

Matter 5:

Participant 2206



**Nathaniel Lichfield  
& Partners**

Planning. Design. Economics.

**Hastings Development Management  
Plan Examination**

**Hearing Statement on Behalf of  
Marston's Plc**

re Matter 5. The Proposed Allocations by  
Focus Area.

Marston's Plc  
6 November 2014

13518/02/GM

Nathaniel Lichfield & Partners  
14 Regent's Wharf  
All Saints Street  
London N1 9RL

**[nlppanning.com](http://nlppanning.com)**

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Registered Office:

14 Regent's Wharf

All Saints Street

London N1 9RL

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## 1.0 Further Representations

### Introduction

- 1.1 This Statement supplements the representations made on behalf of Marston's dated 22 April 2014. This Statement relates specifically to draft policy SH3 which allocates Hurst Court, The Ridge for residential use.

### Further Representations

- 1.2 Our April 2014 representation sought that the SH3 allocation allowed flexibility for the consideration of alternative uses in the event that the site is not viable for residential development.
- 1.3 Matters have progressed since April 2014. Marston's submitted a planning application for a pub/restaurant occupying the whole of the SH3 site in June 2014. The application was accompanied by an analysis of the viability of the allocated residential use by Strutt and Parker which concluded that residential development on the site was not currently viable and that there is no realistic prospect in the foreseeable future of it becoming so. Following the submission of this analysis, the Council instructed their own consultants, DVS, and discussions have taken place between the two sets of consultants. We have been advised by the application case officer from the Council that DVS have agreed with the overall conclusion of Strutt and Parker that residential development on the site is not viable. Planning Officers have advised that they are now in a position to report the application to committee.
- 1.4 Other than planning policy, none of the statutory consultees or the Council's own internal consultees have objected to the pub/restaurant application. These include East Sussex County Highways and Archaeology, Southern Water and the Council's Tree Officer and Environmental Health Department. Where they feel appropriate they have recommended the imposition of conditions or, in the case of highways, provision of a footway and a financial contribution via a Section 106 Agreement.
- 1.5 The planning policy officer's pre-dated DVS' advice to the Council on viability and was solely because of the site's allocation for housing.
- 1.6 Prior to submitting the application, Marston's had held formal pre-application discussions with the Council who identified the need to justify why housing would no longer be a viable option, to justify a departure from planning policy. The full pre-application letter of 8 August 2013 is attached as Appendix 1.
- 1.7 We consider that in a situation where the site specific issues relating to a proposed pub/restaurant have been shown to be acceptable in planning and technical terms, and where the Council's consultant has advised that the sites allocated residential use is unviable, it is important that the Local Plan recognises the potential for alternative uses in the way that we have set out in our April 2014 representation.

- 1.8 The revisions we have proposed to Policy SH3 reflect the evolving situation and would allow a pub/restaurant to come forward in compliance with that policy having demonstrated that the residential allocation is not viable.
- 1.9 As set out in the April 2014 representations, we consider the changes are needed to make the plan justified and effective and therefore sound.

Appendix 1 Pre-application Response from  
Hastings Borough Council; 8<sup>th</sup>  
August 2013

**Please quote:** DCQ/13/00596 RI55314V/SB

**Your Reference:**

**Date:** 08 August 2013

**Please ask for:** Mr S Batchelor

**Telephone direct:** [REDACTED]

**Email:** [REDACTED]

**Web:** [www.hastings.gov.uk/planning](http://www.hastings.gov.uk/planning)



**Development Management**  
Aquila House, Breeds Place,  
Hastings, East Sussex TN34 3UY

Nathaniel Lichfield & Partners

[www.hastings.gov.uk](http://www.hastings.gov.uk)

[REDACTED]

For the attention of: Ms Claire Heathcote,  
Dear Ms Heathcote,

**Enquiry Number:** DCQ/13/00596  
**Subject:** Proposed pub and restaurant  
**Location:** Hurst Court, The Ridge, Hastings

Further to our meeting on 01 August 2013, please accept this letter as a short summary of our discussions.

