant accepted some of the points raised, including elements of how the build costs are calculated, and adjusted its build cost assumption accordingly. Thus, the amended conclusion set out in the revised FVA Response (June 2023) for the 71 unit development proposed by the current application, is that a contribution of £404,750 could viably be sought for affordable housing.

The review does also make reference to an alternative provision, in that 3% of the units (2 x 2 bed houses) could be provided for affordable rent on site, alongside a £50,550 contribution for offsite affordable housing. However, all parties, including the Council's Housing Manager agree this is not achievable, as no Registered Provider would realistically be interested in taking on just two homes on the site. Therefore, in this instance, it is accepted that an offsite contribution in the sum of £404,750 is appropriate.

In the light of the above, it is considered that a robust and fair viability assessment process has been undertaken, to get to the point that a contribution of £404,750 could viably be provided for much needed affordable housing in the Borough, which will go some way towards helping the Council support local housing need.

Whilst there are still some differences of opinion on the viability assessment, the applicant has agreed to a contribution of £404,750 which will be secured by a s106 Legal Agreement to ensure the contribution is ringfenced for Affordable Housing in Hastings.

As has been set out in this report, there are minimal changes to the overall scheme, over and above those already approved as amendments to the original scheme under planning reference HS/FA/22/00906, the main difference being the inclusion of 4 additional dwellings, which are assessed in this report as not materially harming the overall development, with the added benefit of providing additional much needed housing stock.

As such, securing a contribution of £404,750 towards affordable housing, is a significant consideration in the planning balance. Given, the additional four dwellings would not result in any identified planning harm, and given the fallback position that the extant permission could be built out without any affordable housing contribution being required, the aforementioned contribution now proposed, is considered to be a significant benefit to the Council.

#### n) Other contributions / obligations

Policy CI1 of the Hastings Planning Strategy 2014 requires development proposals to provide infrastructure or services that are necessary to mitigate impact created by additional pressures on community services or infrastructure as a result of the development.

A s106 legal agreement was completed to secure a number of obligations and contributions in relation to planning application HS/FA/20/00970. As part of the appeal process, the planning inspector queried the 'reasonableness' of some of the obligations and whether they would meet the

relevant CIL Regulations tests. As such, the original agreement is in the process of being varied to remove the obligations PINs deemed unreasonable. These were a Travel Plan Audit Fee, Condition of Estate Roads clause, and an affordable housing Viability Review. As such, these will not be carried forward to the new agreement.

This current application will require a new s106 agreement to secure the affordable housing contribution of £404,750 discussed above, and to secure ESCC contributions (as revised to take account of the additional 4 dwellings), and to secure the other previous obligations PINs deemed appropriate.

East Sussex County Council was consulted on this application and they advise that they request increased contributions of £18,673 (for 71 dwellings) towards library facilities, and £1,704 (for 71 dwellings) towards improvements to the Public Rights of Way network in the surrounding area.

As with the previous application East Sussex County Council have confirmed that the current early years, primary and secondary school provision, has capacity to accommodate the additional demand generated by the proposed development. Therefore, no contribution towards school places are required.

It is noted Parks & Open Spaces have requested £33,000 towards improvements to play facilities in the surrounding area. However, as this does not form part of the extant permission for 67 units, and it would be unreasonable to introduce this now for just 4 additional dwellings.

The local infrastructure services as requested by East Sussex County Council will be secured via the new s106 Agreement. As such, it is considered that the development as proposed complies with the NPPF policies, Policy CI1 of the Planning Strategy 2014, the East Sussex County Council's adopted Supplementary Planning Guidance, "A New Approach to Development Contributions" (the SPG), and the Community Infrastructure Levy Regulations 2010 - as amended (the CIL Regs).

Highways officers have confirmed the highways obligations secured as part of the extant permission are appropriate. Where works have already been scheduled or started, the wording of the legal agreement can be varied accordingly. As such, the new legal agreement would continue to secure the necessary highway improvement works, which include highway contributions towards a crossing point on Harrow Lane and a financial contribution towards sustainable transport measures identified to enhance The Ridge. In addition, a TRO is required for setting up parking restrictions and these will attract a fee of £5,000. Furthermore, a Travel Plan has been submitted with the application and the s106 will secure the proposed incentives including a £100 green travel voucher per unit redeemable towards public transport tickets and cycle equipment, a residents' information pack providing details of bus timetables, local routes to reach local amenities with walking/cycle distance and times, a Travel Plan coordinator contact, and a mechanism to redeem travel vouchers. As such, it is considered that the development as proposed complies with Policies DM4 and LRA3 k) of the Development Management Plan 2015.

Therefore, the s106 Legal Agreement will secure the following:

- Commuted sum of £404,750 as a contribution toward affordable housing
- Provision and retention of the open space
- £18,673 towards library provision
- £1,704 towards improvements to the Public Rights of Way network in the surrounding area
- £161,470 towards sustainable transport improvement measures on The Ridge
- £5,000.00 towards setting up parking restrictions on Harrow Lane
- Travel Plan measures including:
  - £100.00 green travel voucher per unit redeemable towards public transport tickets and cycle equipment; a residents information pack providing details of bus timetables, local routes to reach local amenities with walking/cycle distance and times, Travel Plan coordinator contact, and mechanism to redeem travel voucher
- Section 278 Agreement for highway works off-site to include pedestrian crossing point to allow connectivity to A21 Sedlescombe Road North, and road markings to protect the proposed access junction (double yellow lines)
- Section 278 Agreement for highway works on-site for creation of the vehicular access

o) Waste

Policy DM3 of Hastings Development Management Plan requires adequate space for storage of waste and its removal. HBC Waste Services have previously reviewed the proposal and are satisfied that there is an appropriate turning area for a waste lorry on entry, and they also advise that they are satisfied with the location of bins for collection. They have no objection to the current amended proposal.

p) Sustainable construction

The current application is accompanied by a Sustainability Statement which details the sustainability measures that will be incorporated into the development and how the proposed development will promote sustainable design, which has been accepted in the extant permissions. As such, the proposal is considered to achieve the objectives of Planning Strategy Policies SC3 and SC4.

q) Environmental Impact Assessment

The National Planning Practice Guidance (Paragraph: 017 Reference ID: 4-017-20170728) states that "'Screening' is a procedure used to determine whether a proposed project is likely to have significant effects on the environment. It should normally take place at an early stage in the design of the project. However, it can also occur after a planning application has been made or even after an appeal has been made. A developer can choose not to seek a screening opinion for a Schedule 2 development, and proceed to prepare and submit an Environmental Statement.

