



Appeal Decision

Site visit made on 11 June 2019

by Paul T Hocking BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2019

Appeal Ref: APP/B1415/W/19/3224998

**Astec House, 10-12 Sedlescombe Road South, St Leonards-on-Sea
TN38 0TA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Astec Computing (UK) Ltd against the decision of Hastings Borough Council.
 - The application Ref HS/FA/18/00028, dated 10 January 2018, was refused by notice dated 11 October 2018.
 - The development proposed is redevelopment to provide a mixed scheme comprising 290 sq m of business floor space and 12 x two bed and 1 x three bed apartments together with associated parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has cited a document by the Homes & Community Agency: Urban Design Lessons – Housing Layout and Neighbourhood Quality, 2014, in both reasons for refusal. However, I am not certain on the evidence before me as to its status or whether it forms part of the development plan and so have afforded this document only limited weight.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The site is situated on a prominent corner plot with Sedlescombe Road South and Ponswood Road within the Silverhill District Centre. It contains a part single storey, flat roof and part two storey building used as offices with access from Ponswood Road. The scheme consists of the demolition of the existing building and erection of a 5-storey building with office space on the ground-floor and 13 flats on the floors above. Parking provision, bin and cycle stores as well as soft landscaping are also proposed.
5. Whilst the wider area consists of larger scale buildings, particularly in respect of footprint, those in the immediate vicinity of the site consist of traditional buildings of domestic scale, being dwellings or flats, that are predominantly two-storeys in height. I acknowledge there are some nearby buildings with rooms in the roof, but bordering the site is a one and a half storey doctors'

- surgery and single-storey church meeting room. These latter buildings inform the context and character of the area in which the scheme would be viewed.
6. In this regard, the existing building, being one and two storeys in height with well-articulated elevations and roof lines, sits comfortably within its corner plot and that of its surroundings. Conversely, the proposed building, being approximately 14m high to the roof of the penthouse, would be significantly larger in scale than the existing building and those in the immediate area, even though a part of the building would be staggered or set-back from the footway.
 7. The existing building is not of architectural merit, but the development would be substantially higher than any other building in the immediate locality and its prominent corner location would serve to exacerbate this excessive scale. Having particular regard to the prominent location of the site and the context of its immediate surroundings, I am not persuaded on the evidence before me that the scheme takes into account its visual impact, given its scale and mass, or is of such innovative design to form a distinctive landmark building at this transition point, so as to be appropriate to its location.
 8. I appreciate there was a conscious decision by the appellant to relocate the main entrance onto Sedlescombe Road South. This would reflect and reinforce the existing active frontages that form part of the character and legibility of this part of the Silverhill District Centre. However, the elevation onto Ponswood Road would consist of a large ground-floor blank wall section and despite cantilevered and recessed elements and symmetrical windows in the upper storeys, it would be of excessive mass and uninspiring appearance. In my view, this design layout fails to take opportunities to improve the character and appearance of this street-scene and does not achieve an attractive frontage. I am not convinced that soft landscaping or a 'green wall', controlled by planning condition, would satisfactorily improve upon this appearance, despite there currently being an absence of planting at the site.
 9. There is not a rigid building line along the northern side of Ponswood Road, and so the siting and footprint of the single-storey element of ground floor office space would not appear as a disruptive feature in this specific regard. However, the staggered footprint along Sedlescombe Road South would still place a large part of the building, four-storeys in height, in close proximity to the footway. This would further emphasise the core mass and height of the building within the street-scene, as opposed to adding visual interest.
 10. Furthermore, the position of the cycle and bin storage area, which in the case of the cycle store would be located at the very front of the site, would appear overly dominant. Whilst I appreciate these were not situated at the rear of the building so that parking provision could be maximised, in response to concerns expressed by neighbouring residents, the bin store would not be suitably screened by the building. I am not persuaded that landscape planting, controlled by planning condition, could ameliorate the effects of these inappropriate structures, which would be uncommon features within the street-scene. However, if I had been minded to allow the appeal, I would have sought further comments from the parties to establish whether these structures could have been located to the rear of the site, which could have then been secured by a suitably worded planning condition.
 11. The development would be harmful to the character and appearance of the area and would conflict with Policy DM1 of the Hastings Local Plan – The

Hasting Planning Strategy 2011-2028, adopted February 2014 (the HLP). This policy, amongst other things, requires development to take into account visual impact, including the height, scale and form of development that should be appropriate to the location. For the same reasons, it would conflict with the achieving well-designed placed objectives of the National Planning Policy Framework and the requisite advice contained within the National Planning Policy Guidance.

12. The site is situated in a sustainable urban location with easy local access to shops and services. The principle of a mixed-use scheme is acceptable. The appellant therefore intends to make efficient use of the site to provide a functional and accessible office space for the business as well as modern apartments at a higher level and residential density in order to cross-fund the redevelopment scheme. The provision of office space and the social goal of delivering housing within Planning Focus Area 5 of the Silverhill District Centre, as described in Policy FA2 of the HLP, therefore weighs in favour of the scheme. However, I have found harm to the character and appearance of the area arising from the appeal scheme and this is not outweighed by these benefits.

Other Matters

13. I appreciate the Council have not identified other planning harms, including impact upon neighbouring living conditions or inadequate access and parking arrangements. However, these are requirements of the development plan in order to make the scheme acceptable and so only carries neutral weight.
14. Whilst a scheme at 347-349 London Road that was granted planning permission in 2013 by the Council has been brought to my attention, it would appear from the evidence provided that the height and context of neighbouring buildings and with it the character and appearance of the area are materially different than that of the site before me. This decision therefore does not alter my findings in relation to the main issue.
15. The existing building provides a poor standard of office accommodation owing to its impractical internal layout and is becoming difficult and expensive to maintain. The Council has also previously confirmed that prior approval¹ was not required to convert the building into residential flats, albeit the implementation period has since lapsed. The appeal scheme is therefore intended to provide a suitable replacement for the appellant as the business may otherwise have to relocate outside the Borough. However, I am not persuaded that the appeal scheme would be the only way to address the current standard of office accommodation or retain the business in this location and so does not outweigh the harm I have found.

Conclusion

16. For these reasons and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Paul T Hocking

INSPECTOR

¹ Council Ref HS/PA/14/00783