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PLANNING

8 JANUARY 2020

Present: Councillors Roberts (Chair), Cox (Vice-Chair), Beaver, Bishop, Davies, Marlow-Eastwood, O'Callaghan and Scott (from 6.06pm).

173. APOLOGIES FOR ABSENCE

Apologies received from Councillor Edwards for absence and Councillor Scott for lateness.

174. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Beaver	5a	Personal – Highways ESCC

175. MINUTES OF PREVIOUS MEETING

RESOLVED – that the minutes of the meeting held on 19 December 2019 be approved by the Chair as a true record.

176. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

177. PLANNING APPLICATIONS ATTRACTING A PETITION

177.1 64 London Road (HS/FA/19/00355)

Proposal	New single-storey building for a rehearsal space, office and WCs. Demolition of existing rear first floor extension and replace with a new first-floor extension over the extent of the existing ground floor extension. Entrance lobby to be replaced and enlarged. Removal of conservatory-type extension to the side and large window reinstated. Internal works and reconfiguration of the original building, including the installation of a platform lift. New pedestrian covered bridge and footpath to link the new first-floor extension with the proposed new single-storey building at the end of the garden and associated external works.
Application No	HS/FA/19/00355
Conservation Area	Yes - St. Leonards North Conservation Area
Listed Building	No

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Public Consultation	Yes – 1 petition of objection, 6 letters of objection and 5 letters of support
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Councillor Scott was not present for all of the Planning Services Manager's report so did not take part in this item.

The Planning Services Manager presented the application for a new single-storey building for a rehearsal space, office and WCs. Demolition of existing rear first floor extension and replace with a new first-floor extension over the extent of the existing ground floor extension. Entrance lobby to be replaced and enlarged. Removal of first-floor conservatory-type extension to the side and large window reinstated. Internal works and reconfiguration of the original building, including the installation of a platform lift. New pedestrian covered bridge and footpath to link the new first-floor extension with the proposed new single-storey building at the end of the garden and associated external works.

The Planning Services Manager informed the Committee that a further letter of objection and 3 additional letters of support had been received. All of the matters raised in the comments were addressed in the report.

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

The Planning Services Manager stated that the property was used by Mencap for adults with learning difficulties. The majority of the proposed development is located to the rear of the site and screened from the public realm. The changes that are visible are not significant enough to have a detrimental impact on the existing street scene. The rehearsal space is set lower than the properties to the rear. It is not physically attached to the rear boundary wall and there is an approximately 1 metre wide gap with paved access to allow for maintenance.

The petitioner Pamela Austin was present and spoke against the application. Mrs Austin said she was relieved that the revised plan will no longer attach the development onto her home but would still object for 3 reasons. The 1 metre gap between the two buildings will make maintenance impractical. Secondly, the planned activities will create frequent and unacceptable levels of noise. Finally, the close proximity of the development will pose a security and safety risk. The flat roof of the rear extension, being level with the rear boundary wall, gives burglars easy access. A large wooden clad building will be a fire risk and the flat roof will attract vandals. In the original application it was noted that the plans had been discussed with neighbours and the St Leonards Rotary Club, but this is not the case. Mrs Austin said she fully supports the valuable service Mencap provides, however she cannot understand why this building is placed so close to her home. In order to be worthwhile this building will need to be used extensively. Mrs Austin said she therefore objects to the application and requests that the building is moved further back, is extensively soundproofed and the audience space moved inside.

Councillors asked questions of the petitioner.

The Planning Services Manager confirmed that the plan was amended to allow more space for maintenance of the rear boundary wall and that 1 metre would be adequate

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for this. In order to access the wall the petitioner would require permission from 64 London Road to go on their land. There is a condition that the doors remain shut when rehearsals are taking place and that the bridge isn't used as part of the rehearsal space. The Planning Services Manager informed the Committee that the security and safety risks raised are not a material consideration against which the application can be determined. Environmental Health raised no objections.

The applicant's representative, Pauline Fletcher was present and spoke in favour of the application. For 70 years Hastings and Bexhill Mencap Society has been supporting local people with learning disabilities, together with their families and carers. Ms Fletcher said that the organisation had considered moving but felt this was not a feasible option as the current property is in an enviable position with excellent public transport links. Mencap offers drama workshops to young people prior to them transitioning to adult services, but it has become apparent that service users cannot progress due to the limited accessibility of the current building. The visual and performing arts courses offer meaningful and rewarding support to the most vulnerable members of the community. For this reason there has been a focus on the arts whilst exploring the expansion of the current building. This development will meet the needs of service users long into the future and will help ensure the sustainability of the charity. Ms Fletcher said she respected Mrs Austin's concerns but there is no intention to have the audience outside. It is hoped that by moving the development away from the Coach House and proving the 1 metre access path it has been demonstrated that Mrs Austin's concerns have been taken into account.

Councillors asked questions of the applicant. In response to questions Ms Fletcher confirmed that if the rear development was moved further away from the boundary wall a large part of usable garden would be lost. There are no current plans to extend the rehearsal space to evening use and whilst the main building is let out to local groups there are no plans to do so for the new building.

Councillors asked questions of the Planning Services Manager and debated the application.

