

# PLANNING COMMITTEE

23 DECEMBER 2015

Present: Councillors Street (Chair), Scott (Vice-Chair), Beaney, Beaver, Edwards, Dowling, Lee, Roberts, Rogers and Sabetian (as the duly appointed substitute for Councillor Wincott)

## 57. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Wincott.

## 58. DECLARATIONS OF INTEREST

The following Councillors declared their interest in the minutes as indicated:

| <u>Councillor</u> | <u>Minute</u>                                      | <u>Interest</u>   |
|-------------------|--|---|
| Lee               | 38.3 - Former Observer Building, 53 Cambridge Road | Personal – Site can be viewed from home address.  |
| Street            | 38.2 - Aldi, Rye Road                              | For information: Met the manager at Aldi for the launch of the Local Business Crime Reduction Partnership |

## 59. MINUTES OF THE MEETING HELD ON 25 NOVEMBER 2015

**RESOLVED** – that the minutes of the meeting held on 25 November 2015 be approved and signed by the Chair as a true record.

## 60. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

## 61. PLANNING APPEALS AND DELEGATED DECISIONS

The Acting Development Manager reported that two planning appeals had been received.

All matters had arisen between 14<sup>th</sup> November to 11<sup>th</sup> December 2015.

**RESOLVED** – that the report be noted.

## 62. PLANNING APPLICATIONS:

### 62.1 91-93, 109 and rear of 103 Middle Road, Hastings

Proposal:

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Demolition of existing buildings and erection of 11 dwellings together with parking space and access.

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|--|--|
| Application No:  | HS/FA/15/00232                                   |
| Existing Use:  | Former Business Uses                             |
| Conservation Area:                                       | No   |
| National Planning Policy Framework                       | Paragraphs 7, 14, 17, 32, 49, 50 and 56          |
| Hastings Local Plan –<br>The Hastings Planning Strategy: | FA5, SC1, SC3, SC4, EN2, EN3, H1, H2, H3, E1, T3 |
| Hastings Local Plan –<br>Development Management Plan:    | DM1, DM3, DM4, DM6, HN7 and HN8                  |
| Public Consultation:                                     | 11 letters of objection received                 |

The Acting Development Manager reported on an application for the demolition of existing buildings and erection of 11 dwellings together with parking space and access at 91-93, 109 and rear of 103 Middle Road, Hastings.

This was a revised application for 11 houses made following a refusal of planning permission for 13 houses in 2014. The application consists of the demolition of the existing buildings on the site, which are a mix of commercial uses and a dwelling, and their replacement with a cul-de-sac of 11 x 2 bed houses. The previous application was refused because a cramped layout leading to poor living environment and not being in keeping with the surrounding area. This current scheme reduces the number of houses on the site and makes alterations to the layout of the site and the arrangement of the dwellings to overcome the previous reasons for refusal. In weighing up the planning issues, it is considered that the balance is now in favour of the application proposals.

The application site lies to the east of the town between the A259 and Fairlight Road. It is an area within a perimeter block formed by Middle Road and Old Top Road and the recreation ground. The site accommodates a former car repair garage, possibly other business uses and a single detached dwelling. All the current buildings on the site are in considerable disrepair. The site lies in a predominantly residential area, with a mixture of single storey and two storey houses, detached, semi-detached and terraced.

This is an outline application with access, appearance, layout and scale being determined at this stage. Landscaping is a reserved matter.

The applicant proposes to demolish the existing buildings on the site and erect 11 dwellings with a mix of terraced, semi-detached and detached houses with parking. A

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previous application on the site was refused for reasons of over development, poor quality living environment for existing and future occupants and out of character with existing pattern of development.

The main issues were the impacts on loss of employment land, character and appearance, living environment, highways and transport, safety and security, ecology, affordable housing, drainage, sustainable development.

The Acting Development Manager felt the proposal overcomes the previous reasons for refusal and provides an acceptable development that is in keeping with the character of the area, provides a satisfactory standard of accommodation and amenity for existing and future occupiers. The demolition of the existing buildings represents a positive improvement for the area in visual terms, as such he recommended the outline consent be granted subject to conditions.

