

## PLANNING COMMITTEE

5 NOVEMBER 2014

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

### 43. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Edwards.

### 44. DECLARATIONS OF INTEREST

Councillors made no declarations of interest at this meeting.

### 45. MINUTES OF THE MEETING HELD ON 8 OCTOBER 2014

**RESOLVED** – That the minutes of the meeting held on 8 October 2014 be approved and signed by the Chair as a true record.

### 46. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

### 47. PLANNING APPEALS AND DELEGATED DECISIONS

The Development Manager reported one appeal that had been received and one appeal that had been dismissed. He also reported on a number of delegated decisions. All matters had arisen between 29 September and 24 October 2014.

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

### 48. PLANNING APPLICATIONS:

#### 48.1 SHEARBARN HOLIDAY PARK, BARLEY LANE

Proposal:	Erection of wooden reception building and retrospective consent for play equipment
Application No:	HS/FA/14/00762
Existing Use:	Holiday Park
Hastings Local Plan 2004	T7, DG1, L2, L3
Conservation Area:	No
National Planning Policy Framework	Sections 3, 7, 11
Hastings Planning Strategy	FA5, EN7
Development Management Plan	

## PLANNING COMMITTEE

5 NOVEMBER 2014

Proposed Submission Version: DM1, DM3, HN9, CC1

Public Consultation: 14 letters of objection received

The Development Manager reported on an application that sought permission to relocate the existing 'late arrival' reception building and retrospective consent for play equipment with a fenced enclosure at Shearburn Holiday Park, Barley Lane, Hastings.

Shearburn Holiday Park is within the High Weald Area of Outstanding Natural Beauty (AONB) and is adjacent to Hastings Country Park. The site is divided by Barley Lane with the Holiday Park on the south east side and the touring caravan and camp site on the north west side. The development that forms part of this application relates to the touring caravan and camp site. There are three shower and toilet blocks, a gas compound, a storage shed and bin store around the site.

The existing and proposed location of the reception building and the location of the play equipment are within the touring caravan and camp site on the north-west side of Barley Lane.

The reception building is located inside the entrance of the touring caravan and camp site. It is to be relocated to a position approximately 28 metres to the north of its present location onto a grassed area. The reason for re-siting the building is to improve the supervision of the arrivals to the touring caravan site and improve supervision of the site in general. The reception building measures 3.6 metres by 4.5 metres and is 2.8 metres in height. It is of a timber construction with a green felt, pitched roof.

The play equipment has been in place for approximately 12 months. It is mainly of timber construction and comprises a bus, two spring sit-on animals, a basket swing and a play boat. All pieces of play equipment are enclosed by a timber picket style fence.

The main issues considered were the impacts upon the amenity and impact on the AONB and Hastings Country Park; provision of visitor facilities, public safety and convenience and land stability.

The Development Manager considered the reception building and play equipment would enhance facilities within the site and they are appropriate to the character and appearance of the touring caravan and camp site. He felt there were no significant adverse impacts on the rural amenity enjoyed by visitors to the County Park; the landscape character of the Country Park, the AONB or the area in general and as such recommended that planning permission be granted subject to conditions.

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

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

## PLANNING COMMITTEE

5 NOVEMBER 2014

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
2. The reception building hereby approved shall have a natural timber finish unless otherwise approved in writing by the Local Planning Authority;
3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan, H2/130901/01, H2/130901/03, H2/130901/04 & H2/130901/05.

### Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;
2. In the interests of the visual amenity of the area; and
3. 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; and
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.

### 48.2 LAND NORTH OF 14 Fern Road

Proposal:	Variation of condition 10 (approved plans) of Planning Permission HS/FA/08/00797 - minor alterations to elevations
Application No:	HS/FA/14/00713
Existing Use:	Vacant Land
Hastings Local Plan 2004	DG1

## PLANNING COMMITTEE

5 NOVEMBER 2014

Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	No Conflict
Development Management Plan	
Proposed Submission Version:	DM1 and DM3
Public Consultation:	4 letters of objection received

The Development Manager reported on an application for the variation of condition 10 of Planning Permission HS/FA/08/00797 - 14 x 2 bedroom semi-detached dwellings at Land north of 14 Fern Road, St Leonards on Sea.

The application site lies on the east side of Fern Road and is positioned between numbers 14 and 31 Fern Road. A public footpath crosses the site.

