

Report to: PLANNING COMMITTEE
Date of Meeting: 10 October 2018
Report from: Assistant Director of Housing and Built Environment

Application Address: **Astec House, 10-12 Sedlescombe Road South, St Leonards-on-sea, TN38 0TA**
Proposal: **Redevelopment to provide a mixed scheme comprising 290 sq m of business floor space and 12 x two bed and 1 x three bed apartments together with associated parking.**
Application No: **HS/FA/18/00028**

Recommendation: **REFUSE**

Ward: WISHING TREE 2018
 Conservation Area: No
 Listed Building: No

Applicant: Astec Computing (UK) Ltd. per Town & Country Planning Solutions Sandhills Farmhouse Bodle Street Green Hailsham BN27 4QU

Public Consultation

Site Notice: Yes
 Press Advertisement: No
 Letters of Objection: 42
 Petitions of Objection Received: 1
 Letters of Support: 0
 Petitions of Support Received: 0
 Neutral comments received 0

Application Status: Not delegated - Petition received

1. Site and Surrounding Area

The site is located to the north of the junction of Ponswood Road and Sedlescombe Road South and comprises a part single, part two storey building currently in use by Astec Computing (B1a, office use). The site includes parking to the west of the site for 13 cars accessed from Ponswood Road. The building is located to the east of the site. The site is approx. 0.1 hectares (approx. 936sq.m) with a building area of approx. 319.3 sq.m and internal B1a floor space of approx. 316sq.m. The site slopes down from south to north.

The existing building, on site has a unique design which positively contributes to the area.

The site is located in a predominantly residential area with some commercial and other uses. A single storey doctors surgery bounds the site to the north and single storey chapel (Plymouth Brethren Mission Room) is located to the west on Ponswood Road. Other buildings in the area are mainly two storey residential. The wider area includes further residential uses, Ponswood Industrial estate, an Asda super store and retail and commercial uses as part of Silverhill District Centre.

Constraints

- SSSI Impact Risk Zone
- High risk of ground and surface water flooding
- Historic landfill 250m buffer site
- Flood Zone 1

2. Proposed development

Replacement 5 storey, flat roof building comprising approx. 290m² of commercial office (B1a) floor space at ground floor; and 13 flats on the upper floors. Breakdown of residential units:-

- 12, no.2 bedroom units 4 each on first, second and third floors;
- and 1, no.3 bed unit on the fourth floor

Nine of the two bedroom flats would have balconies, and the three bedroom flat on the top floor would have two no. roof terraces. One section of flat roof would include a sedum green roof with solar PV panels and another section of roof would also have solar panels.

The existing access will be widened to 4.8m with tactile paving to the public highway. Parking for 17 cars, including two disabled bays will be provided to the west of the site, some under the cantilevered sections of the building. Two of the bays will include electric vehicle charging points. A cycle parking store (for 17 bicycles) is proposed in front of the building to the north east corner of the site with the bin storage behind this. Landscaping is proposed in front of the east and south facing elevations, fronting Sedlescombe Road South and Ponswood Road.

The application is supported by the following documents:

- Design and access statement
- Viability assessment statements
- Site waste management plan
- Sustainability statement
- Statement of community involvement

Relevant Planning History

Application No.	HS/FA/53/00477
Description	Use as furniture repository - renewal of permission.
Decision	Permission with conditions on 13/10/53

Application No. HS/OA/62/00291
Description Erection of Petrol Filling Station.
Decision Outline Application Refused on 08/05/62

Application No. HS/OA/63/00080
Description Erection of furniture store.
Decision Outline Application Refused on 12/03/63

Application No. HS/OA/63/00381
Description Erection of petrol filling station.
Decision Outline Application Refused on 11/06/63

Application No. HS/OA/65/00338
Description Site for the erection of petrol filling station.
Decision Refused on 11/05/65

Application No. HS/OA/66/00551
Description Demolition of existing building and erection of block of 12 flats with garages.
Decision Permission Without Conditions on 30/06/66

Application No. HS/OA/66/01211
Description Site for the erection of a church.
Decision Outline Application with Conditions on 14/02/67

Application No. HS/DS/67/01283
Description Erection of church OA/66/1211
Decision Permission with conditions on 11/04/68