The Human Rights considerations have been taken into account fully in balancing the planning issues.

Councillor Beaver proposed a motion to approve the application subject to the addition of Condition and Reason No. 15 as set out in the resolution below. This was seconded by Councillor Lee.

### **RESOLVED – (unanimously) that:-**

#### **Grant Outline Planning Permission subject to the following conditions:**

- 1. Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced;**
- 2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved;**
- 3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;**
- 4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later;**
- 5. The new access shall be in the position shown on the approved drawings and laid out and constructed in accordance with the attached HT407 form/diagram and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority prior to commencement of development;**

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- 6. Prior to demolition works commencing on site a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation (Given the restrictions of the access and/or the approach road the hours of delivery/ collection should avoid peak traffic flow times and the size of vehicles should be restricted). The development shall be carried out in accordance with the approved scheme;**
- 7. During any form of earthworks and/or excavations that is carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads. The development shall be carried out in accordance with the approved details;**
- 8. The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles;**
- 9. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles;**
- 10. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Local Planning Authority and be subject to its approval, in consultation with this Authority. The development shall be carried out in accordance with the approved details;**
- 11. The development hereby approved shall not be occupied until there has been submitted to and approved by the Local Planning Authority a scheme for the improvement of nearby bus stops on Middle Road. These improvements should take the form of a new bus stop flag, pole and raised kerbs. Such scheme shall provide for the timing of the improvement works in relation to the implementing of the development, and shall be implemented in accordance with such timing;**
- 12. Prior to the commencement of development on site, a badger mitigation and method statement shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved statement;**

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- 13.**
- (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority;**
  - (ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed; and**
  - (iii) No occupation of any of the dwellings or flats hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.**
- 14.** The development hereby permitted, not including landscaping subject to condition 1 above, shall be carried out in accordance with the following approved plans:
- 4314/14/EX, LBP/C, 9, 7/A, 6/B, 1/B, 2/C, 3/C, 4/B, 5/A, 8/A.**
- 15.** 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.**

**Reasons:**

- 1. The application is in outline only;**
- 2. The application is in outline only;**
- 3. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990;**
- 4. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990;**
- 5. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 6. In the interests of highway safety and for the benefit and convenience of the public at large;**
- 7. In the interests of highway safety and for the benefit and convenience**

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of the public at large;

8. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;
9. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development;
10. In the interests of highway safety and for the benefit and convenience of the public at large;
11. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development;
12. To ensure protected species are not adversely affected;
13. To prevent increased risk of flooding;
14. For the avoidance of doubt and in the interests of proper planning; and
15. To safeguard the amenity of adjoining residents.

### 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; and
3. Consideration should be given to the provision of a domestic sprinkler system.

### 62.2 Aldi, Rye Road, Hastings

|                 |   |
|-----------------|---|
| Proposal:       | Variation of condition 18 (delivery hours) of planning permission HS/FA/13/00414 - proposed hours 0600-2200 Monday to Saturday. Sunday & Bank holidays to remain unchanged. |
| Application No: | HS/FA/15/00824  |
| Existing Use:   | Supermarket   |

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|---|---------------------------------|
| Conservation Area:                                      | No                              |
| National Planning Policy Framework                      | Section 11                      |
| Hastings Local Plan –<br>The Hastings Planning Strategy | SC1                             |
| Hastings Local Plan –<br>Development Management Plan    | DM6                             |
| Public Consultation:                                    | 6 letters of objection received |

The Acting Development Manager reported on an application to extend the permitted delivery times of Aldi supermarket from between 07:00 and 22:00 to between 06:00 and 22:00 - allowing deliveries to occur an hour earlier.

The application site relates to the relatively new (2014) Aldi supermarket located in the north-east area of Hastings. The site is located off Rye Road which is a busy main road forming part of the A259 coastal highway. The site is predominantly surrounded by residential development including an adjacent residential care home.

