

Public Document Pack

PLANNING

10 JULY 2019

Present: Councillors Roberts (Chair); Cox (Vice-Chair); K Beaney; Bishop; Davies; Edwards; O'Callaghan; Scott; and Webb.

131. APOLOGIES FOR ABSENCE

Apologies received for Councillors Beaver (substituted by Councillor K Beaney); and Marlow-Eastwood.

132. DECLARATIONS OF INTEREST

None.

133. MINUTES OF PREVIOUS MEETING HELD ON 6 JUNE 2019

RESOLVED – that the minutes of the meeting held on 6 June 2019 be approved by the Chair as a true record.

134. OTHER PLANNING APPLICATIONS

135. PROPOSED VISITOR CENTRE (HS/FA/19/00303)

Proposal	Variation of condition 4 (Foul sewerage) of planning permission HS/FA/17/01018 (Amendment to the disposal and management of foul sewerage) (amended description)
Application No.	HS/FA/19/00303
Conservation area	No
Listed building	No
Public consultation	Yes – 5 letters of objection.

The Planning Services Manager, Mrs Evans, presented the application for the variation of condition 4 (Foul sewerage) of planning permission HS/FA/17/01018 (Amendment to the disposal and management of foul sewerage) (amended description).

The Planning Services Manager explained that the application was originally submitted for both discharge of condition 5 (surface water) and variation of condition 4 (connection to mains for foul water disposal). For procedural reasons the application was amended for variation of condition 4 only. She explained that the variation was required as the applicant was now connecting to the mains.

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Councillors were shown plans, photographs and elevations of the application site.

Councillor Davies proposed a motion, seconded by Councillor Bishop, to grant the application as set out in the resolution below.

RESOLVED – (unanimously) that Full Planning Permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before 6 March 2018.
2. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday

08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays.
3. The visitor centre shall not be used except between the following hours:- 9am - 5pm
Monday - Sunday
4. The foul sewerage disposal shall be via the mains and shall be connected to the mains and fully operational before the use of the building hereby approved commences.
5. i) Prior to the construction of the development above ground level details of the proposed means of surface water disposal/management shall be submitted to and approved in writing by the Local Planning Authority.

ii) Development shall be carried out in accordance with the details approved under (i) and no use of the building hereby approved shall occur until those works have been completed.

iii) The building shall not be used until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.
6. The development shall be carried out in accordance with the soft landscaping details approved under application HS/CD/17/01101.

All planting seeding or turfing comprised in the approved soft landscaping scheme shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner.

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Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

7. The development shall be constructed in accordance with the materials schedule approved under planning application HS/FA/17/1018.

8. The development shall be carried out in accordance with the Construction Management Plan approved under application HS/CD/17/01101.

9. The proposed amphitheatre is to be used as an outdoor classroom only and for no other use.

10. The development shall be carried out in accordance with the programme of archaeological work and Written Scheme of Archaeological Investigation approved under application HS/CD/17/01101.

11. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [10] to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.

12. The development hereby permitted shall be carried out in accordance with the following approved plans:

240/219 E, 101C, 108C, 240/204D, 240/205 B, 240/106/D, 240/107/D,

240/214B, 240/223

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. To safeguard the amenity of adjoining and future residents. (Hastings Local Plan 2004 Policies DG1 and DG3).

3. To safeguard the amenity of nearby residents and user of the Country Park

4. To ensure that no property is occupied until adequate access and drainage facilities have been provided.

5. To ensure that no property is occupied until adequate access and drainage facilities have been provided.

6. In the interests of the visual amenity.

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7. To protect and preserve the visual amenity of the locality.
8. To protect the amenity of neighbouring residents
9. To safeguard the amenity of adjoining and future residents. (Hastings Local Plan 2004 Policies DG1 and DG3).
10. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.
11. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.
11. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
12. 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 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. The applicant should contact the Sussex Police Architect Liaison Officer at the Police Station, Bohemia Road, Hastings to discuss the "Secured by Design" principles for new developments.
4. The applicant is advised that they must ensure the proposed works, hereby approved, do not contravene laws protecting wildlife including the Countryside and Wildlife Act 1981. Where the applicant is in doubt they should contact Natural England on wildlife@naturalengland.org.uk
Telephone 020 802 61089 or Environment and Natural Resources on parks@hastings.gov.uk Telephone 01424 451107 prior to commencement of any works.
5. The proposed works requires a connection Southern Water mains network and the applicant is therefore advised to contact Southern Water to obtain any necessary consents before works associated with the disposal of foul water is commenced.

