

**Report to:** PLANNING COMMITTEE

**Date of Meeting:** 04 October 2023

**Report from:** Planning Services Manager

**Application address:** **Stade Hall, The Stade, Hastings, TN34 3FJ**

**Proposal:** **Installation of two air source heat pump units on the roof**

**Application No:** **HS/FA/23/00511**

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

Ward: OLD HASTINGS 2018  
Conservation Area: Yes - Old Town  
Listed Building: No

Applicant: Hastings & St Leonards Foreshore Charitable Trust per Hastings Borough Council Muriel Matters House Breeds Place TN34 3UY

**Public Consultation**

Site notice: Yes  
Press advertisement: Yes - Conservation Area  
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 -  
The application relates to or affects Foreshore Trust land and the application is submitted on behalf of the Foreshore Trust

## 1. Site and surrounding area

The site comprises the Stade Hall, a single and two storey building, located in the Old Town conservation area. The site is in a central beach front location, north of the lifeboat station, east of the beach pleasure park and boating pool, south of several Grade II listed buildings in East Beach Street, and west of the Grade II\* listed Net And Tackle Stores. The building consists of a two-storey central structure, with single storey wings to the north and south. The

low-level roofs of the wings are set down behind parapet walls, which mask the existing flat rooflights to the south wing and partly obscure the pitched lantern structures on the north wing.

### Constraints

Conservation area

SSSI Impact Risk Zone

Archaeological Notification Areas

Flooding Surface Water 1 in 1000

GCN District Licensing Scheme IRZ - RED

GCN District Licensing Scheme Pond Buffer 250m

Flooding Groundwater

Land Owned by the Foreshore Trust

## **2. Proposed development**

The proposal is to locate two Air Source Heat Pump units on the roof of Stade Hall. These are being installed to improve the energy rating of the building.

The units are Daikin RZASG100MV1 and the dimensions are H900mm x W940mm x D320mm.

### Design

The units must be located on the roof but their location has been chosen to minimise the impact on views from the ground.

The application is supported by the following documents:

Design and access statement

Heritage statement

Heat pump details

### **Relevant planning history**

<b>Application No.</b>	HS/FA/83/00667
<b>Description</b>	Reconstruction of the coach/lorry park
<b>Decision</b>	Permission with conditions on 23/11/83
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<b>Application No.</b>	HS/FA/09/00177
<b>Description</b>	Construction of a new public open space, community facilities and cafe on the existing stade coach and lorry park. Implementation of project requires the demolition of the existing public toilets and "Toms Cabin".
<b>Decision</b>	Withdrawn on 20/05/09
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<b>Application No.</b>	HS/CA/09/00578
<b>Description</b>	Demolition of the existing public toilets and "Toms Cabin" and construction of a new public open space, community facilities and cafe on the existing Stade coach and lorry park. (Application HS/FA/09/00577 also applies)
<b>Decision</b>	Conservation Area Consent on 23/12/09

<b>Application No.</b>	HS/FA/09/00577
<b>Description</b>	Demolition of the existing public toilets and "Toms Cabin" and construction of a new public open space, community facilities and cafe on the existing Stade coach and lorry park. (Application HS/CA/09/00578 also applies)
<b>Decision</b>	Permission with conditions on 23/12/09
<b>Application No.</b>	HS/CA/09/00178
<b>Description</b>	Demolition of "Toms Cabin", Public Toilets & Information Centre and creation of a new public open space, community facilities and cafe on the existing stade coach and lorry park
<b>Decision</b>	Withdrawn on 20/01/10
<b>Application No.</b>	HS/CD/10/00223
<b>Description</b>	Discharge of conditions 3 & 4 of Planning Permission HS/CA/09/00578
<b>Decision</b>	Part Granted - Part Refused
<b>Application No.</b>	HS/CD/10/00200
<b>Description</b>	Discharge of conditions attached to Planning Permission HS/FA/09/00577 (Demolition of the existing public toilets and "Toms Cabin" and construction of a new public open space, community facilities and cafe on the existing Stade coach and lorry park).
<b>Decision</b>	Part Granted - Part Refused on 27/04/10

