

Report to: PLANNING COMMITTEE
Date of Meeting: 20 June 2018
Report from: Assistant Director of Housing and Built Environment

Application Address: 4 Castle Street, Hastings, TN34 3DY

Proposal: Change of use from A1(Retail)to mixed use including A1(Retail), A3(Restaurants & Cafes) and A4(Drinking establishments)

Application No: HS/FA/18/00276

Recommendation: Grant Full Planning Permission

Ward: CASTLE 2018
Conservation Area: Yes - Hastings Town Centre
Listed Building: No

Applicant: Mr Bates per Murphy Associates 18 Braemore Court Kingsway Hove BN3 4FG

Public Consultation

Site Notice: Yes
Press Advertisement: Yes - Conservation Area
Letters of Objection: 15
Petitions of Objection Received: 0
Letters of Support: 3
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 site consists of a three storey terraced property located on Castle Street. The property fronts on to Castle Street . Access to the residential property above is via Castle Hill Road to the rear. The property has most recently been used as a retail unit spread across the ground and first floors of the premises. The property has a recessed shop front with double doors, panelled stall riser and transomes windows. The site is within the Town Centre Conservation Area and is a Grade II Listed Building.

Listing:

757/13/317 CASTLE HILL ROAD 14-SEP-76 18A AND 18B CASTLE STREET 4

II House with ground floor shop; brick and stuccoed facade. Early C19 with C21 and early C20 alterations.

EXTERIOR: A building of three storeys, with a shop on the ground floor with blind case and fascia. The upper two storeys are stuccoed. There is a canted bay window of sashes with glazing bars on first floor, and two sash windows on upper floor, the right hand of which is narrow (two by eight). The moulded architrave with dripmoulding formerly recorded is no longer extant.

HISTORY : There was a shop at the ground floor by the early C20. Since 2004 the building has been converted at the rear to provide two flats sharing one entrance, involving minor change to the internal layout.

SUMMARY OF IMPORTANCE: Externally a well preserved early C19 street-fronted house, its modest facade enlivened by the first floor bay window. It is of group value with Nos. 3 to 6 (consecutively), of which No. 6 is of local interest only.

Constraints

Business Improvement District
Consultation Draft Hastings Central CAA
Architectural Notification Area
Hastings Town Centre Conservation Area
SSSI Impact Risk Zone
Listed Building - Grade II

2. Proposed development

This application seeks retrospective permission for the change of use from A1 (retail) to a mixed use comprising A1 (retail), A3 (restaurant/cafe) and A4 (drinking establishment). No structural alterations to the premises are proposed and as such, an accompanying listed building consent application is not required.

It is noted that the exterior of the premises, at ground floor level, has been repainted from a dark grey to a mid-grey.

The application is supported by the following documents:

- Site and Waste Management Plan
- Design and Access Statement

Relevant Planning History

HS/FA/17/00588	Change of use of redundant shop currently A1 to A3 Use
Withdrawn	11/12/2017
HS/LB/05/00240	Internal alteration to existing third floor flat to form additional bedroom
Granted	23/05/2005

HS/LB/04/00182	Change of use of second floor to one bedroom flat with associated alterations to rear.
Granted	29/04/2004
HS/FA/04/00181	Change of use of second floor to one bedroom flat with associated alterations to rear.
Granted	28/04/2004
HS/LB/03/00308	Change of use of second floor to 3 bedroom flat including associated layout alterations to shop front at first floor level and external alterations to rear.
Refused	02/06/2003
HS/FA/03/00305	Change of use of second floor to three bedroom flat with associated external alterations to rear.
Refused	02/06/2003
HS/LB/95/00588	Retention of fixing from Christmas street lights.
Granted	08/01/1996
HS/LB/92/00110	Replacement of shop front on ground floor
Granted	17/08/1992
HS/FA/92/00109	Replacement of shop front on ground floor.
Granted	17/08/1992

Additional Information:

The use of a vape within a premises is currently not included under the Heath Act 2006, and as such, there is no law to say that persons cannot vape inside cafes and pubs etc. As a result of this, a decision can be made by the publican/owner of the property as to whether this is allowed within their premises.

