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PLANNING

9 JANUARY 2019

Present: Councillors Roberts (Chair), Davies (Vice-Chair), Bishop, Cox, O'Callaghan, Scott, Beaver, Edwards, Marlow-Eastwood and Webb

**93. APOLOGIES FOR ABSENCE**

None

**94. DECLARATIONS OF INTEREST**

None

**95. MINUTES OF PREVIOUS MEETING**

**95.1 Minutes from Planning Meeting 10 October 2018**

**RESOLVED** – that the minutes of the meeting held on 10th October 2018 be approved by the Chair as a true record

**95.2 Minutes from Planning Meeting 12 December 2018**

**RESOLVED** – that the minutes of the meeting held on 12th December 2018 be approved by the Chair as a true record

**96. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS**

None

**97. PLANNING APPLICATIONS ATTRACTING A PETITION**

**97.1 St Marys Church Hall, 25 Castle Hill Passage HS-FA-18-00496**

**97a. St Marys Church Hall, 25 Castle Hill Passage, Hastings**

Proposal:	Variation of condition 16 (approved plans) of Planning Permission HS/FA/11/00510 (Conversion of the original hall and annexe into three residential units) - Amendments - Addition of one room at first floor level, reconstruction of the windows on the south elevation & double glazed units, substitution of hedge planting with fencing.
Application No:	HS/FA/18/00496
Conservation Area:	Yes- Old Town
Listed Building:	No
Public Consultation:	Yes- 4 letters of objection and one

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	petition of objection received
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The Principal Planning Officer, Mr Temple, presented this application for a variation of condition 16 (approved plans) of Planning Permission HS/FA/11/00510 (Conversion of the original hall and annexe into three residential units) –Amendments- Addition of one room at first floor level, reconstruction of the windows on the south elevation and double glazed units, substitution of hedge planting and fencing.

The Principal Planning Officer stated that works had ceased on site and the application was to vary the conditions of the approved scheme. He explained that there were updates for this application. Additional concerns have been raised with regards to overlooking. Planning intend to amend reasons 1 and 2 regarding the lack of information, to include the impact of the proposal on the neighbouring residential properties. The report will also be amended to reflect this.

- Amended reason 1 to read;

“The application fails to provide sufficient information in which to assess the impact of the proposed amendments on the character and appearance of the hall and the surrounding Old Town Conservation Area and the neighbouring residential amenities. It is therefore unclear to whether the character and appearance of the building and its setting and the neighbouring residential amenities will be harmed as a result of the proposed changes which is contrary to Policies DM1, DM3, HN1, HN2, HN5 and EN1 of the Hastings Local Plan and Section 16 of the National Planning Policy Framework”.

- Amend reason 2 to read:

“The proposed siting for the storage of waste is considered to represent poor design which will create visual clutter, and will harmfully affect the character and appearance of the building and the surrounding Conservation Area. The proposed storage of waste is therefore contrary to Policies DM1 and DM3 of the Hastings Development Management Plan Local Plan (2015) and section 12 paragraphs 124 and 127 and section 16 paragraphs 185 and 197 of the National Planning Policy Framework.”

Members were shown plans and photographs of the application site. The Principal Planning Officer explained that the windows were not acceptable to the Conservation Officer, the proposed fencing was not in keeping with the area and there was not enough parking.

The petitioner Gordon Russell was present and spoke against the application. He stated that the objections to this application are clearly stated on the petition and relate to issues surrounding loss of privacy. Portland Terrace lies to the west of the St Mary’s Church Hall. Most of the petitioners are residents of Portland Terrace this makes the proximity of the hall significant due to their only being a small piece of land separating both sites. The original application had the west side windows comprising of 12 panels of glass which have now been replaced with clear glass contrary to the original approved application. There has now been a frosting added to the clear windows but this is not satisfactory and residents do not consider this a permanent feature. They believe this could be easily removed by occupants. Additionally other

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windows have been replaced with open casements. Photos of this have been emailed to committee members. Both the clear glass and open casements significantly impact residents due to these features increasing overlooking into their properties. There has also been a doubling of roof lights. They were assured by the architect and agent that Portland Terrace properties would not be overlooked and the external features of the hall would remain unchanged. Numerous attempts to engage with the owners and architects of the hall have failed and opportunities to resolve issues have been lost. Residents have had to put up with years of building works including 5 years of erected scaffolding which after a short break has now been re-erected. The case officer's conclusions within the report fully summarise the problems. Residents are surprised that reasons for refusal haven't been included on possible loss of privacy. Overlooking and loss of privacy is significant and support the planning officer's reason for refusal. Request refusal reason for overlooking impact be included.

No applicant was present to speak in support of the application.

