

Conservation and business

One of the things that makes Hastings & St Leonards attractive is its historic environment ranging from the medieval buildings in the Old Town to the grand Regency and Victorian terraces and villas further west.

This distinctive character draws residents, visitors and importantly customers to the town. This is a unique asset that sets Hastings apart and it is everyone's interest that it is protected. However, if this is going to be done it means that some restrictions need to be applied to what can be done to some buildings.

Dealing with historic buildings can seem daunting, and the idea of a lot of "red tape" can put people off investing. At the same time, deliberately ignoring the law, or even innocently misinterpreting it could potentially lead to a court case.

We are keen to strike the right balance between protecting what makes Hastings special and attracting the investment we need.

Top Tips for business:

- Work with the character of the building rather than fighting against it. Some businesses, such as speciality retailers, benefit from being located in a historic building because the shop will have a unique character. However, if you want a standard modern format, or your business needs large open spaces and good access for vehicles you need to steer clear of historic buildings where you would need to do lots of alterations to achieve this. If you want to open a restaurant or take away you need to consider how fume extraction equipment would affect the character of an historic building.



Historic buildings can add value to some businesses
But other businesses would find an historic building unworkable

- Talk to us. We have limited resources available, but we are happy to provide advice at an early stage to guide investors. Once you have identified a property we can discuss any potential problems with you before you commit. There is a charge for pre application *planning*

advice, but there is no charge for advice that relates just to listed building issues. <http://www.hastings.gov.uk/planning/preadvice.aspx>

What you need to know

Conservation Areas

There are 17 Conservation Areas in Hastings. These cover the Old Town and the older parts of St Leonards, but also include the Blacklands area and an area around Springfield Road.

<http://www.hastings.gov.uk/conservation/areas.aspx>

In a conservation area there may be individual buildings that are of particular interest but it is the appearance and character of the group that is most important. You could describe the buildings in a conservation area as a string of pearls – the individual properties are all attractive, but it is together that they look their best

The local planning authority can sometimes appear to be being difficult and “picky”, but over time small scale modifications can erode the character of an area and mean that in the end it loses its distinctiveness.

If a building is in a conservation area you need to take care about what the *outside* looks like, including any land around the building, and you need separate Conservation Area Consent for most demolition, but there are no extra restrictions on what you can do *inside*.

Listed Buildings

Listed buildings are of national importance and are the real gems in the town. Most of them are also in conservation areas but that is not always the case. Using the jewellery analogy, they could be regarded as individual diamonds in a necklace. <http://www.hastings.gov.uk/conservation/listed.aspx>

Perhaps the most important thing to remember with listed buildings is that the inside as well as the outside is protected. You will need separate listed building consent for most changes to the inside of the building as well as any external changes.

The starting point is that the only changes that you should make to a listed building are those which are required to secure its long term survival.

You need to be realistic - If your proposals would require wholesale changes to a listed building it is probably best to look for alternative premises.

What to look out for

There are several issues that can cause problems for businesses in historic buildings and you need to be aware of these before you invest.

Shopfronts & signs

Historic shopfronts really set Hastings apart from many other “clone” towns. These are particularly obvious in the Old Town, but there has been a very successful grant scheme that has seen the introduction of many historically detailed replacement shopfronts in St Leonards – in particular Kings Road.

These historic details make the town more attractive to shoppers and are good for business.

Policies DG14 and DG16 in the Hastings Local Plan 2004 apply to shopfronts and signs.

We have developed detailed design guidance on shopfronts and shop signs

http://www.hastings.gov.uk/ldf/spd_shopfrontsandadvertisements.pdf

Security shutters

Security shutters on the front of shops can create a hostile and threatening environment which attracts graffiti and actually discourages pedestrians and importantly shoppers. It is important to remember that shutters may be down during daylight hours when there will be pedestrians about, for example on a summer evening, or early on a Sunday morning.

