

Report to: PLANNING COMMITTEE

Date: 18 June 2014

Report from: Development Manager

Application Address: Rocklands Private Caravan Park,
Rocklands Lane, Hastings, TN35 5DY

Proposal: Variation of condition 2 (approved plans) of
planning permission HS/FA/12/00952 -
Minor amendment showing change of
ground floor plan, additional & altered
window positions & extended balcony.
(Retrospective)

Application No: HS/FA/14/00406

Recommendation: Grant permission

Ward: OLD HASTINGS
File No: RO45100T
Applicant: Mr & Mrs Gilliard per Elevations Design Ltd
Junction House 1 Sedlescombe Road South
St Leonards on Sea, East Sussex. TN38 0TA

Interest: Freeholder
Existing Use: Holiday Park

Policies

Hastings Local Plan 2004: T7, L2, L3, DG1, DG3, C1, C6
Conservation Area: Yes - Old Town
National Planning Policy Framework: Sections 7, 11, 12
Hastings Planning Strategy: FA5, EN1, EN7
Hastings Local Plan, Development
Management Plan, Revised
Proposed Submission Version: DM1, DM3, DM4, HN1, HN4

Public Consultation

Adj. Properties: Yes
Advertisement: Yes - General Interest
Letters of Objection: 391 (at the time of writing this report)
Petitions Received: 1 (expected)
Letters of Support: 1

Application Status: Not Delegated -
More than 2 letters of objection received and referred
to committee by Cllr John Hodges

Summary

Planning permission HS/FA/12/00952 was granted subject to conditions on 13 February 2014 for the demolition of an existing holiday let and the replacement with a new holiday let of a contemporary design. This application is for a variation of Condition 2, which relates to the approved drawing numbers.

The applicant seeks to increase the ground floor area of bedroom 2, extend the balcony along the full depth of the south west elevation, extend the depth of the balcony to the south east and south west elevation and alterations to the fenestration. Works have commenced on site and this is a retrospective application.

The considerations to be taken into account are the aforementioned amendments, as the principle of the main building has already been established and approved. The main issue is the impact of the proposed amendments on the area and having taken into account all matters, the proposal is considered to be acceptable.

The Site and its Location

Rocklands Caravan Park is located on the south side of Rocklands Lane. The site is within the High Weald Area of Outstanding Natural Beauty (AONB) and also falls within an Archaeological Notification area. The site is adjacent to Hastings Country Park and to the Old Town Conservation Area. The land adjoining the site to the south-west and part of the application site's garden is within a Scheduled Monument.

The original holiday let bungalow has been demolished and the new building is partly constructed. It is sited in the south west corner of the holiday park and it is in a position with extensive views of the sea, Hastings Country Park and Ecclesbourne Glen. The rest of the holiday park is also visible from the adjacent open space and the nearby Shearburn Holiday Park can also be seen in the distance to the east. Due to the topography of the site, the land falls down towards the sea and the new building has been cut into the bank.

A significant amount of the screening in the vicinity of the building has been lost since building works commenced.

Details of the Proposal and Other Background Information

This retrospective application is for development that has been carried out and is not in accordance with the approved drawings.

The proposal is for a variation of Condition 2 of application HS/FA/12/00952, which relates to the drawing numbers. The applicant seeks to alter the size of the building and balconies and for alterations to the fenestration to the north east and south west elevations.

The drawing originally submitted did not clearly indicate the amendments. Revised drawings have been submitted and the amendments are now clearly indicated or highlighted.

Alterations to the previously approved scheme include the following amendments:

- The ground floor window to the south west elevation, serving bedroom 1 (master bedroom), is to be blocked up and a new window is to be installed at first floor level in the north east elevation.

- The recess to the south west elevation of the ground floor is to be squared off, infilling an area measuring 1105mm x 3400mm and enlarging bedroom 2. The previously approved French doors leading out onto a terraced area have now been replaced with a window and the terraced area deleted.
- The balcony to the south west elevation is to be extended by 3.4m, over the enlarged bedroom and it will meet the rear elevation corner. The balcony will now extend along the full depth of the south west elevation. The depth of the balconies to the south east and south west elevations is to be increased in depth from 2m to 2.9m.

Additional screening is to be planted to the north west of the building and to sections of the south west boundary.