Planning permission, reference HS/FA/13/00414, was granted in 2013 for the demolition of an existing hardware store (B&Q) and the erection of a new supermarket (Aldi). The planning application was accompanied by a noise report explaining the potential impact on local residents and, as a result of this, a condition was placed on the planning permission that deliveries could only be made between the hours of 07:00 and 22:00.

Now that the supermarket has been operational, the owners consider that deliveries need to occur slightly earlier in order to ensure the store is sufficiently stocked by opening time. As such, they have applied to extend the delivery times by an hour earlier from 06:00 to 22:00. The application has been accompanied by another noise report to explain the impact of this change.

The main issue with this change is the possible impact on neighbouring residential amenities and, in particular, noise disturbance. The application was accompanied by a noise report which explains that, compared with existing background noise levels and with certain noise control measures, the proposed change in hours will not result in harm to neighbouring residents.

Taking into account the impact on neighbouring residents, the Acting Development Manager felt the proposed change in delivery hours was considered to be acceptable and therefore recommend approval subject to conditions.

The Human Rights considerations have been taken into account fully in balancing the planning issues.

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Councillor Scott proposed a motion to approve the application as set out in the resolution below. This was seconded by Councillor Lee.

**RESOLVED** – by (9 votes to 0, with 1 abstention) that full planning permission be granted subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of planning permission HS/FA/13/00414;
2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
0882-CHE -100, 101, 102, 110B, 111C, 112B, 113C, 114B, 115B, 116B and 117
3. The new access shall be in the position shown on the submitted plan (drawing no. 0882-CHE-110B) and laid out and constructed in accordance with the attached HT407 form/diagram. All works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority prior to occupation of the development hereby permitted;
4. The development shall not be brought into use until the existing access shown on submitted drawings has been stopped up and the kerb & footway reinstated in accordance with details submitted to and approved in writing by the Local Planning Authority;
5. The access hereby permitted shall not be used until a turning space for vehicles has been provided and constructed in accordance with the approved plan (drawing no. 0882-CHE-110B) and the turning space shall thereafter be maintained in a suitable condition for that use and shall not be used for any other purpose;
6. Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The development shall be carried out in accordance with the approved details;
7. Prior to demolition works commencing on site a Traffic Management Scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation. (Given the restrictions of the access and/or the approach road the hours of delivery/ collection should avoid peak traffic flow times). The development shall be carried out in accordance with the approved scheme;



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8. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads;
9. The development shall not be brought into use until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles;
10. The development shall not be brought into use until the cycle parking area has been provided in accordance with the approved plans and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles;
11. The development shall not be brought into use until a scheme has been submitted and approved in writing by the Local Planning Authority in consultation with the Highway Authority for the construction of the traffic island in Rye Road including associated dropped kerbs and tactile paving as well as the removal of the existing and has been implemented. This scheme shall include the alterations to the road markings;
12.
  - (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority;
  - (i) Development shall be carried out in accordance with the details approved under (i) and the development shall not be brought into use until those works have been completed;
  - (iii) The development shall not be brought into use until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.
13. No development shall take place until the measures outlined in the submitted ecological statements and reports (Badger Method Statement by The Ecology Consultancy), dated August 2013 have been fully implemented, unless:
  - (i) the programme for such measures is otherwise specified within that document (for example with regard to measures related to monitoring, further survey work, the erection of bird boxes on buildings or other conservation enhancements), in which case the works shall be carried out in accordance with the timescales contained therein or;
  - (ii) unless the scheme(s), or programme(s) of measures contained

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**within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.**

- 14. No development shall commence until a scheme for the provision of public art has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to the approved building being brought into use;**
- 15. 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.**
- 16. No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the Local Planning Authority. The rating level of noise emitted from all fixed plant and machinery should not exceed 36 dBA between 2300 and 0700 hours and 42dBA between 0700 and 2300 hours when measured or calculated at 1m from the facade of the nearest noise sensitive property. The measurements and assessments shall be made according to BS 4142:1997. The plant and machinery shall be installed in accordance with the approved details;**
- 17. The premises shall not be used for trading except between the following hours:-  
  
