

Report to: PLANNING COMMITTEE

Date: 04 March 2015

Report from: Head of Housing and Planning Services

Application Address: **Proposed Visitor Centre Hastings Country Park, Lower Coastguard Lane, Fairlight, Hastings, TN35 4AB**

Proposal: **Erection of a new visitor centre**

Application No: **HS/FA/14/01033**

Recommendation: **Grant Full Planning Permission**

Ward: ORE

File No: FA35820T

Applicant: Hastings Borough Council per The Cave Co-operative Siddeley House Kingston Upon Thames Surrey KT2 6LX

Interest: Hasting Borough Council Owned

Existing Use: Agricultural land/Country Park

Policies

Hastings Local Plan 2004: CN1, NC8, NC9, DG1, DG7

Conservation Area: No

National Planning Policy Framework: Para 115

Hastings Planning Strategy: FA5(g), SC3, EN3, EN5, EN7

Hastings Local Plan, Development Management Plan, Revised

Proposed Submission Version: LP1, DM1, DM3, DM4, DM6, HN8, HN9

Public Consultation

Adj. Properties: Yes

Advertisement: Yes - General Interest

Letters of Objection: 50

Petitions Received: 0

Letters of Support: 12

Application Status: Not delegated - More than 2 letters of objection received

Summary

This is a full planning application for the erection of a new Visitor Centre within Hastings Country Park. The existing facility is no longer considered fit for purpose and the Council wish to provide a new centre for all members of the public to learn more about the Park. The ground floor will be fully accessible to all and provide a safe, warm environment for educational purposes. The location has been chosen as the least intrusive within the AONB

and have the least impact on the special landscape of the Country Park.

Materials are considered to be sustainable and in keeping with the rural location. As well as the existing adjacent car park, there is ample additional space for car/coach parking a short walk away to accommodate any additional traffic should more schools take advantage of the enhanced educational facility/opportunity.

The Site and its Location

The proposed location for the new visitor centre is on Coastguard Lane, to the south west of the existing visitor facility, and will be set within an existing grass verge/agricultural land. The site lies with the High Weald Area of Outstanding Natural Beauty (AONB) and is a Local Nature Reserve (LNR)

Details of the Proposal and Other Background Information

The proposal is for the erection of a new visitor centre. The application has been submitted by Hastings Borough Council. The proposed visitor centre will be a south facing, one storey multi functional building including a viewing platform at 1st floor level. Access to the 1st floor will be limited to maintenance only until such time that the floor is accessible to all by lift. A small seating area outside will be provided for picnicking. A small refreshment kiosk will be provided within the building.

Internally, the centre will provide 2 unisex toilets and 1 accessible toilet, a small shop and refreshments area, storage, plant room and a large flexible space for education/exhibitions.

An amphitheatre is proposed to the south of the building, to be used as an outdoor classroom for education purposes.

The main function of the visitor centre is a facility which provides information and education regarding the local landscape and special character and beauty of the Hastings Country Park/AONB. The proposals include a new access with turning head in order to provide level access to all.

Previous Site History

There is no relevant planning history attached to this particular location within the Country Park.

Details of Consultations

There have been 50 individual letters of objection and 12 letters of support.

Issues raised include the following:

- Impact on Country Park/AONB
- Ecology
- Increased Traffic/Parking in surrounding roads
- Impact on Coastguard Tearooms
- Overlooking
- Light/noise pollution
- Alcohol/late night uses
- Access to viewing platform

- Wrong location/No need for new visitor centre

Natural England - Initial objections regarding lack of information to determine whether the proposal would have a significant impact on the SSSI. Further information, as verbally discussed with Natural England, has subsequently been submitted. Comments will be reported verbally to the committee.

ESCC Highways - The access road is privately owned by Hastings Borough Council and not classified as highway. There is sufficient car parking, provision of coach parking would be of benefit. Existing signage to remain and a construction management plan is recommended as a condition.

Waste Officer - No objections

Environment and Natural Resources Manager - No adverse ecological implications identified within ecology report, no conditions proposed.

Environmental Health (Food) - General advice but no objection

Environmental Health (Pollution) - Lack of info regarding wind turbines (this aspect of the application has subsequently been removed).

Rother District Council - No objection

Fairlight Parish Council - Object to the proposals, reasons are design of proposed building, signage, location, impact on neighbours and existing tearoom, noise, drainage.

Building Control - No comments

High Weald AONB - No comment

Friends of the Country Park - Support in principle, concerns regarding roof terrace, signage, photovoltaics.

Environment Agency - No objection

Planning Considerations

Principle of development/Proposed Use

The current visitors centre facility is no longer considered fit for purpose given its lack of space, condition and lack of associated facilities.

The site lies within a Local Nature Reserve (LNR). As such, Policies EN3 and EN5 of the Hastings Planning Strategy are relevant. The policies seek to safeguard and protect Local Nature Reserves. Development will only be permitted if the need for development outweighs the importance of the site for nature conservation and any harm is kept to a minimum.

It is considered that the need for a new visitor centre is in the interest of the public as a whole and for the ongoing conservation and associated educational needs for the benefit of the Park.

The main function of the visitor centre is for education and conservation purposes, although

other uses within and outside the building have been suggested. As the ideas have not been developed and, due to the high level of concern from local residents, the hours of opening will be limited to 9am-5pm until such time as more specific plans have been identified. A further application to vary these hours, in consultation with local people, will be required in order to alter the hours.