Councillor Davies proposed a motion, seconded by Councillor Bishop, subject to the addition of conditions 12 and 13 and informative 6, to grant the application as set out in the resolution below.

RESOLVED – (by 5 for, to 2 against) 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:

HBM037-01, HBM037-06A, HBM037-07B, HBM037-09, HBM037-10, HBM037-11, HBM037-12A, HBM037-14, HBM037-15, HBM037-16, HBM037-17A, HBM037-18A, HBM037-19, HBM037-20A, HBM037-21A, HBM037-22A, HBM037-25 and M1184

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3. Prior to commencement of development full details of any required retaining structures required to facilitate the development are to be submitted to and approved in writing by the Local Planning Authority. These details are to include a detailed plan and accompanying structural calculations carried out by a suitably qualified person. The development shall then be carried out in accordance with the approved details.

4. Prior to commencement of development, including demolition, a Construction Management Plan (CMP) is to be submitted to and approved in writing by the Local Planning Authority. The CMP shall be implemented and adhered to in full throughout the entire development. The Plan shall provide details as appropriate but not be restricted to the following matters;

- The anticipated number, frequency and types of vehicles used during the development,
- The parking of vehicles by site operatives and visitors,
- The loading and unloading of plant, materials and waste,
- The storage locations of plant and materials used in the development,
- The location of skips and/or storage of waste on site prior to collection,
- The erection and maintenance of any necessary security hoarding,

The provision and utilisation of wheel washing facilities and other works required to mitigate the impact of development upon the public highway (including the provision of temporary Traffic Regulation Orders) if necessary.

5. Prior to commencement of development above ground, full details of the proposed materials to be used in the external surfaces of the development hereby approved are to be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out using the approved materials.

6. Prior to the commencement of development a Method Statement and phasing plan for the control and eradication of Japanese Knotweed shall be submitted to the Local Planning Authority. The Method Statement will include post-treatment monitoring of the site to ensure continuous 12 month period of where no Japanese Knotweed is identified growing on the whole site. In the event that any Japanese Knotweed is identified as growing during the 12 month monitoring period then treatment shall resume and continue until a 12 month period of no growth of Japanese Knotweed occurs. The agreed Method Statement shall thereafter be implemented.

7. Prior to commencement of development above ground a scheme of soft and hard landscaping is to be submitted to and approved in writing by the Local Planning Authority. This shall include;

- Indications of all existing trees and hedgerows on the land including details of those to be retained,
- Measures for tree protection in the course of development.
- A planting arrangement plan

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- A landscaping implementation programme.
- An installation, maintenance and management plan for the sedum roof
- Details of the proposed hard landscaping materials

The applicant is advised that the landscaping proposals are to include planting of native fruit or nectar bearing plants and trees, to benefit foraging and refuge opportunities for wildlife including birds and invertebrates and where communal green space is provided, beds will include species chosen to benefit pollinators. The landscaping scheme is then to be implemented on site in accordance with the approved details.

8. Prior to completion of the development hereby approved details of the required bird boxes are to be submitted to and approved in writing by the Local Planning Authority. These boxes are to include a mix of the following: swift nest boxes, house sparrow terraces, and open fronted and close fronted (with a hole) boxes. These are to be erected onto the buildings at eaves level on north, north-east or north-west aspects. Swift boxes must be erected under the eaves of two-storey sections in pairs/groups. The remaining boxes should be erected at a height of between 1-2 metres. These boxes are to be installed on site in accordance with the approved details prior to completion of the development.

9. 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.

10. The link bridge hereby approved is to at no point be used as an extension to the rehearsal space.

11. The proposed folding doors to be installed in the east elevation and the maintenance access door in the west of the rehearsal space are to remain shut during rehearsals.

12. No amplified music shall be played within the rehearsal space at any time.

13. The rehearsal space hereby approved shall be used in the following times only:

Monday to Friday 9am to 5pm

At no time on the weekend or bank holidays.

Reasons:

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

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2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure a satisfactory form of development.
4. To ensure a satisfactory standard of development and in the interests of highway safety.
5. To ensure a satisfactory standard of development and in the interest of the character and significance of the Conservation Area.
6. To control the spread of invasive plant species.
7. To ensure a satisfactory form of development in the interests of the visual amenity of the area.
8. To ensure a satisfactory development and in the interests of Biodiversity and Ecological enhancement.
9. To safeguard the amenity of adjoining residents.
10. To ensure a satisfactory level of privacy be retained for adjoining residents.
11. To safeguard the amenity of adjoining residents.
12. In order to protect neighbouring residential amenity.
13. In order to protect neighbouring residential amenity.

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.
3. The applicant is advised that this notice of decision does not grant consent or imply any grant of consent for the applicant to enter onto any adjoining land, to either construct or subsequently to maintain the proposed development.
4. Your attention is drawn to the requirements of the Party Wall etc. Act 1996.
5. No part of the development is to overhang or encroach in to neighbouring land.
6. The applicant is advised that careful attention should be taken in the development of the site to ensure that there is no harm to the structural stability of adjacent properties.

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178. PLANNING APPEALS AND DELEGATED DECISIONS

The report was noted by the Committee.

(The Chair declared the meeting closed at 6.47pm)

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