### **National and local policies**

#### Hastings Local Plan – Planning Strategy 2014

Policy FA5 - Strategic Policy for Eastern Area

Policy FA6 - Strategic Policy for The Seafront

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

SC5: District Heating Networks and Combined Heat and Power Systems

Policy EN1 - Historic built and environment

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

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

Policy HN1 - Development involving conservation areas and listed buildings

Policy HN4 - Development affecting Heritage Assets with Archaeological and Historic Interest

Policy CQ1 - Cultural Quarters

#### Revised Draft Local Plan (Regulation 18)

Policy OSP1 - Tackling Climate Change

Policy SP5 - Conserving and Enhancing the Natural Environment

Policy SP6 - Enhancing the Historic Environment

Policy DP1 - Design - Key Principles

Policy DP2 - Design - Space and Accessibility Standards

Policy DP3 - Sustainable Design

#### Other policies/guidance

National Design Guide

#### 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 120 of the NPPF states, amongst other things, that decisions should promote and support the development of under utilised land and buildings, especially if this would help meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Paragraph 123 of the NPPF states that Local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and
- b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.

Paragraph 124 of the NPPF states that planning decisions should support development that makes efficient use of land.

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 131 of the NPPF states that decisions should ensure new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments.

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.

Paragraph 183 of the NPPF states that decisions should ensure a site is suitable for its proposed use having regard to ground conditions and risks arising from land instability and contamination.

Paragraph 184 of the NPPF sets out that where sites are affected by land stability or contamination, responsibility for securing a safe development rests with the developer and/or landowner.

Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

### **3. Consultation comments**

Conservation Officer - **No objection**

Marketing & Major Projects Manager - **No objection**

#### **4. Representations**

In respect of this application a site notice was displayed on the corner of the stade access road, adjacent to the Stade cafe and Flamingo amusements, and an advert placed in the local paper. No responses were received.

#### **5. Determining issues**

The main considerations in respect of this application are the impact upon the Character of the Old Town Conservation area, in terms of design and appearance.

##### a) Principle

The site is in a sustainable location and the application is therefore in accordance with Policy LP1 of the Hastings Local Plan - Development Management Plan 2015 in this respect and acceptable in principle subject to other Local Plan policies.

##### b) Impact on character and appearance of conservation area

The units would not be publicly visible from the north as they would be sufficiently obscured by the two-storey element of the building. The proposed unit to the east, which would be the most prominent unit, would be set back 1.9m approximately from the east façade and would extend approximately 530mm above the 700mm high parapet wall. Both units would be visible from the Stade open space and the beach, however, they would be partly obscured by the parapet walls. This will limit the visibility of the two proposed air source heat pumps and in light of this coupled with their small size, they are not considered to be detrimental to the character or the appearance of the Old Town Conservation Area and would not impact on the setting of the nearby listed buildings.

Having regard for the above assessment, the proposed works are considered to meet the aims of Policies DM1 and HN1 of the Hastings Development Management Plan 2015.

##### c) Impact on neighbouring residential amenities

The Stade Hall is situated within an existing commercial area, with no immediate neighbouring properties that are considered to be affected by the development. As such, the proposal meets the aims of Policy DM3 of the Hastings Development Management Plan 2015.

##### d) Impact on Great Crested Newts

The development falls within the red impact risk zone for great crested newts. However, due to the minor nature of the proposal, and being at roof height, there is no requirement for conditions or informatives.

## 6. Conclusion

The proposed development is considered minor development would be in accordance with Hastings Local Plan Development Management 2015 Policies DM1, HN1, the Hastings Local Plan Planning Strategy 2014 Policies EN1 and SC5, and Paragraphs 197, 199, 200, and 202 of the National Planning Policy Framework.

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:

Site Location plan; BF/S8/3/2 - Block plan; BF/S8/3/3 - Proposed roof plan;  
BF/S8/3/4 - East and west elevations; BF/S8/3/5 - North & south elevations;  
Heat pump details from Daikin - model RZASG100MV1

3. 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. 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 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. 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 M Botting, Telephone 01424 783252

### **Background Papers**

Application No: HS/FA/23/00511 including all letters and documents