Application No. HS/FA/95/00275
Description Change of use from church to computing business (servicing, repairs and incidental retail)
Decision Permission with conditions on 17/07/95

Application No. HS/PA/14/00783
Description Change of use from offices (B1) to residential
Decision Decided as prior approval not required on 29/10/14

National and Local Policies

Hastings Local Plan – Planning Strategy (Hastings PS) (2014)

Policy DS1 - New Housing Development

Policy DS2 - Employment Growth

Policy FA1 - Strategic Policy for Western 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 SC7 - Flood Risk
Policy H1 - Housing Density
Policy H2 - Housing Mix
Policy H3 - Provision of Affordable Housing
Policy E1 - Existing Employment Land and Premises
Policy CI1 - Infrastructure and Development Contributions
Policy T3 - Sustainable Transport

Hastings Local Plan – Development Management Plan (DMP) (2015)

Policy LP1 - Considering planning applications
Policy DM1 - Design Principles
Policy DM3 - General Amenity
Policy DM4 - General Access
Policy DM5 - Ground Conditions
Policy DM6 - Pollution and Hazards

Other Policies/Guidance

Sussex Air Quality and Emissions Mitigation Guidance 2013

Homes & Communities Agency: Urban Design Lessons. Housing Layout and Neighbourhood Quality.

Technical housing standards – nationally described space standard. March 2015.
Department for Communities and Local Government

National Planning Policy Framework (NPPF)

Paragraph 11 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.

Paragraph 12 of the NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Three dimensions of sustainability given in paragraph 8 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 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.

Section 12 of the NPPF sets out the requirement for good design in development. Paragraph 124 states: "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Paragraph 127 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
- Optimise the potential of the site to accommodate an appropriate number and mix of development;
- Create safe places with a high standard of amenity for future and existing users

Paragraph 130 states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way that it functions.

Paragraph 130 also seeks to ensure that the quality of an approved development is not materially diminished between permission and completion through changes to the permitted scheme.

National Planning Policy Guidance

Consider layout

This is how buildings, street blocks, routes and open spaces are positioned in an area and how they relate to each other. This provides the basic plan for development. Developments that endure have flexible layouts and design.

New development should look to respond appropriately to the existing layout of buildings, streets and spaces to ensure that adjacent buildings relate to each other, streets are connected, and spaces complement one another.

The layout of areas, whether existing or new, should be considered in relation to adjoining buildings, streets and spaces; the topography; the general pattern of building heights in the area; and views, vistas and landmarks into and out of the development site.

There may be an existing prevailing layout that development should respond to and potentially improve. Designs should ensure that new and existing buildings relate well to each other, that streets are connected, and spaces complement one another. This could involve following existing building lines, creating new links between existing streets or providing new public spaces.

In general urban block layouts provide an efficient template with building fronts and entrances to public spaces and their more private backs to private spaces. Such layouts minimise the creation of unsupervised and unsafe public spaces and unsafe access routes. However building frontages do not have to be continuous or flat. Breaks and features particularly where they emphasise entrances, can be successfully incorporated.

There should be a clear definition between public and private space. A buffer zone, such as a front garden, can successfully be used between public outdoor space and private internal space to support privacy and security.

Paragraph: 024 Reference ID: 26-024-20140306

Consider scale

This relates both to the overall size and mass of individual buildings and spaces in relation to their surroundings, and to the scale of their parts.

Decisions on building size and mass, and the scale of open spaces around and between them, will influence the character, functioning and efficiency of an area. In general terms too much building mass compared with open space may feel overly cramped and oppressive, with access and amenity spaces being asked to do more than they feasibly can. Too little and neither land as a resource or monetary investment will be put to best use.

The size of individual buildings and their elements should be carefully considered, as their design will affect the: overshadowing and overlooking of others; local character; skylines; and vistas and views. The scale of building elements should be both attractive and functional when viewed and used from neighbouring streets, gardens and parks.

The massing of development should contribute to creating distinctive skylines in cities, towns and villages, or to respecting existing skylines. Consideration needs to be given to roof space design within the wider context, with any adverse visual impact of rooftop servicing minimised.

Account should be taken of local climatic conditions, including daylight and sunlight, wind, temperature and frost pockets.

Paragraph: 026 Reference ID: 26-026-20140306

Housing design issues

Well-designed housing should be functional, attractive and sustainable. It should also be adaptable to the changing needs of its occupant.