AONB/Landscape Impact

Potential impact on the AONB has been assessed against Policy EN7 of the Hastings Planning Strategy and the High Weald Management Plan, which incorporates 5 objectives which aim to educate and encourage opportunity for the community to conserve and enhance the AONB.

The building has been designed and located in such a way as to have as little impact as possible. The building has been sited away from the more important views of the AONB and will use sustainable materials in the construction of the building. Main construction materials include straw bales, recycled car tyres and natural lime renders and plasters.

Ecology

The Ecological Assessment Report submitted as part of the application concludes that no protected species will be impacted. The Environment and Natural Resources Manager concurs with the report findings.

Drainage

Following concerns from Natural England, foul sewerage will now discharge off site and into the existing network. The Environment Agency are also agreeable to this solution. Further details of surface water drainage are to be submitted as part of a condition.

Highways/Traffic

The proposed visitor centre will be located adjacent to an existing car park which is well used at peak times. There are also two other car parks in close proximity with ample room for additional car and/or coach parking if necessary. It is acknowledged that local residents are concerned with regard to parking in nearby roads as a means of avoiding parking charges. Obstruction and/or illegal parking is, however, a matter for the highway authority or owners of the land to enforce and not a planning consideration.

Although the visitor centre may attract more footfall than the existing centre, it is not envisaged to be a destination in itself which would attract a significant increase in traffic. All existing traffic/road safety signage leading to the Country Park will remain in situ as recommended by ESCC Highways. It is acknowledged that the junction of Coastguard Lane with Fairlight Road is busy. However, it is not considered that the proposed visitor centre would pose any further road safety issues.

Residential Amenity

The properties most immediately affected by the proposed development are located in Lower Coastguard Lane and Coastguard Cottages. The nearest residential property (Seascape) lies 53m from the proposed building. It is considered that any impact from the roof terrace (when open to the public) would be minimal and could not warrant a refusal given the distances concerned.

I have considered the issues of potential noise and light pollution. Given the minimal detail with regard to the types of events and hours of opening, I am minded to recommend opening hours of 9am - 5pm at this time. Should specific requirements for alternative uses of the building be required in the future, more detailed plans will need to be submitted with a further application to vary the condition.

Impact on existing business

Although the owner of Coastguard Tea Rooms has been liaising with the project team with regard to use of the premises, I cannot consider business competition as a planning consideration as part of my assessment.

Conclusion

It is considered that the proposal has been designed and located to be in keeping with the rural character and landscape of the Local Nature Reserve and High Weald AONB. I therefore recommend the proposal for approval subject to conditions.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 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".

Evidence of Community Involvement

A number of public consultation exercises and events have been carried out.

23 August 2014 - workshop at Country Park attended by CAVE, park rangers, centre volunteers, HBC staff, Friends of Country Park and HBC councillors.

27 August 2014 - workshop at Town Hall attended by CAVE, HBC staff, centre volunteers, Groundwork, fishing fleet volunteers

17 - 20 September 2014 - Pop up shop in Priory Meadow Shopping Centre

30 October - Pre-application Forum

These proposals comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

The Human Rights considerations have been taken into account fully in balancing the planning issues.

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. 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.

3. The visitor centre shall not be used except between the following hours:-

9am - 5pm Monday - Sunday

4. (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority.

(ii) Development shall be carried out in accordance with the details approved under (i) and no use of the building hereby approved shall occur until those works have been completed.

(iii) The building shall not be used until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.

5. No development above ground shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs lighting etc.); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

6. All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

7. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme.

8. All planting seeding or turfing comprised in the approved soft landscaping scheme shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority,

in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

9. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the visitor centre and amphitheatre (including photovoltaics) hereby permitted have been made submitted or made available on site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
10. No development to be commenced on site until a Construction Management Plan setting out mitigation measures to protect against disruption caused during construction has been submitted to and approved in writing by the Local Planning Authority.
11. There must be no public access to the proposed viewing platform unless a fully functioning lift is provided
12. The proposed amphitheatre is to be used as an outdoor classroom only and for no other use.
13. The development hereby permitted shall be carried out in accordance with the following approved plans:

240/100 NEW, 001, 101A, 102A, 103A, 104A, 105B, 106B, 107B, 108A, 109A.
14. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
15. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [14] to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To safeguard the amenity of adjoining and future residents. (Hastings Local Plan 2004 Policies DG1 and DG3).

3. To safeguard the amenity of adjoining and future residents. (Hastings Local Plan 2004 Policies DG1 and DG3).
4. To ensure that no property is occupied until adequate access and drainage facilities have been provided.
5. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
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9. In the interests of the visual amenity.
10. To safeguard the amenity of nearby residents and user of the Country Park
11. In order that the facility is accessible to all members of the public
12. To protect the amenity of neighbouring residents
13. For the avoidance of doubt and in the interests of proper planning.
14. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.
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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 paragraphs 186 and 187 of the National Planning Policy Framework.
3. The applicant should contact the Sussex Police Architect Liaison Officer at the Police Station, Bohemia Road, Hastings to discuss the "Secured by Design" principles for new developments.
4. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-

mail: developerservices@southernwater.co.uk.

Officer to Contact

Ms K Phillips, Telephone 01424 783250

Background Papers

Application No: HS/FA/14/01033 including all letters and documents