

**Report to:** PLANNING COMMITTEE

**Date:** 27 July 2016

**Report from:** Assistant Director of Housing and Built Environment

**Application Address:** Site of former Hastings College of Arts and Technology, Archery Road, St Leonards-on-sea, TN38 0HX

**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

**Recommendation:** Grant Full Planning Permission

Ward: MAZE HILL  
File No: AR50050T  
Applicant: Laing/Gladedale (Hastings) Ltd per Indigo Planning Ltd Swan Court Worple Road London SW19 4JS

Interest: N/A  
Existing Use: Vacant site

**Policies**  
Conservation Area: Yes - St. Leonards West  
Listed Building: Grade II

**Public Consultation**  
Adj. Properties: Yes  
Advertisement: Yes - Conservation Area  
Letters of Objection: 42  
Petitions Received: 1

Application Status: Not delegated - Petition received

## Summary

This is a full planning application for the erection of 43 new houses, 54 new flats and the conversion of the existing listed buildings to create 24 apartments, making a total of 121 units. The submission follows on from a previously approved scheme (December 2013) for the same number of units.

This submission seeks to make some material alterations to this previously approved planning application, which have come about through the more iterative design process. The changes to the approved scheme are set out within the proposals section of the report.

## **The Site and its Location**

The application site is divided into two distinct parts, separated by a private road and a public footpath. Immediately to the south of the road is the former art block which comprises an attractive Grade II listed building, which has a curved Victorian façade. The building is two storey in height with rooms within the roof slope.

To the south of this building at a lower level was a three storey 1980s block with a mansard roof which has now been demolished.

The topography of the site is important to understand, as the changes in levels have a significant bearing on the proposed layout, and orientation of the buildings. The land rises from south to north, with some of the Victorian Villas to the north enjoying views across the application site.

There remains a number of structures within the site, all of which would be removed (aside from the listed building) as well as areas of hardstanding and internal landscaping.

The character of the surrounding development varies enormously. In West Hill Road, opposite the application site, there are substantial Victorian terraced properties either side of a smaller block of post war flats. At the junction of Quarry Hill and West Hill Road is a tiled building with some mock Tudor detailing next to a single storey building with some Gothic-style fenestration.

At the corner of Archery Road and Quarry Hill is a substantial detached building with tile hanging and mock Tudor features known as the Bannow Retirement Home. Further to the north is "The Mount", a group of predominantly substantial Victorian buildings set above Archery Road, mainly converted into flats set around a tennis court surrounded by trees. At the point of The Mount furthest from the application site there are two smaller more modern properties.

Opposite the north eastern corner of the site is a two storey detached Victorian property which is rendered with a slate roof. Opposite the north western corner are "The Highlands" a group of sandstone Victorian buildings, set above a substantial sandstone retaining wall.

The buildings on the western side of Archery Road opposite the application site are late 20<sup>th</sup> Century blocks of flats. Below these, in the area between Archery Road and West Hill Road are smaller residential properties of various styles. The properties between the application site and West Hill Road comprise two and three storey rendered buildings.

There are a number of trees within the site, a number of which are sought to be retained as part of this proposal.

The Inspectors appeal decision sets out in some detail the site and surrounding area, and in particular the link between the St Leonards Conservation Area within which the site falls and the Burtons' St Leonards Conservation Area. Although these are separately designated, they are both closely associated with the application site in both physical and visual terms.

The characteristics of the conservation areas that are particularly distinctive are the substantial scale of many of the buildings, their finely detailed elevations, which feature bays, pediments and string courses and their use of traditional materials. The areas also include important public and private open spaces such as St Leonards Gardens, around which a number of the original Burton houses are arranged.

The application site lies immediately to the east of the Burtons' St Leonards Conservation Area, and there is an obvious physical link between the site and the conservation area. Given the fact that there were a number of more modern buildings within the site, it is likely that this was the main reason for it not being included within this designation.

Given however the site contains a listed building, and that it lies adjacent to a particularly important conservation area, it is considered that any development within this site needs to be of a particularly high standard of design, as was very much the case when the previous application (HS/FA/13/00590) was approved.