In well-designed places affordable housing is not distinguishable from private housing by its design, nor is it banished to the least attractive part of the site.

Consideration should be given to the servicing of dwellings such as the storage of bins and bikes, access to meter boxes, space for drying clothes or places for deliveries. Such items should be carefully considered and well designed to ensure they are discreet and can be easily used in a safe way.

Unsightly bins can damage the visual amenity of an area. Carefully planned bin storage is, therefore, particularly important. Local authorities should ensure that each dwelling is carefully planned to ensure there is enough discretely designed and accessible storage space for all the different types of bin used in the local authority area (for example landfill, recycling, food waste).

In terms of parking, there are many different approaches that can support successful outcomes, such as on-street parking, in-curtilage parking and basement parking. Natural surveillance of parked cars is an important consideration. Car parking and service areas should be considered in context to ensure the most successful outcome can be delivered in each case.

Paragraph: 040 Reference ID: 26-040-20140306

3. Consultations comments

Highways - **No Objection** subject to conditions.

Planning Development & Enabling Officer (Affordable Housing) - **Comment**

“We support the creation of new housing that this application brings however are disappointed that the application makes no allowance for affordable housing. Due to the housing need across the borough it’s essential that wherever possible affordable housing is provided in line with the Local Plan. As the application is for 13 new homes, we would expect there to be a 20% affordable housing contribution provided. This could be met through an on-site provision and/or a financial contribution. I note that the applicant has submitted a viability report because they do not believe the scheme can make an affordable housing contribution due to viability. We would expect this report to be independently assessed.”

Environmental Health - Contaminated Land and Noise - **No Objection** subject to conditions

Southern Water - **No Objection** subject to informatives

East Sussex County Council (ESCC) Flood Risk (SUDS)- **No objection** subject to conditions

ESCC Highways- **No objection** subject to conditions

4. Representations

43 no of representations and 1 petition received from 35 different properties. 43 letters of objection have been received raising the following concerns:

- Out of keeping with surrounding area, excessive scale will dominate the street scene and surrounding buildings
- Detrimental impact on residential amenity. Loss of light, overbearing and visually intrusive impact; and loss of privacy through overlooking
- Lack of off-street parking provision which will lead to further issues for residents trying to park, congestion and highways danger. Use will see more customer visits for the seminars and further exacerbate parking problems
- Lack of proper provision for waste management will lead to issues with waste collection and storage
- Increase in units and residents will lead to poor air quality
- Additional units and residents will put strain on public services
- No affordable housing is not reasonable
- Lack of sewer drain capacity in the area

- Housing mix of flats not required or in demand in the area

Objection petition signed by 62 people received objecting on the grounds of:

- The building being out of character with the area in terms of design and height
- Loss of privacy to surrounding residential gardens and houses
- Inadequate parking on site which will lead to parking pressure on street

5. Determining Issues

The main issues to be considered are:-

- Principle
- Impact on the character and appearance of the area
- Impact on neighbouring residential amenities
- Future residential amenities
- Affordable housing and other contributions
- Sustainable construction
- Flooding and drainage

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 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 (Silverhill District Centre is nearby to the north of the site) and as such the development is considered acceptable in principle subject to other local plan policies.

Whilst there would be a limited reduction (approx. 26sq m) in the size of the B1a commercial floor space, the layout would allow for a more useable and modern space. Thus better suited to the current business and more attractive for future occupants. Furthermore, the unit could be converted to residential under permitted development through the prior approval route and the Council must take this fall-back position as a material consideration. As such the principle of the re-development of the commercial space with residential use above is considered to meet policy requirements of policies DS2 and E1 of the Hastings PS. Nevertheless, the use and the quantum proposed is accommodated in the building the mass, size, height and scale of which is not considered to be acceptable, as set out below. This is materially different, therefore, to the fall-back position.

b) Impact on Character and appearance of area

The proposed building is not considered to be in character with the area. The building is on a prominent corner plot and will introduce a 5 and 4 storey building to an area characterised predominantly by single and two storey buildings, with exceptions such as nos. 14 and 10 Sedlescombe Road having a 3 only by virtue of habitable accommodation in their roofs. Although 14 Sedlescombe Road South (located on the opposite side of Ponswood Road) is set up the hill from the site, the proposed building would still be more than a storey higher. It would be 3 storeys higher than the top of the ridge of the doctors surgery to the north (no. 8 Sedlescombe Road South) and a similar amount higher than the Plymouth Brethren Mission