The Local Planning Authority (or the Secretary of State as the case may be) should determine whether the project is of a type listed in Schedule 1 or Schedule 2 of the 2017 Regulations:

- if it is listed in Schedule 1 an Environmental Impact Assessment is required in every case;
- if the project is listed in Schedule 2, the local planning authority should consider whether it is likely to have significant effects on the environment.

If a proposed project is listed in the first column in Schedule 2 of the 2017 Regulations and exceeds the relevant thresholds or criteria set out in the second column (sometimes referred to as 'exclusion thresholds and criteria') the proposal needs to be screened by the local planning authority to determine whether significant effects on the environment are likely and hence whether an Environmental Impact Assessment is required. Projects listed in Schedule 2 which are located in, or partly in, a sensitive area also need to be screened, even if they are below the thresholds or do not meet the criteria."

The National Planning Practice Guidance further advises that:

"The more environmentally sensitive the location, the more likely it is that the effects on the environment will be significant and will require an Environmental Impact Assessment. Certain designated sites are defined in regulation 2(1) as sensitive areas and the thresholds and criteria in the second column of the table in Schedule 2 are not applied. All developments in, or partly in, such areas should be screened. These are:

- Sites of Special Scientific Interest and European sites;
- National Parks, the Broads and Areas of Outstanding Natural Beauty; and
- World Heritage Sites and scheduled monuments."

The proposed development is not within a sensitive area as defined by Regulation 2 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and does not exceed the thresholds of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

r) Conditions

It is noted that some statutory consultees have requested pre-commencement conditions. However,

work has already commenced on site and many of the details reserved by condition have already been submitted and approved. Therefore, conditions will only be carried forward to this permission, where relevant. Nor is it reasonable to introduce new conditions at this stage unless they specifically relate to the 4 additional dwellings.

## **6. Conclusion**

The site is located within a sustainable location with easy access to services; and, the principle of residential development has been accepted by the extant permissions and a site allocation in the local plan under Policy LRA3. The proposed revised development accords with the key provisions of this policy.

There are minimal changes to the overall scheme, over and above those already approved as amendments to the original scheme under planning reference HS/FA/22/00906, the main difference being the inclusion of 4 additional dwellings, which are assessed in this report as not materially harming the overall development, with the added benefit of maximising the efficient use of land to provide much needed additional housing stock.

The addition of four dwellings, as set out in this report would not exacerbate the impact of the development on visual amenity, residential amenity, or the local highway network, nor result in harm to any other identified planning consideration.

As such, the addition of 4 dwellings tipping the balance to secure a contribution of £404,750 towards affordable housing, is a significant consideration in the planning mix. Given, the additional four dwellings would not result in any identified planning harm, and given the fallback position that the extant permission could be built out without any affordable housing contribution being required, the aforementioned contribution now proposed, is considered to be a significant benefit to the Council, so as to warrant recommending the application for approval, when applying a balanced planning judgement.

Affordable housing contributions, financial contributions towards highway improvements, and financial contributions towards ESCC infrastructure provisions as detailed herein will be secured by a s106 Legal Agreement.

Furthermore, it is material that as the Council cannot demonstrate a 5-year housing supply at this time, the tilted balance of NPPF paragraph 11d) is engaged.

Given the above, it is considered that 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**

**A) That the Planning Services Manager be authorised to issue planning permission upon completion of an agreement under S106 of the Town and Country Planning Act to secure:**

- **Commutated sum of £404,750 as a contribution toward affordable housing**
- **Provision and retention of the open space**
- **Contribution of £18,673 towards library provision**
- **Contribution of £1,704 towards improvements to the Public Rights of Way network in the**

surrounding area

- Contribution of £161,470 towards sustainable transport improvement measures on The Ridge
- Contribution of £5,000.00 towards setting up parking restrictions on Harrow Lane
- Travel Plan measures including:
  - £100 green travel voucher per unit redeemable towards public transport tickets and cycle equipment; a residents information pack providing details of bus timetables, local routes to reach local amenities with walking/cycle distance and times, Travel Plan coordinator contact, and mechanism to redeem travel voucher
- Section 278 Agreement for highway works off-site to include pedestrian crossing point to allow connectivity to A21 Sedlescombe Road North, and road markings to protect the proposed access junction (double yellow lines)
- Section 278 Agreement for highway works on-site for creation of the vehicular access

unless it has been conclusively shown that the development would not be viable and it would still be acceptable in planning terms without the identified development contributions. In the event that the Agreement is not completed or the viability issue is not resolved by 31 December 2023 that permission be refused on the grounds that the application does not comply with the relevant policies of the Hastings Local Plan, The Hastings Planning Strategy 2011-2028 or the Hastings Local Plan, Development Management Plan unless an extension of time has been agreed in writing by the Planning Services Manager in consultation with the Chair and Vice Chair of the Planning Committee.

