

PLANNING

27 MARCH 2024

Present: Councillors O'Callaghan (Chair), Beaver (Vice-Chair), Bacon, Beaney, Cannan, Collins, Edwards, Evans, Sinden and Williams

Officers: Eleanor Evans (Planning Service Manager), Paula Slinn (Planning Lawyer), Emily Meppem (Senior Planning Officer), Chris Wilkins (Arboriculturalist)

15. APOLOGIES FOR ABSENCE

None

16. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Cllr Beaver	all	Personal – East Sussex County Councillor
Cllr Williams	5a	Personal – Ward Councillor

17. MINUTES OF PREVIOUS MEETING 28/02/24

RESOLVED – that the minutes of the meetings held on 27th February 2024 be approved as a true record.

18. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None

19. PLANNING APPLICATIONS

19.1 66 Filsham Road, St Leonards-on-sea (HS/OA/23/00697)

Proposal	Outline Planning Permission seeking approval for Access, Appearance and Scale for a proposed new 2 bed dwelling in the rear garden of No. 66 Filsham Road. Amended description.
Application No	HS/OA/23/00697

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Conservation Area	No
Listed Building	No
Public Consultation	Yes – 2 in support, 17 objecting

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The Senior Planning Officer presented the application. There were two further objections since the publishing of the agenda. No new points of concern raised above those already noted in the Officer's report.

Councillors were shown plans and photographs of the application site.

The Senior Planning Officer explained it is a residential area with no clear defining characteristics in terms of architecture. Slides were show of the pre application scheme and the changes made to the application which is now a single storey building. For access garage is being demolished and an acoustic fence is being installed.

There has been an ecology survey submitted that says that none of the trees on site had features that would provide potential for bat roosts and the existing garage didn't provide any potential for roosting bats. There was a slide shown from the Arboricultural report. The Senior Planning Officer explained the trees are not TPO trees, and the site is not in a conservation area. The applicant has the right to do work to the trees without the council's consent though the scheme does include compensatory landscaping. The development provides additional housing in a sustainable location and meets requirements in terms of local and national planning policy.

The Committee asked questions to the Officer.

Cllr Edwards asked regarding the other sites on the road with infilled plots. The Senior Planning Officer confirmed the development further down the road is on a larger site. The Planning Service Manager explained the development further down the road is a two storey building where this application is a bungalow.

Cllr Beaver asked regarding the access to the garage. The Senior Planning Officer answered that the garage will be removed.

Cllr Evans asked about the loss of green space. The Senior Planning Officer answered that drainage would be part of the reserved matters. The trees grading is part of the Arboricultural report. The Arboriculturalist added that the planting of new hedges will be a habitat for wildlife.

Cllr Collins asked what varieties of hedges and trees are recommended? The Arboriculturalist answered that thorn hedges and trees that would not be broadly spreading. The soft landscaping, once it is established should be an improvement on what is present.

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Cllr Edwards asked regarding birds nesting in the trees. The Arboriculturalist answered the trees are leggy and open and are not ideal for nesting.

Cllr Collins asked if the drainage will be able to cope with increased rainfall? The Senior Planning Officer answered that there would be a requirement for the applicant to prove drainage as part of the future scheme.

Cllr Beany asked regarding parking? The Senior Planning Officer answered the loss of the garage is not considered detrimental to the existing parking levels on site. The Planning Service Manager explained that according to East Sussex County Council standards a garage is one third of a parking space.

Cllr Evans asked regarding the infrastructure to deal with sewage. The Senior Planning Officer answered it will be for the applicant to provide plans and this will be part of the drainage condition. The plans will need to demonstrate that the site can contain or dealing with any surface water. This will be consulted with Southern Water and the information will be public.

Councillors debated.

Cllr Beaver proposed approval of the recommendation, seconded by Councillor Sinden.

RESOLVED (6 Votes for, 3 Votes against, 1 abstention)

Grant Outline Planning Permission subject to the following conditions:

1. No development shall start until details of the:

- a) Landscaping
- b) Layout

hereafter called "the reserved matters" have been submitted to and approved in writing by the Local Planning Authority. Application for the approval of the reserved matters shall be made within three years of the date of this permission. The development shall accord with the approved details.

2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to layout and the soft and hard 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

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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 details referred to in the reserved matters to be submitted pursuant to the requirements of Condition 1 above shall be based on the following indicative drawing numbers:-
JG-10 A, JG-11 A, JG-12, JG-13, JG-14, JG-15 A, JG-16 A.
6. No development shall take place until the measures outlined in the submitted Preliminary Ecological Appraisal dated February 2023 and the Arboricultural Report (AR/126723) dated February 2023 prepared by The Mayhew Consultancy Ltd have been fully implemented unless the scheme(s), or programme(s) of measures contained within the reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.
7. The hard landscape details submitted pursuant to condition (1) above, shall include full details of the following;
 - Details of the proposed materials for the new drive way, parking and turning areas along with method for dealing with water run-off;
 - Means of enclosure/boundary treatment
 - Proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).

All hard-landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority.

8. The details submitted in pursuance of condition (1) above shall show car parking and turning areas in accordance with the approved County Parking Standards. The parking space shall be a minimum of 2.5m by 5m with an extra 0.5m where a space abuts a wall and upon approval the areas shall be provided, surfaced and drained in accordance with the approved details prior to first occupation of the unit, and thereafter the areas shall be retained for that use and shall not be used other than for the parking of motor vehicles.
9. The soft landscaping details submitted pursuant to condition (1) above, shall include the following;
 - A proposed soft landscaping and planting plan,
 - A schedule of trees, hedges and plants, noting species, plant sizes,

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proposed numbers and densities (where appropriate) together with an implementation programme;

- Finished levels or contours;
- Means of enclosure/boundary treatment
- Proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).

