

Report to: PLANNING COMMITTEE

Date of Meeting: 20 September 2017

Report from: Assistant Director of Housing and Built Environment

Application Address: **Public Conveniences, Harold Place, Hastings, TN34 1JA**

Proposal: **Demolish the existing redundant local authority public convenience roof and superstructure complete down to ground floor slab level and finish the resulting flat pedestrian area with pre-cast concrete paving slabs with an appearance complementary to the surrounding pedestrianised town centre surface finishes. The existing basement level service directly void beneath the superstructure is to be retained.**

Application No: **HS/FA/17/00651**

Recommendation: **Grant Full Planning Permission**

Ward: CASTLE
Conservation Area: No
Listed Building: No

Applicant: Hastings Borough Council Muriel Matters
House Breeds Place Hastings TN34 3UY

Interest: Freeholder/Leaseholder

Existing Use: Public toilet (closed)

Public Consultation

Site Notice: Yes
Press Advertisement: No
Letters of Objection: 0
Petitions of Objection Received: 0
Letters of Support: 0
Petitions of Support Received: 0
Neutral comments received 0

Application Status: Not delegated - Council Application

1. Site and Surrounding Area

The site comprises a toilet block within Hastings Town Centre, closed to members of the public in April 2017. The toilet block does not form part of the retail frontage given its former use and recessed positioning on the edge of Wellington Place pedestrian area with Harold Place running to the west. It is sited central to a thoroughfare leading from the town centre shopping area towards the underpass that leads to Hastings beach.

The toilet block lies just outside the Town Centre Conservation Area which wraps around the site to the north, east and west. Given this close proximity, the building sits within the setting of the conservation area. It should be noted that the conservation area boundary is currently under review and that there is a proposal to extend the area boundary to include the site that is the subject of this application within the conservation area, although this has not been formalised at the date of writing this report.

There are no listed buildings immediately abutting the site. The nearest listed buildings are at Carlisle Parade underground car park, the Havelock public house in Havelock Road and York Buildings, although the works to the toilet block are not considered to affect the setting of any of these buildings.

Constraints

- Area affected by groundwater flooding
- Area affected by surface water flooding
- Archaeological Notification Area
- Buffer zone of a conservation area
- Flood zone 2 and 3
- SSSI Impact Risk Zone

2. Proposed development

Demolition of existing toilet block (250sqm) down to ground floor slab level, and finish with pre-cast concrete paving slabs. The existing basement level void is to be retained.

The application is supported by the following documents:

- Design and access statement
- Site waste management plan
- Heritage statement
- Demolition method statement

Relevant Planning History

No relevant planning history

National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

Policy FA2 - Strategic Policy for Central Area
Policy FA3 - Strategy for Hastings Town Centre
Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way
Policy SC7 - Flood Risk
Policy EN1 - Built and Historic Environment

Hastings Local Plan – Development Management Plan (2015)

Policy LP1 - Considering planning applications
Policy DM1 - Design Principles
Policy HN1 - Development affecting the significance and setting of designated heritage assets (including conservation areas)
Policy HN4 - Development affecting heritage assets with archaeological and historic interest of potential interest

National Planning Policy Framework (NPPF)

The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay.

Three dimensions of sustainability given in paragraph 7 are to be sought jointly: economic (by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst paragraph 10 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.

3. Consultation comments

Conservation officer - **no objection**

Does not consider the toilet block to be of particular historical or architectural interest nor does it make a positive contribution to the setting of the conservation area. Its removal will have an advantage in opening up views to the coast and revealing more of the historic buildings in the conservation area.

County Archaeologist - **no objection**

Does not believe that any significant below ground archaeological remains are likely to be affected by these proposals

Given that this is an application for demolition of premises, and no replacement building is proposed, it is not necessary to consult the Environment Agency or the lead local flood authority in respect of the site's location in a flood zone. Building Control are aware of the intention to demolish and have issued a Section 81 Notice.

4. Representations

No letters of representation have been received following the display of a site notice.

5. Determining Issues

The main issue to be considered is the impact of the demolition on the character and appearance of the area, and whether the remediation works will positively contribute to the streetscene.

a) Principle

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

b) Impact on character and appearance of area

Whilst the application site is not currently located in a conservation area, its close proximity to the Town Centre Conservation Area, and the likelihood of the Conservation Area Review including it, means that heritage issues are still a key consideration.

The existing toilet block is a modern utilitarian building, not considered to be of particular historic or architectural interest. It does not make any positive contribution to the setting of the conservation area. The removal of the building will have the advantage of opening up conservation area views to the coast and also revealing more of some good quality historic buildings in the conservation area. Overall it is considered that the removal of this building will have a positive impact on the setting of the Hastings Town Centre Conservation Area. The submitted heritage statement shows an understanding of the significance of the asset and demonstrates that the level of harm will be minimal. Policy HN1 of the Development Management Plan is therefore complied with.

It is proposed to pave over the demolition site once the building has gone. At the moment, there is a mix of brick paving and concrete slab paving in the immediate vicinity of the site. Subject to details being submitted that ensure appropriate paving and hard landscaping is provided, it is considered that there will be no negative impact on the streetscene or character and appearance of the area. Policy DM1 of the Development Management Plan is therefore complied with.

c) Loss of use

The use provided a facility for members of the public, however this was closed in April 2017. There are other public conveniences in a short walking distance of the site. As such the loss of the use is considered acceptable.

6. Conclusion

The demolition of the toilet block will not cause harm to the character and appearance of the area, or the setting of the surrounding conservation area. The proposals therefore comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

The Human Rights considerations have been taken into account fully in balancing the planning issues.

7. Recommendation

Grant Full Planning Permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

BG/P4/2/2A, 2B, BG/P4/2/3A, 3B
3. Prior to demolition commencing, samples of the proposed paving to be used to cover over the site shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved paving samples.
4. No development above ground shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall show how the new paving will fit into the wider context of the paving patterns immediately abutting all sides of the site.
5. All hard landscape works shall be carried out in accordance with the approved details.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
4. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
5. To ensure a satisfactory form of development in the interests of the character and amenity of the area.

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Officer to Contact

Miss S Roots, Telephone 01424 783329

Background Papers

Application No: HS/FA/17/00651 including all letters and documents