

**Report to:** PLANNING COMMITTEE  
**Date of Meeting:** 11 September 2019  
**Report from:** Assistant Director of Housing and Built Environment

**Application Address:** **New Visitor Centre, Hastings Country Park,  
Lower Coastguard Lane, Fairlight, Hastings,  
TN35 4AB**  
**Proposal:** **Proposed new boundary extended 20m from  
currently approved application (App' ref:  
HS/FA/14/01033) boundary and proposed new  
swale.**  
**Application No:** **HS/FA/19/00499**

**Recommendation:** **Grant Full Planning Permission**

Ward: ORE 2018  
Conservation Area: No  
Listed Building: No

Applicant: Hastings Borough Council Davidson per The Cave  
Co-operative Siddeley House 50 Canbury Park  
Road Kingston Upon Thames, Surrey. KT2 6LX

#### **Public Consultation**

Site Notice: Yes  
Press Advertisement: Yes - General Interest  
Letters of Objection: 1  
Petitions of Objection Received: 0  
Letters of Support: 0  
Petitions of Support Received: 0  
Neutral comments received 0

Application Status: Not delegated -  
Council application on Council owned land

## **1. Site and surrounding area**

The proposed location for the new visitor centre is on Coastguard Lane, to the south west of the existing visitor facility, and will be set within an existing grass verge/agricultural land. The site lies with the High Weald Area of Outstanding Natural Beauty (AONB) and is a Local Nature Reserve (LNR).

The main function of the approved visitor centre will be a facility which provides information and education regarding the local landscape and special character and beauty of the Hastings Country Park/AONB.

The Council can advise that the development of the visitor centre has lawfully commenced, albeit that works to date are only below ground.

### Constraints

AONB

Local Wildlife Site

Local Nature Reserve

PROW

## **2. Proposed development**

For clarification this application has been separated in to two elements. The first of these is the extension of the site boundary by 20 metres. The second element is the creation of a drainage swale.

Swale dimensions:

7.23 metres in width

18.8 metres in length

0.7 metres in depth.

For clarification:

*A swale is a shallow channel with gently sloping sides. Such a swale may be either natural or man-made. Artificial swales are often infiltration basins, designed to manage water runoff, filter pollutants, and increase rainwater infiltration.*

The application is supported by the following documents:

- Design and Access Statement

### **Relevant planning history**

HS/FA/19/00303 - Variation of condition 4 (Foul sewerage) of planning permission HS/FA/17/01018 (Amendment to the disposal and management of foul sewerage) (amended description) - Granted 10.07.2019

HS/NM/18/00059 - Non Material Amendment application to vary the wording of condition 4 of planning permission HS/FA/14/01033 (Erection of a new visitor centre) requiring the SuDS details to be submitted prior to commencement of development above ground level rather than prior to the construction of the development. Granted 9.2.2018

HS/FA/17/01018 - Section 73 application for the variation of condition 13 (approved drawings) of planning permission HS/FA/14/01033 - Amendments to roof structure, window openings, ventilation unit and weatherboarding material. Granted 7.3.2018

HS/CD/17/01101 - Discharge of conditions: 4 (sewerage, surface water & drainage details), 7 (Soft landscaping), 10 (Construction Management Plan), 14 (Archaeology) of Planning Permission HS/FA/14/01033 -Erection of a new visitor centre - Part discharged on 02/02/2018 as set out below: Conditions 4: A Septic tank is proposed to accommodate the sewerage from the proposed building. Part discharged on 2.2.2018 (the condition at that time also related to surface water drainage and further details were required in respect of that aspect in order to fully discharge the condition).

HS/FA/14/01033 Erection of a new visitor centre - Granted 6th March 2015 (expires 6th March 2018) This permission has lawfully commenced.

