



Appeal Decision

Site visit made on 26 August 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23rd of September 2025

Appeal Ref: APP/B1415/W/25/3366202

11 Mission Church, Chambers Road, St Leonards-on-sea, East Sussex TN38 9HY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Victory 1066 Ltd against the decision of Hastings Borough Council.
 - The application Ref is HS/FA/24/00239.
 - The development proposed is demolition of redundant church and erection of five dwellings with some on-site parking.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of redundant church and erection of five dwellings with some on-site parking at 11 Mission Church, Chambers Road, St Leonards-on-sea, East Sussex TN38 9HY in accordance with the terms of the application Ref HS/FA/24/00239, subject to the conditions in the attached schedule.

Preliminary Matters

2. The Council have drawn my attention to the wording of the second reason for refusal where the Council have noted an error in the text. Reference should have been made to the character and appearance of the area and not just the character. The Council have requested if I am minded to dismiss the appeal that reference should be made to appearance of the area as well as character.

Main Issues

3. The main issues are the effect of the proposal on:
 - Highway safety; and
 - The character and appearance of the area with specific reference to waste and recycling.

Reasons

4. The appeal site is a former mission church on the northwest side of Chambers Road. The church was built in the late 1950s and is finished in brick and flint and in the 'Arts and Crafts style'.
5. The church is in an elevated position relative to the road, with grassed banks to the front and sides. A stepped and ramped access leads from Chambers Road to the entrance door at the southern end of the building.

6. The surrounding properties in Chambers Road are post-war and arranged in long terraces. These properties are finished in white render with brick detailing and pitched roofs.
7. The proposed development is for the demolition of the existing church and the erection of five, two-storey terraced houses located on the site of the existing church. There would be three, two-bedroom houses and two, three-bedroom houses. Two parking spaces are proposed at the front of the site which would be allocated to the 3-bedroom houses.

Highway safety

8. A minimum of six parking spaces would be required for this development. Two on-site parking spaces would be provided, and four spaces would be on-street. The appellant provided a parking survey which was undertaken in accordance with the Lambeth Methodology recommended by East Sussex County Council (ESCC) Minor Planning Application Guidance (2017). The ESCC Minor Planning Application Guidance also states that where a development parking layout is incorporating on-street parking or general on-street parking is to be relied upon, the street must be wide enough to accommodate two lanes of traffic and the on-street parking space/layby. It is noted that ESCC Minor Planning Application Guidance advocates a flexible approach in the application of parking standards based on a site-specific approach with each site assessed on its own merits, taking into account the information provided.
9. The National Design Guide produced by the Ministry of Housing, Communities and Local Government advises that parking should be conveniently sited so that it is well used.
10. The appellants parking survey identifies that there would be sufficient on-street parking spaces to meet the demand from the site within 200m, of which 6 spaces would be found within 130m. It is noted that Chambers Road, Blackman Avenue (West), Dymond Road and Quebec Road do not allow adequate width for on-street parking. However, parts of Blackman Avenue (East) within 200m of the site would allow adequate width for on-street parking and a free flow for two-way traffic. The appellants parking survey identified there was sufficient capacity on Blackman Avenue (East) with adequate width to accommodate the demand. In any event, the additional requirement for on-street parking would be unlikely to have a significant impact on the free flow of traffic that would cause a highway safety concern.
11. It is possible to accommodate the parking requirement for the development on site; however, if on-site parking for six vehicles was provided, this would necessitate the loss of the green space to the front of the proposal which is clearly visible in both directions when travelling along Chambers Road and its loss would have a detrimental impact on the character and appearance of the area.
12. It is also important to consider the parking demand from the previous use of the church as a church or from any community use of the church. The parking demand for any previous use would have been met on-street. I have not been provided with evidence of the parking demand for the previous uses, however, it is likely to have been more than four cars due to the size of the church.
13. The site is also within an urban area and in an accessible location with good access to public transport reducing the reliance on the private car. The appellant

also cites the 2021 census data which indicates that only 30% of households in Hastings own a car, reducing the likelihood of all new residents requiring parking spaces.

14. In light of the above, whilst residents may need to park outside Chambers Road, there would be sufficient parking within 200m of the site which would be a convenient distance, and, an additional four cars parked on-street would not have a significant impact on highway safety or the free flow of traffic over and above the existing situation.
15. In conclusion, the proposal would have no significant impact on highway safety and would therefore be compliant with Policies DM3 and DM4 of the Hastings Local Plan Development Management Plan (2015) (HLP) which seek to ensure the proposed development would achieve a good standard of living for future users and its neighbours, that provision for non-car based modes of transport have been considered and that parking standards are complied with.

