

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

Application Address: Former Lifeguard Hut at Pelham Beach, Pelham Place, Hastings
Proposal: 2x Banners 45cmx120cmx1cm and 4x metal signs 45cmx60cmx1cm
Application No: HS/AA/18/00736

Recommendation: Grant Advertisement Consent

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

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

Public Consultation

Site Notice: Yes
Press Advertisement: Yes - Conservation Area
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 -
Hastings Borough Council is the applicant

1. Site

The application site comprises a single-storey timber hut located on the back edge of the beach adjacent the pedestrian and cycle path. The timber hut is painted blue and was previously used as a lifeguard hut until a new prefabricated lifeguard hut was located just to the south of the site. The hut measures 28 sqm.

The adverts which are the subject of this application are already in situ.

Constraints

- Flood Zone 3
- Archaeological Notification Area

2. Proposed Adverts

The adverts comprise:

2x Banners measuring 45cmx120cmx1cm. These are vinyl banners pinned to the hut. The banners advertise the children's activity hut and cost per session and they are located on the front and side of the hut.

4x metal signs measuring 45cmx60cmx1cm. These are notices / adverts providing information regarding the children's activities on the beach and are located on the front and rear of the hut.

None of the signs are illuminated.

The application is supported by the following documents:

- As existing and proposed elevations
- New use statement

Relevant Planning History

HS/AA/18/00736 – Change of use to a children's play hut – Pending determination.
Presented to committee at the same time as this application.

3. National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

DS1 – New Housing Development
FA2 - Strategic Policy for Central Area
FA3 - Strategy for Hastings Town Centre
FA6 - Strategic Policy for The Seafront
EN1 – Built and Historic Environment
SC7 - Flood Risk
E3 – Town, District and Local Centres
C12 – Sports and Leisure Facilities
C13 – Children's Play Provision

Hastings Local Plan – Development Management Plan (2015)

LP1 - Considering planning applications
DM1 - Design Principles
DM3 - General Amenity
DC3 – Community Facilities
HN1 – Development Affecting the Significance and Setting of Designated Heritage Assets (including Conservation Areas)
HN4 - Development affecting Heritage Assets with Archaeological and Historic Interest or Potential Interest

Other Policies/Guidance

Sussex Air Quality and Emissions Mitigation Guidance 2013

National Planning Policy Framework

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 National Planning Policy Framework 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 National Planning Policy Framework 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 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.

Paragraph 132 states the quality and character of places can suffer when advertisements are poorly sited and designed.

4. Consultation comments

HBC Marketing – **Support** the change of use

Foreshore Trust – **No comments** received

Conservation Officer – **No objection**. The advertisements are relatively low key. They cause no harm to the character of the Old Town Conservation Area or the setting of any nearby listed buildings.

5. Representations

No objections received.

6. Determining Issues

The Town and Country Planning (Control of Advertisements) Regulations 2007 require that applications for advertisement consent are assessed in terms of their impact on amenity and public safety. There are no specific local plan policies in respect of advertisements but general policies such as DM1 and DM3 of the Hastings Development Management Local Plan (2015) which require development to have regard to both the character of the area and neighbouring residential amenity. The Council's Supplementary Document - Shopfronts and Advertisements is also relevant.

The Planning (Listed Building and Conservation Areas) Act 1990 states with respect to any buildings or other land in a conservation area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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 Amenity

The new signage is already in situ.

The new signage is not prominent, is sensitive to the character of the building and beachfront setting and they are non-illuminated. The materials and colours are unobtrusive and are appropriate for the seafront and conservation area setting.

No objections have been raised by the conservation officer in terms of the impact on the setting of the conservation area and listed buildings.

Overall the signage is considered to be visually acceptable and preserves the character of the seafront and setting of the conservation area and listed buildings.

c) Impact on Public Safety

None of the signs are illuminated and the individual lettering and overall size of the adverts is considered to in-scale with the building and the adverts are not overly prominent. It is not considered that the signage would cause any adverse impact on the highway users' safety of the pedestrian and cycle path or adjacent car park.

7. Conclusion

The signage is a sensitive scale and design and preserves the character and appearance of the conservation area, seafront setting and the setting of nearby listed buildings.

The signage would not have a harmful impact on the safety of the highway users of the pedestrian and cycle path and adjacent car park. As such, the proposals are in accordance with the relevant policies of Hastings Local Plan.

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.

8. Recommendation

Grant Advertisement Consent subject to the following conditions:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to—
 - a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. The period of consent lapses at the expiration of five years from the date of issue.
7. The advertisement hereby permitted shall be carried out in accordance with the following approved plans:

BT/P2/2/4, BT/P2/2/2, BT/P2/2/3

Reasons:

1. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
2. In the interests of safeguarding the amenities of the area.
3. In the interests of safeguarding the amenities of the area.
4. In the interests of safeguarding the amenities of the area.
5. In the interests of safeguarding the amenities of the area.
6. In the interests of safeguarding the amenities of the area.
7. For the avoidance of doubt and in the interests of proper planning.

Notes to the Applicant

1. Failure to comply with any condition imposed on this consent 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.
-

Officer to Contact

Mr A Jolly, Telephone 01424 783250

Background Papers

Application No: HS/AA/18/00736 including all letters and documents