

PLANNING COMMITTEE

27 JULY 2016

Present: Councillors Street (Chair), Beaney, Clarke, Cooke, Edwards, Dowling, Roberts, Rogers, Sabetian and Webb (as the duly appointed substitute for Councillor Wincott)

105. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Scott and Wincott.

106. DECLARATIONS OF INTEREST

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

Councillor	Minute	Interest
Beaney	110c – Garage between 28-30 Priory Close	Personal – she attended a meeting of Priory Close Residents Association
Cooke	110a – Shearburn Holiday Park, Barley Lane	Personal – one of the objectors is known to him
Cooke, Dowling, Roberts, Street and Webb	110b – Land adjacent, 99 West Hill Road	Personal - the applicant is known to them, as he is a former Councillor
Sabetian	110c – Garage between 28 – 30 Priory Close	Prejudicial – he lives in Priory Close, near to the application site
Street	110a – Shearburn Holiday Park, Barley Lane	Personal – he is a member of the Friends of Hastings County Park who have raised an objection.
Webb	109a – Site of former Hastings College of Arts and Technology, Archery Road	Personal – 4 of the objectors are known to him

107. MINUTES OF THE MEETING HELD ON 22 JUNE 2016

RESOLVED – that the minutes of the meeting held on 22 June 2016 be approved and signed by the Chair as a true record.

108. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

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None.

109. PLANNING APPLICATIONS ATTRACTING A PETITION:

109.1 Site of former Hastings College of Arts and Technology, Archery Road

Proposal: Conversion of Grade II listed building to create 24 residential units, demolition of all other structures and erection of 97 residential units, with associated cycle and car parking spaces, new vehicular access from Archery Road, associated landscaping and enabling works (amended description).

Application no: HS/FA/15/00175

Existing Use: Vacant site

Conservation Area: Yes – St Leonards West

Listed Building: Grade II

Public Consultation: 42 letters of objection and 1 petition received

The Planning Services Manager advised of further updates to the report. Following on from further negotiations with the applicants, the review of additional information in respect of viability and comments submitted, it was proposed that the recommendation be amended to remove the provision of financial contributions within the S106 Agreement. It was also proposed to remove the requirement for the provision of affordable housing within the S106 Agreement and add an additional condition (no 34) in respect of the provision of affordable housing.

The recommendation was therefore amended to read:

A) That the Planning Services Manager be authorised to issue planning permission upon completion of an agreement under S106 of the Town and Country Planning Act to secure:

The provision of a management plan for all publicly accessible open spaces and woodland areas within the site;

In the event that the Agreement is not completed by 1st November 2016 that permission be refused on the grounds that the application does not comply with Policy EN3 of the adopted Hastings Local Plan, The Hastings Planning Strategy 2011-2028 unless an extension of time has been agreed in writing by the Planning Services Manager in consultation with the Chair and Vice Chair of the Planning Committee.

B) subject to the above

Grant Full Planning Permission subject to the following conditions:

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Furthermore, it is requested that the following condition be imposed upon any planning permission granted, which will make sure the development is acceptable:

34. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework 2012 or any future guidance that replaces it. The scheme shall include:
- (i) the numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 56% of housing units which equates to 68 housing units.
 - (ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing. The phasing of occupancy within the scheme for the provision of affordable housing shall include a requirement that no more than 50% occupancy of the market housing shall be allowed until 100% of the affordable housing units have been constructed.
 - (iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);
 - (iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - (v) a signed nomination agreement setting out the Council's rights to nominate from its housing register (or another list that the Council is required to keep for the discharge of its housing responsibilities) a new tenant or tenants in respect of three of every four Dwellings which become true voids.
 - (vi) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
 - (vii) details of the notice given to the Council when a vacancy of an affordable unit becomes available and when a vacancy has been filled.
 - (viii) details of liability connected with the exercise of Nomination Rights, which shall require that the loss of rent, Service Charge, for any legal or other costs or fees or any other expenses incurred by the Housing Association arising from the exercise of the Nomination Rights shall remain with, be covered by and be the responsibility of the Housing Association.

Reason: To ensure that the proposal provides an appropriate level of affordable housing provision within the development and to meet the requirements of policies H3 and C11 of the Hastings Planning Strategy Local Plan (2014).

Further letters of objection have also been received by the Local Planning Authority since the publication of the report.

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The case Officer, Mr Chris Hawkins presented the report.

Given the extant planning permission in place, the Committee was asked to consider the impact of the amendments to the scheme, rather than the principle of development or any other matter unaffected by the amendments.

The petitioner, Lee Wilson, was present and spoke against the application. He raised concerns that the proposed scheme was less sympathetic to the setting within a conservation area than the previously approved scheme.

Marcus Beale, the architect of the scheme, spoke in support of the proposal on behalf of the applicant. He commented that the proposed changes to the previously approved scheme were relatively minor and intended to make the development more manageable to maintain.

Councillor Patmore, Ward Councillor for Maze Hill, was present and spoke against the application.

After discussion, it was proposed to include an additional informative that the applicant is advised that the UPVC windows within the development shall be of a slim line form that responds positively to the character and appearance of the conservation area.

Councillor Sabetian proposed a motion to approve the application, as set out in the resolution below, including the additional condition 34 and informative 10. This was seconded by Councillor Roberts.