Very few premises in the historic parts of Hastings actually have security shutters, but we accept that in some cases they will be necessary. If a security shutter cannot be avoided you should consider the following points.

- Internal shutters will not need planning permission (although they would need listed building consent if the property is listed)



Internal shutters do not normally need planning permission and an open lattice style allows a view into the shop

- External shutters will always require planning permission and should be of the open lattice type rather than solid, to maintain a view into the shop. Shutters with small perforations actually appear solid in most cases, even when they are lit from behind.



Perforated shutters actually appear solid

- The shutter box should be integrated into the design of the shopfront. For roller shutters the box should be internal with the shutter rolling inwards rather than external with the shutter rolling outwards.
- An alternative to a roller shutter would be a retractable security gate, integrated into the pilasters at the side of the shopfront.



Security gate integrated into the shopfront

- Policy DG15 in the Hastings Local Plan 2004 applies to security shutters.
- There is further advice in our Supplementary Planning Document on shopfronts and advertisements.

http://www.hastings.gov.uk/ldf/spd_shopfrontsandadvertisements.pdf

Extract flues

If your business will need an extract flue you need to consider that at the outset when you are choosing a property. They always need to be carefully located but in conservation areas or in listed buildings it can be very difficult to find an acceptable solution.

Fire precautions in listed buildings

The inside of listed building is protected as well as the outside, and you will need separate listed building consent for any alterations. Building regulations may require certain fire precautions, such as special doors or lobbies, but the installation of these could damage the historic character of the building. It is often possible to agree a solution but you should talk to us at an early stage before committing.

Lifts and Disability Discrimination Act issues

The Disability Discrimination Act requires reasonable steps to be taken to achieve access for all. However, there is some scope for compromise where providing the access would damage the historic character of the building.

It can be very difficult to provide lift access within an existing historic building without damaging the character of the building.

It is important to talk to us at an early stage to discuss these issues

Knocking down internal walls in listed buildings

Listed building consent is required for most alterations to the inside of a listed building.

The arrangement of rooms and their shape is an important part of the character of a listed building and any alterations should be kept to a minimum. In most cases it will not be acceptable to remove whole walls from a listed property, but it may be possible to make a small opening if it is necessary for the property to be put to a practical use. In any case great care would need to be taken over the way the opening is designed.

Planning Policies

POLICY DG14 - Shopfronts

Planning permission for new shopfronts or alterations to existing shopfronts will be granted where the proposal satisfies the following criteria:-

- (a) It would not result in the loss of a traditional shopfront or details of architectural or historic interest;
- (b) It would be well related to and in sympathy with the form and character of the building of which it forms part;
- (c) It would be in sympathy with the architectural style and materials of the building and/or the predominant architectural style and materials of the surrounding area;
- (d) All the elements of the shopfront, (including shop shutters, blinds, advertisements and signs) form part of an integrated design; and
- (e) It would allow access for everyone, including people with disabilities.

POLICY DG15 - Security Shutters

Planning permission for security shutters will only be granted where:-

- (a) This does not detract from the vitality of the streetscene;
- (b) Internal or other security measures are not possible;
- (c) The shutters are either of an open lattice type or of a kind which allows an equivalent degree of visibility of the shop interior to be maintained, or are of a design appropriate to the historic character of the street or the individual property; and
- (d) The shutters are painted or otherwise coloured.

POLICY DG16 - Outdoor Advertisements and Signs

Consent will only be given for new outdoor advertisements or signs provided that:-

- (a) They are not detrimental to the appearance of any building(s) affected and/or the surrounding area; and
- (b) They would not result in danger on the public highway.

Particular regard will be paid to the visual impact of proposals in Conservation Areas and other sensitive locations in respect of the character and appearance of the surrounding area.