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 FA6 - Strategic Policy for The Seafront
- Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way
- Policy EN1 - Built and Historic Environment (Archaeological Notification Areas)
- Policy EN1 - Built and Historic Environment (CA16 TOWN CENTRE)

Hastings Local Plan – Development Management Plan (2015)

[Delete from below list as necessary and Insert any additional Relevant Policies]

- Policy LP1 - Considering planning applications
- Policy DM1 - Design Principles
- Policy DM3 - General Amenity
- Policy DM4 - General Access
- Policy HN1 - Development affecting the significance and setting of designated heritage assets (including conservation areas) (CA16 TOWN CENTRE)
- Policy HN2 - Changing Doors, Windows and Roofs in Conservation Areas (CA16 TOWN CENTRE)
- Policy HN3 - Demolition involving heritage assets (CA16 TOWN CENTRE)
- Policy HN4 - Development affecting Heritage Assets with Archaeological and Historic Interest

or Potential Interest (Archaeological Notification Areas)

Policy SA1 - Hastings Town Centre Shopping Area (Shopping Area Hastings Town Centre)

Policy SA4 - Drinking Establishments and Hot Food Take-aways

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.

Paragraph 20 - To help achieve economic growth, local planning authorities should plan pro-actively to meet the development needs of business and support an economy fit for the 21st century.

Paragraph 23 - Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. In drawing up Local Plans, local planning authorities should:

- recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;
- define a network and hierarchy of centres that is resilient to anticipated future economic changes;
- define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations;
- promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres;
- retain and enhance existing markets and, where appropriate, reintroduce or create new ones, ensuring that markets remain attractive and competitive;
- allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. Local planning authorities should therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites;
- allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available. If sufficient edge of centre sites cannot be identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre;
- set policies for the consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres;
- recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites; and

- where town centres are in decline, local planning authorities should plan positively for their future to encourage economic activity.

Draft National Planning Policy Framework (DNPPF)

Paragraph 86 (replaces para 23) - . Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:

- a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and change in a way that supports a diverse retail offer, provides customer choice, allows a suitable mix of uses (including housing) and reflects their distinctive characters;
- b) define the extent of town centres and primary shopping areas, identify primary and secondary frontages, and make clear which uses will be permitted in such locations;
- c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;
- d) allocate a range of suitable sites in town centres to meet the scale and type of development needed, looking at least ten years ahead. Meeting needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review;
- e) allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre, where suitable and viable town centre sites are not available. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre;
- f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites; and
- g) support diversification and changes of use where town centres are in decline, as part of a clear strategy for their future, while avoiding the unnecessary loss of facilities that are important for meeting the community's day-to-day needs.

3. Consultations comments

Licensing - **No objection**, subject to informative (No.5)

Environmental Health - **No objection**, subject to conditions (No. 3i & 3ii)

The applicant has indicated that the premises shall be used for heating pre-cooked food rather than preparing and cooking it on site. This is controlled by the above noted conditions.

Sussex Police - **Objection**

Concerns that should A4 usage be granted for this premises the premises will solely become a drinking establishment, therefore Sussex police does not support the A4 usage

Refuse Storage - **No Objection**

As the existing waste provision is to continue, there are no objections to the proposal.

Planning Policy - **No Objection**

As the A3 and A4 uses are to be ancillary, no objection in terms of policy.

4. Representations

In respect of this application a site notice was displayed at the front of the site and an advert placed in the local paper. In response to this 18 letters were received. Of these letters 15 letters of objection from 12 properties and 3 letters of support were received. The concerns within the letters of objection include;

- Too many cafes/restaurants already in the Town
- Existing business not surviving
- The Council should show support for existing businesses
- Increase in unhealthy food and knock on effect on the NHS and Council
- Odour from extracts

Of these concerns, several are not material planning considerations that can be considered in the assessment of a planning application, however the concerns raised have been addressed below.

The letters of support include comments such as;

- welcoming the social element of the proposed use
- the use would generate more income for the town

5. Determining Issues

a) Principle

Policy LP1 of the Hastings Local Plan - Development Management Plan (2015), paragraph 4.3 of the Hastings Local Plan – Planning Strategy (2014) and paragraph 14 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) Impact on Character and Appearance of the Conservation Area

Policy DM1 of the Hastings Development Management Plan states that all proposals must reach a good standard of design, which includes efficient use of resources, and shows appreciation of the surrounding neighbourhood's historic context, street patterns, plot layouts and boundaries, block sizes and scale, height, massing and materials as well as good performance against nationally recognised best practice guidance on sustainability, urban design and place-making, architectural quality and distinctiveness.

There are no external alterations proposed as part of the change of use and the Conservation Officer has raised no objection towards the scheme. It is likely that, in the future some form of advertisement is likely to be installed, however, no details of this have been provided as part of the current scheme. In light of this, an informative is suggested (No.4) to advise of the requirement of listed building and advertisement consent for this. As mentioned above, the exterior of the property has recent been repainted. Having discussed this alteration to the premises with the Council's Conservation Officer, it is considered that the paint colour is acceptable and, being similar to the previous colour, does not require listed building consent.

