

Report to: PLANNING COMMITTEE

Date: 03 June 2015

Report from: Head of Housing and Planning Services

Application Address: 20 Ashburnham Road, Hastings, TN35 5JN
Proposal: Variation of condition 9 (approved plans) of planning permission HS/FA/13/00165 - Variation to windows, relocation of bin store, amendment to rooflight design, removal of pergola and decrease in length of wall along East elevation facing No.2 Godwin Road.

Application No: HS/FA/15/00327

Recommendation: Grant Full Planning Permission

Ward: OLD HASTINGS
File No: AS30020
Applicant: Mr Wright and Carter per Elevations Design Ltd Junction House 1 Sedlescombe Road South St Leonards on Sea, East Sussex. TN38 0TA

Interest: Freeholder
Existing Use: Residential

Policies

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|--|--------------------------|
| Hastings Local Plan 2004: | DG1, DG3, C1, C8 |
| Conservation Area: | Yes - Tillington Terrace |
| National Planning Policy Framework: | No Conflict |
| Hastings Planning Strategy: | SC1, FA5, EN1, |
| Hastings Local Plan, Development Management Plan, Revised Proposed Submission Version: | DM1, DM3, DM4, HN1, HN2 |

Public Consultation

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|-----------------------|-------------------------|
| Adj. Properties: | Yes |
| Advertisement: | Yes - Conservation Area |
| Letters of Objection: | 6 |
| Petitions Received: | 1 Letters of Support: 9 |

Application Status: Not delegated - Petition received

Summary

This application seeks to vary the plans previously approved under the application HS/FA/13/00165.

Due to the build of the dwelling having been almost completed the majority of these amendments are retrospective.

The Site and its Location

This site is located on the eastern side of Ashburnham Road at the junction of Godwin Road which runs along the site's northern boundary. This site is also located within the Tillington Terrace Conservation Area.

The development consists of a split level modern dwelling which was approved under planning reference HS/FA/13/00165. The dwelling is not yet completed internally, however, the exterior construction works have been finished. The gardens are to be completed also.

The exterior of the building is rendered with brick accents, aluminium framed windows and doors some with timber shutters.

Details of the Proposal and Other Background Information

The amendments shown on the newly submitted plans are as follows:

- variation to the design of the windows
- relocation of the bin store
- amendment to the rooflight design
- removal of the pergola, and
- decrease in length of the wall along the eastern elevation facing towards No. 2 Godwin Road.

Previous Site History

HS/FA/53/00574 Erection of bungalow and garage.
Granted 08/12/53.

HS/FA/55/00637 Erection of bungalow and garage.
Granted 11/10/55.

HS/FA/76/00207 Erection of extension to front of dwelling.
Granted 12/05/76.

HS/FA/84/00617 Enlargement of garage and vehicular access.
Granted 19/11/84.

HS/CA/13/00166 Demolition of existing dwelling and construction of new dwelling including enlargement of existing vehicular access. (Application HS/FA/13/00165 also applies)
Granted 22/07/13

HS/FA/13/00165 Proposed demolition of existing dwelling and construction of new dwelling. Proposed enlargement of existing vehicular access (Application HS/CA/13/00166 also applies)
Granted 17/7/2013

HS/FA/14/00559 Proposed demolition of existing boundary wall and construction of new

boundary wall and a new pedestrian entrance gate from Godwin Road.
Granted 20/08/2014

Details of Consultations

As part of this application 31 neighbouring properties were consulted and a site notice was displayed.

6 letters of objection were received and a valid petition with 31 signatures was also submitted.

The concerns within these objections include:

- The plans submitted not including a scale bar
- The Plans not being available online
- Changes not included on the plans
- The description of the works

The petition states that many of the reasons for previously objecting to the proposal should be considered again. Questions have also been raised in relation to the size of the dwelling built on site in comparison to the approved plans. In light of this, a further site inspection was carried out on the 20th May 2015. As part of this site visit measurements were taken of the exterior of the property. These measurements are consistent with the submitted plan 12.467/02 I.

The concerns raised by the objectors have been taken into account as part of the assessment process of this application. However, it should be noted that this application does not seek permission for the erection of the dwelling on site. The erection of the dwelling has already been granted permission. This application has been submitted in relation to the amendments sought by the applicant.

9 letters of support were also received.

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".

The scale of the development proposed remains unchanged from that approved under planning permission HS/FA/13/00166 & HS/FA/13/00165. At the time of considering the previous application the case officer stated that: "It is considered that the proposals will not adversely affect the character or appearance of the area, the amenity of the neighbouring residents or the highway safety of the area". The proposal was therefore recommended for approval and granted at planning committee.