Character and Appearance

16. The Borough Waste Team raise concern that the communal waste and recycling stores proposed are often subject to abuse with no management or maintenance being carried out. The Waste Management Team also raise concern regarding the lack of off-street parking leading to on-street parking along Chambers Road making it difficult to access Chambers Road for large collection vehicles. This comment is noted and addressed in the highway safety section above.
17. Whilst the concerns regarding the maintenance and management of the waste and recycling stores are noted, the stores would have slots for individual waste and recycling bins and would be enclosed by louvres. These enclosed and covered individual bin stores would ensure the waste and recycling bins would be shielded from public view and provide more accountability to each resident for ensuring their individual bin was properly maintained. The bins would be accessible for residents and in close proximity to the highway.
18. The current arrangement for neighbouring properties is to accommodate waste and recycling bins on the property frontages adjacent to the street scene. At the time of my site visit, the majority of the bins were uncovered and left on the side of the road, therefore the proposal would be an enhancement on the bin storage facilities of neighbouring properties which form part of the character and appearance of the area.
19. For the reasons stated above, the proposed arrangement for the storage of waste and recycling would have no significant impact on the character and appearance of the area. The proposal would therefore be in accordance with Policies DM3 and DM4 of the HLP which seek to ensure the proposed development would achieve a good standard of living for future users and neighbours and ensure there is adequate space for the storage of waste and the means for its removal.

Other Matters

20. Third parties have raised objection to the demolition of the existing church in its entirety and request that the church is treated as a Non-Designated Heritage Asset (NDHA). The church is recognised for its rarity being built from recycled materials from an older church previously bombed out and from flint quarried around the

South Downs National Park. The church was designed by a highly regarded architects practice and is considered to be a good example of their work. Several heritage bodies have identified the church as being a NDHA and worthy of local listing. However, I have no evidence that the Council consider the church a NDHA.

21. An application was submitted to Historic England to consider whether the church should be added to the List of Buildings of Special Architectural or Historic Interest. In response, Historic England advised the building did not demonstrate the quality of interest in its design and execution to determine it of special architectural interest in a national context. Its principal claim to historic interest is as a work by the notable practice of Denman & Son, this does not however, overcome its limited architectural interest. The church was therefore not recommended for listing.
22. The Conservation Officer was consulted on this application and raised no objection, noting that the redundant church is not a listed building, it is not in a conservation area, is not subject to an Article 4 Direction, and the proposal would not affect the setting of any other designated or NDHA. I have no reason to take a different view.
23. Prior Approval has been granted on the site for the demolition of the existing church. This Prior Approval is valid for 5 years from the date of the decision (5th November 2022) and is still valid, even if the date of demolition given in the Prior Approval application was not adhered to, provided the demolition happens within 5 years of the date of the decision to grant Prior Approval.
24. At the time the Prior Approval was granted an emergency Article 4 Direction to remove the permitted development rights for demolition could have been granted. This was not applied for by Hastings Borough Council. In light of the above, while the loss of the church is regrettable, I have not been provided with sufficient evidence to justify its retention. The prior approval for its demolition is also a material consideration in determining the appeal.
25. The case officer report addresses comments relating to overlooking from the proposed development and I have no reason to take a different view.
26. Whilst the church building could be repurposed for an alternative community use, that is not what is being considered in this appeal and no viable alternative use for the premises has been proposed. I have also not been provided with evidence that the existing building could be converted into residential use as an alternative to the proposal. Whilst local residents may prefer to see the building repurposed for an alternative use or converted into residential use, these schemes are not before me and I must determine the application on its merits.

Conditions

27. For the avoidance of doubt, conditions relating to the time frame for implementation of the permission, the plans, materials, bin storage, cycle storage and details of drainage have been imposed.
28. To safeguard the amenity of neighbouring residents a condition requiring a Method Statement relating to demolition and construction is required to be submitted to the Council. A condition relating to hours of construction has also been imposed.

29. To minimise risks from land contamination to future occupiers and existing residents, a condition is required requiring remediation measures to be submitted to the Council in the event contamination is found.
30. To protect the visual amenity of the area a condition requiring details of hard and soft landscaping to be provided is required and details of the timescale of the implementation of the landscaping.
31. To protect species from adverse impacts during construction a condition is required ensuring all work is carried out in accordance with the submitted Preliminary Ecological Appraisal.
32. To ensure the safety of people and vehicles, conditions are required regarding the provision and size of car parking spaces.
33. To protect the amenity of future and existing residents and the character and appearance of the area, conditions are required regarding obscure glazing on side elevations.
34. The Council suggested a condition to remove permitted development (PD) rights for extensions or alterations to the building or the roof of the premises. Paragraph 55 of the National Planning Policy Framework sets out that planning conditions should not be used to restrict permitted development rights unless there is clear justification to do so. The Council has suggested the restriction on PD rights would be to safeguard the amenity of adjoining residents, however, I consider there to be sufficient space around the building to ensure the living conditions of the residents of neighbouring properties is sufficiently protected without the need to remove PD rights.