This application follows the approval of application HS/FA/08/00797 for minor alterations to elevations, allowed at appeal on 27<sup>th</sup> April 2011.

Condition 10 of application HS/FA/08/00797 related to the approved drawings for this scheme. By varying this condition, the applicant sought to replace some of the approved drawings showing changes to the design of the houses. In particular the roof design, the porch roofs and the proposed materials. The dwellings would have more individual character which would be more in keeping with properties in Fern Road.

The Development Manager felt the changes to the proposed dwellings were not significant in that the overall size and height of the buildings would remain the same. He therefore recommended that planning permission be granted subject to conditions.

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

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

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

- 1. The development hereby permitted shall be begun before the 1st December 2014 in line with the original grant of permission by the Planning Inspectorate on the 1st December 2011;**
- 2. No Development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority;**
  - (a) samples of external materials**

## PLANNING COMMITTEE

5 NOVEMBER 2014

- (b) boundary fences/wall/railing
- (c) details of the proposed footpaths to the individual dwellings
- (d) finished floor levels of all buildings

The development shall be carried out in accordance with the approved details and the dwellings shall not be occupied until the above works have been completed;

3. No dwelling shall be occupied until two garage/parking spaces have been provided in accordance with drawing No 08-953/003D from the original grant of permission HS/FA/08/00797. The garages shall be permanently retained for parking and shall not be used for any other purpose;
4. 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.
5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for the re-direction of the Designated Public Right of Way (DPROW) through the site. The scheme shall include pedestrian crossing points in Fern Road, and a timetable for implementation. The proposal shall be implemented in accordance with the approved scheme;
6. No development shall take place 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 by the applicant and approved in writing by the Local Planning Authority;
7. No dwelling shall be occupied until the measures outlined on submitted drawing No. E4475/SK700F and accompanying document "Land Stability and Drainage Proposals to address Conditions contained in Planning committee Report dated 27th April 2011 in respect of Application No. HS/FA/08/00797 - Fern Road, St Leonards on Sea" by Stephen Wilson Partnership Ltd dated July 2011 have been fully implemented;
8. No development shall take place 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. Development shall be carried out in accordance with the approved details. The dwellings shall not be occupied until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is available to adequately service the

## PLANNING COMMITTEE

5 NOVEMBER 2014

development;

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for a remediation strategy detailing how such contamination shall be dealt with; and
10. The development hereby permitted shall be carried out in accordance with the following approved plans: 4647/14/400, 4647/14/401, 4647/14/402, 4647/14/403, 4647/14/404 and 08-953/003D

### 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. (Hastings Local Plan 2004 - Policy DG1);
3. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (Hastings Local Plan 2004 Policy DG1);
4. To safeguard the amenity of surrounding residents. (Hastings Local Plan 2004 - Policy DG4);
5. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (Hastings Local Plan 2004 Policy DG1);
6. 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;
7. To ensure the stability of the site and that construction takes account of the local ground conditions and the sloping nature of the site;
8. To prevent surface water run-off from the site in the interests of the amenities of the area;
9. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination; and
10. For the avoidance of doubt and in the interests of proper planning.

## PLANNING COMMITTEE

5 NOVEMBER 2014

### Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning;
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework;
3. The maximum gradient of the private drive should not exceed 1 in 9;
4. Surface water must not discharge onto the highway;
5. It will be necessary to enter in to a Section 38 Agreement for the adoption of the roads and diverted footpath before the works commence;
6. The Wadhurst clay is of variable permeability, as a result, locations such as this site are prone to the emergence of numerous springs which cause complication during and post development. Groundwater may be encountered during site works, if groundwater is not controlled it may become contaminant. The applicant is advised to conduct a survey identifying and assessing groundwater conditions prior to commencement of development;
7. Consideration should be given to the provision of a domestic sprinkler system.

### **48.3 SITE OF FORMER OLD ROAR HOUSE, 104 OLD ROAR ROAD**

Proposal:	Variation of condition 22 (approved plans) of Planning Permission HS/FA/14/00052 - amendment to road layout
Application No:	HS/FA/14/00770
Existing Use:	Dwellings under construction previously C2 Residential Institution
Hastings Local Plan 2004	H6, NC3, NC6, NC7, DG1, DG2, DG3, DG11, N L1
Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	FA1, FA2, SC1, EN2, EN3, EN4, H1, H2, H3, T3
Development Management Plan	

## PLANNING COMMITTEE

5 NOVEMBER 2014

Proposed Submission Version: DM1, DM3, DM4, DM6, HN9, LRA4

Public Consultation: 4 letters of objection received

The Development Manager reported on an application for the variation of condition 22 of planning permission HS/FA/14/00052 – amendment to road layout at site of former Old Roar House, 104 Old Roar Road, St. Leonards on Sea.

