

PLANNING COMMITTEE

1 APRIL 2015

Present: Councillors Street (Chair), Scott (Vice-Chair), Beaney, Beaver, Edwards, Dowling, Lee, Roberts, Rogers and Wincott

79. APOLOGIES FOR ABSENCE

None.

80. DECLARATIONS OF INTEREST

The following Councillors declared their interests in the minutes as indicated:

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Rogers	76.1 – Buss Buildings, Waldegrave Street	Personal – The architect is known to her.

81. MINUTES OF THE MEETING HELD 4 MARCH 2015

RESOLVED – That the minutes of the meeting held on 4 March 2015 be approved and signed by the Chair as a true record.

82. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

83. PLANNING APPLICATIONS ATTRACTING A PETITION:

83.1 Buss Buildings, Waldegrave Street

Proposal:	Change of use from A1 Shop to Sui generis Launderette & A3 Café including new access doors.
Application No:	HS/FA/14/00951
Existing Use:	Warehouse/store
Hastings Local Plan 2004	E4, DG1, DG2, DG4, DG5, DG14
Conservation Area:	No
National Planning Policy Framework	No Conflict

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Hastings Planning Strategy	FA2, SC1, E1
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4 and DM6
Public Consultation:	4 letters of objection received and 1 petition received

The Development Manager reported on an application for the change of use from existing A1 Shop to Sui Generis Launderette & A3 Café including new access door at Buss Buildings, Waldegrave Street.

The site consists of a vacant warehouse/shop at ground floor level located on the corner of Waldegrave Street and Mann Street. The surrounding area is predominately made up of residential properties with one retail unit on the opposite side of the road.

The proposal will involve the alteration to the existing floor layout of the unit to provide a central lobby area leading to a self service launderette, professional wash area and café. Within the café portion of the premises there will be a WC and an office/store area. The applicant intends to employ 4 full time staff and 4 part time staff across the two units.

The opening hours will be as follows:

Cafe - 10:00 - 16:00 Monday to Friday, 10:00 - 16:00 Saturday, Closed Sunday and Bank Holidays.

Launderette - 10:00 - 20:00 Monday to Friday, 10:00 - 20:00 Saturday, 10:00 - 16:00 Sundays and Bank Holidays.

An amended plan was submitted for a ventilated lobby to provide access to the WC.

The main issues considered were about potential noise, parking provision and anti social behaviour on and around the site. Having fully assessed the application, the Development Manager felt the concerns raised by local residents could be overcome by the implementation of conditions and adequate management of the site. The Development Management considered the proposed change was acceptable in this location and therefore he recommended that planning permission be granted subject to conditions.

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

The petitioner, Jane Wright, was present and spoke against the application.

The agent, Laurence Walker, was present and spoke in support of the application.

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Councillor Wincott proposed a motion to approve the application subject to the amendment of condition 5a as set out in the resolution below. This was seconded by Councillor Dowling.

RESOLVED – (unanimously) that planning permission be granted 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. **Prior to commencement of use full details of the following shall be submitted to and approved in writing by the Local Planning Authority:**
 - (a) **Full details of the proposed extraction and filtration system for the laundrette including drawings at no less than 1:10 scale and details of filters;**
 - (b) **Noise assessment of the washers and dryers. The rating level of the equipment when measured in accordance with BS4142, should achieve a level of at least 10db below existing background noise level at neighbouring noise sensitive premises unless otherwise agreed in writing by the local planning authority.**

The works shall be carried out in accordance with the details approved and no occupation of any building approved shall occur until those works have been completed;

3. **The premises shall only be used as a cafe/sandwich bar and laundrette as specified in the application. No primary cooking shall take place or mechanical extraction apparatus installed, and the premises shall not be used for any other purpose within Class A3 unless a further application is submitted to and approved by the local planning authority;**
4. **No works shall commence on site until details of the proposed drainage facilities have been submitted to and approved in writing by the Local Planning Authority;**
5. **The Laundrette shall not be used except between the following hours:-**
10:00 - 20:00 - Monday - Friday,
10:00 - 20:00 - Saturdays,
10:00 - 16:00 - Sundays and Bank Holidays.

The Cafe shall not be used except between the following hours:-

10:00 - 16:00 - Monday - Friday,
10:00 - 16:00 - Saturdays,
Not at all on Sundays or Bank Holidays.

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6. The development hereby permitted shall be carried out in accordance with the following approved plans: 582-03 & 582-02-B

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;
3. In order to safeguard the amenities of neighbouring residential properties;
4. To ensure that adequate drainage facilities have been provided;
5. To safeguard the amenity of adjoining residents; and
6. 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 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; and
3. The proposal may be a material change of use to which the Building Regulations 1991 apply and a building regulation submission may be necessary before the change of use takes place.

83.2 Hastings Spiritualist Church, Portland Place

Proposal:	Change of use of ground floor to form 2x1 bedroom apartments. Change of use of second floor two bedroom apartment to 2x1 bedroom apartments. Alterations to first floor to facilitate proposed scheme.
Application No:	HS/FA/15/00091
Existing Use:	Spiritualist church

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Hastings Local Plan 2004	DG1, DG2, TR8, H4
Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	FA2, SC1
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4
Public Consultation:	4 letters of objection and 1 petition received

The Development Manager reported on an application for the amended resubmission of a previously approved scheme HS/FA/07/00315.

Change of use of ground floor to form 2x1 bedroom apartments. Subdivision of previously approved second floor penthouse to 2x1 bedroom apartments and other first floor alterations at first floor to facilitate proposed scheme at Hastings Spiritualist Church, Portland Place.

