

**Report to:** PLANNING COMMITTEE

**Date:** 29 April 2015

**Report from:** Head of Housing and Planning Services

**Application Address:** **33 West Street, 34 West Street and 1 East Parade, Hastings**

**Proposal:** **Abutment work to 2 joining listed buildings**

**Application No:** **HS/LB/14/00730**

**Recommendation:** **Grant Listed Building Consent**

Ward: OLD HASTINGS

File No: EA750001

Applicant: Project 35 Architects 2 Stonelynk Hall Battery Hill Fairlight TN35 4AP

Interest: Owner

Existing Use: Dwellings under construction

### **Policies**

Hastings Local Plan 2004: N/A

Conservation Area: Yes - Old Town

National Planning Policy Framework: Section 12

Hastings Planning Strategy: N/A

Hastings Local Plan, Development Management Plan, Revised

Proposed Submission Version: N/A

### **Public Consultation**

Adj. Properties: Yes

Advertisement: Yes - Affects a Listed Building

Letters of Objection: 5

Petitions Received: 1

Application Status: Not delegated - Petition received

### **Summary**

This application is for listed building consent, not planning permission and follows the grant of planning permission reference HS/FA/11/00555 which is for the erection of 3 residential properties. The scheme under consideration is to adjoin 1 East Parade and 33 West Street which are listed buildings. The current proposal is for the abutment works to the two adjoining buildings. The main consideration is the impact of the proposal on the character and appearance of the two listed buildings only. After considering all matters I recommend the proposal for approval subject to conditions.

### **The Site and its Location**

The site is located on the south side of West Street within the Old Town Conservation Area. The site is vacant, surfaced in tarmac and currently used by the owner as a private car park. The site adjoins 1 East Parade to the west, the western elevation of 33 West Street and 4A and 4 East Parade to the rear. The site was previously occupied by two buildings which adjoined 33 West Street and 1 East Parade, to create a terrace of buildings. Following fire damage, the last of these buildings was demolished in 2004, leaving a single storey section and the western elevation of 1 East Parade, together with the rear elevation of 4A East Parade exposed. Since that time part of the western elevation of the single storey section has been repaired with concrete blocks. The remainder of this elevation has also been covered in a blue tarpaulin and the boundary with 4A East Parade is now indicated with close board fence panels which gives the site a somewhat unsightly appearance.

The important historic character of this part of the Old Town is varied and defined by a mixture of mainly three and four storey semi detached and terraced buildings arranged along narrow streets. The majority of properties are also reasonably narrow which gives the area a strong vertical emphasis, and are built of a variety of materials including rendered brick, timber cladding and clay tiles.

## **Details of the Proposal and Other Background Information**

The proposal follows the grant of planning permission reference HS/FA/11/00555 which is for the erection of 3 residential properties. The scheme is to adjoin 1 East Parade and 33 West Street which are listed buildings. The current proposal is for the abutment works to the two adjoining buildings. A separate application for amendments to planning permission: HS/FA/11/00555 appears elsewhere this agenda.

The works proposed involve forming vented cavities between the listed buildings and the new building. The cavities are to be sealed as follows:

- a lead finished upstand is to be used to seal the cavity between the roof of 33 West Street and the new building;
- a timber baton is to be used to seal the cavity between the weatherboard of the proposal and 33 West Street;
- at the lower levels mastic and lime mortar are to be used to seal the cavity,
- to close the cavity between the roof and 1 East Parade lead flashing is to be chased into the render of 1 East Parade;
- vertical weatherboard is to be used to seal the cavity between the roof of the proposal and the roof of 33 West Street.

## **Relevant Site History**

HS/FA/11/00555 Erection of 3 residential units - 2 x 2 bedroom dwellings & 1 x 1 bedroom maisonette.  
Granted 15 September 2011

## **Details of Consultations**

A total of **5 letters of objection** and a **petition of objection** have been received. The main issues raised include: proposed use, fire resistance, structural issues to neighbouring properties, impact on the setting of adjoining listed buildings and the impact on the surrounding conservation area.

## **Planning Considerations**

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".

## **Considerations**

As this application is for listed building consent it is only possible to assess the impacts of the proposal on the historic character and appearance of the building. Section 12 of the National Planning Policy Framework (NPPF) applies but the policies of the Hastings Local Plan 2004, the Hastings Planning Strategy 2011-2028 and Hastings Development Management Plan Revised proposed Submission Version 2014 are not applicable.

## **Impact on the Character and appearance of the adjoining listed buildings**

The scheme has been amended in accordance with suggestions made by the Council's Conservation Consultant. The amendments were considered necessary to ensure that the cavities proposed are appropriate to stop damp forming between the two buildings. In addition the amendments were to ensure good quality materials such as lime mortar (which is a "breathable" material) as opposed to modern cement mortar (which is not breathable) were utilised. The methods now proposed will ensure that the historic fabric of the adjoining listed buildings is protected. It is also considered that the materials proposed to seal the cavities will ensure that the adjoining buildings retain their historic character and appearance.

## **Other Matters**

The current application is for works to the adjoining listed building only. The majority of the other issues raised, including the impact on the surrounding area and adjoining properties, have already been considered when planning permission was originally granted and when dealing with the amendments application which appear elsewhere on this agenda.

With regard to the structural issues that have been raised, it should be noted that the works proposed are confined to within the site's boundaries and do not encroach onto the properties at East Parade. If any damage is caused during the construction phase this would be a private matter between the relevant land owners.

The proposal will need to comply with the building regulations to ensure that it is built to the correct standard. The building control process will cover the issue of fire resistance.

## **Conclusion**

It is considered that, subject to conditions, the proposal will preserve the historic character and appearance of the adjoining listed buildings. I therefore recommend the proposal for approval.

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 Listed Building Consent subject to the following conditions:**

1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.
2. The works hereby permitted shall be carried out in accordance with the following approved plans:

47200/PC/001 REV D, 42700/LBC/003 REV A, 47200/LBC/004 REV A, 47200/LBC/005 REV A, 47200/LBC/006 REV A, 47200/LBC/007 REV A, 47200/LBC/008 REV A, 47200/PC/009A, 47200/PC/010A

## **Reasons:**

1. To ensure the architectural and historic character of this Grade II Listed Building is adequately protected.
2. For the avoidance of doubt and in the interests of proper planning.

## **Notes to the Applicant**

1. Failure to comply with any condition imposed on this consent 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.

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## **Officer to Contact**

Mr T Tanner, Telephone 01424 783336

## **Background Papers**

Application No: HS/LB/14/00730 including all letters and documents