Heritage:

Policy HN1 of the Hastings Development Management Plan states that applications that have the potential to impact upon the significance of designated heritage assets (including conservation areas) will be assessed to ensure that the proposed development sustains and enhances the significance of the heritage asset.

As stated above, the site forms part of a Grade II Listed property. No alterations are proposed to the fabric of the premises and as such it is considered that the significance of the listed building will not be affected.

Taking the above into account, it is considered that the proposal would not have an unacceptable impact on the significance of the Grade II Listed building or the wider character of the Town Centre Conservation Area. The proposal therefore meets the aims of Policy DM1 and HN1 of the Hastings DM Plan 2015.

c) Proposed Use and Loss of existing use

Policy SA1 of the Hastings Development Management Plan states that within Hastings Town Centre Shopping Area, as defined on the Policies Map, at ground floor level, proposals for planning use-class A1, A2, A3, A4 and other uses appropriate to the character of the shopping area will be permitted provided both of the following criteria are satisfied:

- a) The proposal would not result in non-A1 uses exceeding 5% of the total floorspace of Priory Meadow and not more than 45% of the total number of ground floor units in the remaining shopping area, as defined on the Policies Map;
- b) The proposal would not result in such a concentration of non class A1 uses as to lead to a significant interruption in the shopping frontage, thus harming the vitality and viability of the town centre shopping area as a whole.

This is supported by Policy SA4 of the Hastings DM Plan which states that planning permission for new drinking establishments (use class A4 of the Town and Country Planning Use Classes Order 1987 (as amended)) and hot food take-aways (use class A5) will be granted provided that:

- a) the precise nature of the use proposed (which should be specified in the planning application), including opening hours, is given;
- b) the proposal would not adversely affect neighbours, for example, causing excess noise or odour;
- c) the proposal would not, on its own, or cumulatively with other such uses in the area, be likely to result in problems of disturbance or public disorder;
- d) suitable off-street parking is or can be provided where there is insufficient on-street parking; and
- e) it would not cause inconvenience or danger on the public highway as a result of the additional stopping and manoeuvring of vehicles.

The existing use of the premises is A1 (retail). The proposal is for the diversification of the use while retaining an element of retail, but also including A3 (cafe/restaurant) and A4 (drinking establishment) to accompany the existing A1 (retail) use. Within the planning statement that accompanies the application, it states that, the main use of the premises would remain as A1 at approximately 70% of trade, with a dedicated retail counter. This estimate is based on the fact that the highest percentage of trade would be from passing customers who purchase their required products, and leave the premises.

The proposed sale of hot and cold drinks and craft beers is estimated to be approximately 30% of the overall trade, with a split of 20% for the hot/cold drinks (non-alcoholic) and 10% for alcohol, which are detailed to be craft beers only. This element of the business is estimated to be relatively low due to the nature of the business. However, it would allow for customers to purchase a vape and remain at the premises for refreshment, supporting the economic growth of the business.

Crime Prevention:

The Designing Out Crime Officer from Sussex Police has objected to the application, with specific regard to the proposed A4 (drinking establishment) element of the proposal. The DOC Officer's concerns relate to the potential for the A4 element of the usage to evolve, resulting in the premises solely being a drinking establishment.

In response to these comments, the agent has provided a statement further explaining the proposed use. This statement identifies that:

- The sale of alcohol (craft beers) is to be an ancillary activity and not the main usage of the premises.
- It is proposed to only sell craft beers, no wine or other spirits are to be provided.
- No food will be prepared on the premises.
- The food provided will consist of Paninis (warmed), sandwiches, bowls of soup heated by a microwave.

The concerns raised by Sussex police are acknowledged, however, the proposed alcohol sales are only proposed to be approximately 10% of the total trade. It must also be acknowledged that while as part of the consideration of an application the LPA are required to 'future proof' against unacceptable development, the application can only be considered on the current proposal. The Local Planning Authority (LPA) cannot speculate how or if the business will evolve in the future. However, to address the concerns raised by Sussex Police, a condition could be imposed (No.4) requiring this element of the proposed use to remain ancillary to the main A1 (retail) use at all times. Should the applicant subsequently wish to use the premises solely as A4 (drinking establishment), then a further application would be required and this matter would be fully considered at that point.