Relevant Site History

- HS/CD/13/00792 Discharge of conditions 4 (colour of render) & 5 (screening) of application HS/FA/12/00952
Granted 21 January 2014
- HS/FA/12/00952 Proposed demolition of current holiday let and replacement of a new holiday let.
Granted 13 February 2013
- HS/FA/12/00471 Proposed demolition of current holiday let and replacement of a new holiday let.
Refused 19 July 2012
- HS/FA/11/00043 Removal of condition 2 from Planning Permission HS/FA/10/00492
Refused 16 March 2011
- HS/FA/10/00492 Roof Alterations to form first floor accommodation
Granted 05 October 2010
- HS/FA/08/00869 Replacement Holiday Dwelling
Refused 16 March 2009
- HS/FA/89/01067 Erection of extensions to existing bungalow
Refused 04 April 1991

Details of Consultations

At the time of writing this report there have been 391 individual objections, and a petition of objection is expected. This follows neighbour consultation, advertisement in the Hastings and St Leonards Observer and the display of a site notice.

The neighbours and objectors, up to the date of the revised drawings being submitted, were consulted on the revised drawings which showed the building as being constructed. At that time there were 25 objections.

The planning matters that have been commented on by objectors relate to the increased scale, bulk, prominence and appearance of the building, overlooking and the impact on the area.

Natural England advise they have no comment to make.

English Heritage state their specialist staff have considered the information received and they do not wish to offer any comments on this occasion.

The **High Weald AONB Unit** comment that the amendments to the balcony '*This application by extending the balcony and increasing the physical mass and obtrusiveness of the construction has materially changed the scale and impact of the development*' '*On balance I consider that the development will have a serious impact on people's enjoyment of the AONB special qualities and will not contribute to the conservation and enhancement of the natural beauty of the area*'.

East Sussex County Council Assistant County Archaeologist advise that they do not believe that any significant archaeological remains are likely to be affected.

The **Highway Authority** do not wish to comment on the application.

Waste and Streetscene Services do not object to the application.

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".

Policies T7, L2, L3, DG1, DG3, C1, C6 in the adopted Hastings Local Plan 2004, policies DM1, DM3, DM4, HN1, HN4 of the Development Management Plan Revised Proposed Submission Version and policies FA5, EN1 and EN7 of the Hastings Planning Strategy Proposed Submission Version are relevant, as are Sections 7, 11 and 12 of the National Planning Policy Framework.

Planning permission had previously been approved for a first floor extension to the original bungalow.

Planning permission has been granted for a new replacement holiday let building. The application under consideration is just for an increase in size of the south west corner by approximately 3.75 sq.m, larger balconies and for alterations to the fenestration.

The new building has planning permission and the impact on historic assets was considered at the time of the application.

As with the previously approved applications, one of the main issues of consideration for these amendments is the visual impact.

The scale and bulk of the constructed holiday let is not significantly larger than the previously approved building and the increase under consideration is minor.

The infill extension of the ground floor bedroom is minimal in size and, due to the remaining and proposed screening and the fact that the building is cut into the bank at this point, the alteration is not clearly visible from the adjacent open space.

The increase in length and depth of the balcony is such that there is no significant additional impact on the area and the design is in keeping with the main building. The glazed balustrade to the balcony will lessen its visual impact.

The alterations to the doors and windows to the side elevations are in keeping with the approved building and have no material impact on the caravan park or the adjacent open space.

Additional screening to the north west of the building and to areas of the south west boundary will reduce the visibility of the new building from the adjacent open space.

Conclusion

The increase in size is not significant. Therefore, the amendments to the previously approved scheme are not considered to have a material adverse impact on the area and a refusal cannot be justified.

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 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. The building permitted by this planning permission shall be used as holiday accommodation only and shall not be occupied by any one person for more than 56 days in any one calendar year, and at no time shall be used as a dwelling house or sole living unit of any occupant.
3. Details of the planting scheme to the north west of the building and the south west boundary shall be submitted to and approved in writing by the Local Planning Authority within one month of the date of this decision. The details shall include indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development. New soft landscaping details 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.

4. All planting seeding or turfing comprised in the approved soft landscaping scheme shall be carried out in accordance with the approved implementation programme, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of the building 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.
5. The screening details approved under Condition 5 of planning permission HS/FA/12/00952 to increase the screening effect of the hedges and trees that currently border the lawn adjacent to the site shall be carried out in accordance with the approved details.
6. The materials to be used in the construction of the external surfaces of the amendments hereby permitted shall match those used in the main building.
7. The development hereby permitted shall be carried out in accordance with the following approved plans:

11.396/06 A

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To accord with the terms of the application and to ensure protection of the amenity of the area where the establishment of a separate unit of accommodation would be unsustainable.
3. In the interests of the visual amenity.
4. In the interests of the visual amenity.
5. In the interests of the visual amenity.
6. To ensure that the finished alterations match the appearance of the main building.
7. 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.
3. You are advised to contact English Heritage with regard to the need for scheduled monument consent for planting to the south and south-west of the building.

Officer to Contact

Mrs C Boydell, Telephone 01424 783298

Background Papers

Application No: HS/FA/14/00406 including all letters and documents