0800 to 2200 Monday - Saturday,  
1000 to 1800 Sundays, and  
0900 to 1800 on Bank Holidays.**
- 18. The premises shall not accept deliveries except between the following hours:-  
  
0600 to 2200 Monday - Saturday,  
0900 to 2200 Sundays, and  
0700 to 2200 on Bank Holidays.**
- 19. All planting seeding or turving comprised in the approved soft landscaping scheme shown on drawing no. V0882L01A shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner. Any trees or**

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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;

20. No development shall take place until tree protection measures of the *Arboricultural Impact Assessment and Method Statement* by David Cashman dated 31 May 2013 and the accompanying plan (drawing no. 13095-BT2) to safeguard the trees and/or hedges to be retained on the site have been erected. All such protection measures shall be kept in a sound, upright and complete condition until the development has been completed and/or the Local Planning Authority confirm in writing that the works have been sufficiently completed for the fencing to be removed;
21. Notwithstanding that shown on drawing no D22155/JB/A and prior to their installation, details of the proposed external lighting and external lighting columns shall be submitted to an approved in writing by the Local Planning Authority. The installation shall be carried out in accordance with the approved details;
22. The glazed shopfront doors and windows hereby approved shall at all times be maintained in clear glass throughout and shall not be obscured, laminated, screened or otherwise blocked so as to prevent substantial direct vision into the unit from outside, other than that specifically annotated on the approved drawings or with the prior written approval of the Local Planning Authority and shall be maintained as such thereafter to the satisfaction of the Local Planning Authority; and
23. Between the hours of 2200 and 0700 deliveries shall be carried out strictly in accordance with the noise control measures listed at paragraph 4.15 of the submitted *Environmental Noise Report - Variation of delivery hours* by Sharps Redmore Acoustic Consultants (dated 24 September 2015, project no. 1515352) and in addition delivery vehicle engines shall be switched off when not manoeuvring and no horns sounded or radios/stereo players used.

### Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;
2. For the avoidance of doubt and in the interests of proper planning;
3. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;

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- 4. In the interests of highway safety;**
- 5. In the interests of highway safety;**
- 6. In the interests of highway safety;**
- 7. In the interests of highway safety and for the benefit and convenience of the public at large;**
- 8. In the interests of highway safety and for the benefit and convenience of the public at large;**
- 9. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 10. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development;**
- 11. In the interests of highway safety;**
- 12. To prevent increased risk of flooding;**
- 13. To protect features of recognised nature conservation importance;**
- 14. To provide public art in accordance with policy DG20 of the Hastings Local Plan 2004;**
- 15. To safeguard the amenity of adjoining residents;**
- 16. To safeguard the amenity of adjoining residents;**
- 17. To safeguard the amenity of adjoining residents;**
- 18. To safeguard the amenity of adjoining residents;**
- 19. In the interests of the visual amenity;**
- 20. In the interests of the health of the trees and to protect the visual amenity;**
- 21. In the interests of the character and appearance of the area and to protect neighbouring residential amenities;**
- 22. In the interests of the visual amenity of the area; and**
- 23. In the interests of the amenity of the neighbouring residential occupiers.**

**Notes to the Applicant**

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- 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. This planning permission has been issued as a variation to planning permission HS/FA/13/00414. The pre-commencement conditions listed above are copied from the previous permissions and may have already been discharged. If the conditions have been dealt with previously you will not be required to deal with those conditions again, unless matters associated with those conditions have changed. Any outstanding matters required by condition should be submitted to the Local Planning Authority as soon as possible. There may also be informatives from the previous permissions which still apply; and**
- 4. The applicant is advised that signage should be erected in the delivery area to remind delivery drivers and staff of the need to protect neighbours from noise and disturbance. It would also be helpful for a clear line of communication with the manager of the store to be made available to local residents should they have concerns about noise and disturbance.**

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### 62.3 Former Observer building, 53 Cambridge Road, Hastings

