

Report to: PLANNING COMMITTEE

Date: 03 June 2015

Report from: Head of Housing and Planning Services

Application Address: Premises at 26 George Street, Hastings,
TN34 3EA

Proposal: Conversion of basement from ancillary
storage to a bar area in connection with the
existing premises at ground floor.

Application No: HS/LB/15/00210

Recommendation: Grant Listed Building Consent

Ward: OLD HASTINGS

File No: GE70026V

Applicant: Mr Dean per Meridian Surveyors 3 Alexandra
Parade Park Avenue Hastings, East Sussex.
TN34 2PQ

Interest: Freeholder

Existing Use: Bar

Policies

Hastings Local Plan 2004: N/A

Conservation Area: Yes - Old Town

National Planning Policy Framework: No Conflict

Hastings Planning Strategy: N/A

Hastings Local Plan, Development
Management Plan, Revised
Proposed Submission Version: N/A

Planning (Listed Buildings and
Conservation Areas) Act 1990 No conflict

Public Consultation

Adj. Properties: Yes

Advertisement: Yes - Affects a Listed Building

Letters of Objection: 3

Petitions Received: 1

Application Status: Not delegated - Petition received

Summary

This listed building consent application seeks permission for the works associated with the conversion of the basement from ancillary storage to a bar area. The use does not require planning permission and is not being considered here.

The Site and its Location

26 George Street is a grade II listed building within the Old Town Conservation Area of Hastings and draws its significance from its architectural character and appearance as a building of the local vernacular. The building is a three storey mid-terrace building comprising the basement, bar at ground level and two floors of residential space above.

Details of the Proposal and Other Background Information

The basement is part of the premises and it is not a separate use, it is currently used as storage space ancillary to the ground floor. The change of use in 2001 from retail to food and drink covered the ground floor and the basement. As such planning permission is not required to use the basement as a bar area as it is not an independent planning unit.

The basement floor plan shows a function room, bar area, storage area, WCs and the existing rear yard and fire escape via a flight of stairs.

The proposed alterations are not structural.

Previous Site History

Relevant planning history

- HS/FA/01/00041 Change of use from retail to food and drink
Granted subject to Conditions 19/3/2001
- HS/LB/01/00106 Internal modifications of shop area (ground floor)
Granted Subject to Conditions 11/4/2001
- HS/FA/01/00337 Variation of condition of planning permission to allow opening Monday to
Saturday to 12pm and 11pm Sunday
Granted Subject to Conditions 27/7/2001

Details of Consultations

3 individual letters and a petition of objection have been received. Concerns raised include additional traffic, noise and hazard from smokers outside the premises, noise and other nuisance from the existing use, access arrangements - particularly with regard to the rear. These concerns relate principally to the use rather than the works for which listed building consent is being sought.

Environmental Health (Food): No adverse comments have been made. The applicant is required to discuss the requirements for foods safety and an informative has been added accordingly.

Environmental Health (Pollution): No objection subject to conditions.
A working hours condition has been added but further conditions with regard to bottle bins/waste collection are not necessary as the premises already operate as a bar.

County Archaeologist: No adverse comments. As the proposed development does not involve any structural works, there should be no impact on the physical structure which would affect the archaeological interest of this Grade II Listed Building.

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".

This is an application for Listed Building Consent and the Hastings Local Plan 2004 is not relevant. However, the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (NPPF), Section 12 apply.

Initial concerns were expressed with regard to the details of the proposed works:

- Tanking of the basement wall
- Replacement of possible original doors
- Fire compartmentation
- Ceiling
- Floor
- Staircase
- New bar
- Services
- Lack of information in the heritage statement

Amended plans and details have been received addressing the above concerns. The details are now considered to be acceptable and the works will not affect the character and appearance of the listed building.

Other considerations

The objections to the application centre around the means of escape and the rear yard. According to the existing licence smoking is prohibited in the rear yard area.

The exit from the emergency fire escape passing over a neighbouring property is not a planning matter but a civil legal issue between the neighbouring properties.

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:

nr/801/2015/02 & nr/800/2015/02 Rev. A
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.

4. No works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

Detail through floor/ceiling construction to show proposed insulations, fixings and finishes (Scale 1 : 5).

Works shall be carried out in accordance with the details approved.

5. No works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

Sectional detail of floor (Scale 1 : 5) to show build up including separating membrane between existing and proposed floor finish. Sectional detail to include any proposed adjustments of existing features such as architraves, skirtings.

Works shall be carried out in accordance with the details approved.

6. No works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

Methodology statement for the repair of the stone staircase including 1 : 5 details to show piecing in repairs and joinery details of balustrade and spindles.

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.

7. No works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

(i) Joinery details of new bar to show form, height and construction details (Scale 1 : 2) to enable assessment in terms of context.

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.

8. No works shall take place until samples of the materials and finishes to be used shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

9. No works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

Methodology Statement including layout plans and section details through the existing fabric where ducts are formed, joists notched etc to serve new pipework / electrics and to include specification for making good.

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.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1)
4. To ensure the architectural and historic character of this Grade 2 Listed Building is adequately protected.
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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.
3. The Head of Environmental Control of the Regeneration & Planning Directorate must be consulted with regard to the requirements of the Food Safety (General Food Hygiene) Regulations 1995 and the Health and Safety at Work Etc. Act 1974. Please email foodsafety@hastings.gov.uk or call 01424 451078.
4. Please note:

Tanking - works not included within the approval (no longer required)
Replacement of doors - works not included within the approval (original

doors to be retained and upgraded).

Officer to Contact

Mrs E Collins, Telephone 01424 783278

Background Papers

Application No: HS/LB/15/00210 including all letters and documents