B) Subject to the above:

Grant Full Planning Permission subject to the following conditions:

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:

6695/P/71/LBP; 6695/P/200/A; 6695/P/201/A; 6695/P/202/A; 6695/P/203/A; 6695/P/204/A; 6695/P/206/A; 6695/P/300/A; 6695/306/A; 6695/P/110/E; 6695/P/111/C; 6695/P/112/C; 6695/P/113/E; 6695/P/214/A; 6695/P/215/A; 6695/P/216/A; 6695/P/217/A; 6695/P/118/C; 6695/P/119/C; 6695/P/120/C; 6695/P/121/D; 6695/P/122/D; 6695/P/123/D; 6695/P/124/C; 6695/P/126/C; 6695/P/127/C; 6695/P/130/B; 6695/P/131/B; 6695/P/132/A; 6695/P/133/B; 6695/P/225/A; 6695/P/230/A; 6695/P/231/A; 6695/P/234/A; 6695/P/236/A; 6695/P/140/A; 6695/P/141/B; 6695/P/164/B; 6695/P/166/B; 6695/P/167/A; 6695/P/325; PLG/1725/22/A; 2020/5574/001/P7; 2020/5574/002/P7; 2020/5574/003/P4; P20970-HZL-00-DR-D-2204-S4-P1; P20970-HZL-00-DR-D-2205-S4-P1; P20970-HZL-00-DR-D-2220-S4-P4; P20970-HZL-00-DR-D-2221-S4-P2; P20970-HZL-00-DR-D 2219 S4-P1; P20970-HZL-00-DR-D-0252-S4-P1; P20970-HZL-00-DR-D-0253-S4-P1; and, P20970-HZL-00-DR-D-2243-S4-P1.

2. Prior to commencement of development above the slab level of any of the approved buildings, details including samples of the materials to be used in the construction of the external surfaces of the development 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.

3. Notwithstanding the submitted details, prior to commencement of development above the ground level slab of any new building, details of a scheme for hard surfacing across the site shall be submitted to, and approved in writing by the Local Planning Authority. Those details shall include finished levels, pedestrian access and circulation areas, and details of materials for driveways. The development shall be carried out in accordance with the approved details.
4. The development hereby approved shall be carried out in accordance with the approved land contamination measures in the documents titled 'Combined Geotechnical and Quantitative Ground Contamination Risk Assessment' prepared by Ashdown Investigation Ltd and dated December 2020, and 'Ground Gas Risk Assessment' by Ashdown Investigation Ltd dated March 2021. Any variation to the measures contained therein shall be submitted to and approved in writing by the Local Planning Authority in advance of those works being undertaken. The recommendations and measures in the above mentioned documents shall be adhered to in full.
5. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development is resumed or continued.
6. The development shall be carried out in accordance with the ecological measures detailed in the report titled 'Ecological Enhancement, Management and Mitigation Plan' prepared by Greenspace Ecological Solutions and dated December 2020, and shall include hedgerow, shrub and species-rich grassland management, hedgerow planting, bat and bird boxes and hedgehog houses.
7. The development shall be carried out in accordance with the methodologies contained in Section 4: Sensitive Works Methodologies of the report titled 'Ecological Enhancement, Management and Mitigation Plan' by Greenspace Ecological Solutions dated December 2020, and those measures shall remain in place through the construction process.
8. No development shall take place until the protective fences to safeguard trees and hedges have been installed in full accordance with the Tree Protection Plan forming part of the report 'Arboricultural Impact Assessment and Method Statement, Revision A' by Greenspace Ecological Solutions dated December 2020. The trees and hedgerows identified as being retained by the report shall be protected in accordance with the protection measures detailed within the report for the duration of the construction period.

9. The development shall be carried out in accordance with the 'Construction Method Statement', Revision A, prepared by The Park Lane Group, dated March 2021.
10. With the exception of internal works to the buildings hereby approved, the development must be carried out within the following times: 08:00- 18:00 Monday to Friday, 08:00- 13:00 on Saturdays, and no working on Sundays or Public Holidays.
11. The underwater attenuation tanks shall be installed in accordance with the details approved under HS/CD/22/00879 and shall be so maintained in accordance with the approved details.
12. Prior to occupation of the development, evidence (including as built drawings and photographs) shall be submitted showing that the drainage system has been constructed as per the drainage designs approved under HS/CD/22/00879.
13. No part of the development hereby approved shall be occupied until the storage and collection points for refuse bins, and all cycle parking spaces shown on the approved plans have been installed in full. These shall be retained and be available for use as such at all times thereafter.
14. No external lighting shall be installed unless details have first been submitted to, and approved in writing by the Local Planning Authority. Those details shall include provisions for avoidance of 'light spill', and the external lighting shall be installed only in accordance with the approved details.
15. Details including acoustic specifications, of all fixed plant, machinery and equipment associated with air moving equipment (including fans, ducting and external openings), compressors generators or plant or equipment of a like kind, installed within the site, which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved by the Local Planning Authority before installation.
16. No part of the development shall be occupied until minimum visibility splays of 43 metres by 2.4 metres have been provided at the proposed site vehicular access onto Harrow Lane in accordance with drawings P20970-HZL-00-DR-D 2219 S4-P1 & 2020/5574/001 P7. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.
17. The measures detailed within the 'Travel Plan' by RGP, dated December 2020 shall be implemented from the first occupation of any part of the development and shall remain in place thereafter for a period of 5 years. The appointed Travel Plan Coordinator shall provide monitoring reports to the Local Planning Authority after 1, 3, and 5 years to be audited by the Highway Authority.
18. The development hereby permitted shall not be occupied until the construction of the access and off-site accessibility requirements have been



completed in accordance with the approved technical details of the new access, pedestrian crossing point and associated lighting (S278) and details of a Traffic Regulation Order for the parking restrictions.

19. The development shall not be occupied until car parking areas have been provided in accordance with plan 6695/P/200/A and the proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls). The areas marked as 'allocated to a dwelling' and 'visitor' shall thereafter be retained for those purposes.
  
20. The scheme of soft landscaping for the site (PLG/1725/22/A) shall be implemented in full and not later than the first planting season following the first occupation of the development. If, within a period of 5 years from the date of planting, the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

**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. In the interests of the visual amenity of the area.
4. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.
5. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.
6. To protect features of recognised nature conservation importance.
7. To protect features of recognised nature conservation importance.
8. In the interests of the visual amenity.
9. In the interests of the visual amenity.
10. In the interests of amenity.
11. To prevent increased risk of flooding.
12. To prevent increased risk of flooding.

13. In order to secure a well planned development.
14. In the interests of the visual amenity.
15. In the interests of the visual amenity.
16. In the interest of highway safety.
17. To encourage and promote sustainable transport.
18. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
19. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
20. In the interests of the visual amenity.