RESOLVED – (by 7 votes for and 3 against) that planning permission be granted subject to the following conditions: -

A) That the Planning Services Manager be authorised to issue planning permission upon completion of an agreement under S106 of the Town and Country Planning Act to secure:

The provision of a management plan for all publicly accessible open spaces and woodland areas within the site;

In the event that the Agreement is not completed by 1st November 2016 that permission be refused on the grounds that the application does not comply with Policy EN3 of the adopted Hastings Local Plan, The Hastings Planning Strategy 2011-2028 unless an extension of time has been agreed in writing by the Planning Services Manager in consultation with the Chair and Vice Chair of the Planning Committee.

B) subject to the above

Grant Full Planning Permission 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.**

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- 2. 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.

- 3. The development hereby permitted shall be carried out in accordance with the following approved plans:**

**554/005/P8; 554/006/P8; 554/010/P4; 554/038/P4; 554/053/P4;
554/056/P4; 554/059/P4; 554/047/P5; 554/004/P8; 554/009/P6;
554/011/P4; 554/013/P4; 554/048/P5; 554/049/P4; 554/050/P4; 554/051/P4/
554/052/P4; 554/051/P4; 554/052/P4/ 554/054/P4; 554/055/P3; 554/057/P4;
554/058/P4; 554/060/P3; 554/061/P3; 554/062/P3; 554/033/P4;
554/024/P1; 554/014/P2; 554/055/P1; 554/066/P1; 554/077/P3;
554/SK110/P1; 554/SK112/P1; 554/020/P1; 554/065/P1; 554/068/P1;
554/072/P1; 554/073/P1; 554/076/P3; 554/016/P1; 554/021/P1;
554/022/P1; 554/030/P1; 554/027/P1; 554/031/P1; 554/038/P3;
554/041/P2; 554/043/P2; 554/044/P2; 554/064/P2; 554/067/P1;
554/069/P1; 554/070/P2; 554/072/P1; 554/075/P1; 554/078/P1;
554/079/P2; 554/SK111/P1; 554/001/P1; 554/002/P3; 554/015/P3;
554/025/P1; 554/026/P1; 554/028/P1; 554/029/P1; 554/039/P3;
554/042/P2; 554/045/P2 together with all submitted documentation
relating to the contents of these plans.**

- 4. No development shall take place until sample boards, measuring 1.5m x 1.5m of all materials to be used on all visible external elevations and boundary walls of the new development shall be submitted to and approved in writing by the Local Planning Authority. Where relating to brick and stone sample panels, such details shall show the bond pattern and mortar pointing. The development shall be carried out in accordance with the approved details.**
- 5. Notwithstanding the details shown on the submitted plans and having regard to Condition 4, the sample panels in respect of the brick elevations to Blocks A and B shall include details of the brick bond, window dressings and string courses formed either by brick or stone to match copings.**
- 6. No development shall take place until details of the bridge from the northern end of the site to the podium, including 1:50 elevations and 1:10 sections including details of the construction of the walkway,**

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balusters and balustrades, privacy screens and supports including samples of materials and details of finishes have been submitted to and approved in writing by the Local Planning Authority. The bridge shall thereafter be constructed in accordance with the approved plans.

- 7. No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details:**
- a. windows and door type variations for the proposed new development (including bin stores and garage doors), to include the manufacturers details, size, appearance, materials and finishes proposed, without trickle vents or detailing concealed trickle vents plus 1:10 elevation drawings and 1:2 or full size horizontal and vertical cross-sections through each type;**
 - b. roof profiles, colour and finish, plus details of the abutment to the main roof slopes, 1:10 plans and 1:2 or full size section details to be provided.**
 - c. roof mounted plant, to include details of all solar panels and photo voltaic installations proposed on visible roof slopes. Details to include information on the size and proposed location of the array, the size of each panel, its appearance, materials, finish, plus full details of any supporting framework required.**
 - d. dormers (Block K) and other roof extensions, to include 1:10 front, side and roof elevations, plus 1:2 or full size horizontal and vertical cross-sections.**
 - e. rainwater goods, to include proposed locations, sizes profiles, material and finishes.**
 - f. visible external flues and extract vents, to include proposed locations, sizes, appearance, materials and finishes.**
 - g. louvered panels (include the profile, size, materials and finish, 1:10 elevation details and 1:2 or full size horizontal and vertical sections to be provided.**
 - h. balconies on the new buildings, to include full details of the frameless glazing (glass type/colour/reflective qualities), any top rail or vertical support, fixings for the railing and the proposed materials, profile and finishes to all balcony floors.**

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Details to be provided as 1:10 elevations and 1:2 or full size sections.

- i. in respect of Block K full details of all new and replacement windows and external doors. Elevations shall be provided for each item at a scale of 1:10, with full size or 1:2 scale horizontal and vertical sections. Full details of all proposed door and window furniture should also be provided. Window details shall include sections through cills, heads, frames, meeting rails and opening lights, glazing bars and mullions. Doors shall include sections through fanlights, top rails, mid rail, bottom rail, panel details and frame. All new doors and windows on the listed buildings shall match an existing original example profile as agreed with the local planning authority.
- j. in respect of Block K only, full constructional details of the proposed new rear elevation canopy and balcony, to include 1:20 elevations and roof plan, plus full size or 1:2 scale cross-sections through the canopy, and details of the materials, finishes and proposed fixing to the building. Detailed drawings shall show elevations and sections through the canopy profile, canopy ribs/supports, the railing profile and the balcony construction.
- k. in respect of Block K full constructional details of the new rear staircase atrium. To include the proposed fixing in to the original fabric of the listed buildings, plus elevations and roof plans at 1:20 and 1:2 or full size sections through the new construction (to include profiles through the proposed brise soleil, steps and handrails), and a full palette of materials to be used in the construction (roof, walls, floors and staircase).
- l. in respect of Block K full details of proposals for the area below the retained Victorian infill, to the rear of the main entrance area, at basement level. Details shall be provided of all structural proposals, making good works and of any new doors, windows or other new construction proposed.
- m. in respect of Block K full details of the proposed new front wall railings and gates to include the siting, size, appearance, materials and finishes and the proposed method of fixing. Details shall include 1:10 elevation drawings and 1:2 or full size cross-sections through the top rail, baluster profile, queen post profile, rear support bracket profile and a full size detail of all proposed finial types.
- n. in respect of Block K full details of the new porticos to be reinstated to the front elevation of the terrace. To include 1:10