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| Proposal:   | Temporary use of sub-basement, ground floor and 1 <sup>st</sup> floor. Uses include Art gallery and artist studio spaces at first floor, ground floor pop-up multi function space including bar, café and food vending units with communal dining area, lower ground/sub-basement use as a dining/independent cinema/entertainment area). The basement area is proposed to be used as an installation/storage space. |
| Application No:   | HS/FA/15/00641   |
| Existing Use:   | Vacant Printing Works  |
| Conservation Area:                                      | Yes – Hastings Town Centre   |
| National Planning Policy Framework                      | No Conflict  |
| Hastings Local Plan –<br>The Hastings Planning Strategy | EN1  |
| Hastings Local Plan –<br>Development Management Plan    | DM6, HN1, SA4, HTC3  |
| Public Consultation:                                    | 5 letters of objection and<br>2 letters of support received  |

The Acting Development Manager reported on a retrospective application for temporary use of the sub basement, ground floor and 1<sup>st</sup> floor of the former Observer building, 53 Cambridge Road, Hastings. Uses include Art Gallery and artist studio spaces at first floor, ground floor pop-up multi function space including bar, café and food vending units with communal dining area, lower ground/sub basement use as a dining/independent cinema/entertainment area). The basement area is proposed to be used as an installation/storage space.

The use has already commenced and the retrospective application is considered

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appropriate for a limited period of 2 years until such time as more permanent plans for the building are developed.

The current owners of the site wish to use the space for a temporary period until such time that the building can be redesigned for a more permanent use. A planning application for the proposed redevelopment has not yet been submitted.

The Observer Building was formerly a printing works for the Observer newspaper and has been vacant for over 20 years. It is an eight storey building located on the south side of Cambridge Road, bounded by Prospect Place to the west and Claremont Yard to the east. It is located within the Hastings Town Centre conservation Area.

The main issues were the use of the building and impact on residential amenity.

The Acting Development Manager felt the temporary use of this building will prevent further deterioration of an otherwise derelict building and that it also provides an active frontage in this quieter part of the Town Centre. He therefore recommended the application be approved subject to conditions.

The Human Rights considerations have been taken into account fully in balancing the planning issues.

Councillor Rogers proposed a motion to approve the application as set out in the resolution below. This was seconded by Councillor Scott.

**RESOLVED** – (unanimously) that full planning permission be granted subject to the following conditions:-

1. **This permission shall be for a limited period of 2 years from the date hereof and on or before the expiration of such period the use hereby permitted shall be discontinued and any fixtures, fittings, machinery or other items associated with the temporary use removed from the building;**
2. **The premises shall not be used except between the following hours:-  
  
8am - 11pm Monday to Friday,  
10am - 11pm Saturdays, Sundays and Bank Holidays.**
3. **The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
A-001,A-098, A-099, A-100, A-101**
4. **All noise sensitive activities such as entertainment (music, amplified speech, cinema etc) shall be restricted to the rear ground floor;**
5. **Within 1 month of the date of this decision a full acoustic survey of the proposed ground floor space shall be undertaken and its results and any necessary sound proofing measures submitted to the Local**

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**Planning Authority for approval. The approved sound proofing measures shall be carried out within 1 month of their approval;**

- 6. Within 1 month of the date of this decision a scheme for the fitting of odour control equipment to the building shall be submitted to the Local Planning Authority for approval. The approved odour control equipment shall be installed within 1 month of its approval and maintained thereafter to the satisfaction of the Local Planning Authority;**
- 7. Within 1 month of the date of this decision a scheme for the sound insulation of odour control equipment shall be submitted to the Local Planning Authority for approval. The approved sound insulation equipment shall be installed within 1 month of its approval and be maintained thereafter to the satisfaction of the Local Planning Authority;**
- 8. No deliveries or removal of refuse/recycling shall take place before 7am and after 11pm; and**
- 9. Within 1 month of the date of this decision details of proposed bin storage shall be submitted to the Local Planning Authority for approval. The approved details shall be carried out within 1 month of their approval.**