### **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. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
4. This Authority's requirements associated with this development proposal will need to be secured through a Section 278 Legal Agreement between the applicant and East Sussex County Council. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
5. The applicant is advised to contact the Transport Development Control Team (01273 482254) to commence the process associated with the proposed Traffic Regulation Order. The applicant would be responsible for meeting all costs associated with this process which is a minimum of £5000. The applicant should note that the outcome of this process cannot be guaranteed as it is open to public objection.
6. In the event that roads are not offered for adoption, the Highway Authority would wish to see the roads within the site laid out and constructed to standards at, or at least close to, adoption standards.

7. The applicant should be made aware that the creation/alteration of this access will require the compliance with the Traffic Management Act 2004 and that the contractor will have to book road space with the East Sussex Highways Network Co-ordination team (0845 60 80 193)
  
  8. In the event that any sewers are found within the site the applicant is advised to contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Telephone: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
- 

### **Officer to Contact**

Mr Paul Howson, Telephone 01424 783279

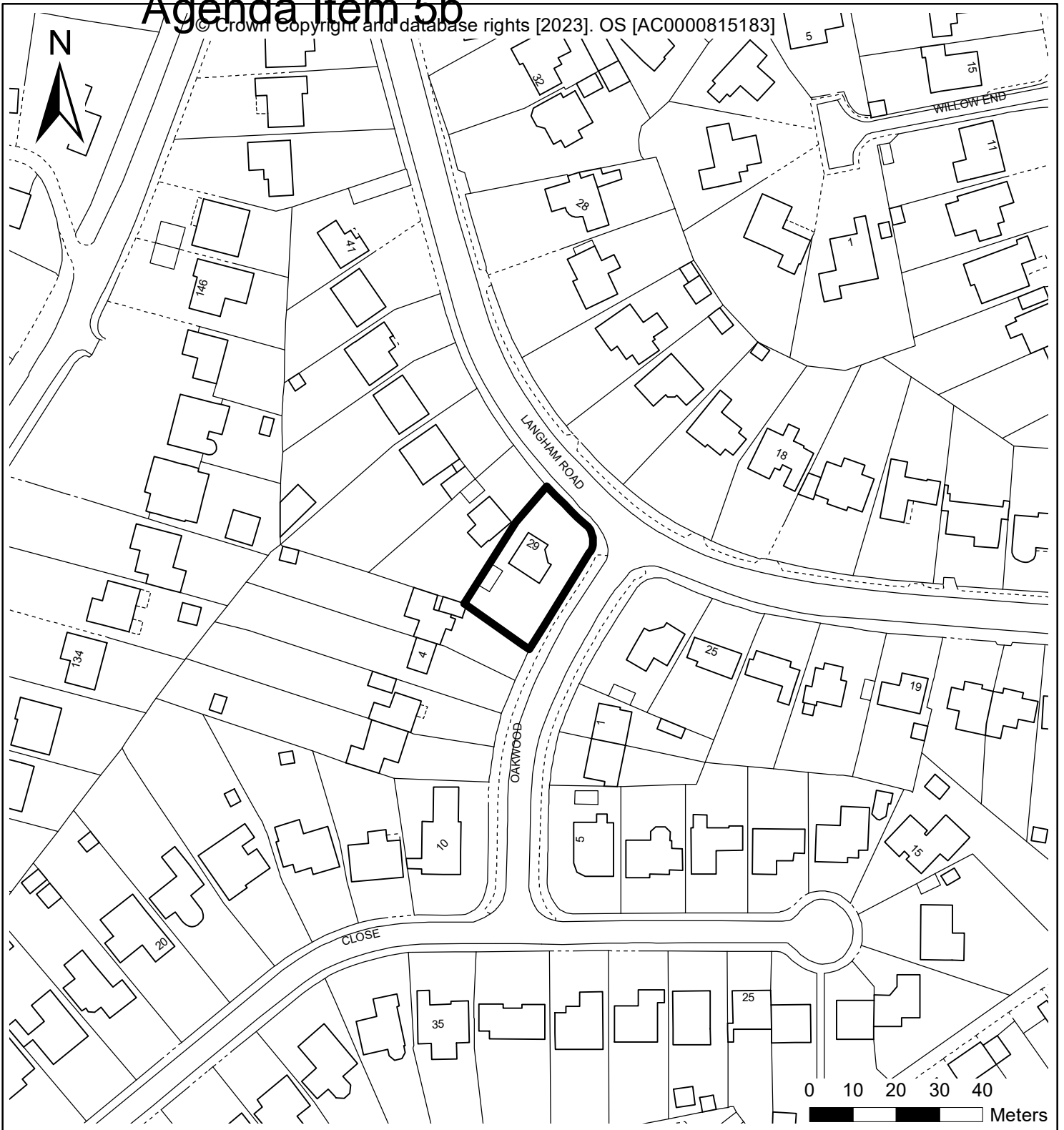
### **Background Papers**

Application No: HS/FA/23/00016 including all letters and documents

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# Agenda Item 5b

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**29 Langham Road**  
**Hastings**  
**TN34 2JE**

Proposed two storey side extension and single storey rear extension



Planning Services Manager  
Hastings Borough Council,  
Muriel Matters House, Breeds Place,  
Hastings TN34 3UY  
Tel: 01424 451090  
email: [planning@hastings.gov.uk](mailto:planning@hastings.gov.uk)

Date: Jul 2023

Scale: 1:1,250

Application No. HS/FA/23/00119

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**Report to:** PLANNING COMMITTEE

**Date of Meeting:** 26 July 2023

**Report from:** Planning Services Manager

**Application address:** 29 Langham Road, Hastings, TN34 2JE

**Proposal:** Proposed two storey side extension and single storey rear extension

**Application No:** HS/FA/23/00119

**Recommendation:** Grant permission

Ward: ST HELENS 2018  
Conservation Area: No  
Listed Building: No

Applicant: Mr and Mrs Carly Elliston per Blue Ridge Design  
Box Cottage Bethersden TN26 3AD

**Public Consultation**

Site notice:	Yes
Press advertisement:	No
Neighbour Letters:	No
People objecting:	6
Petitions of objection received:	0
People in support:	1
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 application site relates to No. 29 Langham Road, a two storey, three-bedroom detached dwelling house. The dwelling house is brick built, forming an L-shape with a gable end to the side and front. The roof has brown interlocking tiles with white UPVC windows and doors throughout. To the front there is a small porch with a pitched roof, with a single detached garage to the side which is set back into the site within the rear garden, with a driveway in front with access from Langham Road. The application dwelling and No. 27 Langham Road, opposite the site, both occupy prominent corner plots at the gateway into Oakwood Close, thereby being clearly visible from the public realm.

