

**Public Document Pack
PLANNING**

23 NOVEMBER 2022

Present: Councillors Collins (Chair), Bacon, Beaver, Edwards, Roberts, Williams and Patmore

371. APOLOGIES FOR ABSENCE

Councillors O'Callaghan, Cllr Roark, Cllr Cannon and Councillors Beaney substituted by Councillors Patmore

372. DECLARATIONS OF INTEREST

| Councillor | Item | Interest |
|-------------------|-------------|---|
| Cllr Beaver | 5(a) | Personal – East Sussex County Councillor |
| Cllr Bacon | 5(a) | Personal – Has met the petitioner and applicant in his role as Mayor. |
| Cllr Roberts | 5(a) | Personal – Has met applicant at School meetings |

373. MINUTES OF PREVIOUS MEETING

RESOLVED – that the minutes of the meetings held on 28th September 2022 be approved as a true record

374. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None received

375. PLANNING APPLICATIONS ATTRACTING A PETITION

376. SACRED HEART CATHOLIC PRIMARY SCHOOL, OLD LONDON ROAD, HASTINGS (HS/FA/22/00335)

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| Proposal | New security fencing to Old London Road and Dudley Road boundaries |
| Application No | HS/FA/22/00335 |
| Conservation Area | Yes - Tillington Terrace |
| Listed Building | No |
| Public Consultation | Yes – 5 objections received |

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The Planning Services Manager presented. There were no updates. The Planning Services Manager presentation showed the site location on a map and aerial views of the school. A photograph of the school from Old London Road and a photograph from Dudley Road showing the different elevations of the current walls. The site is in Tillington Terrace Conservation Area and adjacent to Old Town conservation area. The site is also adjacent to Marianne House, which is a grade two listed building converted into flats. Other designations are noted in the report. The presentation showed the proposed railings from Old London Road and Dudley Road. The application proposes to erect railings on both walls. The applicant has advised that the railings are proposed to provide an additional safeguard for the children in the school, as well as the overall security of the school. The railing would be metal and would be painted green in Old London Road and black in Dudley road. There would be no harm to trees or wildlife and the conservation officer has no objections.

The petitioner, Miss Twinkle Anasr addressed the committee. The main entrance to the school already has high security doors and the rear of the school is protected by the all weather playground with its tall fencing and gates between the school buildings and the open grass playing fields. In addition, no mention has been made of the historical importance of this site. Once the gardens of world famous Victorian botanical artists Marianne North. Marine House and Marion Park, an extension of the original building, share these historical gardens with the school. No one has advised or contacted us regarding this planned, invasive and destructive work. We have enjoyed unlimited access to the gardens for over a decade. Attempts to solve restrictions with Mrs Allen and the school have been met with hostility and refusal.

Councillors asked the petitioner how do you feel the addition of these railings will further impact on the access of the people of Marion House and Marion Park to the site? The petitioner answered that there will be possible more damage done to the surrounding area as the school did say that it would not cause anymore, but straight after they said that the even more trees were cut down in the gardens and it's been reduced to rubble.

Councillors asked the petitioner if they have approached the school. The petitioner answered the school has refused to listen to them.

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Councillors asked the petitioner how they originally got access to the gardens. The petitioner answered that an adjoining door had been left open.

The applicant, Mrs Rose Durban the chair of Sacred Heart governing bodies since May this year addressed the committee in support of the application. The school has been built some time ago and in the last academic year, the East Sussex County Council schools Safe Guarding team reviewed the site at Sacred Heart School. They made a number of recommendations regarding improving site security in order to better safeguard the children. In response to these recommendations and several key changes have been made. The reason for today's is the low height of the wall which borders the infant playground and which is the only barrier to the busy road at 259. Meaning that the children are potentially vulnerable in terms of being able to exit the playground as well as at risk from intruders. The wall facing Dudley Rd also presents some significant risk outside the school day. It can be easily climbed by trespassers who frequently leave behind debris which needs to be dealt with.

Councillors asked the applicant if the petitioner would be allowed access after the railings had been installed. The applicant answered that the school have reached out in the past as a school to invite the petitioner to come to our reception area so that we know when she may wish to visit.

Councillors asked the applicant if the Headmistress has been asking for the railing or the governors. The applicant answered that the governors have been working in partnership with the Headmistress and East Sussex County Council.

Councillors debated.

Councillor Beaver proposed approval of the recommendation, seconded by Councillor Roberts.

RESOLVED (Unanimously)

Grant Full Planning Permission 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:

P-001; P-002A; P-003B; P-004A; P-005C; P-006C.

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.

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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 reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.

More details on the district licensing scheme can be found at www.naturespaceuk.com

Contact details: info@naturespaceuk.com

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377. PLANNING APPEALS AND DELEGATED DECISIONS

The councillors discussed the application HS/FA/20/00970 which was appealed and allowed.

Cllr Beaver raised a query regarding an appeal at Newts Way which is noted in the committee papers as a non-determination.

The Planning Services Manager confirmed this was in error and the application was refused.

The Committee noted the report.

(The Chair declared the meeting closed at. 6.45 pm)