Room to the west. The building would be the largest and highest in the immediate area and this is exacerbated by its prominent corner location. Hastings DMP policy DM1 states:-

“All proposals must reach a good standard of design, which includes efficient use of resources, and takes into account:

- a) protecting and enhancing local character;*
- b) showing an appreciation of the surrounding neighbourhood's historic context, street patterns, plot layouts and boundaries, block sizes and scale, height, massing and materials;*
- c) good performance against nationally recognised best practice guidance on sustainability, urban design and place-making, architectural quality and distinctiveness;*
- d) the layout and siting of buildings to make efficient use of land, the orientation of frontages to achieve attractive streetscapes and to best take into account the effects of solar gain;*
- e) an assessment of visual impact, including the height, scale, and form of development that should be appropriate to the location, especially given the complex topography of the Borough and the need, in some instances, to consider the visual effect from key viewpoints. This is particularly important when there are potential impacts upon areas of heritage and/or landscape value as outlined in the Planning Strategy (this could include a landscape assessment where appropriate).”*

It is recognised that the current building has a flat roof design at differing levels but it is a much lower level building than that proposed with dual frontage which are designed to be ‘active’ with windows and doors facing the roads. The proposed building is significantly larger, over two times higher than the highest level of the existing building and fails to replicate its character. The contrast between the proposed building and the single storey buildings either side would be significant and the degree of change so noticeable as to stand out as an incongruous form of development harmful to the character of the area. The elevation facing Ponswood Road has large sections of blank wall, especially at ground floor level, failing to achieve an active or attractive frontage, creating a hostile, imposing and overbearing appearance within the street scene. This is contrary to policy DM1, especially section d. The failure to achieve an active frontage to Ponswood Road is also against the advice given in the Homes and Communities Agency guidance, Urban Design Lessons: Housing Layout and Neighbourhood Quality, section 2 which specifically identifies the importance of an active frontage:

“A street or space is formed by the buildings that surround it, much like a room is formed by the walls around it. Well-defined streets and spaces are created by relatively continuous building frontage. Active frontage made up of front doors and windows (especially to ground floor habitable rooms) create lively and well-supervised streets. This is a key requirement for creating safe and attractive public spaces. Keeping gaps between buildings limited and avoiding blank walls and garden fences which face the street are important considerations. To achieve this, long perimeter blocks, wide frontage dwellings and bespoke dual-fronted corner dwellings can all contribute to active frontage.”

Furthermore, the building fails to make the most of the corner plot by not proposing a curved or chamfered corner to the junction of Ponswood Road and Sedlescombe Road South. This would use the corner making the building turn with the junction and create an attractive feature within the street scene.

The footprint of the building is proposed at ground floor to be closer to Sedlescombe Road and Ponswood Road by approx, 2m and 2.5m (respectively) more than existing. The building would encroach beyond the existing building line and again create a form of development out of keeping with the character of the area.

The bin and cycle store are proposed to be located forward of the building line in a visually prominent position. Bin and cycle stores should be located more and accommodated on site in a manner that would be sensitive to the location. As proposed the bin and cycle store would appear at odds in the street scene, where outbuildings are predominantly located to the rear of buildings. Guidance in the NPPG states:

"Consideration should be given to the servicing of dwellings such as the storage of bins and bikes, access to meter boxes, space for drying clothes or places for deliveries. Such items should be carefully considered and well designed to ensure they are discreet and can be easily used in a safe way.

Unsightly bins can damage the visual amenity of an area. Carefully planned bin storage is, therefore, particularly important. Local authorities should ensure that each dwelling is carefully planned to ensure there is enough discretely designed and accessible storage space for all the different types of bin used in the local authority area (for example landfill, recycling, food waste)."

Overall, the development is considered to be excessive in scale which would result in a dominant structure on a prominent corner plot with large areas of blank wall facing Ponswood Road, failing to achieve an active frontage or attractive street scene. The building would have a utilitarian and uncharacteristic appearance and harm the visual amenity of the area, failing to take the chance to improve the character and appearance of the street scene contrary to NPPF paragraph 130 which states:

"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents."

