

Report to: PLANNING COMMITTEE

Date of Meeting: 21 June 2023

Report from: Planning Services Manager

Application address: 6-10 Castleham Road, St Leonards-on-sea,
TN38 9NR

Proposal: Overlay of asbestos cement roofing sheets with stainless steel roofing sheets. Inserting insulation in the void between the two roofs. Replacement of roof lights. Lining of rainwater goods (valleys) - retrospective (amended description)

Application No: HS/FA/22/01000

Recommendation: Grant Full Planning Permission

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

Applicant: Hastings Borough Council per SHW Chantry
House 22 Upperton Road Eastbourne BN21 1BF

Public Consultation

Site notice:	Yes
Press advertisement:	No
Neighbour Letters:	No
People objecting:	0
Petitions of objection received:	0
People in 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 application site relates to No.s 6-10 Castleham Road, a 1970s industrial building located on the west side of Castleham Road. The surrounding area comprises a large industrial estate with large commercial premises separated from the road by grass verges.

Constraints

- Medium Pressure Pipeline - SGN
- Medium Pressure Pipeline - SGN 25m Buffer
- Waste & Minerals Local Plan Schedule Ind Estates
- GCN District Licensing Scheme IRZ - Red
- GCN District Licensing Scheme - Pond Buffer 250m
- Flooding Surface Water 1 in 100
- Land Owned Leased Licensed or Held by Tenancy at Will by Hastings Borough Council

2. Proposed development

A retrospective application to overlay asbestos cement roofing sheets with stainless steel roofing sheets and to place insulation in the void between the two roofs. Replacement of rooflights in existing openings. Lining of rainwater goods (valleys).

The application is supported by the following documents:

- Design & Access Statement
- Waste Minimisation Statement
- Schedule of Works

Relevant planning history

Application No.	HS/71/01000
Description	Layout of estate and access roads and sewers for proposed development of industrial estate in Town Development area and offices for Clerks of Works.
Decision	Permission with conditions on 16/09/71
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Application No.	72/01545
Description	Excavation and filling operations to form new ground levels for the development of Castleham industrial Estate, entailing earth cut of 90,536 cubic metres and fill of 39,269 cubic metres.
Decision	Permission with conditions on 16/11/72
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Application No.	HS/72/01545
Description	Excavation and filling operations to form new ground levels for the development of Castleham Industrial Estate, entailing Earth cut of 90,536 cubic metres and fill of 39,269 cubic metres.
Decision	Permission with conditions on 16/11/72
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Application No.	HS/OA/74/0044
Description	Erection of extension of the existing building at the rear on upper levels, and an additional storey over part.
Decision	Outline Application with Conditions on 26/01/73
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Application No.	73/00472
Description	Erection of 8 units (factories) in one block
Decision	Permission with conditions on 10/05/73
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Application No.	73/01009
Description	Layout and construction of section of industrial estate roads (to be known as Castleham Road and Gresley Road)
Decision	Permission with conditions on 23/07/73
Application No.	HS/73/01011
Description	Phase II excavation and filling operations, including provision of foul and surface water drainage and construction of part of highway known as Castleham Road.
Decision	Permission with conditions on 23/07/73
Application No.	74/00044
Description	Erection of 4 light industrial units of 200 sq metres.
Decision	Permission with conditions on 14/02/74
Application No.	HS/74/00044
Description	Erection of four light industrial units of 200 square metres.
Decision	Permission with conditions on 14/02/74
Application No.	HS/FA/90/00598
Description	Erection of single storey store and roof extractor vent.
Decision	Permission with conditions on 17/09/90

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

Hastings Local Plan – Development Management Plan 2015

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

National Planning Policy Framework (NPPF)

Paragraph 8 sets out the three overarching objectives of the planning system in order to achieve sustainable development. Those are: 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 (to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;); and environmental (to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy)

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.

Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development. For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or

- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 of the NPPF states that the development plan is the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Paragraph 47 of the NPPF sets out that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 130 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

in order to create an attractive, welcoming and distinctive places to live, work and visit.

- Optimise the potential of the site to accommodate an appropriate number and mix of development;
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 134 of the NPPF states that development that is not well designed should be refused but that significant weight should be given to development that reflects local design policies and government guidance on design and development of outstanding or innovative design which promotes high levels of sustainability and raises the standard of design in the area, provided they fit with the overall form and layout of their surroundings.

Paragraph 135 of the NPPF 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

Environmental Health - No objection.

4. Representations

In respect of this application a site notice was displayed on a lamp post opposite the unit. No responses were received.

5. Determining issues

The main issues to consider are the impact on the character and appearance of the area, the impact on neighbouring residential amenities, safe access and pollution.

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 Development Management Plan (2015) seeks to ensure a good standard of design which protects and enhances the local character. SPD - Householder Development provides further guidance on what will be taken into consideration when assessing the impact of any proposed extension or alteration, and what any application should address in terms of the design of the proposal. National Design Guide, I1, requires new developments to respond to the existing local character and identity of the area.

The proposed works are to overlay the existing asbestos roof with stainless steel roofing sheets. This would complement the adjoined premises, No.s 1-5 Castleham Road who have completed similar works. Due to the height of the building and the lip of the metal fascias being higher than the roof panels, the area for the proposed works is not visible from the public realm and therefore would not be considered to have any impact on the character and appearance of the area.

The proposed works are therefore considered acceptable in this respect and are in agreement with Policy DM1 of the Hastings Local Plan - Development Management Plan (2015).

c) Impact on neighbouring residential amenities

Policy DM3 of the Development Management Plan (2015) requires proposals to achieve a good living standard for future users of proposed development and its neighbours in terms of amenity. Furthermore, the SPD - Householder Development provides further guidance on what will be taken into consideration when assessing the impact of any proposed extension or alteration, and what any application should address in terms of the potential impact on neighbouring properties from the proposal.

Outlook, Daylight, Sunlight and Overshadowing

There are no elements of the proposal that would be considered to have an effect on outlook, daylight, sunlight and overshadowing.

Privacy

The replacement rooflights will be fixed in the existing openings and so the current relationship will not be affected.

Therefore, the proposal is considered to be in agreement with Policy DM3 of the Hastings Local Plan - Development Management Plan (2015).

d) Pollution

The overlay of the asbestos roof will not involve the disturbance of any asbestos, as detailed in the submitted Schedule of Works. Environmental Health have raised no objection to the application and it is considered that there are no pollution risks as a result of the proposal.

e) Great Crested Newts

The application site is located in a GCN IRZ Licensing Scheme Red Zone. However, as the site is more than 50 metres from a pond, there is no requirement to consult NatureSpace with regard to the proposed works. As the proposal contains no groundworks, it is unlikely that any habitat areas would be disturbed. An informative has been added should any Great Crested Newts be discovered during the course of the works.

f) Southern Gas Networks Medium Pressure Pipeline

The application site is located within a 25 metre buffer zone of an SGN medium pressure pipeline. As no groundworks form part of this proposal, it is not considered that there is any risk of disturbing any underground gas pipes.

g) Flooding

The application site is located in an area that has a 1 in 100 risk of surface water flooding. As the proposal involves no change to the amount of non-permeable surface area, it is not considered that any mitigation measures are necessary in this regard.

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 amenity.

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 carried out in accordance with the following approved plans:

Aerial Plan, Location Plan, TP1001 0, Site Plan, Block Plan, Proposed Roof Plan
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.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. To safeguard the amenity of adjoining 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. 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.

Officer to Contact

William Larkin, Telephone 01424 783250

Background Papers

Application No: HS/FA/22/01000 including all letters and documents