Both properties largely mirror one another and form an attractive pair which positively contribute to the character of Langham Road and Oakwood Close. Both 'L-shaped' properties feature moderate sized porches and are considered to be sympathetic in scale set within their comparable plots and set considerably away from their boundaries which face onto Langham Road and Oakwood Close. The site is fairly level with green garden space found to the front, wrapping around the side with a good-sized rear garden. The property is enclosed by a low stone wall (approximately 0.32m in height) to the boundary, and mature and dense box hedging measuring 1.1m in height which increases in height to 1.65m alongside the rear garden to provide increased privacy. This form of boundary treatment positively contributes to the green character of the area.

In this part of Langham Road and Oakwood Close, the immediate setting is characterised by a mix of detached two storey dwellings and bungalows, whilst they differ in terms of design, there is consistency in architectural form with clear pairs found such as the application dwelling and No. 27 at the entrance into Oakwood Close. The area has a spacious, suburban character with Langham Road and Oakwood Close tree lined with verdant verges which contribute to the green and attractive character of the area. This can also be seen with many of the boundary treatments comprising of low-level walls and hedging which provide a soft and natural appearance which positively contributes to the green character of the immediate setting, with the boundaries of the application site being no different, with low level walls and mature and dense hedging in situ.

### Constraints

SSSI Impact Risk Zone

GCN District Licensing Scheme IRZ - Green

Historic Landfill Site 250m Buffer

### Background information:

This application has been submitted with a revised scheme following the refusal of application HS/FA/22/01020 which was for two storey front and side extension, single storey garage extension to the side, front porch, changes to the materials of the dwelling and boundary treatments with the installation of fencing. Application HS/FA/22/01020 was refused due to the position, siting, scale, design and proximity to the boundaries of the proposed two storey front and side extension and the harmful impact it would have on the character and appearance of the dwelling and street. The application was also refused due to the design, height and prominent corner position of the proposed boundary fencing and the harmful impact it would have on the character and appearance of the area. This application has been submitted with a significantly reduced scheme to overcome the reasons for refusal, the two-storey front and side extension has been amended to a much smaller scale two-storey side extension with spacing maintained to the boundaries. This revised application has also omitted the single storey garage extension to the side, front porch, changes to the materials of the dwelling and boundary treatments previously proposed under



application HS/FA/22/01020. It is noted this application proposes the creation of a single storey extension to the rear.

## 2. Proposed development

This application proposes a number of external and internal works to the site of No. 29 Langham Road. These works will include the creation of a two-storey side extension which will be integrated into the dwelling and will measure 2.5m in width by 5.225m in length to sit approximately 3.4m to 3.55m from the side boundary of the site. The side extension will maintain the existing L-shape and roof form of the dwelling with the eaves and ridge height to run in line, the proposed extension will measure approximately 4.95m in height to the eaves and approximately 7.25m in height to the ridge. The end chimney will need to be removed to facilitate these works but will be re-positioned at the end of the extension to provide the same appearance to this end elevation as existing. The extension will provide an open plan kitchen and utility at ground floor with an ensuite and walk in wardrobe at first floor, there will be two windows within the front elevation and a further four windows within the side elevation. The extension will be constructed of brickwork, white UPVC windows and a tiled roof to match existing.

The application is also proposing the erection of a single storey rear extension which will measure 7.045m in width by 2.7m in length to sit approximately 3.7m to 3.8m from the side (south-east) boundary with the road of Oakwood Close thereafter, 7.35m from the side (north-west) boundary and 11.289m from the rear boundary of the site. The extension will feature a flat roof with roof lantern, measuring 3.259m in height. The extension will provide an open plan kitchen and dining area, there will be a window within the side (south-east) elevation and a further window and bi-fold doors within the rear elevation. The extension will be constructed of brickwork, with white UPVC windows and doors to match existing. The proposed works will lead to an increase in the number of bedrooms within the dwelling house from three to four.

The proposed works will also involve the existing single garage being removed, and two doors and a window being blocked and made good to match existing within the side (north-west) elevation.

No other form of development is being proposed under this application.

The application is supported by the following documents:

- Planning Statement.
- Waste Minimisation Statement.

### Relevant planning history

<b>Application No.</b>	HS/FA/22/01020
<b>Description</b>	Proposed 2 storey front & side extension, single storey garage to side, front porch, alterations to window and door openings, Cedral weatherboarding applied to first floor, new replacement roof tiles and new replacement boundary treatment to the front and side of site to include an increase in the width of the entrance with a new electric sliding gate.
<b>Decision</b>	Refused on 17/02/23

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## **National and local policies**

### Hastings Local Plan – Planning Strategy 2014

Policy FA2 - Strategic Policy for Central 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

### Revised Draft Local Plan (Regulation 18)

Policy DP1 - Design - Key Principles

### Other policies/guidance

National Design Guide

Supplementary Planning Document - Householder Development: Sustainable Design

East Sussex County Council Minor Application Guidance (2017)

### National Planning Policy Framework (NPPF)

Paragraph 8 sets out the three overarching objectives of the planning system in order to achieve sustainable development. Those are: 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 (to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;); and environmental (to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy)

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.

Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development.

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 of the NPPF states that the development plan is the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Paragraph 47 of the NPPF sets out that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 120 of the NPPF states, amongst other things, that decisions should promote and support the development of under utilised land and buildings, especially if this would help meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Paragraph 123 of the NPPF states that Local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and
- b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.

Paragraph 124 of the NPPF states that planning decisions should support development that makes efficient use of land.

Paragraph 130 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

in order to create an attractive, welcoming and distinctive places to live, work and visit.