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front, side and roof elevations and sections, plus 1:2 or full size sections through the render mouldings. Full details shall also be provided of all the materials and finishes proposed.

o. in respect of Block K full details of the new external staircase to the front area to Apt. 1, to include elevation and plan drawings at 1:10 and the step profile and handrail profile at 1:2 or fill size, plus details of materials and finishes proposed;

p. in respect of Block K full details of any proposed new hanging lanterns to the front elevation of the terrace. To include 1:10 elevations and sections, plus details of their fixing to the building and the materials and finishes for the lanterns.

(i) a methodology statement to be submitted and approved in writing by the local planning authority for the refurbishment of the existing lanterns which are to be rehung in a location to be agreed with the local planning authority. The methodology to include repairs to cast iron lantern and associated brackets, details of proposed replacement glass, fixing details into the masonry substrate and details of the luminaire to be inserted;

(ii) existing hanging lanterns to be carefully recorded by way of drawings which will form the template of the proposed and the details are to be submitted in the form of 1:10 plans, elevations and sections, plus details of their fixing to the building and materials and finishes.

(iii) the locations of the new hanging lanterns to be agreed with the local planning authority.

q. in respect of Block K full details of the proposals in relation to the area of original party/garden wall that is to be retained to the rear garden area of the listed buildings. These are to include a methodology statement for the following:

(i) Any areas of existing wall to be taken down;

(ii) Reconstruction of wall including full specification for the works;

(iii) Specification for reconsolidation of existing parts of the wall to be retained

The methodology statement should include all means of temporary supports to facilitate the works and be accompanied by a detailed drawing showing the extent of

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each element of works. Should new materials be required, a sample panel showing the proposed materials, width of mortar joint and finish of joint be constructed on site for approval and thereafter maintained on site until completion of the works.

- r. in respect of Block K full details of all new surface treatments to yard and garden areas, where immediately abutting the listed buildings
8. No development shall take place until the measures outlined in the submitted ecological statements and reports Updated Extended Phase 1 Habitat Survey, Updated Badger Survey and Bat Survey, by PJC Ecology, dated March 2013 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 within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.
9. No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- (i) An appropriate scale plan showing 'wildlife protection zones' where all construction activities are restricted and where protective measures will be installed or implemented.
 - (ii) Details of wildlife features of importance such as ancient woodland, Sites of Nature Conservation Importance and protected species.
 - (iii) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction. These to include measures such as the covering of trenches and manholes, during construction; the safeguarding of badgers setts, runs and foraging area, especially relating to the throughput

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of construction and other vehicular traffic, timing of operational activities; the erection of protective fencing at agreed distances from sensitive habitats and wildlife areas.

- (iv) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed, such as the bird nesting season and other wildlife breeding seasons.**
- (v) Persons responsible for:**
 - (a) Compliance with legal consents relating to nature conservation;**
 - (b) Compliance with planning conditions relating to nature conservation;**
 - (c) Installation of physical protection measures during construction;**
 - (d) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;**
 - (e) Provision of training and information about the importance of 'wildlife protection zones' to all personnel on site.**
 - (f) Species monitoring in accordance with condition 19 below. This list to be updated whenever necessary to keep the contact list current.**

All construction activities shall be implemented in accordance with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

- 10. No development shall take place until permanent fencing and warning signs have been erected in accordance with the approved 'Wildlife Protection Plan for Construction' submitted in accordance with condition 9. All permanent fencing and warning signs will be maintained in accordance with the plan, unless otherwise approved in writing by the Local Planning Authority.**
- 11. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of**

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surveying and monitoring all important and protected species found on site, such as badgers, to show the effects of the scheme during construction and for a period of ten years after the last house has been occupied. The scheme shall include:

- i) A clear statement of the proposed aims and objectives of monitoring;**
- ii) Details and justification for selection of baseline data and any changes or thresholds that, if occurring or reached, will trigger detailed remedial measures;**
- iii) Details of positive conservation targets along with any associated performance standards or success criteria that will indicate that targets have been reached;**
- iv) Details of the important and protected species and their places of shelter such as sett, hibernation sites, that are to be monitored;**
- v) Methods for sampling and analysing, including the timetable and location for field survey;**
- vi) Details of any legally required licences obtained from statutory agencies for the duration of the period of the construction and any changes to those licences which may be necessary during and post construction;**
- vii) Submission of a report on the monitoring to the local planning authority at intervals to be agreed after the commencement of construction works, or as otherwise approved in writing by the local planning authority, including a report on actual or anticipated changes in communities or populations, the reasons for the changes and any remedial measures considered to be necessary to modify the changes;**
- viii) Procedures to be put in place to enable the monitoring reports to be considered by the local planning authority in consultation with the developer. Should the local planning authority consider that remedial measures are necessary as a result of considering the monitoring report and any consultation responses under the above clause they shall give written notice to the developers. Within one month of receiving such written notice from the local planning authority the developers shall submit a scheme of remedial measures which shall include (but should not be limited to) the further mitigation and/or changes to any approved mitigation schemes and /or changes to working practices and programme of implementation for the approval of the local planning authority. The approved remedial measures shall be implemented in accordance with the approved scheme and programme unless otherwise approved in writing by the local planning**

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authority.