### **Reasons:**

- 1. The temporary use is not considered a suitable development to be granted permission in perpetuity, and nor would the Local Planning Authority wish to grant permission for the use on a permanent basis, as this could hinder the future regeneration/redevelopment/use of the whole building. The two year period will also allow time for the applicant to explore options for permanent use of the whole building in compliance with Hastings Local Plan - Development Management Plan Site allocation HTC3;**
- 2. To safeguard the amenity of adjoining residents;**
- 3. For the avoidance of doubt and in the interests of proper planning;**
- 4. To limit the amount of noise and safeguard the amenity of adjoining residents;**
- 5. To safeguard the amenity of adjoining residents;**
- 6. To safeguard the amenity of adjoining residents;**
- 7. To safeguard the amenity of adjoining residents;**



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8. To safeguard the amenity of adjoining residents; and
9. To ensure a satisfactory standard of development.

### 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. The Food Safety Act 1990 and the Health and Safety at Work Etc. Act 1974 will apply;
4. You are advised to consult the Rother and Hastings Building Control Partnership e-Mail: [buildingcontrol@rother.gov.uk](mailto:buildingcontrol@rother.gov.uk) with regard to the provision of adequate means of escape in case of fire and necessary fire precaution works;
5. Any external alterations to the building will require the submission of a further application for planning permission;
6. If any of the measures required by the conditions above result in external alterations to the building a planning permission may be required. Please check with the Local Planning Authority before this work is carried out; and
7. For the avoidance of doubt the shutters and the ramped access to the main Cambridge Road entrance are not approved as part of this planning permission and a separate planning permission would be required. The shutters in this particular instance are not appropriate for the Town Centre Conservation Area and the applicant will need to consider the installation of a more appropriately designed entrance door before making their application. The ramped access is acceptable as long as it is removed at the end of everyday. If it is not removed on a daily basis then planning permission would also be required for the ramp and as with the door a more appropriately designed ramp would be required. An application for suitable replacements should be made within 1 month of this decision. If an application is not forthcoming enforcement action may be taken without further warning.

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### 62.4 817 The Ridge, St. Leonards on Sea

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| Proposal:   | Erection of one detached house (one of two houses that were originally approved on 6 December 2012 under planning permission HS/FA/12/00772).<br>HS/FA/15/00882 |
| Application No:   | HS/FA/15/00882  |
| Existing Use:   | Residential curtilage/garden  |
| Conservation Area:                                      | No  |
| National Planning Policy Framework                      | No Conflict   |
| Hastings Local Plan –<br>The Hastings Planning Strategy | DS1, SC1 and H3   |
| Hastings Local Plan –<br>Development Management Plan    | DM1, DM3, DM4   |
| Public Consultation:                                    | Not delegated – Applicant is employee of Hastings Borough Council in a politically restrictive post.  |

The Acting Development Manager reported on an application for one detached 4-bedroom dwellinghouse at the west side of 817 The Ridge, St. Leonards on Sea.

This application was brought before the committee as the applicant is an employee of Hastings Borough Council in a politically restrictive post.

The site is located to the south of The Ridge and comprises the side garden (west) of 817 The Ridge. It lies to the rear (south) of 821 The Ridge and alongside the side boundary of 823 The Ridge. To the rear of the application site planning permission has been granted for 3 dwellinghouses, set at a perpendicular angle to the proposed development, the rear gardens abutting each other. To the rear of this lies the Dunelm/Pets at Home stores.

The area has a varied character being defined by a mixture of uses and different size buildings including a two storey shop, two storey public house, bungalows, detached properties and two storey terraced houses.

It is proposed to use the existing access drive for 817 The Ridge which is accessed in between 815 and 821 The Ridge and to increase the width to 4.5m for the first 10m from the carriageway. The driveway will be extended in front of the existing and the proposed dwellinghouse providing 2no. car parking spaces for each of the dwellinghouses. Refuse and recycling bins are shown on the plan. The proposed rear garden has a depth of 15 metres.