- Optimise the potential of the site to accommodate an appropriate number and mix of development;
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 131 of the NPPF states that decisions should ensure new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments.

Paragraph 134 of the NPPF states that development that is not well designed should be refused but that significant weight should be given to development that reflects local design policies and government guidance on design and development of outstanding or innovative design which promotes high levels of sustainability and raises the standard of design in the area, provided they fit with the overall form and layout of their surroundings.

Paragraph 135 of the NPPF 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 183 of the NPPF states that decisions should ensure a site is suitable for its proposed use having regard to ground conditions and risks arising from land instability and contamination.

Paragraph 184 of the NPPF sets out that where sites are affected by land stability or contamination, responsibility for securing a safe development rests with the developer and/or landowner.

Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

### **3. Consultation comments**

None required for this application.

### **4. Representations**

In respect of this application two site notices were displayed near to the site one along Langham Road and one along Oakwood Close.

6 letters of objection were received from 6 different properties, raising the following concerns:

- The proposed two storey extension will be excessive, considered an overdevelopment of the site.
- Range of houses in area, but the application dwelling mirrors that of No. 27 Langham Road, these proposed two storey extension would totally alter this arrangement.
- Two storey extension will be out of keeping with surrounding area, and will dominate the area being built close to the boundary.
- Two storey extension will be clearly visible, works will spoil the appearance of the entrance to Oakwood Close.
- Concern that this will set a precedent with other extensions being proposed in the future.
- Single storey extension not very visible from the road or by people walking, this element considered acceptable.
- Single storey extension should have a pitched roof.
- The plans state 'garage' in the location of the previously refused garage extension between No. 29 and No. 31 Langham Road, concern is raised as it's not clear whether this is still proposed, objector has also included their objection comments submitted under application HS/FA/22/01020 which raised concern to this garage extension.

In relation to the concern regarding the 'garage' reference on the plans, this was an error left over on plan from the previous application HS/FA/22/01020 for which the agent has since removed from the plans. The works proposed under this application do not include any proposed garage extension.

2 letters of support have been received from 1 property raising the following:

- The application property and No. 27 Langham Road are badly designed and poorly built, the proposed works will modernise and enhance the property and surrounding area and will provide a better sized, better quality usable dwelling for families.

## **5. Determining issues**

The main issues to be determined in this application are the impacts of the proposed works on the character and appearance of the area, neighbouring residential amenities and highway safety and parking.

### a) Principle

The site is in a sustainable location and the application is therefore in accordance with Policy LP1 of the Hastings Local Plan - Development Management Plan 2015 in this respect and acceptable in principle subject to other Local Plan policies.

### b) Impact on character and appearance of area

Policy DM1 of the Hastings Local Plan - Development Management Plan (2015) states, all proposals must reach a good standard of design, which includes efficient use of resources, and takes into account:

- protecting and enhancing local character;
- showing an appreciation of the surrounding neighbourhood's historic context, street patterns, plot layouts and boundaries, block sizes and scale, height, massing and materials.

### *Two storey side extension*

The application site occupies a prominent corner plot at the gateway into Oakwood Close with Langham Road abutting the site to the front and Oakwood Close running along the south-east side of the site, as such the dwelling is clearly visible. This part of Langham Road and Oakwood Close, the immediate setting is characterised by a mix of detached two storey dwellings and bungalows, whilst they differ in terms of design, there is consistency in architectural form with clear pairs found such as the application dwelling and No. 27 Langham Road at the entrance to Oakwood Close. The application dwelling and No. 27 largely mirror one another, although it is noted No. 27 has a large rear conservatory. Both form an attractive pair which positively contribute to the character of Langham Road and Oakwood Close. Both of which being 'L-shaped' properties featuring moderate sized porches, considered to be sympathetic in scale set within their comparable plots and set considerably away from their boundaries which face onto Langham Road and Oakwood Close.

This revised application has been submitted following the refusal of application HS/FA/22/01020 which was for a two-storey front and side extension, single storey garage extension to the side, front porch, changes to the materials of the dwelling and boundary treatments with the installation of fencing. Application HS/FA/22/01020 was refused due to the position, siting, scale, design and proximity to the boundaries of the proposed two storey front and side extension and the harmful impact it would have on the character and appearance of the dwelling and street. The application was also refused due to the design, height and prominent corner position of the proposed boundary fencing and the harmful impact it would have on the character and appearance of the area. This application has been submitted with a significantly reduced scheme in order to overcome the previous reasons for refusal, the two-storey front and side extension has been amended to a much smaller scale two-storey side extension with spacing maintained to the boundaries. This revised application has also omitted the single storey garage extension to the side, front porch,

changes to the materials of the dwelling and boundary treatments previously proposed under application HS/FA/22/01020. It is also noted this application proposes the creation of a single storey extension to the rear.

The revised two storey side extension will be smaller in scale than the extension previously proposed and refused under application HS/FA/22/01020. The extension will take an integrated approach by providing a continuation of the dwelling house with the front and rear elevations being respected, measuring 2.5m in width by 5.225m in length by doing this the extension will maintain the existing L-shape and roof form of the dwelling with the eaves and ridge height to run in line with the host. Whilst the end chimney will need to be removed to facilitate these works, this is to be re-positioned at the end of the extension to provide the same appearance to this end elevation as existing. All of which will reduce the overall impact of this two-storey extension and will allow the host dwelling and the extension to read as one when viewed from Langham Road and Oakwood Close. The proposed extension is considered to be a proportionate to the plot and will provide a sympathetic addition.

The previous two storey extension refused under application HS/FA/22/01020 was proposed to sit around 1.5m from the side (south-east) boundary of the site, which was considered too close when compared to the existing spacing which is approximately 5.5m. The revised two storey addition submitted under this application has been significantly reduced, measuring a moderate 2.5m in width. As such the proposed extension will maintain sufficient spacing to the side (south-east) boundary with around 3.4m to 3.55m of space to be maintained. This is a welcomed improvement over refused application HS/FA/22/01020 with sufficient spacing maintained on site, it is also noted that other neighbouring sites nearby have similar arrangements to this in place. Whilst it is acknowledged that this two-storey side addition will alter the pair, the application site and No. 27 somewhat, due to its moderate width with sufficient spacing maintained and with the L-shape and roof form maintained it is not considered this change will cause significant harm. The extension is to be constructed of materials to match and complement the host dwelling which will provide further coherence between the existing dwelling and this addition. The proposed windows will be of the same sizing and style as existing to provide uniformity, with the side elevation to feature a chimney and four windows to mimic the existing elevation which will provide much needed detailing to this visible elevation facing onto Oakwood Close.