12. **No development shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs lighting etc.); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration.**
13. **All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.**
14. **No development shall take place until full details of all boundary fences, walls and enclosures have been submitted to and approved in writing by the Local Planning Authority. All such boundary fences, walls and enclosures shall be erected before the building to which it relates is occupied.**
15. **No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development. New soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme. 16. All planting seeding or turfing comprised in the approved soft landscaping scheme 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**

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Local Planning Authority gives written consent to any variation.

16. **No development shall take place until temporary protective fences to safeguard the trees and/or hedges to be retained on the site have been erected in accordance with the current BSI 5837 standards and to the satisfaction of the Local Planning Authority. All such fences 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.**

17. **No demolition or development shall commence on site until a Construction Management Plan setting out mitigation measures to protect against disruption caused during demolition and construction has been submitted to and approved in writing by the Local Planning Authority. The management Plan shall Include:**
 - a) **Parking for vehicles of site personnel, operatives and visitors;**
 - b) **loading and unloading of plant and materials;**
 - c) **storage of plant and materials**
 - d) **programme of works (including measures for traffic management)**
 - e) **Proposed methods of excavation, demolition, piling and all other construction associated with the development;**
 - f) **Noise and vibration monitoring arrangements for any piling that may be undertaken;**
 - g) **Methods of controlling dust emissions from the site**
 - h) **Details of wheel washing facilities and equipment to be provided during periods of demolition, excavations, earthworks and construction to be provided within the site to prevent the carrying and deposition of mud, dust or other debris on their wheels and to prevent contamination and damage to adjacent roads.**

18. **Prior to demolition works commencing on site or the commencement of development 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**

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and/or the approach road the hours of delivery/collection should avoid peak traffic flow times and the size of vehicles should be restricted).

19. (i) detailed site investigation for the presence of contaminants, methane and carbon dioxide in soil shall be submitted to and approved by the Local Planning Authority prior to the commencement of construction works on site. Details of the investigation shall be approved by the Local Planning Authority prior to investigative works commencing. Such investigation and assessment should be carried out by suitably qualified personnel in accordance with current Government, Environment Agency and British Standard Guidance. Should any significant risks be identified by such an investigation, a remediation scheme including suitable monitoring and verification methodologies shall be agreed in writing by the Local Planning Authority.
 - (ii) The remediation scheme, as agreed by the Local Planning Authority, shall be fully implemented before the development is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. The remediation scheme is to include considerations and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval. On completion of the works the developer shall provide written confirmation that all works were completed in accordance with the agreed details.
20. The new estate roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to their subsequent adoption as publicly maintained highway.
 21. No development shall take place within the application site until the applicant or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
 22. No development shall take place within the application site until the applicant or their agents or successors in title, has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with a written scheme of investigation which has been submitted to

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and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller excavation, then construction work shall cease until the applicant has secured the implementation of a programme of archaeological work in accordance with a revised written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

23. There shall be no obstruction to visibility in either direction onto Archery Road within splays of 2.4 X 43 metres at the junction with the access roads into the development
24. The development shall not be occupied 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 vehicles.
25. 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.
26. Development shall be carried out in accordance with the details approved under condition 25 and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed.
27. 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.
28. No dwelling hereby approved shall be occupied until readily accessible storage space for refuse bins awaiting collection have been provided to the satisfaction of the Local Planning Authority.
29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby approved shall be kept available for the parking of motor vehicles at all

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times.

- 30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-G shall take place on the dwellinghouses hereby permitted or within their curtilage.**
- 31. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no television, radio aerial, satellite dish or other form of antenna shall be affixed on the exterior of any building forming part of the development hereby permitted.**
- 32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the flank elevations of Blocks C, D, F, G, H, L, M of the development hereby permitted.**
- 33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed forward of the principal wall of the dwellings forming Blocks C and F.**
- 34. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework 2012 or any future guidance that replaces it. The scheme shall include:**

 - (ii) the numbers, type, tenure and location on the site of the**

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affordable housing provision to be made, which shall consist of not less than 56% of housing units which equates to 68 housing units.

- (iii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing. The phasing of occupancy within the scheme for the provision of affordable housing shall include a requirement that no more than 50% occupancy of the market housing shall be allowed until 100% of the affordable housing units have been constructed.**
- (iv) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);**
- (v) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**
- (v) a signed nomination agreement setting out the Council's rights to nominate from its housing register (or another list that the Council is required to keep for the discharge of its housing responsibilities) a new tenant or tenants in respect of three of every four Dwellings which become true voids.**
- (vi) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**
- (vii) details of the notice given to the Council when a vacancy of an affordable unit becomes available and when a vacancy has been filled.**
- (viii) details of liability connected with the exercise of Nomination Rights, which shall require that the loss of rent, Service Charge, for any legal or other costs or fees or any other expenses incurred by the Housing Association arising from the exercise of the Nomination Rights shall remain with, be covered by and be the responsibility of the Housing Association.**

Reasons:

- 1. This Condition is imposed in accordance with the provisions of**

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Section 91 of the Town and Country Planning Act 1990.