## **Details of the Proposal and Other Background Information**

This development seeks to make a number of amendments to the previously approved scheme HS/FA/13/00590. Concerns have been raised by the local residents and the case officer that this would have resulted in the 'watering down' of the previous approval to the extent that it would no longer be acceptable – particularly given the lengths the authority and residents went to in the first instance to secure such a high standard of design. As such, further amendments were sought which have now addressed the key concerns raised at that stage. This section will provide an overview of the proposal, and then a more detailed breakdown of the proposed changes from the previous approval.

The proposed redevelopment and conversion of the existing college buildings comprises a mix of houses and flats. The total of 121 units is broken up as follows:

- Block A will sit at the top of the site facing Highland Gardens and will comprise 9 X 1 bed and 3 X 2 bed apartments.
- Block B will be located below Block A and will comprise 4 X 1 bed, 14 X 2 bed and 4 X 3 bed apartments.
- Block C will sit to the east of a landscaped square at the centre of the site and will comprise 6 X 4 bed semi-detached houses.
- Block D will be located opposite Archery Villas will comprise 6 X 4 bed houses and 2 X 3 bed houses.
- Block E comprises 2 X 1 bed and 6 X 2 bed apartments.
- Block F lies to the west of a landscaped square at the centre of the site and will comprise 8 X 3 bed houses.
- Block G comprises 4 X 4 bed semi-detached houses.
- Block H comprises 8 X 3 bed houses.
- Block J comprises 10 X 2 bed apartments and 2 X 1 bed apartments.
- Block K is the Grade II listed former art block which will be converted to create 24 units comprising a mix of 3 X 1 bed, 12 X 2 bed and 9 X 3 bed apartments.
- Block L fronts West Hill Road and comprises 7 X 1 bed houses and 1 X 4 bed houses.
- Block M is a 3 bed detached dwellinghouse located at the junction of West Hill Road and Quarry Hill.

The scheme will provide 60% affordable housing.

A new access road is proposed off Archery Road, between Block J and H which will lead directly to Blocks A and B within the site.

Listed Building Consents and Conservation Area Consent have already been granted for the conversion of the Grade II listed Archery Terrace into 24 apartments and the demolition of the existing college buildings on the site.

This proposal seeks to alter the scheme from that previously approved in the following manner:

- Removal of all roof terraces from the affordable housing;
- Remove two of the balconies from the affordable flats;
- Reduce the height of (the stairwell of) building A by 2.2m;
- Reduce the number of lifts by omitting the lift in the western part of building A;
- Alterations to the steps at the front of the proposed crescent (building D);
- Minor changes to fenestration;
- Revise the details of the boundary treatments; and
- Use UPVC windows instead of aluminium on the affordable flats.

Initially it was proposed that the pedestrian footbridge be removed from the scheme, but this has now been reinstated.

## **Previous Site History**

HS/OA/67/01071	Erection of Engineering Training Centre. Granted 14/11/1967
HS/DS/68/00335	Erection of Engineering Industrial Training Centre. Granted 26 April 1968
HS/FA/69/00536	Erection of Administration Building and Car Park. Granted 14 November 1967
HS/CC/78/10327	Construction of Business studies Block and communal Library/Dining Block. Granted 23 August 1978
HS/CC/83/10744	Erection of new Administrative Unit for Hastings College. Granted 01 June 1983
HS/CA/09/00483	Demolition of existing buildings Conservation Area Consent. Granted 21 June 2012
HS/LB/09/00484	Conversion of Grade II listed terrace to create 24 residential units. Granted Listed Building Consent 21 June 2012
HS/FA/09/00482	Conversion of Grade II listed terrace, demolition of all other structures and erection of 122 residential units. Appeal Dismissed 20 December 2012
HS/FA/13/00590	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. Granted 26 February 2014.

A number of applications have been submitted to discharge conditions for the listed building consent that was granted in 2012.