### **Principle of the use**

It would be fair to say that any planning application for the development of this site would be dealt with in two stages. As the site is allocated for housing development the first stage would be to justify a departure from planning policy. In respect of this we mentioned the site's constraints, development viability, and housing land supply as possible arguments to justify why housing would no longer be a viable option. You'll need to consider these arguments not just with regard to the current financial situation but also explain why development would be unlikely to come forward in the foreseeable future.

If the departure from planning policy were justified we would then consider the appropriateness of the development in other planning terms. In this respect we discussed highways, trees, ecology and the design of the development.

### **Highways**

Access from Stonestile Lane is still the preferred option and the parking of the development seemed appropriate. Chris John and Claire Warwick from the Local Highway Authority did also mention possible development contributions - i.e. bus stop improvements or a financial transport contribution.

You can discuss these matters and any other highway related planning matters, such as transport statements, further with the LHA. Contact details are below.

### **Trees**

The Borough Arboriculturalist had no objections to the scheme and was pleased with the significant retention of trees. Any application will need to be accompanied by a tree report and the development should be considerate of root protection areas. No-dig methods for the laying of the car parking surfacing near tree roots will be required.

### **Ecology**

As mentioned, the most significant ecology matter - the large badger population - can be found further to the north. Although badgers will likely forage on the rest of the site, it is not envisaged that they will be a problem towards development. A suitable ecology report - an update to previous studies - will be required with this planning application.

## **General design**

The positioning of the building within the site is good and it helps that the parking is shown at the rear, as this allows for the landscaping at the front to be made more of a feature. The main issue is the prominence and scale of the building and how it address The Ridge.

The previous building at this site was a large Victorian mansion as was the former property at the adjacent site, 314 The Ridge. Both of these developments included substantial buildings within well landscaped plots. The replacement care home building at 314 The Ridge maintains this design principle, being a large building within a landscaped setting, and I consider that any development at this site will need to consider the same design approach. I'm suggesting that the scale should be matched, as the building would then be too large, especially given the use proposed and the site's constraints. However, some form of step down from the very large scale of the new care home would probably be appropriate.

I appreciate that additional space from a larger building may not fit in with the current proposal so your client may want to consider additional uses - such as a hotel, leisure facilities, conferencing type uses. If this is not appropriate, a concerted effort should be made to ensure that the front of the building has a commanding appearance and is seen in a positive light in views toward the site along The Ridge. The current design has a very low profile relationship with The Ridge and this needs to be addressed.

## **Pre application Planning Forum / public consultation**

I mentioned the Council's pre-application planning forum as a good mechanism for engaging the local community and local councillors. The forum is not compulsory but if you would like to go ahead with the forum please let me know and I can provide you with the relevant details.

If you choose not to do the forum please keep me up-to-date with any community events and make sure you include information about this in the planning application.

## **Contact details**

Here are the contact details of the meeting attendees.

Murray Davidson, Environment & Natural Resources Manager (ecology advisor)

[REDACTED]

Chris Wilken, Borough Arboriculturalist

[REDACTED]

Chris John/Claire Warwick (Senior)/Mark Weston (Senior), Transport Development Control Officers

[REDACTED]

If you require any other contact details please let me know.

## **Application checklist**

Planning application forms and the checklists with application requirements can be found on our website at:

[http://www.hastings.gov.uk/environment\\_planning/planning/info\\_advice/submit\\_applications/](http://www.hastings.gov.uk/environment_planning/planning/info_advice/submit_applications/)

As a guide the following information is likely to be required:

- Site plan
- Design and access statement
- Proposed elevations
- Existing and proposed site sections
- Proposed building sections
- Block plan
- Roof plan
- Ecology information - an update to previous reports by a qualified ecologist
- Tree survey/report
- Planning Statement - to explain the policy context and the policy departure
- An archaeological desktop assessment - The site is within an area of archaeological potential. Unfortunately I hadn't picked up on this when we met so please accept my apologies. If you would like any further advice on this please contact the County Archaeologist on [REDACTED]

**EIA**

I do not envisage that an environmental statement would be required but I will send you a screening opinion in due course.

If you require any further information please do not hesitate to contact me.

Yours faithfully,

[REDACTED]

S Batchelor  
Senior Planner