- 2. To safeguard the amenity of adjoining and future residents. (Hastings Local Plan 2004 Policies DG1 and DG3).**
- 3. For the avoidance of doubt and in the interests of proper planning.**
- 4. In the interests of the character and amenity of the St. Leonards West Conservation Area.**
- 5. In the interests of the character and amenity of the St. Leonards West Conservation Area.**
- 6. To ensure a satisfactory form of development and in the interests of the character and amenity of the St. Leonards West Conservation Area.**
- 7. In the interests of the character and amenity of the St. Leonards West Conservation Area.**
- 8. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 Policies NC8 and NC9.)**
- 9. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9.)**
- 10. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9.)**
- 11. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9.)**
- 12. In the interests of the character and amenity of the St. Leonards West Conservation Area.**
- 13. In the interests of the character and amenity of the St. Leonards West Conservation Area.**
- 14. In the interests of the character and amenity of the St. Leonards Conservation Area.**
- 15. In the interest of the character and amenity of the St. Leonards**

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West Conservation Area.

- 16. In the interest of the character and amenity of the St. Leonards West Conservation Area.**
- 17. In the interest of the character and amenity of the St. Leonards West Conservation Area.**
- 18. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1).**
- 19. In the interests of highway safety and for the benefit and convenience of the public at large.**
- 20. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.**
- 21. In the interest of public safety.**
- 22. In view of the position of the site in an area of archaeological interest. In accordance with the aims of Policy C6 in the Hastings Local Plan 2004.**
- 23. In view of the position of the site in an area of archaeological interest. In accordance with the aims of Policy C6 in the Hastings Local Plan 2004.**
- 24. To ensure that an acceptable standard of access is provided in the interest of pedestrians safety.**
- 25. In order that the development is accessible by non-car modes and to meet the objectives of sustainable transport.**
- 26. To ensure a satisfactory form of development in the interests of the character and amenity of the area.**
- 27. To ensure a satisfactory form of development in the interests of the character and amenity of the area.**
- 28. To ensure the delivery of sustainable development in accordance with the interests of the NPPF and emerging Policy EC4 of the Development Managing Plan.**

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- 29. To ensure the delivery of sustainable development in accordance with the interests of the NPPF and emerging Policy EC4 of the Development Managing Plan.**
- 30. To ensure the delivery of sustainable development in accordance with the interests of the NPPF and emerging Policy EC4 of the Development Managing Plan.**
- 31. In the interests of the character and amenity of the St. Leonards West Conservation Area.**
- 32. In the interests of the character and amenity of the St. Leonards West Conservation Area.**
- 33. In the interests of the character and amenity of the St. Leonards West Conservation Area.**
- 34. To ensure that the proposal provides an appropriate level of affordable housing provision within the development and to meet the requirements of Policies H3 and C11 of the Hastings Planning Strategy Local Plan (2014).**

Notes to the Applicant

- 1. There may be badgers on the site and your attention is drawn to the provisions of the Badger Protection Act 1992. It is a criminal offence to kill or injure a badger; to damage or obstruct access to its sett; or to disturb a badger when it is occupying a sett.**
- 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).**
- 4. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.**
- 5. It will be necessary to enter into a Section 38 Agreement for the adoption of the roads before works commence.**

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6. Due to the nature of the highway in the vicinity of the site, construction traffic could damage the carriageway/verges. The highway authority will require the applicant to reimburse their legitimate expenses in making good any such damage. Prior to the commencement of development the applicant should contact East Sussex highways 0345 60 80 193 to arrange a photographic survey and joint inspection of the local highway network.
7. The developer should enter into a formal agreement with southern Water to provide necessary sewerage infrastructure required to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688) or www.southernwater.co.uk
8. A formal application to requisition water infrastructure is required in order to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688) or www.southernwater.co.uk
9. Consideration should be given to the provision of domestic sprinkler systems within the properties.
10. The applicant is advised that the UPVC windows within the development shall be of a slim line form that responds positively to the character and appearance of the conservation area.

110. PLANNING APPLICATIONS:

110.1 Shearbarn Holiday Park, Barley Lane, Hastings

Proposal:	Change of use of private syndicate fishing lake to amenity land in association with Shearbarn Holiday Park and including public fishing. Construction of footpath.(Retrospective)
Application No:	HS/FA/15/01030
Existing Use:	Caravan park
Public Consultation:	10 letters of objection received

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Mrs Meppem, Assistant Planner updated the Committee on an amendment to informative number. 4 to read:

The applicant is advised that formal planning permission would be required for any additional structures or **earth works on site**, including maintenance sheds, fishing shelters etc. and any reinforcement works to the lake edge to create fishing platforms. Prior to submitting an application pre-application advice should be sought from the Local Planning Authority to ascertain the likelihood of such a proposal being considered acceptable

Additional representations had also been received since the agenda had been published. These were circulated to members of the committee.

Councillor Cooke proposed approval of the recommendations set out in the resolution below. This was seconded by Councillor Edwards.

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

1. **Within six months of the date of this permission the following details shall be submitted to and approved in writing by the Local Planning Authority**
 - **Details of the boundary treatment along the border of the site with the Country Park**
 - **Details of the fence denoting the edge of the footpath hereby approved**
 - **Details of the information boards to be installed along the footpath and around the wider site**

All such boundary treatment and information boards shall be erected within a time scale agreed by the Local Planning Authority and maintained to an acceptable level thereafter.