## **Details of Consultations**

### **Hastings Borough Council Building Control – No objections.**

*'I refer to your memorandum dated 15 April with respects to the above planning application and would confirm that as a major scheme within the town the full requirements of the building regulations are required to be met, particularly in relation to Part L 2013 for both the new build and the buildings within the conservation area.*

*Both the applicant and agent are known to the LA with the major discussion items being; means of escape, fire brigade access, 'brownfield site' assessment; sound resistance; background ventilation provisions to reduce the risk of overheating; foul and surface water drainage, disabled access and Part L requirements*

### **Hastings Borough Council Housing - No objections.**

*'The application is supported by the Housing Strategy Team as per compliance with the Local Plan Policy H3 – provision of affordable housing.'*

### **Hastings Borough Council Conservation Officer – No objections**

The Conservation Officer raises no objections to the proposal subject to the imposition of suitable safeguarding conditions as set out at the end of the report.

### **Highway Authority – No objections.**

The Highway Authority do not consider that there are sufficient grounds to seek to refuse this planning application on highways grounds. They note that a previous application has been approved for the same number of units, and seek that the same conditions be imposed upon any permission as per the previous planning consent.

### **Building Control – No Comment**

Building control were consulted but have not responded on this application.

### **Environmental Heath (contamination land) – No objections.**

Environmental Heath were consulted and raised no objections to the proposal subject to the imposition of suitable safeguarding conditions which are set out at the end of the report.

### **Environmental Health (noise) – No objections.**

There are no objections with regards to noise, although conditions are suggested with regards to the construction phase which are included.

### **Southern Water – No objections**

Southern Water have raised no objections to the proposal although they have expressed concern that there is insufficient capacity within the locality for foul water. They therefore request that the applicants ensure that there is sufficient capacity prior to occupation, and

recommend suitable conditions and informatives to ensure that this is delivered appropriately.

### **Historic England – No objections**

Historic England have raised no objections to the proposal, and have sought for the application to be determined in accordance with national and local policy guidance.

### **Natural England – No objections**

They do state however:

*'The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process.'*

*We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development'.*

### **Environment Agency – No comment**

The Environment Agency were consulted but did not comment on this proposal, rather suggesting that the County Council should respond on surface water aspects of the proposal.

### **East Sussex County Council Flood Risk Management – No objections**

The County Council initially requested that further information be submitted with regards to this application, which was subsequently provided by the applicant. The County have assessed this information and raise no objections to the proposal, but do request that a number of conditions be imposed to ensure that the mitigation be delivered in an appropriate manner. These conditions are set out at the end of the report.

### **Representations**

Neighbouring occupiers of the site were notified of the application and to date a petition and 51 letters of objection have been received from 42 different properties. The concerns raised within these letters are summarised below.

- The proposed development would not be of the required standard of design for the location;
- The proposal would not be of such a high standard of design as previously approved;
- The impact of the proposal upon the highways (and parking provision);
- The loss of the steps to the properties opposite James Burton Crescent would be to the detriment of the scheme;
- The proposal would result in a 'ghetto';
- There would be the lack of a play area for children;

- There would be a detrimental impact upon ecology;
- There would be too many units on the site.

These issues are fully addressed within the main body within the report (unless not considered a material planning matter).

## **Planning Considerations**

### Principle -

Section 38(6) of the Planning and Compulsory Purchase Act (2004) states:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

Policy LP1 of the Hastings Local Plan (Development Management Plan 2015), paragraph 4.3 of the Hastings Local Plan (Planning Strategy 2014) and paragraph 14 of the NPPF set out a presumption in favour of sustainable development. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development plan unless other material considerations indicate otherwise.

The application site is allocated within the urban area of Hastings and is allocated within the Hastings Local Plan – Development Management Plan as being suitable for housing provision by Policy MBL1. The full policy is set out above, and the more specific elements of the proposal/policy are fully considered within the main body of the report.

Given the planning history of the site, its allocation within the adopted local plan, and its sustainable location, it is considered that this development is acceptable in principle. More detailed matters are fully considered within the remainder of the report.

### Impact on the Character and Appearance of the Area

The site lies within the St Leonards Conservation Area and includes the Grade II listed Archery Villas which previously housed the art block of the former Hastings College.