POLICY C1- Development within Conservation Areas

Planning permission for development proposals within and adjacent to Conservation Areas will not be granted unless:-

- (a) The proposal would preserve or enhance the buildings, related spaces, the streetscene and other features that contribute to the character or appearance of the area;
- (b) There is a high standard of design and detailing which reflects the surrounding architectural style, scale, massing, boundary treatment and site coverage;
- (c) Trees, gardens, spaces between buildings and other open spaces (and particularly parks and gardens in Conservation Areas) which contribute to the character of the area should not be lost;
- (d) High quality/traditional materials and finishes that are sensitive to neighbouring properties must be employed;
- (e) The layout and arrangements of the building(s) should follow the pattern of existing development and plot widths;
- (f) The character and amenity of the area would be safeguarded following the accordance of the development with suitable car parking and access requirements.

The Council will expect all planning applications to be accompanied by sufficient information to allow a full assessment of the proposal to be made and will refuse planning permission if such information is not provided.

POLICY C2 – Demolition in a Conservation Area

Planning permission for development that would follow the demolition of an unlisted building in a Conservation Area will not be granted unless:-

Either:

- (a) The existing building does not preserve or enhance the character or appearance of the Conservation Area or its setting;

Or:

- (b) It is impracticable to retain the existing building in its present authorised use, or to reinstate it to a suitable previous or alternative use; and
- (c) No other suitable and economically viable use can be found for it.

In either case, demolition of the building (for which Conservation Area consent would be required) shall not be started until detailed proposals for the re-use of the site have been approved by the Council. Where reasonable, the Council may seek to enter into a Section 106 Agreement and/or attach conditions to the planning permission to ensure that the start and progress of the scheme accords with an agreed programme of works

POLICY C3 - Development Involving Listed Buildings

Planning permission for development involving proposals to extend or alter a Listed Building will only be granted if all the following criteria are met:-

- (a) It is appropriate in design, scale, materials and colour to the form of the building;
- (b) It will not detract from the special architectural or historic character and appearance of the building;
- (c) It does not involve changing the use of a Listed Building to one which would adversely affect the special architectural or historic value, or its setting, unless the existing use can be proved to be no longer practicable;
- (d) It does not involve externally or internally altering a Listed Building in a way which would adversely affect its special architectural or historic character;
- (e) It will not adversely affect the setting of a Listed Building.

Planning permission will be refused for applications affecting Listed Buildings if sufficient information is not provided to allow a full assessment of a proposal to be made.

POLICY C4 - Demolition of Listed Buildings

Planning permission for development that would follow the demolition of a Listed Building will not be granted unless:-

- (a) It is impracticable to retain the Listed Building in its present authorised use, or to reinstate it to a suitable previous or alternative use; and
- (b) No other suitable and economically viable use can be found for it.

Demolition of the building (for which Listed Building consent would be required) shall not be started until detailed proposals for the re-use of the site have been approved by the Council. Where reasonable, the Council may seek to enter into a Section 106 Agreement and/or attach conditions to the planning permission to ensure that the start and progress of the scheme accords with an agreed programme of works.

POLICY C7 - Replacement Doors and Windows in Listed Buildings

Planning permission will only be granted for replacement doors and windows on Listed Buildings if they are exact replicas of the original or are of an appropriate design and materials. UPVC and aluminum replacements are not acceptable.

POLICY C8 - Replacement Doors and Windows in a Conservation Area

Planning permission will only be granted for replacement doors and windows on buildings in Conservation Areas if they replicate the original or are of an appropriate design and materials. UPVC and aluminum replacements are not generally acceptable. However, "slim section" replacement windows will be considered - but only in the following circumstances where they match the original design:-

- (a) On rear facades hidden from view;
- (b) In total replacement of all windows in an isolated or detached building. This does not apply to terraced buildings where the continuity of fenestration is important;
- (c) Where the replacement slim section window would not harm the character or appearance of the building or the area.

More information

For more information and advice you can contact our dedicated business advisor on 01425 783250 email dcenquiries@hastings.gov.uk