2. **The works hereby approved shall be carried out in accordance with the recommendations within the Preliminary Ecology Appraisal dated 11.05.2016 produced by The Ecology Consultancy.**
3. **Within six months of the date of this permission details shall be submitted to and approved in writing by the Council of the measures to enhance and improve the biodiversity within the reservoir in accordance with the recommendations within the Preliminary Ecology**

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Appraisal produced by The Ecology Consultancy. The development shall then be carried out in accordance with the approved details.

- 4. At no time shall any lighting, permanent or temporary, be installed along the footpath hereby approved**
- 5. The track way hereby approved shall be for pedestrian access only except in emergency situations or for maintenance purposes.**
- 6. The development hereby permitted shall be carried out in accordance with the following approved plans and details: 37221000B, 37221002B and the preliminary ecology appraisal produced by The Ecology Consultancy date 11.05.2016.**

Reasons:

- 1. In the interests of the safety and protection of flora and fauna on the site.**
- 2. To ensure the works are carried out in accordance with Best Environmental Practice.**
- 3. To protect and enhance the biodiversity and ecological features of the site.**
- 4. In the interests of the safety and wellbeing of bats and other wildlife on the site.**
- 5. In the interests of the safety and protection of flora and fauna on the site.**
- 6. For the avoidance of doubt and in the interests of proper planning.**

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.**

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3. **A separate application, to be submitted in accordance with the Advertisement Regulations, may be required for the display of the information boards, which cannot be approved as part of this permission.**
4. **The applicant is advised that formal planning permission would be required for any additional structures or earth works on site, including maintenance sheds, fishing shelters etc. and any reinforcement works to the lake edge to create fishing platforms. Prior to submitting an application pre-application should be sought from the Local Planning Authority to ascertain the likelihood of such a proposal being considered acceptable.**

110.2 Land adjacent, 99 West Hill Road, St Leonards on Sea

Proposal:	Erection of detached house with two parking spaces
Application No:	HS/FA/15/00511
Existing Use:	Residential Curtilage
Conservation Area:	Yes - Grosvenor Gardens
Listed Building:	No
Public Consultation:	28 letters of objection, 1 petition and 1 letter of support received

Mrs Meppem, Assistant Planner, presented the application.

On 13 May 2016, an order was issued by the Court of Appeal which gave legal effect to a policy set out in the Written Ministerial Statement of 28 November 2014. As a result, the Council was no longer able to seek an affordable housing contribution in relation to this application.

The application was the same as previously agreed by the Committee at its meetings on 25 November 2015 and 23 February 2016, with the exception of an amendment to the affordable housing paragraph and the deletion of a resolution to grant permission subject to an affordable housing contribution.

Councillor Dowling proposed a motion to approve the application. This was seconded

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by Councillor Rogers.

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. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the proposed dwelling 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.**
- 3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development. New soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme.**
- 4. All planting seeding or turfing comprised in the approved soft landscaping scheme 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.**
- 5. No development above ground shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs lighting etc.); proposed and existing**

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functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

6. The development shall not be occupied until the 2 parking areas have been provided in accordance with the submitted plan (Drawing No.DRWG/DH/03). Thereafter the parking areas shall be retained for that use and shall not be used other than for the parking of motor vehicles.
7. The development shall not be occupied until cycle parking areas have been provided in accordance with the submitted plan (Drawing No. DRWG/DH/04).
8. No development shall take place until the investigations outlined in paragraph 6.1 of the submitted Land Stability Assessment by GabrielGeo Consulting, dated 5th October 2015 have been carried out and the resulting report and/or plans submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved report/plans.
9. 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.
10. During the construction phase the following Ecology requirements shall be adhered to;

Mammals

- Gaps should be left beneath any perimeter fencing to allow free access for foraging mammals.
- Any trenches left open overnight should incorporate a ramp – such as a scaffolding plank – to allow any trapped wildlife to escape.

Nesting birds

- The timing of any construction activity should recognise the possibility that nesting birds might be present. Disturbance should

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therefore be avoided during the recognised bird nesting season which ranges from the beginning of March to the end of July.

Reptiles

– All vegetation should be regularly maintained at a short height - or removed - to prevent the development of habitat which is favourable to reptiles.

– Site clearance of vegetation should be done with care, and in such a way as to enable any reptiles that might be present to be safely driven towards retained or adjacent habitat.

– Piles of debris, including logs, tiles, rubbish and vegetation all have the potential to be colonised by reptiles; such material should not be allowed to accumulate. If such debris does appear it should be removed off site by dismantling it carefully by hand, which will then allow any reptiles that may be present to escape.

– Compost heaps, or piles of vegetation waiting to be burnt, can provide a favourable habitat, particularly to hedgehogs and slow worms. Any dismantling of such heaps should be done by hand and with care, to ensure that any animals or reptiles they may contain are not injured. If possible, alternative compost heaps should be established elsewhere on the site to ensure that a continuity of habitat is retained.

11. (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 dwelling hereby approved shall occur until those works have been completed.
 - (iii) No occupation of any of the dwelling 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.
-
12. The surface water management proposals formulated for the detailed design stage should be supported by detailed hydraulic calculations showing a 'like for like' discharge rate between the existing and proposed scenarios during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events.