### **National and local policies**

#### Hastings Local Plan – Planning Strategy 2014

Hastings Local Plan - Planning Strategy (2014)

Policy EN3 - Nature Conservation and Improvement of Biodiversity

Policy EN5 - Local Nature Reserves (LNR)

Policy EN6 - Local Wildlife Sites (LWR)

Policy EN7 - Conservation and Enhancement of Landscape

Policy FA5 - Strategic Policy for Eastern Area

Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way

Policy T3 - Sustainable Transport

#### Hastings Local Plan – Development Management Plan 2015

Policy LP1 - Considering planning applications

Policy HN8 - Biodiversity and Green Space

Policy HN9 - Areas of Landscape Value

#### 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.

### **3. Consultation comments**

Borough Estates - **No objection**

County Flood Risk Authority - **No objection, subject to condition (No.5)**

Southern Water - **No objection, subject to condition (No.4)**

### **4. Representations**

In respect of this application a site notice was displayed and an advert placed in the local paper. One letter of representation was received raising objection to the proposal. The concerns within this letter include;

- Potential impact on an existing path
- Querying why the development needs to be located in this position

In response to the concerns raised within this representation the site has been cross referenced with the public foot path database managed by East Sussex County Council. No public footpath appears to intersect the site.

### **5. Determining issues**

The main issue to be considered in respect of this application is whether the extension to the site boundary and the creation of a swale would be acceptable having regard to the character of the area, the environment and relevant consultation responses.

### 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 character and appearance of area/heritage

As stated above this application seeks permission for the extension of the site boundary approved under HS/FA/14/01033 and the creation of a swale within this extended site area. Each of these elements has been addressed below.

The first element of the proposal is the extension of the site boundary by 20 metres. The extension area wraps around the site in a horseshoe shape, extending in a general westerly direction. The extension of the site boundary is proposed with the aim of providing a drainage swale to serve the visitors centre. At this time no details have been provided in relation to any proposed boundary treatment encompassing the extended site, however, this is a factor that can be adequately secured by condition (No.3). As a result of this, it is considered that the proposed extension to the site boundary is acceptable subject to condition, and would not have a detrimental impact on the established character of the The High Weald Area of Outstanding Natural Beauty (AONB) or the Local Nature Reserve (LNR) and as such is acceptable.

With regards to the proposed drainage swale, it is considered that element of the proposal has been designed to be sympathetic to the openness of the AONB and would not appear overly dominant or visually intrusive. Once installed the swale, by virtue of the design, will blend into the surroundings and appear as a minor earthwork within the wider site. It is however, suggested that a condition be imposed to secure the maintenance and upkeep of the swale to ensure it remains fit for purpose.

Taking the above in to account, it is considered that the proposal would not have a detrimental impact on the character of The High Weald Area of Outstanding Natural Beauty (AONB) or the Local Nature Reserve (LNR). The proposal therefore complies with both local and national planning policy and is acceptable.

### c) 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." In this instance the site is in a sensitive area however the scale of the proposed works is small and as such screening for the purposes of EIA development is not required in this instance.

## **6. Local finance considerations**

The Hastings Visitor Centre is funded by Hastings Borough Council together with an award of £475,000 from Interreg North West Europe. The Interreg award is part of the innovative project called 'Up Straw' which is increasing awareness of public building with straw across North West Europe.

## **7. Conclusion**

The proposal is considered acceptable and it is recommended the application be granted.

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 Full Planning Permission subject to the following conditions:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
240/312 K, 240/319 K, 240/327 J, 240/354 A & 240/357
2. Prior to installation, details of any boundary treatment to be installed along the site boundary are to be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall then be installed in accordance with the approved details.
3. Prior to creation of the swale a statement is to be provided outlining the following;
  - The responsibilities of each party for the implementation of the SUDS scheme.
  - A timetable for implementation.
  - A management and maintenance plan for the lifetime of the development.
4. Upon completion of the swale, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

### **Reasons:**

1. For the avoidance of doubt and in the interests of proper planning.
2. To ensure a satisfactory standard of development and in the interests of the openness of The Area of Outstanding Natural Beauty and Local Nature Reserve.

3. To ensure a satisfactory standard of development.
4. To ensure a satisfactory form of development in the interests of the character and amenity of the area.

#### **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.

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#### **Officer to Contact**

Mrs E Meppem, Telephone 01424 783288

#### **Background Papers**

Application No: HS/FA/19/00499 including all letters and documents