As the planning history shows, this is a site that has had a previous planning permission granted for a very similar scheme which has now been amended by virtue of a new developer seeking to bring the site forward.

There are a number of external alterations that have been highlighted above relating to this application. In terms of the impact, I would seek to address these individually:

#### *Buildings A and B*

The heights of building A and building B have been reduced slightly (by approximately 2.2metres), and the internal arrangement altered. Initially it was proposed that the green roofs from this building be removed, but this has now been reinstated. These alterations are considered to be acceptable.

The loss of balconies from the first floor is also considered to be acceptable.

#### *Building D*

It is proposed to remove the previously approved steps from these properties and replace with a ramped access to the front of the buildings. Whilst these would sit opposite the listed building it is not considered that the alterations would result in any significant harm to its setting. It is accepted that the more traditional form of access may well have been a stepped entry, however in this instance the change proposed is considered to be acceptable, and would remain a good design response. I therefore raise no objections to this alteration.

#### *Building E*

The replacement of the green roof with a flat roof is considered acceptable.

#### *Building J*

It is proposed that this building uses UPVC in place of the previously approved aluminium frames. Whilst this is perhaps considered somewhat of a retrograde step, it is considered that these could still be provided in high quality form, and that in order to ensure that this does not result in a detrimental appearance, the recesses of the windows should be conditioned so that very little of the frame is visible from a public vantage point.

It is also proposed that a flat roof will replace a green roof. Again, whilst it might be preferable for the scheme to include this feature, there is no policy requirement for it as a design feature, and I do not believe that it would result in a proposal that would be inappropriate. It is noted that policy SC3 of the Hastings Local Plan that deals with sustainable development suggests green roofs are a way of achieving zero carbon emissions however in this instance the loss of green roofs would not compromise the sustainability of the development. The proposal would still contain a number of green roofs, so the loss of a small number from the development would not compromise either its integrity or the overall sustainable credentials of this proposal – particularly given it represents the re-use of a brownfield site.

Overall it is considered that the proposal represents a high standard of design quality. It is clear from the representations received that this is a location that is highly sensitive, and that requires a design response befitting of its location. I remain of the view that the overall scheme would deliver this, irrespective of these minor changes, and I am therefore of the view that the scheme complies with both local policy, and national guidance on the matter of visual impact and heritage.

#### Trees and Ecology

The wooded area to the top (north) of the site would be retained and would form part of a management company that would maintain the landscaping within the site. Elsewhere within the application site, the overall loss of trees and subsequent replanting was previously considered to be acceptable. This proposal would see very little deviation from this previously approved scheme in that regard (within some minor alterations to landscaping to the front of the new terrace).



The Council's Arboricultural officer raised no objections to the previous scheme and whilst no comments have been received on this application, given the very minor changes to landscaping, I see no reason to raise any objections at this juncture.

### Affordable Housing

The previously approved scheme allowed for a provision of 21.5% affordable housing, which is below the 25% that the planning policy would seek. In that instance, the viability of the scheme was fully tested, and it was agreed that this was the maximum that could be achieved.

This application seeks to provide 60% affordable housing which is obviously a significant uplift in the normal percentage required. As discussed in the viability section below, given the substantial amount of affordable housing provided, the ability of the applicant to provide other contributions is limited and the viability appraisal concludes that only a surplus of £36,654 would be available. Normally, a resolution to grant would only require an affordable housing provision in line with the policy requirement, and not in excess of that. However, if the 60% affordable housing contribution is not secured by legal agreement, and subsequently the site is developed to provide only the affordable housing policy requirement of 25%, rather than 60%, then the potential for payment of other contributions that could have been possible had the affordable housing provision been 25%, would have been lost. Therefore in order to comply with policy C11 of the Hastings Planning Strategy Local Plan, which requires the mitigation of inadequacies in infrastructure arising from proposed development through appropriate provision or development contributions, secured by a Section 106 contribution, the percentage of affordable housing provided is proposed to remain at 60%. Without this the application would fail to meet the requirements of policy C11 of the Hastings Planning Strategy Local Plan.