The application site is located on the south eastern side of Old Roar Road and consists of a vacant area of land previously occupied by a detached building (used as a childrens care home) and an outbuilding.

This application follows the approval of application HS/FA/14/00052 for amendments to planning permission HS/FA/13/00499 – 10 houses (3x4 bedroom detached houses and 7x2 bedroom terraced houses) and 4x2 bedroom apartments. Previous amendments involved changes to the design of the detached dwellings, alterations to the parking layout and the formation of a second entrance from Old Roar Road.

The current minor material amendments involve changes to the type of hard surfacing materials; minor changes to the hard surfacing areas for two of the detached dwellings and the parking area for the proposed flats; the formation of a turning head; the formation of a pedestrian path to the side of one of the terraced houses to give access to the rear garden; the bin storage area for the proposed flats is to be enlarged; the fence line for the detached dwelling located nearest to the western boundary is to be located further to the north-west.

The development is subject to a requirement to provide 20% affordable housing which equates to 3 units. This is to be secured through the use of a Section 106 Agreement.

The main considerations were the impacts of the proposal on the character and appearance of the area, highway safety and tree loss.

The Development Manager felt the proposal would remain in keeping with the character and appearance of the area and that suitable soft landscaping could be achieved through the use of conditions and the proposal would not result in additional highway safety issues, he therefore recommended the application be approved.

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

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

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

- (A) **The Development Manager be authorised to issue planning permission on the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 to ensure that 3 part buy part rent units are provided at the site.**



**PLANNING COMMITTEE**

**5 NOVEMBER 2014**

- (B) Subject to (A) above grant planning permission subject to the following conditions:**
- 1. The development hereby permitted shall be begun before the expiration of three years from 18 December 2013;**
  - 2. (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority;**  
**(ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed;**  
**(iii) No occupation of any of the dwellings or flats hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.**
  - 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 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;**

## **PLANNING COMMITTEE**

**5 NOVEMBER 2014**

means of enclosure; other vehicle and pedestrian access and circulation areas; hard surfacing materials;

6. 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;
7. No unit hereby approved shall be occupied until readily accessible external storage space for refuse bins awaiting collection and cycle storage space have been provided to the satisfaction of the Local Planning Authority. These storage facilities shall be retained for their intended purposes thereafter;
8. With the exception of internal works the building works, including site clearance and excavation, site deliveries and collections, 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.
9. No development shall commence until details of the size and location of any temporary structures required during the construction process, proposals in respect of the public footpath during construction, a vehicle wheel washing facility together with areas for the storage of materials, and temporary site hoardings has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in full accordance with the approved details, and the approved details shall remain in place and in operation for the duration of the construction period;
10. Every loaded lorry shall be covered before leaving the site;
11. No building hereby permitted shall be occupied until the same has been connected to the main drainage system and the approved means of vehicular and pedestrian access thereto have been constructed to a specification and to an extent approved by the Local Planning Authority in relation to that building;
12. There shall be no obstruction to visibility (over 0.8 metres above the level of the adjoining footway) within splays, details of which shall be submitted with the details specified in Condition 1;
13. Two garage/parking spaces for each of the detached houses shall be provided to a specification and in a position approved by the Local Planning Authority in relation to each detached dwelling hereby permitted before it is occupied;

## PLANNING COMMITTEE

5 NOVEMBER 2014

14. The development shall not be occupied until parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles;
15. No building hereby permitted shall be occupied until the same has been connected to the main drainage system and the approved means of vehicular and pedestrian access thereto have been constructed to a specification and to an extent approved by the Local Planning Authority in relation to that building;
16. No development shall take place until the measures outlined in the submitted ecological statements and reports (Land at Former Old Roar House Hastings East Sussex: Ecological Scoping Survey by Martin Newcombe 19 June 2013, Site of Old Roar House Hastings East Sussex: Bat Survey 2013 by Martin Newcombe 26 July 2013, Site of Old Roar House Hastings East Sussex: Reptiles 2013 by Martin Newcombe 29 July 2013), have been fully implemented, unless:
  - (i) the programme for such measures is otherwise specified within that document (for example with regard to measures related to monitoring, further survey work, the erection of bird boxes on buildings or other conservation enhancements), in which case the works shall be carried out in accordance with the timescales contained therein or;
  - (ii) unless the scheme(s), or programme(s) of measures contained within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.
17. 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