Conclusion

35. I have not identified conflict with the development plan from the proposal. Whilst it is regrettable that the proposal would result in the loss of the church which has some historic interest, this loss does not in itself conflict with the development plan.
36. For the reasons given above, the proposal should be allowed.

C Coles

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos BAB2107.S1C; BAB2107.S2B; BAB2107.S4B; BAB2107.S5D; BAB2107.S6B; BAB2107.S7C; BAB2107.S9C; BAB2107.S10A.
- 3) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - (i) the parking of vehicles of site operatives and visitors;
 - (ii) loading and unloading of plant and materials and restoration of any damage to the highway (including vehicle crossovers and grass verges);
 - (iii) storage of plant and materials used in constructing the development;
 - (iv) measures to control the emission of dust and dirt during demolition and construction, including measures to prevent mud on the highway;
 - (v) delivery, demolition and construction working hours;
 - (vi) a scheme for controlling noise and vibration from demolition and construction activities (including details of any piling).

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 4) Prior to commencement of development the following details must be submitted to and approved in writing by the local planning authority:
 - (i) details of the final drainage design taking into account design standards of those responsible for maintenance, including details of who will be responsible for managing all aspects of the surface water drainage system, including piped drains and evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development.
 - (ii) Confirmation from Southern Water that connection to the public sewer to discharge to the public surface water drainage system is acceptable.

The final approved drainage strategy for the site shall then be implemented in accordance with the approved details prior to occupation of the dwelling and be maintained thereafter.

At no point shall a building or structure be erected over the attenuation tank.

- 5) Any contamination that is found at any time when carrying out the proposed development (such as asbestos containing material) hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.

Once the remediation scheme is approved by the local planning authority, all the measures required within the approved remediation scheme shall be carried out.

In the event that contamination is found to be present, upon completion of the works the developer shall provide written confirmation (verification report) that all works were completed in accordance with the agreed remediation details, this to be approved by the local planning authority.

- 6) No development above ground shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include, but not be restricted to:
- (i) a proposed soft landscaping and planting plan including a native shrub corridor along the Southern boundary of the site;
 - (ii) statement setting out the design objectives and how these will be delivered;
 - (iii) earthworks showing existing and proposed finished levels or contours;
 - (iv) means of enclosure and retaining structures;
 - (v) boundary treatment[s];
 - (vi) vehicle parking layouts;
 - (vii) other vehicle and pedestrian access and circulation areas;
 - (ix) hard surfacing materials along with method for dealing with water run-off;
 - (x) a schedule of plants, noting species, plant sizes, proposed numbers and densities (where appropriate) together with an implementation programme.

If within a period of five years from the date of the planting of any tree, or any tree planted in replacement for it is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same location.

All trees produced abroad but purchased for transplanting shall spend at least one full growing season on a UK nursery and be subjected to a pest and disease control programme. Evidence of this control programme, together with an audit trail of when imported trees were needed and their origin and how long they have been in the nursery will be supplied to the local planning authority prior to the commencement of any tree planting.

- 7) All planting, seeding, turfing, boundary treatment installations and landscaping comprised in the approved soft and hard landscaping scheme shall be carried

out prior to the occupation of any part of the development, or with timescales agreed in writing with the local planning authority

All soft and hard landscape works shall be carried out in accordance with the approved details.

- 8) All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (May 2023) produced by The Mayhew Consultancy, as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
- 9) The external materials of the proposal hereby permitted shall match as closely as possible in type, colour and texture those identified on Plan BAB2107.S5D.
- 10) No part of the development shall be occupied until the car parking spaces have been provided in accordance with plan BAB2107.S1C. The areas shall thereafter be retained for that use and shall not be used for any other purpose other than the parking of vehicles.

The proposed parking spaces shall measure at least 2.5m by 5m. Where a parking space is located adjacent to a wall or fence, an extra 50cm should be added to the dimensions noted in this condition.

- 11) The dwellings hereby approved shall not be occupied until a bin store has been provided in accordance with approved plan BAB2107.S9 and shall thereafter be retained for that purpose.
- 12) The dwellings hereby approved shall not be occupied until covered and secure cycle parking spaces have been provided in accordance with plan BAB2107.S1C. The areas thereafter shall be retained for that use and shall not be used other than for the parking of cycles.
- 13) Windows in the side elevations of the dwellings hereby approved shall be obscure glazed with obscure glass to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3, or similar equivalent and be permanently fixed shut and non-opening below 1.7 metres from finished floor level.
- 14) 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.