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The accommodation will comprise 4 en-suite bedrooms at first floor level. The dwelling has a front facing gable and side facing dormer windows with pitch tile roofs and facing bricks.

This application is a part renewal of extant planning permission HS/FA/12/00772. This application relates to only one of the two originally approved dwellings, the one that was to be built on land to the west of the existing property (817 The Ridge).

In June 2015 planning permission was granted for 3 dwellings to the rear of 815-817 The Ridge. The access drive runs along the eastern side of 817 The Ridge and the second dwelling of the 2012 permission (HS/FA/12/00772) can therefore no longer be implemented.

The main issues were the impacts on the amenity of neighbouring residents; the character and appearance of the area and highway safety, drainage and affordable housing.

The Acting Development Manager felt the proposal had been designed to ensure that a good quality living environment is created for future occupants without impacting on the amenity of neighbouring residents. The scheme is considered to be in keeping with the character and appearance of the area and helps provide additional family size accommodation in this part of the Borough. It is therefore considered that the scheme represents sustainable development and helps to achieve the aims of the National Planning Policy Framework (NPPF) and local planning policy.

Having considered all matters, the Acting Development Manager recommended the application be approved subject to conditions.

The Human Rights considerations have been taken into account fully in balancing the planning issues.

Councillor Beaver proposed a motion to approve the application as set out in the resolution below. This was seconded by Councillor Dowling.

**RESOLVED** – (unanimously) that full planning permission be granted 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 development hereby permitted shall be carried out in accordance with the following approved plans:**  
  
**4178/100/LBP, P4178/1-3, 4178/100/1, 4178/100/2**
3. **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:-**

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**08.00 - 18.00 Monday to Friday**

**08.00 - 13.00 on Saturdays**

**No working on Sundays or Public Holidays.**

- 4. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the dwellinghouse hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details;**
- 5. (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority;**  
**(ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed;**  
**(iii) No occupation of any of the dwellings or flats hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.**
- 6. No development shall commence on site until full details of the measures to be undertaken to divert the public sewers which are known to cross the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details;**
- 7. The development shall not be occupied until details of the materials and layout of the reconstructed access and the specification for the construction of the access have been submitted to and approved in writing by the Planning Authority and the use hereby permitted shall not commence until the construction of the access has been completed in accordance with the approved details;**
- 8. The access shall be widened to 4.5m for a distance of 10m from the carriageway and all work shall be undertaken and completed by the applicant to the satisfaction of the Local Planning Authority prior to occupation of the development hereby permitted;**
- 9. There shall be no obstruction to visibility (over 0.8 metres above the level of the adjoining footway) in either direction onto The Ridge within splays of 2.4metres x 43metres;**
- 10. The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall**

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thereafter be retained for that use and shall not be used other than for the parking of motor vehicles;

- 11. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles;**
- 12. The side facing windows on both 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 1.8 metres from finished floor level;**
- 13. No development shall take place above ground until full details of all boundary enclosures have been submitted to and approved in writing by the Local Planning Authority. All such boundary enclosures shall be erected before the building to which it relates is occupied; and**
- 14. All planting seeding or turfing comprised in the approved soft landscaping scheme drawing No. 4178 / 100 1 shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings 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.**

### **Reasons:**

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;**
- 2. For the avoidance of doubt and in the interests of proper planning;**
- 3. In the interests of the amenity of the neighbouring residential occupiers;**
- 4. In the interests of the visual amenity of the area;**
- 5. To prevent increased risk of flooding;**
- 6. To ensure that no property is occupied until adequate access and drainage facilities have been provided;**

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- 7. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 8. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 9. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 10. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 11. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development;**
- 12. To protect the amenities of adjoining residential properties;**
- 13. In the interests of the amenity of the neighbouring residential occupiers; and**
- 14. To ensure a satisfactory form of development in the interests of the character and amenity of the area.**

### **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. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended); and**
- 4. The drainage details shall include the SUDS Tool Report available on the East Sussex County Council website.**

(The Chair declared the meeting closed at. 6.34 pm)