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

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

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

10. Prior to occupation of the dwelling hereby approved, details of the 1.8m acoustic fencing, shown on plan JG - 16 A are to be submitted to and approved in writing by the Local Planning Authority. The submitted details shall show the acoustic fence positioned on the side boundary that separates the site and No. 64 Filsham Road and shall extend the full length of the driveway leading to the bungalow, hereby approved. The acoustic fence shall then be installed in accordance with the approved details on site prior to occupation of the dwelling hereby approved. The acoustic fence shall thereafter be and retained and maintained in a good condition for the perpetuity of the development. If the acoustic fence becomes damaged for any reason, a replacement acoustic fence is to be installed to the same specification.
11. The details submitted pursuant to condition (1) above, shall include full details of the materials to be used in the construction of the external surfaces of the development. Thereafter development shall be carried out in accordance with the approved details and the works shall be carried out prior to first occupation of any part of the development or in accordance with a programme agreed in

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writing by the Local Planning Authority.

12. (i) Prior to commencement of development details of the proposed means of foul sewerage and surface water disposal/management must be submitted to and approved in writing by the Local Planning Authority. The designed system must take into account design standards of those responsible for maintenance, including details of who will be responsible for managing all aspects of the surface water drainage system, including piped drains and evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development

(ii) 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.
13. No demolition or construction shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
 - measures to control the emission of dust and dirt generated by construction and demolition works, including measures to prevent mud on the highway;
 - a scheme for controlling noise and vibration from demolition and construction activities [including details of any piling];
 - the arrangements for deliveries or collections from the site associated with all demolition and construction works, loading/ unloading of plant & materials and their storage and restoration of any damage to the highway [including vehicle crossovers and grass verges].
14. Prior to occupation of the dwelling hereby approved areas for the storage of bins and cycles are to be provided on site, with evidence being submitted to and approved in writing by the Local Planning Authority. These areas are to then be retained on site for the perpetuity of the development.
15. Any bathroom windows in the dwelling hereby approved shall be obscure glazed with obscure glass to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3, or similar equivalent and be permanently fixed shut and non-opening below 1.7 metres from finished floor level. The dwelling hereby approved shall not be occupied until the obscure glass is

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installed, and once installed, the windows shall be permanently maintained in that condition.

16. Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, roof extensions, dormer windows, alterations or any other type of window to the building or the roof of the premises, permitted by Classes AA, B & C of Part 1 of Schedule 2 or AD of Part 20 of Schedule 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.
17. Prior to the commencement of works above ground, details of appropriate climate change mitigation and adaptation measures as required by Policy SC3 and in accordance with the hierarchy of Policy SC4 of the Hastings Planning Strategy 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.
18. 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.
19. (i) All development shall be stopped immediately in the event that asbestos is found to be present on the development site and details of the contamination shall be reported immediately in writing to the Local Planning Authority.

(ii) Development shall be paused until a scientific analysis is carried out by a professional Asbestos surveyor with details of any remediation/mitigation for the safe removal and disposal of the asbestos being submitted to and approved in writing by the Local Planning Authority.

(iii) The development shall not re-start until all necessary remedial works are fully carried out, with confirmation of the completion of any remediation/mitigation being submitted to and approved in writing by the Local Planning Authority.

Reasons:

1. The application is in outline only and to comply with Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. This condition is imposed in accordance with the provisions of Section 92 of

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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. In order to ensure a satisfactory access, site layout, scale, appearance to the development in the interests of the visual amenities, character and appearance of the locality and the amenities of the neighbouring occupiers.
6. To ensure a satisfactory standard of development.
7. In the interests of the visual amenity of the area.
8. In the interests of highway safety and for the benefit and convenience of the public at large.
9. To ensure a satisfactory standard of development.
10. To safeguard the amenity of adjoining and future residents.
11. To ensure a satisfactory standard of development.
12. To ensure a satisfactory standard of development.
13. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
14. To ensure a satisfactory standard of development.
15. To safeguard the amenity of adjoining and future residents.
16. To safeguard the amenity of adjoining and future residents.
17. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
18. To safeguard the amenity of adjoining and future residents.
19. To protect those redeveloping the site, future occupants and neighbouring sites and occupants from potential contamination.

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

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and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.

3. The applicant is advised that they must ensure the proposed works, hereby approved, do not contravene laws protecting wildlife including the Countryside and Wildlife Act 1981. Where the applicant is in doubt they should contact Natural England on wildlife@naturalengland.org.uk Telephone 020 802 61089 or Environment and Natural Resources on parks@hastings.gov.uk Telephone 01424 451107 prior to commencement of any works.
4. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice. More details on the district licensing scheme can be found at www.naturespaceuk.com. Contact details: info@naturespaceuk.com.
5. Consideration should be given to the provision of a domestic sprinkler system.
6. The applicant is advised that condition 16 relates to the bungalow approved under this application only.

20. PLANNING APPEALS AND DELEGATED DECISIONS

The Committee noted the report and the continued hard work of the Planning department

(The Chair declared the meeting closed at. 6.38 pm)