Sussex Police have also commented in respect of the A3 usage. They have stated that substantial food should be available at all times and that the alcohol sales, as discussed above, be ancillary to food prepared on the premises and served at tables. These comments are acknowledged, however the agent has advised that no food is to be prepared on the premises. The intention is to provide pre-packed sandwiches and paninis etc, with the food provision being similar to that at other high street coffee shops such as Costa, Cafe Nero and Easy Coffee etc. Having reviewed the floor plans submitted, it is clear that no commercial kitchen facilities are proposed and the arrangement of seating and tables reflects that found in an informal coffee shop rather than a restaurant. Despite this, to ensure the main function of the business remains as A1 use, a condition (No.4) is to be imposed restricting the A3 (cafe/restaurant) and A4 (drinking establishment) elements to remain ancillary to the main A1 (retail) use.

Taking the above into account, while the concerns raised by Sussex Police are acknowledged, it is considered that with the use of robust conditions, the proposed use can be carried out without detriment to public safety and in accordance with the aims of Policies SA1 and SA4 of the Hastings Planning Strategy and Paragraph 19 of the NPPF which states that planning should operate to encourage and not act as an impediment to sustainable growth and that significant weight should be placed on the need to support economic growth

through the planning system. The proposal change of use is therefore considered acceptable.

e) Impact on Neighbouring Residential Amenities

Policy DM3 of the Hastings Development Management Plan states that 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.

The second floor of the premises is currently used as a residential property. In light of this, any proposal within the ground and first floor must ensure there is not a detrimental impact on the amenities of the residents above.

The hours proposed are as follows:

A1 use:

Mon-Fri - 08:00 - 21:00, Saturday - 08:00 - 21:00, Sundays and Bank Holidays - 08:00 - 21:00

A3 use:

Mon-Fri - 08:00 - 21:00, Saturday - 08:00 - 21:00, Sundays and Bank Holidays - 08:00 - 21:00

A4 use:

Mon-Fri - 12:00 - 21:00, Saturday - 12:00 - 21:00, Sundays and Bank Holidays - 12:00 - 21:00

These hours are considered to reflect several other commercial premises in the close proximity to the unit, including a cafe and a restaurant (with alcohol license) both of which have residential accommodation above. The Environmental Health Officer and Licensing Officer have also raised no objection towards the proposed hours of opening.

With regards to the potential for noise disruption from extracts and odour control equipment, Environmental Health have reviewed the proposal. They have acknowledged that presently the applicant is proposing to only cater for the provision of pre-packed foods and soup etc. with no provision for extraction systems. However, a condition has been suggested requiring details of any further extraction/odour control equipment be submitted, should the use evolve to include the provision of hot meals and/or more complex catering. Having visited the site it is considered that the potential installation of an extract should the use evolve, would not have an unacceptable impact on the character of the Conservation Area or the existing streetscene at the rear of the premises. A further condition has been suggested by Environmental Health (No.3ii) in relation to sound insulation, however, this is again only relevant should the use evolve and/or intensify.

With regards to the use of the first floor of the premises, there are concerns that the use of this floor as a seating area could give rise to noise and disturbance in respect of the residents in the second floor flat. In light of this, it is suggested that a condition (No.7) be attached requiring the submission of a noise report identifying suitable mitigation measures, where necessary, to ensure the proposed mixed use would not have an unacceptable impact on the occupants of the flat above.

Taking this in to account it is considered that the proposed use is acceptable as it would not have a detrimental impact on the amenities of the neighbouring residents. The change of use therefore complies with the requirements of Policy DM3 of the Hastings Development Management Plan as quoted above.

f) Highways Safety/parking

There is no parking provision as part of this proposal, there are however, public car parks in close proximity to the site and the site is within the Hastings Town Centre with easy access to public transport connections. As a result of this, it is considered that there would not be a detrimental impact in terms of parking or highway safety.

g) Waste and Refuse

The waste and refuse collection is to remain as existing. Presently the commercial bins are stored at the rear of the site in Castle Gardens, which is standard practice for the other commercial properties operating along Castle Street. These bins are provided and serviced by Hastings Borough Council. The Borough Waste and Refuse Team have raised no objections towards the proposal and as such, it is considered that the provision for waste and refuse collection from the site is acceptable.

h) Screening of Application under Habitats Regulations 2017 - Impact of Development on Ashdown Forest Special Area Conservation (SAC)

The proposed development is located approximately 38 km from the Ashdown Forest Special Area of Conservation (SAC), 37 km from the Lewes Downs SAC and 11.5 km from the Pevensey Levels SAC. The proposal is directly connected with or necessary to the management of the Ashdown Forest, Pevensey Levels or Lewes Downs SACs and therefore it is not necessary to determine if the proposal has a likely significant effect on the conservation objective or special integrity of the SACs.