The site is located on the west side of Portland Place in a mid-terrace position. The area is mainly residential with the majority of properties being terraced houses. The site adjoins a residential property to the south, Jackson Hall to the north and shares a boundary with three residential properties.

The conversion of part of the site to residential and the erection of second storey has previously been granted permission under HS/FA/07/00315. An extension to time (HS/FA/10/00451) was also later granted at planning permission in 2010. The works to implement the application have commenced on site but have halted due to the proposal being amended. Having reviewed the previously approved plans the Development Manager felt the proposed external alteration will result in a more sympathetic development that would appear in keeping with the existing street scene and that the increase in flats from 3 to 6 would provide additional housing within the town centre.

The main issues considered were the design and appearance; housing need, living environment and transport.

The Development Manager recommended the application be approved subject to conditions.

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

The petitioner, Judy Russell, was present and spoke against the application.

The applicant, Stephen Finch, was present and spoke in support of the application.

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Councillor Wincott proposed a motion to approve the application subject to the addition of conditions and reasons 6 & 7 as set out in the resolution below. This was seconded by Councillor Beaver.

RESOLVED – (unanimously) that planning permission be granted 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. No development shall take place above ground until the following details have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details;
 - 1) Large scale details of proposed entrance doors, windows and rooflights; and
 - 2) Details of proposed render/paint colour.
Details of the proposed rainwater goods.
3. None of the flats hereby approved shall be occupied until such time as the bin store as shown on the approved plans has been provided to the satisfaction of the Local Planning Authority;
4. 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.
5. The development hereby permitted shall be carried out in accordance with the following approved plans: DD/portlandchurch/01, DD/portlandchurch/02, DD/portlandchurch/03;
6. The windows on the south elevation shall be permanently fixed shut and shall at no time be glazed other than in obscure glazing; and
7. No flat hereby approved shall be occupied until storage for two bicycles has been provided in accordance with details to be agreed in writing by the local planning authority before installation.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;

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2. To ensure that the finished development takes proper account of the character of the surrounding area in its use of external materials in the interests of the amenity of the area. (Hastings Local Plan 2004 - Policy DG1);
3. To ensure a satisfactory standard of development;
4. To safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4);
5. For the avoidance of doubt and in the interests of proper planning.
6. To safeguard the amenity of adjoining and future residents.
7. To encourage cycling and reduce car traffic associated with the development.

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 proposal may be a material change of use to which the Building Regulations 1991 apply and a building regulation submission may be necessary before the change of use takes place.
4. The applicant should consult the Building Control Section with regard to sound insulation.
5. Consideration should be given to the provision of a domestic sprinkler system.

84. PLANNING APPEALS AND DELEGATED DECISIONS

The Development Manager reported one appeal that had been received; one appeal that had been allowed and two appeals that had been dismissed. He also reported on a number of delegated decisions. All matters had arisen between 23 February 2015 and 19 March 2015.

RESOLVED – that the report be noted.

85. PLANNING APPLICATIONS:

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85.1 25-29 Ashburnham Road

Proposal:	Alterations and conversion of the existing building to 12 apartments (7x1 bedroom and 5x2 bedroom)
Proposed Amendment:	Revised resolution to remove the requirement for affordable housing
Application No:	HS/FA/14/00201

The Development Manager reported on an application for a revised resolution for alterations and conversion of the existing building to 12 apartments (7x1 bedroom and 5x2 bedroom) at 25-29 Ashburnham Road, Hastings.

Planning permission was granted on 14 May 2015 subject to conditions and a S106 legal agreement to secure a financial contribution towards affordable housing. Since the meeting the applicant has demonstrated to the council that the benchmark land value (BLV) (the value of the land today, without any development) would be higher than the residual land value (RLV). This means that if the development were to go ahead, it would be in deficit and the applicant would not be able to make the contribution towards affordable housing. This information has been reviewed by the District Valuers Service who have agreed that requiring the contribution would make the development unviable.

The Development Manager felt that the requirement for affordable housing should now be deleted from the resolution and planning permission be granted subject to conditions.

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

An error was noted on page 43 of the report, 2nd paragraph, the wording was amended from "14th May 2015 subject to a S106 legal agreement", to read '14th May 2014 subject to a S106 legal agreement".

Councillor Beaver proposed a motion to approve the application as set out in the resolution below, this was seconded by Councillor Lee.

RESOLVED – (Unanimously) that planning permission be granted 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:**

2419 01, 03, 04, 05, 10A, 11A, 12 and 20; and existing elevations

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- 3. Prior to the occupation of any flat hereby approved and notwithstanding that shown on the approved drawings listed in condition 2 above details of the proposed storage of refuse and details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage and cycle storage shall be provided prior to the occupation of any flat.**
- 4. The car parking spaces shown on the approved plan shall be provided prior to the occupation of the development hereby permitted and thereafter shall not be used for any purpose other than the parking of vehicles.**

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 a satisfactory form of development in the interests of the character and amenity of the area and in order that the development site is accessible by non car modes and to meet the objectives of sustainable development.**
- 4. To ensure an adequate level of off-street parking to serve the development.**

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. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).**
- 4. A formal application for connection to the public 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.**
- 5. The proposal is a material change of use to which the Building Regulations 1991 apply and a building regulation submission is**

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necessary before the change of use takes place.

- 6. Consideration should be given to the provision of a domestic sprinkler system.**

(The Chair declared the meeting closed at. 6.41 pm)