Ward Councillor Judy Rogers was present and spoke against the application. She explained that St Mary's Railway mission hall was built in 1892 and is considered to be one of the best examples of a railway mission.. The building is in close proximity to a number of residents. The building is of significant historical interest and local residents have been campaigning for the building to be put back into use. It had been left empty and derelict for a number of years which had led to anti-social behaviour. When planning permission was granted in 2011 it gave a great hope to local residents. Residents have always been concerned that its original appearance and historical significance will be retained. Policy HN2 from the local plan is relevant as it states that in conservation areas the council will seek to retain the original appearance of original windows, doors and roofs where this contributes to the character of the building and the significance of the wider conservation area. To ensure properties are repaired and maintained to a good standard planning permission will be given to windows that reflect traditional proportion, materials, finishing and opening arrangements of those originally fitted in the building. The original planning permission was reflective of this. The new application isn't and doesn't meet any of these criteria. When building works started last year it was clear that the integrity of the building was being compromised. Residents and local councillors have been meeting on a regular basis and tried to talk and meet with the developer who hasn't answered any of these requests. Planning enforcement have also been involved. The hall is also in a very green area and the use of hedging as the preferred boundary is the better option as it fits in the context of the area. Fencing would dominate the boundaries. Any changes to the original planning permission would have a detrimental effect on the local residents. She urged the committee to follow the planning officer's recommendation and refuse permission for this variation on the original planning consent.

The Principal Planning Officer stated they the Planning Department had also tried to get in contact with the applicant and the original agent.

Councillor Beaver proposed a motion to refuse the application based on the planning officer's recommendations in the report and subject to the additional amendments to reasons 1 and 2. This was seconded by Councillor Scott.

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**RESOLVED** – (Unanimously) that planning permission be **REFUSED** for the following reasons:

**Refuse for the following reasons:**

1. The application fails to provide sufficient information in which to assess the impact of the proposed amendments on the character and appearance of the hall and the surrounding Old Town Conservation Area and the neighbouring residential amenities. It is therefore unclear to whether the character and appearance of the building and its setting and the neighbouring residential amenities will be harmed as a result of the proposed changes which is contrary to Policies DM1, DM3, HN1, HN2, HN5 and EN1 of the Hastings Local Plan and Section 16 of the National Planning Policy Framework.
2. The proposed siting for the storage of waste is considered to represent poor design which will create visual clutter, and will harmfully affect the character and appearance of the building and the surrounding Conservation Area. The proposed storage of waste is therefore contrary to Policies DM1 and DM3 of the Hastings Development Management Plan Local Plan (2015) and section 12 paragraphs 124 and 127 and section 16 paragraphs 185 and 197 of the National Planning Policy Framework.
3. The proposed fence will appear out of keeping and will have little regard to the building and its setting. The proposal will therefore harmfully affect the character and appearance of the building and the setting of the Old Town Conservation Area and is against Policies DM1, HN1, HN5 and EN1 of the Hastings Local Plan and Section 16 of the National Planning Policy Framework.
4. The proposed reconfiguration of the car parking area fails to meet the minimum dimensions of a parking space which could lead to the vehicles overhanging the access road and causing an obstruction to passing vehicles. The proposal will also create parking spaces at acute angles making it difficult for cars to access the spaces in a safe and coherent manner. The proposed car parking area is therefore contrary to the East Sussex County Council Highway Authority standing advice (2017), Supplementary Planning Document: Parking Provision in New Developments and Policy DM4 of the Hastings Local Plan – Development Management Plan (2015).
5. The proposed opening casement windows and in particular the modified window arrangement to the south elevation are considered unacceptable. This elevation is clearly visible, the flat raw concrete replacement window heads that have now been installed do not adequately reflect the original character and appearance of the building. As such, they cause harm to the character of the building itself, the setting of the wider conservation area, and the setting of the Grade II listed buildings at Wellington Square. This is contrary to Policies DM1, HN1, HN2, HN5 and EN1 of the Hastings Local Plan and Section 16 of the National Planning Policy Framework.

### **Notes 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.

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2. The applicant is advised that should a new application be submitted for this site to overcome the above noted reasons for refusal, that additional information regarding land levels and position of windows in adjacent properties relative to the proposed windows where changes are proposed should be submitted to the council in order for an assessment to be made in respect impact on neighbouring residential amenity and specifically, matters of privacy.

### **98. PLANNING APPEALS AND DELEGATED DECISIONS**

The Principal Planning Officer reported that 2 planning appeals had been received, no appeals had been dismissed and none had been withdrawn. No appeals had been allowed. They also reported on the number of delegated decisions.

The report was noted.

(The Chair declared the meeting closed at. 6.27 pm)

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