The proposed change of use from A1 to a mixed A1, A3 and A4 use will not increase the useable floor area at the site and is to remain part of the single planning unit. The trip rate for the proposed use would remain similar to the existing A1 use and would be unlikely to increase vehicular traffic movements. A report produced by Environmental Consultants AECOM has analysed development coming forward in the borough up to 2033 and concluded that there would be no harm to the conservation objectives of the above noted SACs. The impact on the Ashdown Forest SAC in respect of nitrogen disposition as a result of this application, in combination with other relevant development, will remain unchanged. As such an Appropriate Assessment to consider whether the development could give rise to nitrogen deposition on the SACs is not considered necessary in this instance.

i) Site Constraints

SSSI Impact Risk Zone: 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.

Business Improvement District: Business Improvement District (BID) is a business led and business funded scheme to improve a defined commercial area, such as Hastings Town Centre. Businesses based in Hastings Town Centre voted to establish a BID in November 2016. It was approved by a majority of businesses in the BID area who voted (72% in favour) following a confidential and formal ballot during Oct. / Nov. 2016. The Town Centre BID will have a five-year lifespan, which can be extended by subsequent ballots. The BID empowers local businesses to 'raise funds' to be spent locally on improving their trading environment.

Archaeological Notification Area (ANA): There are no ground works proposed as part of this development and as such there would not be an impact on the ANA.

6. Conclusion

Taking the above in to account it is considered that the proposed use would result in an acceptable development that is in keeping with the character of the area and would not have an unacceptable impact on the amenities of the neighbouring residents. The proposal is therefore recommended for approval subject to 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 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:

1640-03A, 1640-01A, 1640-04.
3. (i) The A3 use shall only be used as a cafe as specified within the application. Should the use intensify to include the provision of hot meals and/or more complex catering, a scheme for the fitting of odour control equipment to the building shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The intensified A3 use shall not commence until all odour control equipment works have been carried out to the satisfaction of the Local Planning Authority and the odour control equipment shall be maintained thereafter to the satisfaction of the Local Planning Authority.

(ii) A scheme for the sound insulation of odour control equipment referred to in the condition 3(i) shall be submitted to and approved in writing by the Local Planning Authority and the intensified A3 use shall not commence until all sound insulation works have been carried out to the satisfaction of the Local Planning Authority. The sound insulation works shall be maintained thereafter to the satisfaction of the Local Planning Authority and in accordance with the manufacturer's instructions and records of cleaning/replacement of filters/fans etc. shall be kept available for inspection on the premises.

4. The proposed A3 (cafe) and A4 (drinking establishment) uses are to remain ancillary to the main A1 (retail) usage and at no point are to become the primary use of the premises without the prior written consent of the Local Planning Authority.
5. No music, amplified sound system or other form of loud noise shall be used or generated which is audible outside the premises or within adjoining buildings.
6. The A1 use shall not be used except between the following hours:-
 - Mon-Fri - 08:00 - 21:00,
 - Saturday - 08:00 - 21:00,
 - Sundays and Bank Holidays - 08:00 - 21:00

The A3 use shall not be used except between the following hours:-

 - Mon-Fri - 08:00 - 21:00,
 - Saturday - 08:00 - 21:00,
 - Sundays and Bank Holidays - 08:00 - 21:00

The A4 use shall not be used except between the following hours:-

 - Mon-Fri - 12:00 - 21:00,
 - Saturday - 12:00 - 21:00,
 - Sundays and Bank Holidays - 12:00 - 21:00
7. Within 1 month of the date of this permission a noise report is to be submitted to the Local Planning Authority identifying any necessary measures required in respect of the 2nd floor flat to mitigate against noise and disturbance arising from the proposed use. The identified mitigation measures shall then be installed within 3 months of the written approval from the Local Planning Authority in conjunction with the Borough Conservation Officer.
8. The use shall operate in accordance with the supporting statement from the Agent received 30 April 2018.

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 residents.
4. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
5. To safeguard the amenities of the adjoining residents.

6. To safeguard the amenity of adjoining residents.
7. To safeguard the amenity of adjoining residents.
8. 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. 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.
3. Listed Building Consent will be required if any internal or external alterations are made to the property.
4. A separate application, will be required in with the Advertisement Regulations for the display of advertisements on the exterior of the premises.
5. An application is required to be submitted to Hastings Borough Council Licensing department. More information on this can be found at: <https://www.hastings.gov.uk/licensing/premises/>

Officer to Contact

Mrs E Meppem, Telephone 01424 783288

Background Papers

Application No: HS/FA/18/00276 including all letters and documents