Owing to its excessive scale, utilitarian design with blank elevations facing on a prominent corner plot and location of outbuildings the development is considered to harm the street scene by failing to respect its prevailing character and appearance. The development would be contrary to Hastings DMP policy DM1, paragraphs 127 and 130 of the NPPF and section 2 of the Homes and Communities Agency guidance, Urban Design Lessons: Housing Layout and Neighbourhood Quality.

c) Impact on Neighbouring Residential Amenities

The doctors surgery to the north and Mission Room to the west are not in residential use so have no residential amenities.

Although the building would be large in scale, it is located more than 16m from the nearest residential property to the south (no 14 Sedlescombe Road South) and more than 19m from the properties to the east to the other side of Sedlescombe Road south. As such, whilst terraces, balconies and windows are proposed they are not considered to pose a significant

level of overlooking which could lead to loss of privacy. Furthermore, the separation distances are considered acceptable for the development to not be visually intrusive to residential amenity, overbearing or result in loss of light to neighbouring properties. The development is considered to be acceptable in terms of impact on neighbouring residential amenity in compliance with DMP policy DM3.

d) Future Residential Amenities

The flats provide internal living space in terms of overall flat area, room sizes and internal storage which meets the standards set out in Technical housing standards – nationally described space standard. The largest flat (3 bedroom) would provide two good sized roof terraces for external amenity space. Some of the smaller flats have balconies and the flats with no external amenity space have local green spaces and parks within 300m of the site. The development is considered to provide reasonable residential standards in line with Technical housing standards – nationally described space standard and DMP policy DM3 f) and g).

e) Air Quality and Emissions

Having regard to guidance contained within 'Air Quality and Emission Mitigation' 2013 produced by Sussex Air Quality Partnership, the proposed development will not exceed statutory guidelines for airborne pollutants and Environmental Health Officers have no objection in this respect. External lighting could be controlled by condition and residential amenities should be protected. The development will not give rise to ground or surface water pollutions and conditions could be attached which require details of surface and foul water drainage. The development is therefore in accordance with Policy DM6 of the Hastings Development Management Plan (2015).

f) Highway Safety/Parking

ESCC have no objection to the level of parking (17 spaces) with two of the spaces provided to be for disabled persons and two spaces that include electrical vehicle charging points. The bike store would also offer 17 weatherproof spaces and is considered to meet ESCC requirements. The widening of the existing access with tactile paving to either side is also considered to be acceptable and it is not considered the development would lead to highways danger. The application is considered to meet the aims of DMP policy DM3 (h)

g) Environmental Impact Assessment

The National Planning Practice Guidance (Paragraph: 017 Reference ID: 4-017-20170728) states that "Projects which are described in the first column of Schedule 2 but which do not exceed the relevant thresholds, or meet the criteria in the second column of the Schedule, or are not at least partly in a sensitive area, are not Schedule 2 development."

This development is 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.

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

The Council undertook an Air Quality Impact Assessment in 2018. The purpose of the assessment was to identify likely significant effects of planned housing and employment

growth in Hastings Borough on the conservation objectives of Ashdown Forest Special Area of Conservation (SAC) from 2017 to 2033. The assessment took account of the traffic growth expected on roads within the vicinity of the Ashdown Forest SAC/Special Protection Area (SPA), not just arising from development within Hastings, but also, compliant with the requirement of the Conservation of Habitats and Species Regulations 2017, in combination with the anticipated growth arising from the development plans of other neighbouring authorities. The focus of the Assessment was on Ashdown Forest SAC and SPA.

It was not considered necessary to consider air quality implications of growth in Hastings Borough on the Pevensey Levels SAC and Ramsar site or the Lewes Downs SAC. In respect of Pevensey Levels SAC/Ramsar site the interest feature of this SAC (*Anisus vorticulus* - aka. a snail) is not affected by nitrogen from vehicle emissions. Lewes Downs SAC is too far removed to be affected. Nitrogen deposition from additional traffic beyond that modelled would have to be four times that currently expected from all traffic to exceed critical load at this location.

