

Report to: PLANNING COMMITTEE

Date of Meeting: 19 April 2023

Report from: Planning Services Manager

Application address: **High Beech Chalet Park, (The Office),
Washington Avenue, St Leonards-on-sea, TN37
7BS**

Proposal: **Erection of a single-storey rear extension
(retrospective) (amended description)**

Application No: **HS/FA/23/00023**

Recommendation: **Grant Full Planning Permission**

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

Applicant: High Beech Chalet Park LTD per D R & J M Bailey
Crossways, The Roundel Old Roar Road St
Leonards on Sea, East Sussex. TN37 7HD

Public Consultation

Site notice:	Yes
Press advertisement:	No
Neighbour Letters:	No
People objecting:	7
Petitions of objection received:	0
People in support:	1
Petitions of support received:	0
Neutral comments received:	0

Application status: Not delegated - 5 or more letters of objection received

1. Site and surrounding area

The application site relates to a building in High Beech Chalet Park known as 'the Office', a small single-storey structure located near the entrance to the chalet park, opposite the visitor car park.

Constraints

Tree Preservation Order
GCN District Licensing Scheme IRZ - Red
GCN District Licensing Scheme Pond Buffer - 50m.

2. Proposed development

Retrospective application for a single-storey extension to the existing office to provide a WC and hand basin facility.

Single-storey extension measurements

Height: 2.5 metres
Width: 2.3 metres
Depth: 1.2 metres

Relevant planning history

HS/FA/18/01115 Replace existing timber office with larger office. Granted 31st May 2019.

National and local policies

Hastings Local Plan – Planning Strategy 2014

Policy FA1 - Strategic Policy for Western Area
Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way
Policy EN3 - Nature Conservation and Improvement of Biodiversity

Hastings Local Plan – Development Management Plan 2015

Policy LP1 - Considering planning applications
Policy DM1 - Design Principles
Policy DM3 - General Amenity
Policy HN8 - Biodiversity and Green Space

Other policies/guidance

Supplementary Planning Document - Householder Development: Sustainable Design

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

Arboricultural Officer - No objection
NatureSpace - No response

The NPPG advises that 'Local planning authorities are expected to determine applications for planning permission, within a time period of 5, 8, 13 or 16 weeks (depending on the type of development). Statutory consultees should be aware of the risk that, should they fail to respond within a specified time period, a local planning authority may proceed to decide the application in the absence of their advice.' (Paragraph: 016 Reference ID: 15-016-20190722)

4. Representations

In respect of this application, a site notice was displayed on a post at the entrance of the chalet park. 7 letters of objection were received from 6 addresses and 1 letter of support.

Objections

- The office is never open.
- WC and hand basin will be connected to mains sewage.

- Concerned it will be made into a residential chalet.
- Blocks my view (No. 95).
- Is there planning permission for the office?
- Deeds state this development is not allowed.
- Should be open and accessible to all residents.
- Owners of chalets should have a say.

Support

- WC and hand basin are to provide gardeners and grounds maintenance workers with access to toilet and hand-washing as there were no facilities on-site and this surely is essential.

The matter of whether the WC extension is acceptable or not in planning terms is not affected by any covenants within the deeds of the site, which is a separate matter.

The applicant has not applied for change of use of the office to a residential premises and has not stated any intention of doing so. However, it is worth noting that the original chalet office which was granted under application HS/FA/18/01115 measures approximately 14m² and is below the minimum size for a one bedroom dwelling according to the Nationally Described Space Standard (NDSS) of 37m² and so permission for use as a dwelling would not be granted based on the building's current size. The only method by which the applicant could legitimise residential use would be to apply for a Lawful Development Certificate after a period of at least four years of uninterrupted use of the building as a residential dwelling without planning enforcement action. Given the location of the site, it would seem unlikely that residential use for four years or more would be undetected by residents.

Material planning considerations are addressed below.

5. Determining issues

The main issues to be assessed relate to the impact of the front extension on the character and appearance of the area and the impact on the neighbouring residential amenities.

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

Policy DM1 of the Hastings Local Plan - Development Management Plan (2015) states, all proposals must reach a good standard of design, which includes efficient use of resources, and takes into account protecting and enhancing local character and showing an appreciation of the surrounding neighbourhood's historic context, street patterns, plot layouts and boundaries, block sizes and scale, height, massing and materials. As established within the Supplementary Planning Document - Householder Development: Sustainable Design guidance to ensure the proposal fits in with the surrounding area. The appearance and scale of the proposal should not detract from the surrounding buildings.

High Beech Chalet Park was built in the 1960s and many alterations to the chalets have occurred since that time diverging away from the original uniform appearance. The additional

WC extension to the Office is a small addition to the existing property and its design blends in with the appearance and design of the office. It is not considered that this proposed extension causes any harmful impact on the character and appearance of the area and therefore the proposal is considered to be in agreement with Policy DM1 of the Hastings Local Plan - Development Management Plan (2015).

c) Impact on neighbouring residential amenities

Policy DM3 of the Hastings Local Plan - Development Management Plan (2015) states, in order to achieve a good living standard for future users of proposed development and its neighbours it should be demonstrated that amenity has been considered and appropriate solutions have been incorporated into schemes. Permission will be given for development where the use of the scale, form, height, mass, and density of any building or buildings, reduces or avoids any adverse impact on the amenity (privacy, over shadowing, loss of daylight) of neighbouring properties.

Daylight, Sunlight & Overshadowing

The extension sits to the rear of the existing office and is located approximately 8 metres from No. 95 and 4.3 metres from No. 94. The proposed extension protrudes from the rear of the office by 1.13 metres and it stands lower than the office height at only 2.5 metres. Due to its modest size in relation to the host building, and the distances between the neighbouring properties, there is no overshadowing caused, nor loss of daylight or sunlight.

Therefore the proposal is considered to be acceptable in this respect.

Privacy

The extension has a single window which is on the south-west elevation and looks diagonally towards No. 96, which is in excess of 17 metres away. Due to the distance, it is not considered that any privacy issues are created by the window on the extension, and it is therefore considered acceptable in this respect.

The proposed extension is therefore considered to be in agreement with Policy DM3 of the Hastings Local Plan - Development Management Plan (2015).

d) Impact on Great Crested Newts

The development falls within the red impact risk zone for Great Crested Newts, NatureSpace has been consulted. No response has been received. An informative is added should Great Crested Newts be found on site at any stage of the development works.

e) Tree Preservation Order

The proposed works do not affect any protected trees and the Borough Arboriculturist has raised no objection to the proposal.

6. Conclusion

The proposed works are considered appropriate for this location and would not cause harm to the character or appearance of the area, and would not harm residential amenities.

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.

7. Recommendation

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:

1773 [7] - 1A
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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 that the finished extension matches the appearance of the existing dwelling.

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. 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

3. 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

William Larkin, Telephone 01424 783250

Background Papers

Application No: HS/FA/23/00023 including all letters and documents