136. 10 STRONGS PASSAGE (HS/FA/19/00325)

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Proposal	Retrospective consent for replacement of metal staircase to rear elevation
Application No.	HS/FA/19/00325
Conservation area	Yes – Old Town
Listed building	No
Public consultation	Yes – 5 letters of objection.

The Planning Services Manager, Mrs Evans, presented the application for the retrospective consent for replacement of metal staircase to rear elevation.

The Planning Services Manager informed the Committee that the staircase is the same height as the one it replaces, though the platform is elongated. Some objections were received highlighting concerns regarding overlooking. However, the platform is not large enough to accommodate a table and chairs and is not an obvious balcony. She explained that the council had added a condition that the railings be painted black.

Councillors were shown plans, photographs and elevations of the application site.

Councillor O’Callaghan suggested adding a condition to ensure the platform cannot be used as a balcony.

Councillor O’Callaghan proposed a motion, seconded by Councillor Cox, to grant the application as set out in the resolution below with the addition of condition 3.

RESOLVED – (Unanimously) that Full Planning Permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: nr1520/19/02, nr1520/19/01
2. Within 3 months of the date of this approval, the railings surrounding the metal staircase hereby approved, shall be painted black to match the hand rail which is located in Strongs Passage, directly adjacent to the staircase and platform.
3. The staircase hereby approved shall not be used as a balcony

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. In the interests of the visual amenity.
3. In order to protect residential amenity.

Notes to the Applicant

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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 paragraph 38 of the National Planning Policy Framework.

137. WHITE ROCK FOUNTAIN (HS/CD/19/00470)

Proposal	Discharge of condition 3 (Sample Materials) of Planning Permission HS/FA/18/00453 - Renovation and alteration of the existing fountain and installation of bench seating, paved area, planting area and water misters play area.
Application No.	HS/CD/19/00470
Conservation area	Yes – White Rock
Listed building	No
Public consultation	No

The Planning Services Manager, Mrs Evans, presented the discharge of condition 3 (Sample Materials) of Planning Permission HS/FA/18/00453 - Renovation and alteration of the existing fountain and installation of bench seating, paved area, planting area and water misters play area.

The Planning Services Manager confirmed that the application site is to the east of Hastings Pier, not the west as described in the report.

Councillors were shown plans, photographs and elevations of the application site.

The Committee were shown photographs of the proposed materials as set out in the Planning Officer's report.

In response to a question regarding the sustainability of the materials the Planning Services Manager confirmed that reconstituted stone will be used and an environmentally friendly approach has been taken. An answer cannot be provided for every material but the Conservation Officer has no objections.

Councillor Bishop proposed a motion, seconded by Councillor Roberts, to grant the application as set out in the resolution below.

RESOLVED – (Unanimously) that:

Condition 3 of planning permission HS/FA/18/00453 is discharged.

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138. DISCOVERY PLAYGROUND (HS/FA/19/00097)

Proposal	Installation of a new ' multi split system' comprising of 2 no internal wall mounted air conditioning units to ground and first floors, 4 no external condensers to the roof and associated pipe work and pumps (amended description)
Application No.	HS/FA/19/00097
Conservation area	Yes – Old Town
Listed building	Yes
Public consultation	Yes

The Planning Services Manager, Mrs Evans, presented the application for installation of a new ' multi split system' comprising of 2 no internal wall mounted air conditioning units to ground and first floors, 4 no external condensers to the roof and associated pipe work and pumps (amended description).

Councillors were shown plans, photographs and elevations of the application site.

The Planning Services Manager informed the Committee that the external condensers will be sited to the rear of the premises. They will sit behind the parapet wall and the Conservation Officer has no objections.

In response to a question regarding noise pollution the Planning Services Manager noted that as per the Planning Officer's report, Environmental Health have no objections and have not asked for a noise report. Therefore it would not be legal to add a condition in relation to noise.

Councillor Bishop proposed a motion, seconded by Councillor O'Callaghan, to grant the application as set out in the resolution below.