It is noted the area has a spacious, suburban character with Langham Road and Oakwood Close tree lined with verdant verges which contribute to the green and attractive character of the area. This can also be seen with many of the boundary treatments comprising of low-level walls and hedging which provide a soft and natural appearance which positively contributes to the green character of the immediate setting, with the boundary of the application being no exception. The site is enclosed by a low stone wall (approximately 0.32m in height) to the boundary, and mature and dense box hedging measuring 1.1m in height which increases in height to 1.65m alongside the rear garden to provide increased privacy. This existing boundary treatment positively contributes to the green character of the area, and this should be retained. Under this application the applicant is proposing for the existing hedging to be retained on site. During determination of the application concerns were raised due to the proximity of the proposed extension and this hedging, and that during construction works the hedging could possibly be damaged. As such the agent provided a proposed layout boundary plan (drawing No. P1008A) which illustrates the existing boundary treatments in place and that these are to be retained on site. Condition 5 has been agreed by the agent and has been attached to ensure that the hedging shall be retained on site in perpetuity, if it dies, or is removed or becomes seriously damaged or diseased it shall be replaced in the next planting season with another of similar size and species.

### *Single storey rear extension*

The proposed single storey rear extension which will project 2.7m from the rear of the dwelling house and will sit approximately 3.7m to 3.8m from the side (south-east) boundary with the road of Oakwood Close thereafter, 7.35m from the side (north-west) boundary and 11.289m from the rear boundary of the site. The extension will feature flat roof and roof lantern and will measure moderate 3.259m in height. Due to the extension's position, siting and moderate height and scale it is considered proportionate to the site and will create a subservient addition. The existing boundary wall and hedging provides good screening with around half of the proposed extension to be concealed. Condition 5 has been attached to ensure this hedging is retained on site in perpetuity, if it dies, or is removed or becomes seriously damaged or diseased it shall be replaced in the next planting season with another of similar size and species. Given the moderate depth and height of the extension, together with the good boundary which is in place and the degree of separation from the boundaries it is not considered that this addition will be overly prominent or harmful to the character and appearance of the dwelling house or surrounding area. The extension will be built of materials to match and complement the host dwelling with the windows to be of the same style all of which will help the extension integrate, further reducing its prominence.

Given the above assessment, it is not considered that the proposed development will significantly harm the character and appearance of the property or the area, therefore it is considered the proposed works are acceptable in this regard and comply with the aims of Policy DM1 of the Hastings Local Plan - Development Management (2015) and the Supplementary Planning Document - Householder Development: Sustainable Design.

### c) Impact on neighbouring residential amenities

Policy DM3 of the Hastings Local Plan - Development Management Plan (2015) states, in order to achieve a good living standard for future users of proposed development and its neighbours it should be demonstrated that amenity has been considered and appropriate solutions have been incorporated into schemes. Permission will be given for development where:

- the use of the scale, form, height, mass, and density of any building or buildings, reduces or avoids any adverse impact on the amenity (privacy, over shadowing, loss of daylight) of neighbouring properties.

### *Two storey side extension*

The dwelling house currently sits approximately 5.5m away from the side (south-east) boundary of the site, following the proposed two storey side extension the dwelling will sit approximately 3.4m to 3.55m from this boundary. Whilst the proposed works to the side of the dwelling house will alter the appearance of the host dwelling somewhat by bringing the dwelling closer to the side boundary, the proposed extension will sit in line with the front and rear elevations which it will adjoin and will sit approximately 20m from the property of No. 2 Oakwood Close which is set beyond the rear boundary of the site, and approximately 23m from the property of No. 27 Langham Road which is set to the south-east of the site with the road of Oakwood Close positioned between. Given the degree of separation, which is to remain in place, any impact upon the amenity of these neighbouring properties is considered to be negligible. As the proposed extension is to be located on the south-east side of the dwelling, the opposite side to neighbouring property No. 31 Langham Road, the proposed extension will be sufficiently distanced from this neighbouring property and will have no harmful impact upon the amenity of these occupants as a result.

### *Single storey rear extension*

The proposed single storey rear extension will project 2.7m from the rear of the dwelling house and will sit approximately 3.7m to 3.8m from the side (south-east) boundary with the road of Oakwood Close thereafter, 7.35m from the side (north-west) boundary and 11.289m from the rear boundary of the site and will measure 3.259m in height. Given the siting, position and moderate size of the single storey extension together with the sufficient distance to the boundaries there will be no harmful impact upon any of the neighbouring properties in terms of outlook and daylight and sunlight levels as a result. The proposed extension will serve as an open plan kitchen and dining area, there will be a window within the side (south-east) elevation and a further window and bi-fold doors within the rear elevation, similar views are already achievable with views being directed towards the garden and boundaries of the site (and the road of Oakwood Close and the neighbouring boundaries on the south-east side), as such there are no concerns that the privacy of the neighbouring properties will be harmfully impacted as a result of these proposed works.

The development is also proposing the removal of two doors and a window within the side (north-west) elevation with these being blocked up and made good to match existing, the removal of these openings will reduce the number of openings and will reduce available views from this elevation directed towards No. 31 Langham Road.

Condition 3 has also been attached to limit the hours of construction, to help control the impact from the works and safeguard neighbouring properties in terms of noise and disruption.

Taking the above into account, it is not considered that the proposed works would significantly harm the amenity of Nos. 27 and 31 Langham Road and No. 2 Oakwood Close, and therefore the proposal is considered acceptable in this respect and in accordance with the aims of Policy DM3 of the Hastings Local Plan - Development Management (2015) and the Supplementary Planning Document - Householder Development: Sustainable Design.