The Council has modelled the expected growth in Hastings to 2033 including the Local Plan, existing planning permissions and the emerging Area Action Plan and demonstrated that development will not result in an adverse effect on the integrity of Ashdown Forest either alone or in combination with other plans or projects. As such the proposed development is considered to be within the allowances made within the strategic modelling and is not considered to harm the special conservation objectives of Ashdown Forest, Pevensey Levels or Lewes Downs Special Areas of Conservation.

i) Affordable Housing and other contributions

Viability assessments have been submitted which conclude that the development would not be viable if it were to include any affordable housing or obligation contribution. This has been independently analysed and assessed by a third party specialist and agrees with the submitted assessments. No affordable housing or other contributions are considered to be reasonably required for this development.

j) Sustainable Construction

Hastings Planning Strategy (2014) policies SC3 and SC4 which promote sustainable and green design. The development includes a number of solar panels and a green sedum roof. In addition, it will include a sustainable urban drainage system and provide recycling facilities in compliance with policy SC3. Had the application been recommended for approval, the development would have been required to meet building regulations should it be constructed to meet the low carbon levels within the Code for Sustainable Homes.

k) Flooding and Drainage

The site is within Flood Zone 1, so is considered to be at low risk from flooding from fluvial or coastal sources. However, the site is at risk from surface water flooding. ESCC SUDS team have not objected to the development subject to conditions being imposed for details of how surface water run off can be managed on site as to not cause flooding. Southern water have also requested a condition to ensure details of the adequate foul and surface water sewerage disposal have been submitted to the Council prior to commencement of development. These conditions could have been added had the application been recommended for approval, therefore the development is not considered to be at significant risk or create risk of flooding in compliance with Hastings PS policy SC7.

6. Evidence of Community Involvement

The applicant held an independently organised public meeting took place for a 90 minute period on 13th December 2017, and was well attended although there was no response from anyone representing the Plymouth Brethren Mission Room to the rear of the site or the surgery premises. Various concerns were raised which the applicant looked to address in the application.

7. Conclusion

The development by reason of its scale, mass, layout and design and blank wall sections facing Ponswood Road and position of outbuildings would result in harm to the character and appearance of the area and not achieve an active or attractive frontage to Ponswood Road and fail to take opportunities to improved visual amenity contrary to Hastings Development Management Plan policy DM1, section 2 of the Homes and Communities Document Urban Design Lessons: Housing Layout and Neighbourhood Quality (2014) guidance, paragraphs 127 and 130 of the National Planning Policy Framework, "Consider Layout" Paragraph: 024 Reference ID: 26-024-20140306, "Consider Scale" Paragraph: 026 Reference ID: 26-026-20140306 and "Housing Design Issues" Paragraph: 040 Reference ID: 26-040-20140306.

These proposals conflicts 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.

8. Recommendation

Refuse for the following reasons:

1. The development by reason of its scale, mass layout and design and blank wall sections facing Ponswood Road would result in harm to the character and appearance of the area and not achieve an active or attractive frontage to Ponswood Road and fail to take opportunities to improve the character and appearance of the area contrary to Hastings Development Management Plan policy DM1, section 2 of the Homes and Communities Document Urban Design Lessons: Housing Layout and Neighbourhood Quality (2014) guidance, paragraphs 127 and 130 of the National Planning Policy Framework, paragraphs 127 and 130 of the National Planning Policy Framework, "Consider Layout" Paragraph: 024 Reference ID: 26-024-20140306, "Consider Scale" Paragraph: 026 Reference ID: 26-026-20140306 and "Housing Design Issues" Paragraph: 040 Reference ID: 26-040-20140306.

2. The position of bicycle and bin stores would appear overly dominant and harmful in the street scene having regard to their prominent position relative to the building and established building line contrary to Hastings Development Management Plan policy DM1, section 2 of the Homes and Communities Document Urban Design Lessons: Housing Layout and Neighbourhood Quality (2014) guidance, paragraphs 127 and 130 of the National Planning Policy Framework, paragraphs 127 and 130 of the National Planning Policy Framework, "Consider Layout" Paragraph: 024 Reference ID: 26-024-20140306, "Consider Scale" Paragraph: 026 Reference ID: 26-026-20140306 and "Housing Design Issues" Paragraph: 040 Reference ID: 26-040-20140306.

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.

Officer to Contact

Mr R Temple, Telephone 01424 783254

Background Papers

Application No: HS/FA/18/00028 including all letters and documents