RESOLVED – (Unanimously) that full planning permission be granted 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:

BA1857-01, 02, 03B, 04A, 05A, 06, 07A, 08

Specification sheet S-5OPK1E5A, U-5OPE2E5A

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3. The new external condensers shall be fixed onto the render parapet gutter walls and shall not be fixed in place by taking a fixing through the metal sheet lining of the parapet gutters below. This is to prevent damage to the gutter linings and resulting water damage to the fabric of the building
4. No visible wiring or ducting shall be installed across the elevations or roof slopes in connection with this development.
5. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday

08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the architectural and historic character of this Grade Listed Building is adequately protected.
4. To ensure the architectural and historic character of this Grade Listed Building is adequately protected.
5. To safeguard the amenity of nearby 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 paragraph 38 of the National Planning Policy Framework.

139. DISCOVERY PLAYGROUND (HS/LB/18/00928)

Proposal	Installation of a new ' multi split system' comprising of 2 no internal wall mounted air conditioning units to ground and first floors, 4 no external
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	condensers to the roof and associated pipe work and pumps (amended description)
Application No.	HS/LB/18/00928
Conservation area	Yes – Old Town
Listed building	Yes
Public consultation	Yes

The Planning Services Manager, Mrs Evans, presented the application for installation of a new 'multi split system' comprising of 2 no internal wall mounted air conditioning units to ground and first floors, 4 no external condensers to the roof and associated pipe work and pumps (amended description).

There are no objections from the Conservation Officer regarding the application.

Councillors were shown plans, photographs and elevations of the application site.

Councillor Roberts proposed a motion, seconded by Councillor Davies, to grant the application as set out in the resolution below.

RESOLVED – (Unanimously) that Listed Building Consent be granted subject to the following conditions:

1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.

2. The works hereby permitted shall be carried out in accordance with the following approved plans:

BA1857-01, 02, 03B, 04A, 05A, 06, 07A, 8

Specification sheet S-5OPK1E5A, U-5OPE2E5A

3. The new external condensers shall be fixed onto the render parapet gutter walls, and shall not be fixed in place by taking a fixing through the metal sheet lining of the parapet gutters below. This is to prevent damage to the gutter linings and resulting water damage to the fabric of the building. The external condensers shall remain fixed by this method thereafter.

4. No wiring or ducting shall be installed across the elevations or visible roof slopes of the building in connection with these works

5. The new internal wall mounted units and ducting shall not be fixed onto any of the existing timber wall panelling or boarding, unless otherwise agreed in writing, in advance, with the Local Planning Authority

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6. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday

08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the architectural and historic character of this Grade 2 Listed Building is adequately protected.
4. To ensure the architectural and historic character of this Grade 2 Listed Building is adequately protected.
5. To ensure the architectural and historic character of this Grade 2 Listed Building is adequately protected.
6. To safeguard the amenity of nearby residents.

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.

The reason for granting this consent is:

1. National Planning Policy Framework Section 12 applies. The works proposed will not harm the designated heritage asset.

140. STORE 1, BOTTLE ALLEY (HS/CD/19/00299)

Proposal	Discharge of condition 7 (windows) of planning permission HS/FA/18/00535 - Change of use from B8 (Storage) to D1 (Gallery/Studio) and alterations to
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	front elevation (amended description).
Application No.	HS/CD/19/00299
Conservation area	Yes – Warrior Square
Listed building	No
Public consultation	No

The Planning Services Manager, Mrs Evans, presented the application for discharge of condition 7 (windows) of planning permission HS/FA/18/00535 - Change of use from B8 (Storage) to D1 (Gallery/Studio) and alterations to front elevation (amended description).

Condition 7 of planning permission HS/FA/18/00535 states that before the change of use is first brought into use, the white aluminium windows shall be painted either dark grey or black and the windows internal reveal and finish shall be made good to a standard to be agreed with the Conservation Officer.

The Committee were informed that the work required in condition 7 has taken place and the Conservation Officer has no objections to the finish and colour which is in accordance with the condition.

Councillors were shown plans, photographs and elevations of the application site.

Councillor Davies proposed a motion, seconded by Councillor Edwards, to grant the application as set out in the resolution below.

RESOLVED – (Unanimously) that:

Condition 7 (windows) of planning permission HS/FA/18/00535 be discharged.

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.

141. PLANNING APPEALS AND DELEGATED DECISIONS

The Planning Services Manager presented the planning appeals and delegated decisions report to the committee.

Councillor Davies asked for further details regarding the appeal against the decision to refuse a lawful development certificate at Flamingo Park.

The Planning Services Manager informed the Committee that the appeal decision means that the lawful development area now has permitted development rights. However, any lawful development would need the landlord's consent.

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The report was noted by the Committee.

(The Chair declared the meeting closed at 6.27pm)