The proposed amendments submitted as part of this application are relatively minor and are not considered to have a detrimental impact on the overall character of the development or the surrounding area.

The alterations to the existing windows are considered to complement the overall design of the dwelling and result in a clear uniformity of the window sizes. This in turn results in less cluttered elevations and simplifies the appearance of the dwelling.

The alterations to the roof lanterns are hidden from view due to the parapeted facade and flat roof. As a result these are not considered to detract from the overall composition of the dwelling either.

The decrease in length of the wall fronting on to No. 2 Godwin Road has been carried out due to a buttress wall at the neighbouring site. This buttress wall forms a retaining structure to No. 2 Godwin Road and is required to remain in situ. The wall at No. 20 was shortened accordingly during the construction phase of the development.

The removal of the pergola and the relocation of the bin store are also considered minor amendments to the previously approved scheme and as a result are considered acceptable.

Taking the above in to account, it is considered that the proposal will remain in keeping with the character and appearance of the area. Therefore, after considering all matters, I recommend the proposal for approval subject to conditions.

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 17th July 2013.
2. No works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - (a) Samples of roof cladding and glass screening to balcony
 - (b) Full joinery details for the proposed new windows and doors, to include 1:10 elevations of each type of window and door, plus 1:2 or full size sections through example windows and doors.
 - (c) Full details of the proposed wooden shutters.
 - (d) Full details of the proposed roof profile (including any parapet) and of the flat roof cladding.
 - (e) Full details of the proposed decorative scheme for the render, windows and doors (to include colour and paint/stain types).
 - (f) Full details of any new gates or fences within the site boundary, to include siting, size, appearance, materials and finishes.
 - (g) Full details of any proposed external lighting.
3. The glazed screen on the eastern side of the balcony shall be obscure glazed with obscure glass to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3, or similar equivalent. The balcony shall not be used unless the obscure glazed screen is in place to the satisfaction of the local planning authority.
4. The balconies shall be frameless glazing with no top rail or intermediate supports, unless otherwise agreed in writing with the local planning authority.

5. 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.
6. No development shall commence until details of the size and location of any temporary structures required during the construction process, a vehicle wheel washing facility together with areas for storage of materials, and temporary site hoardings has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in full accordance with the approved details, and the wheel washing facility shall remain in place and in operation for the duration of the construction period.
7. No development shall take place until a full mitigation report has been submitted to the Council. Such a report will include positive measures to enhance wildlife features and biodiversity at the site, such as the erection of nest boxes, native landscape planting, etc and will include a timetable for development which avoids any potential risk to wildlife. The development shall be completed in accordance with the approved mitigation report unless otherwise agreed in writing by the Local Planning Authority.
8. The dwelling hereby approved shall not be occupied until readily accessible external storage space for refuse bins awaiting collection has been provided to the satisfaction of the Local Planning Authority.
9. The development hereby permitted shall be carried out in accordance with the following approved plan: 12.467/02 I.
10. No development shall commence until details of surface water drainage have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be completed in accordance with the approved details.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 - Policy DG1).
3. To protect the amenities of adjoining residential properties.
4. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 - Policy DG1).
5. To safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4).

6. In the interests of the visual and residential amenities of the locality.
7. To protect features of recognised nature conservation importance.
(Hastings Local Plan 2004 policies NC8 and NC9.)
8. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
9. For the avoidance of doubt and in the interests of proper planning.
10. To ensure the proper management of surface water on the site with particular reference to the driveway.

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. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Atkins Ltd. Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Telephone 01962 858688) or www.southernwater.co.uk.
4. In the event that any sewers are found within the site the applicant is advised to contact Atkins Ltd. Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Telephone 01962 858688) or www.southernwater.co.uk.
5. With regard to condition 7 of this planning permission, in preparing the mitigation plan regard should be had to the supporting ecological appraisal (Preliminary (Phase 1) Ecological Appraisal 20 Ashburnham Road Hastings TN35 5JN prepared by The Mayhew Consultancy dated: January 2013).
6. This planning permission has been issued as a variation to the original planning permission HS/FA/13/00165. The pre-commencement conditions listed above are copied from the previous permission and may have already been discharged. If the conditions have been dealt with previously you will not be required to deal with those conditions again, unless matters associated with those conditions have changed. Any outstanding matters required by condition should be submitted to the Local Planning Authority as soon as possible.

Officer to Contact

Mrs E Meppem, Telephone 01424 783288

Background Papers

Application No: HS/FA/15/00327 including all letters and documents