### d) Impact on Great Crested Newts

The development falls within the green impact risk zone for great crested newts and as the application is a Household one, there is no requirement to consult NatureSpace in respect of Great Crested Newts. An informative is added should Great Crested Newts be found on site at any stage of the development works.

### e) Highway safety/parking

The East Sussex County Council Minor Application Guidance (2017) states in paragraph 3.6.1 that 'parking for individual dwellings that don't have a shared access or share parking car parking should be provided as follows: 1 or 2 bedroom dwelling: 1 space, 3 or 4 bedroom dwelling: 2 spaces'.

It would appear that the dwellinghouse currently has three bedrooms with this to increase to four bedrooms if the proposed works were to go ahead, in light of the above it is likely the number of parking spaces required on site would remain the same, with two being required. The site benefits from a good-sized driveway which provides ample of space to accommodate the resident's vehicles on site.

The scheme will also see the removal of the existing single garage. East Sussex County Council Minor Application Guidance (2017) states a single garage should measure 6m by 3m, with a 2.4m wide garage door, with garages only accounting for 0.3 of a parking space. As such, the existing garage is below the required dimensions for modern day standards so there will be no loss in parking spaces on site on this occasion.



Given the above in which the number of parking spaces required on site is likely to remain the same and that the site features a large driveway which can more than accommodate the requirement, it is not considered there will be any impact upon highway safety and parking as a result of the proposed development.

#### f) Site Constraints

The site is within a SSSI IRZ. The scale of development does not fall within the threshold for consultation with Natural England and as such it is not considered that there will be any impact on SSSIs.

The property is located within an historic landfill site 250m buffer. As the property is located within a landfill buffer, an appropriately worded information note has been added to this permission to inform the applicant of their responsibilities.

## **6. Conclusion**

In light of the above assessment, it is considered that the proposed development is in line with the aims of Policies DM1 and DM3 of the Hastings Local Plan - Development Management Plan (2015), Supplementary Planning Document - Householder Development: Sustainable Design and the relevant sections of the National Planning Policy Framework. Therefore, it is recommended that permission 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 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:

P1003C, P1004D, P1007C and P1008A

3. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-  
  
08.00 - 18.00 Monday to Friday  
08.00 - 13.00 on Saturdays  
No working on Sundays or Public Holidays.
4. The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.
5. The existing Buxus Sempervirens (box hedging) located at points A to E on drawing No. P1008A shall be retained on site in perpetuity, if it dies, or is removed or becomes seriously damaged or diseased it shall be replaced in the next planting season with another of similar size and species.
6. The flat roof of the rear extension hereby approved shall not be used as a balcony, roof garden or similar amenity area at any time, and access to the roof shall be for purposes of maintenance only.

**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. In the interests of the visual amenity of the area.
5. To ensure a satisfactory form of development in the interests of the character of the area.
6. 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 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)

4. If during development and excavations any suspicions become evident or are aroused as to the potential or presence for any contaminated land, then works should immediately cease and a contaminated land assessment / ground investigation report be carried out which should then be submitted to and approved in writing by the Local Planning Authority prior to the work, associated with the permission hereby granted, commencing.
5. The applicant is advised that if the proposed patio to the rear of the dwelling house is to be any higher than 0.3m from ground level then planning permission will be required to be obtained prior to these works being carried out.

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### **Officer to Contact**

Mrs L Fletcher, Telephone 01424 783261

### **Background Papers**

Application No: HS/FA/23/00119 including all letters and documents

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# Agenda Item 6

Agenda Item: 6

<b>Report to:</b>	Planning Committee
<b>Date:</b>	26 July 2023
<b>Report from:</b>	Planning Services Manager
<b>Title of report:</b>	<b>PLANNING APPEALS &amp; DELEGATED DECISIONS</b>
<b>Purpose of report:</b>	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 01/06/2023 to 06/07/2023
<b>Recommendations:</b>	That the report be noted

**The following appeals have been received:**

<b>Address/ Application Number</b>	<b>Proposal</b>	<b>PSM's Rec</b>	<b>Where the decision was made</b>	<b>Type of Appeal</b>
264 Elphinstone Road, Hastings, TN34 2AG HS/FA/22/00937	Alterations to front driveway, removal of existing steel gates and front boundary wall, first floor extension over existing side extension, hip to gable roof extension with front and rear dormers and raised patio area (part retrospective)	Refuse Planning Permission	DELEGATED	Planning
2 Chambers Crescent, St Leonards-on-sea, TN38 9HZ HS/FA/22/00960	Proposed balcony to first floor of front elevation, removal of first floor window and installation of double-set French doors. Car canopy underneath balcony (amended description).	Refuse Planning Permission	DELEGATED	Planning

**The following appeals have been allowed:**

<b>Address/ Application Number</b>	<b>Proposal</b>	<b>PSM's Rec</b>	<b>Where the decision was made</b>	<b>Type of Appeal</b>
Land between 42 & 45 Tackleway (rear of Zion Cottage) Hastings HS/FA/21/01019	Proposal development for a two bedroom infill dwelling & associated parking on land between no.42 & 45 Tackleway	Refuse Planning Permission	DELEGATED	Planning
15 Priory Close, Hastings, TN34 1UJ HS/FA/22/00896	Demolition of existing garage and construction of new single storey side extension and new porch to existing property	Refuse Planning Permission	DELEGATED	Planning

**The following appeals have been dismissed:**

<b>Address/ Application Number</b>	<b>Proposal</b>	<b>PSM's Rec</b>	<b>Where the decision was made</b>	<b>Type of Appeal</b>
58 Sheerwater Crescent, Hastings, TN34 2NZ HS/FA/22/00665	Change of use of land to residential to allow enlargement of the rear garden. Removal of existing boundary wall and erection of a side boundary fence. Enlargement of hardstanding area to create additional parking space (amended description)	Refuse Planning Permission	DELEGATED	Planning

<b>Type of Delegated Decision</b>	<b>Number of Decisions</b>
Granted Permission	60
Prior approval Approved	2
Refused Permission	10
Withdrawn by Applicant	6
<b>Total</b>	<b>78</b>

**Report written by**  
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