## **PLANNING COMMITTEE**

**5 NOVEMBER 2014**

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.**

**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;**

- 18. **No development shall commence until a plan of site landscaping and ecological enhancements have been submitted to and approved in writing by the Local Planning Authority. This shall include:**
  - (i) **site landscaping;**
  - (ii) **ecological enhancements;**
  - (iii) **a management plan for the future short and long term management of both retained and created habitats outlining how the management of the area will be secured into the future;**
  - (iv) **Landscaping specifically designed to mitigate against the effects of artificial lighting and increased human access/disturbance.**

**Ecological enhancements will particularly focus on the ancient woodland but will cover techniques and designs aimed at ecological enhancements for other wildlife;**

- 19. **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**

## **PLANNING COMMITTEE**

**5 NOVEMBER 2014**

**condition 17 (above). All permanent fencing and warning signs will be maintained in accordance with the plan, unless otherwise approved in writing by the Local Planning Authority;**

- 20. No site clearance or tree or hedge removal shall be carried out on site between the 1st March and 31st July inclusive in any year, unless otherwise approved in writing by the Local Planning Authority;**
- 21. Prior to occupation of the buildings hereby approved acoustic fences shall be erected either side of the private access drive in accordance with details to be submitted for approval by the Local Planning Authority. The development shall be completed in accordance with the approved details and the fences shall be maintained in perpetuity;**
- 22. The development hereby permitted shall be carried out in accordance with the following approved plans:**

**D.13.1014/104, D.13.1014/108, D.13.1014/204A, D.13.1014/105, D.13.1014/106, D.13.1014/107, TREE PLAN ORH/TSP/0001, TREE PLAN ORH/TPP/002A, D.13.1014/101A, D.13.1014/102C**

### **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 a satisfactory standard of development and to prevent increased risk of flooding;**
- 3. 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 character and amenity of the area;**
- 6. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 7. To secure a satisfactory standard of development;**
- 8. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1);**
- 9. In the interests of the visual and residential amenities of the locality;**
- 10. In the interests of highway safety and the amenities of the area;**

## **PLANNING COMMITTEE**

**5 NOVEMBER 2014**

- 11. To ensure that no property is occupied until adequate access and drainage facilities have been provided;**
- 12. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety;**
- 13. In the interests of traffic safety;**
- 14. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety;**
- 15. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 16. To protect features of recognised nature conservation importance;**
- 17. To protect features of recognised nature conservation importance;**
- 18. To protect features of recognised nature conservation importance;**
- 19. To protect features of recognised nature conservation importance;**
- 20. To protect features of recognised nature conservation importance;**
- 21. To safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4); and**
- 22. 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. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Telephone: 0330 303 0119) or [www.southernwater.co.uk](http://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, Otterbourne, Hampshire, SO21 2SW (Telephone: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk);**

## PLANNING COMMITTEE

5 NOVEMBER 2014

5. With regard to conditions 17 and 19, the tree protection measures should be in accordance with the standards set out under BS5837:2012 Trees in relation to design, demolition and construction – Recommendations;
6. Consideration should be given to the provision of a domestic sprinkler system; and
7. This planning permission has been issued as a variation to the original planning permission HS/FA/14/00052. The pre-commencement conditions listed above are copied from the previous permission and may have already been discharged. If the conditions have been dealt with previously you will not be required to deal with those conditions again, unless matters associated with those conditions have changed. Any outstanding matters required by condition should be submitted to the Local Planning Authority as soon as possible.

### **48.4 FORMER NURSERY SITE, REDGELAND RISE**

Proposal:	Approval of reserved matters of appearance, layout and scale of proposed development of planning permission HS/OA/11/00854 (Redevelopment of site to provide 28 dwellings)
Application No:	HS/DS/14/00561
Existing Use:	Former plant nursery
Hastings Local Plan 2004	H1, NC8, NC9, DG1, DG2, DG3 and DG11
Conservation Area:	No
National Planning Policy Framework	Section
Hastings Planning Strategy	DS1, FA1, SC1, SC2, SC3, SC4, EN2, EN3, H1
Development Management Plan	
Proposed Submission Version:	LP1, DM1, DM3, DM4, HN7 and HN8
Public Consultation:	3 letters of objection received

The Development Manager reported on an application for the approval of reserved matters of outline planning permission at Former Nursery Site, Redgeland Rise, St. Leonards on Sea.