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- 13. The development hereby permitted shall be carried out in accordance with the following approved plans and details: DRWG/DH/01, 02, 03, 04, 05. JC/KD/01A and Land Stability Assessment carried out by GabrielGeo Consulting dated 5th October 2015.**

Reasons:

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.**
- 2. To ensure that the finished development takes proper account of the character of the surrounding area in its use of external materials in the interests of the amenity of the area.**
- 3. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 4. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 5. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 6. In the interests of the amenity of the neighbouring residential occupiers.**
- 7. In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.**
- 8. To protect future residents and users of the development in the interests of Health and Safety.**
- 9. To safeguard the amenity of adjoining residents.**
- 10. In the interests of the safety and wellbeing of potential wildlife on the site.**
- 11. To prevent increased risk of flooding.**
- 12. To prevent increased risk of flooding.**

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- 13. For the avoidance of doubt and in the interests of proper planning.**

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. East Sussex County Council, must be consulted regarding the provision of a vehicular pavement crossing to Highway Authority's standard of specification and construction and at the applicant's expense.
Contact: highways@eastsussex.gov.uk 0345 6080 193.**
- 4. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: developerservices@southernwater.co.uk.**
- 5. In the event that any sewers are found within the site the applicant is advised to contact Atkins Ltd. Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Telephone 01962 858688) or www.southernwater.co.uk.**
- 6. Consideration should be given to the provision of a domestic sprinkler system.**

110.3 Garage between 28 - 30 Priory Close, Hastings

Proposal:	Outline - Demolition of garage and erection of a dwelling
Application No:	HS/OA/15/01019
Existing Use:	Vehicle garages
Conservation Area:	No

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Listed Building: No

Public Consultation: 3 letters of objection received

Councillor Sabetian, having declared a prejudicial interest in this application, left the chamber during the debate.

The Planning Services Manager advised of further updates to the report. Condition 5, as set out in the resolution below, as this requires development to be built in accordance with submitted plans however the application is outline and some of the plans are illustrative. Conditions 1 and 2 require reserved matters to be submitted which include layout, scale and external appearance. Therefore the condition was amended as follows:

Condition no. 5:

The development hereby permitted, shall be carried out in accordance with the following approved plans:

487/B7A and 487/OS

Informative 7, which stated that the permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended), 15 December 2015, was removed.

The application was for outline planning permission for the demolition of an existing double garage and its replacement with a new single storey detached dwelling. The Planning Services Manager gave an overview of the relevant Planning history in relation to the site. One of the trees on the site is protected by a Tree Preservation Order; however, the arboriculture report states that it will be possible for the development to proceed.

Councillor Edwards proposed motion to approve the application. This was seconded by Councillor Cooke.

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

- 1. Approval of the details of the layout, scale and external appearance of the building(s), the means of access thereto and 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 scale, design and external appearance of any**

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buildings to be erected, the means of access to the site and 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 development hereby permitted, shall be carried out in accordance with the following approved plans:**

487/B7A and 487/OS
- 6. The development shall not be occupied until parking areas have been provided in accordance with the submitted drawing no.487/B1 and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.**
- 7. The development shall not be occupied until a cycle parking area has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.**
- 8. The development shall not be occupied until details of readily accessible external storage space for refuse bins awaiting collection has been submitted to and approved in writing by the Local Planning Authority. The refuse storage shall be provided in accordance with the approved details prior to any occupation.**
- 9. (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 and thereafter maintained.**

(ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of the dwelling hereby approved shall occur until those works have been completed and thereafter maintained

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- (iii) No occupation of the dwelling 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 and thereafter maintained.
10. The reserved matters details submitted for conditions 1 & 2 above shall include details of appropriate climate change mitigation and adaptation measures as required by policy SC3 of the Hastings Local Plan, The Hastings Planning Strategy 2011-2028. The details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained.
11. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband and thereafter maintained.
12. 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.
13. 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.
14. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development. New soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where

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appropriate together with an implementation programme.

15. All planting seeding or turfing comprised in the approved soft landscaping scheme 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.
16. No development above ground shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed boundary treatment, finished levels or contours; means of enclosure; car parking layouts pedestrian access; hard surfacing materials; proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.
17. All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
18. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling 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.
19. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping in conjunction with a roof plan, specifically in relation to the approved green roof, which shall include planting plans, written specifications, schedule of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation and maintenance programme and thereafter

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maintained.

- 20. No development shall take place until all measures outlined in section 4 of the submitted Arboricultural Survey prepared by PJC Consultancy Ltd, dated 12 January 2016 have been fully implemented.**
- 21. No development shall take place until a plan has been submitted to and approved by the Local Planning Authority showing a minimum built-in storage area of 2m² has been incorporated within the approved dwelling.**

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. For the avoidance of doubt and in the interests of proper planning.**
- 6. To ensure an adequate level of off-street parking to serve the development.**
- 7. In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.**
- 8. To ensure a satisfactory form of development in the interests of the character and amenity of the area.**
- 9. To prevent increased risk of flooding.**
- 10. To ensure the development complies with policy SC3 of the Hastings Local Plan: The Hastings Planning Strategy.**
- 11. To ensure the development complies with policy SC1 of the Hastings Local Plan: The Hastings Planning Strategy.**

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- 12. To safeguard the amenity of adjoining residents.**
- 13. In the interests of highway safety and for the benefit and convenience of the public at large.**
- 14. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 15. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 16. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 17. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 18. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 - Policy DG1).**
- 19. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 20. To ensure good arboricultural practice.**
- 21. To ensure satisfactory storage space is provided for future occupiers.**