Nevertheless, given that this development would now exceed the policy requirements, it is considered that the proposal would address the policy in an appropriate manner. Given the submission of the viability appraisal, I would however require any legal agreement to control this level of provision accordingly.

### Viability

The applicant has submitted a viability appraisal that indicates with the provision of 60% affordable housing, there would only be a small level of financial contribution available for other S106 requests. As with many planning applications, this is a balanced matter, but I am of the view that the delivery of this high quality scheme (NPPF environmental thread), which such a high provision of affordable housing would bring about significant benefits in terms of housing provision (NPPF: social thread), within a sustainable location. In weighing up the benefits, I conclude that this would override the other requests in this instance.

The viability appraisal indicates that a residue of £36,654 would be available which I proposed be split between the requirements for highways, play space, art and travel plan monitoring. Delegated powers would be sought to enable the Head of Planning in consultation with the Chair and Vice Chair of the Planning Committee to disaggregate this appropriately.

## Highways

As previously set out, this proposal would seek the delivery of the same number of houses/flats as previously approved. The layout remains unaltered in terms of the highways and car parking, and as such the County Council have reiterated their comments from the previous application. Within these comments they have requested that a number of conditions be imposed (which are set out at the end of the report).

Given the sustainable nature of this site, the suitable accesses that can be provided, together with the pedestrian links that are being made available, I am of the view that the site would not give rise to any highway safety concerns.

There would be a total of 182 car parking spaces within the development which is considered to be a suitable level given the location, and the types of properties proposed. In addition, a number of cycle spaces are proposed to be provided within communal areas for the flats (one space per unit), and within the private amenity spaces of the dwellings. This is considered acceptable.

On this basis, there are no objections to the proposal in respect of the highways impact.

## Conclusion

This application seeks to make amendments to a previously approved scheme that go beyond what one would consider to be non-material. It is for this reason that a fresh planning application has been submitted.

Nevertheless, given the extant planning permission in place, Members should be minded to consider the amendments that have been made, rather than to consider the principle of development, or any other matter unaffected by the amendments.

A number of comments have been received that this proposal would result in the significant 'watering down' of the development that was previously approved, with the loss of some of the balconies and grass roofs, the removal of the stairs to the front of the terrace, and the inclusion of UPVC windows within the affordable units. It is accepted that some of these amendments are less than positive, however, what is particularly positive about this proposal is the level of affordable housing now being sought, in a development that remains of a very high standard of design.

It is imperative that should permission be granted, strong planning conditions be imposed in order that the quality of the scheme be delivered. The detailed conditions set out below, mirror those previously imposed, and I see no reason to deviate from this at this stage.

## RECOMMENDATION

**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 minimum of 60% affordable housing;
- The provision of a management plan for all publicly accessible open spaces and woodland areas within the site;
- Contributions of £36,654 towards highways, play space art and travel plan monitoring.

**unless it has been conclusively shown that the development would not be viable if a payment were made. In the event that the Agreement is not completed or the viability issue not resolved by 1<sup>st</sup> November 2016 that permission be refused on the grounds that the application does not comply with Policy H3 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.
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, 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. 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 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 full 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 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 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 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 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 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 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 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 26 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 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.

**Reasons:**

1. This Condition is imposed in accordance with the provisions of 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.)
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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.
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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 interests 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 deliver of sustainable development in accordance with the interests of the NPPF and emerging Policy EC4 of the Development Managing Plan.
29. To ensure the deliver of sustainable development in accordance with the interests of the NPPF and emerging Policy EC4 of the Development Managing Plan.
30. To ensure the deliver 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 interest of the character and amenity of the St. Leonards West Conservation Area.

#### **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.
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](http://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](http://www.southernwater.co.uk)
9. Consideration should be given to the provision of domestic sprinkler systems within the properties.

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### **Officer to Contact**

Mr C Hawkins, Telephone 01424 783256

### **Background Papers**

Application No: HS/FA/15/00175 including all letters and documents