The principle of the development for 28 dwellings was approved as part of outline permission HS/OA/11/00854. This application sought approval of reserved matters for appearance; landscaping, layout and scale.

## PLANNING COMMITTEE

5 NOVEMBER 2014

Details of the development comprised a mixture of two storey detached and semi-detached housings and flats with brick walls and tiled roofs. The flats have been designed to minimise the impact on properties in Redgeland Rise. Plots 19,20,21 and 22 have a split level design internally to take account of the gradient of the site.

Off-street car parking will be provided to the front and side of the buildings, adjacent to the properties they serve. The layout allows for soft landscaping to the front gardens. The houses all have 10m long gardens and each of the flats has a garden of 9m in length.

The main issues considered were the impacts upon the character of the area; the impact on neighbouring residential amenities, adequacy of parking provision and road layout, the impact on trees and the impact on biodiversity.

Details regarding boundary treatments, predominantly along the southern boundary shared with properties on Churchwood Way were subject to correspondence between the applicant and local residents. Prior to any works, details will need to be submitted as part of the landscaping details required by condition.

The Development Manager recommended that the reserved matters be granted subject to conditions.

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

Councillor Scott proposed a motion to approve the application, subject to the addition of Condition 4 and Reason 4 as set out in the resolution below. This was seconded by Councillor Roberts.

**RESOLVED** – (unanimously) that Reserved Matters be granted subject to the following conditions:-

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

1719 002 P2, 003 P5, 10 P2, 11 P2, 20 P2, 21 P2, 30 P2, 31 P2, 40 P2, 41 P2, 42 P2. 50 P3, 51 P2, 145 P1, 146 P1, 147 P1, 150 P1, 151 P1, 152 P1 and 153 P1.

2. The following windows shall remain obscure glazed and fixed shut at all times:

- The first floor rear bathroom window of unit 1
- The first floor rear bathroom window of unit 2
- The first floor rear elevation window of unit 3/4
- The first floor rear elevation window of unit 5/6



## **PLANNING COMMITTEE**

**5 NOVEMBER 2014**

- **The first floor side elevation window of unit 15**
  - **The first floor side elevation window of unit 18**
  - **The first floor side elevation window of unit 23**
  - **The first floor side elevation window of unit 24**
  - **The first floor side elevation window of unit 28**
- 3. Before the development hereby approved is commenced details of appropriate climate change mitigation and adaption measures to be incorporated into the houses 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.**
- 4. Unless otherwise agreed in writing by the Local Planning Authority, a wall shall be provided to the southern boundary in the vicinity of plots 14 and 15.**

### **Reasons:**

- 1. For the avoidance of doubt and in the interests of proper planning.**
- 2. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1)**
- 3. In the interests of achieving a low carbon future in a changing climate in accordance with policy SC3 of the Hastings Local Plan: The Hastings Planning Strategy.**
- 4. In the interests of the amenities of neighbouring residents.**

### **Notes to the Applicant**

- 1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.**
- 2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.**
- 3. The applicant is reminded that the conditions of outline planning permission HS/OA/11/00854 still apply and need to be complied with.**
- 4. The applicant is reminded that outline planning permission HS/OA/11/00854 which relates to this permission is the subject of an**

## PLANNING COMMITTEE

5 NOVEMBER 2014

obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).

5. The applicant is advised that the landscaping details required to be submitted prior to the commencement of development will need to include the following:
  - Details of a badger protection corridor along the southern boundary in order to comply with condition 11 of outline planning permission HS/OA/11/00854.
  - Details of any other ecological enhancements and mitigation measures relating to landscaping in order to comply with condition 11 of outline planning permission HS/OA/11/00854. For example fencing that allows free movements for badgers.
  - Details of boundary improvements that have been agreed with local residents.
  - Details of all tree removal/protection and details of replacement trees/planting.
6. 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.
7. Consideration should be given to the provision of a domestic sprinkler system.

49. **ADDITIONAL URGENT ITEMS (IF ANY)**

None.

(The Chair declared the meeting closed at 6.30PM)