Notes to the Applicant

- 1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.**
- 2. A formal application for connection to the public foul sewerage system may be required in order to service this development, please contact Southern Water, Southern House, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Telephone: 0330 303 0119) or www.southernwater.co.uk.**
- 3. In the event that any sewers are found within the site the applicant is advised to contact Southern Water, Southern House, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Telephone: 0330 303 0119) or www.southernwater.co.uk.**

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4. **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.
5. **All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 3 metres of the public water main without the consent of Southern Water.**
6. **Consideration should be given to the provision of a domestic sprinkler system.**

110.4 Land adjoining Lidham Farmhouse, Rye Road, Hastings

Proposal:	Erection of two storey dwelling
Application No:	HS/OA/15/00719
Existing Use:	Curtilage of existing residential dwelling
Conservation Area:	No
Listed Building:	No
Public Consultation:	3 letters of objection received

The Planning Services Manager presented this application which was for outline planning permission for the erection of a detached two storey dwelling. As all matters are reserved, the applicant is seeking approval for the principle of the development only and would submit full details of the scheme if and when they receive outline planning permission.

Councillor Rogers proposed a motion to approve the application. This was seconded by Councillor Roberts.

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

1. **Approval of the details of the layout, scale and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from**

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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 siting, design and external appearance of any buildings to be erected, the means of access to the site, parking, cycle storage and 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 development hereby permitted shall be carried out in accordance with the following approved plans:

111/154/sk01, 02A.**
- 6. No dwelling hereby approved shall be occupied until readily accessible external storage space for refuse bins awaiting collection has been provided to the satisfaction of the Local Planning Authority.**
- 7. (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, in consultation with Southern Water.

(ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of the dwelling hereby approved shall occur until those works have been completed.

(iii) No occupation of the dwelling 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.**

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8. No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority, in consultation with Southern Water:

- 1. The exact position of sewers (to be determined on site) before the layout of the proposed development is finalised**
- 2. The measures undertaken to protect public sewers**

Development shall be carried out in accordance with the details approved prior to the commencement of development.

9. The reserved matters details submitted for conditions 1 and 2 above shall include details of appropriate climate change mitigation and adaptation measures as required by Policy SC3 of the Hastings Planning Strategy 2014. The details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

10. Before the development hereby approved is occupied, provision shall be made for the ability to connect to fibre based broadband.

11. 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.

12. During any form or earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site. Details of this equipment should be submitted to and approved in writing by the Local Planning authority prior to the commencement of development.

13. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development. New soft landscaping details shall include planting

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plans (including replacement trees for those lost); written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme.

14. All planting seeding or turfing comprised in the approved soft landscaping scheme 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.
15. No development above ground shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.
16. All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
17. No development shall take place above ground until samples of the materials to be used in the construction of the external surfaces of the dwelling 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.
18. No development shall take place until the measures outlined in the submitted Phase 1 Ecological Report (November 2015) prepared by Wildlife Splash Limited have been fully implemented, unless:

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- (i) the programme for such measures is otherwise specified within that document, 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 within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.**
- 19. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:**
- a) Risk assessment of potentially damaging construction activities.**
 - b) Identification of "biodiversity protection zones".**
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).**
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.**
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.**
 - f) Responsible persons and lines of communication.**
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.**
 - h) Use of protective fences, exclusion barriers and warning signs.**

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reasons:

- 1. The application is in outline only.**
- 2. The application is in outline only.**

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- 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. For the avoidance of doubt and in the interests of proper planning.**
- 6. In the interests of the visual amenity of the area.**
- 7. To prevent increased risk of flooding.**
- 8. To prevent increased risk of flooding.**
- 9. To ensure a satisfactory standard of development in accordance with Policy SC3 of the Hastings Planning Strategy 2014.**
- 10. To ensure a satisfactory standard of development in accordance with Policy SC1 of the Hastings Planning Strategy 2014.**
- 11. To safeguard the amenity of adjoining residents.**
- 12. To prevent contamination and damage to the adjacent roads.**
- 13. In the interests of the visual amenity.**
- 14. In the interests of the visual amenity.**
- 15. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 16. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 17. In the interests of the visual amenity of the area.**
- 18. To protect features of recognised nature conservation importance.**
- 19. To protect features of recognised nature conservation importance.**

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. A formal application for connection to the public foul sewerage system may be required in order to service this development, please contact Southern Water, Southern House, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Telephone: 0330 303 0119) or www.southernwater.co.uk.**
- 4. In the event that any sewers are found within the site the applicant is advised to contact Southern Water, Southern House, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Telephone: 0330 303 0119) or www.southernwater.co.uk.**
- 5. All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 3 metres of the public water main without the consent of Southern Water. No new soakaways should be located within 5m of public sewer.**
- 6. Consideration should be given to the provision of a domestic sprinkler system.**
- 7. The applicant is advised to consult the Environment Agency regarding the use of a sewerage treatment plant, which disposes of effluent to sub-soil irrigation. The owner of the premises will need to maintain the works to ensure its long term effectiveness.**

111. PLANNING APPEALS AND DELEGATED DECISIONS

The Planning Services Manager submitted a report which informed the Committee of any planning appeals that have been lodged, any decisions received from the Planning Inspectorate and the number of delegated decisions made between 13 June and 15 July 2016. The report was noted.

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(The Chair declared the meeting closed at. 8.03 pm)