

PLANNING COMMITTEE

4 FEBRUARY 2015

Present: Councillors Street (Chair), Scott (Vice-Chair), Beaney, Beaver, Edwards, Dowling, Lee, Roberts, Rogers and Wincott

65. APOLOGIES FOR ABSENCE

None.

66. DECLARATIONS OF INTEREST

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

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Scott & Wincott	61.1 – Proposed Queensway Gateway Road (Land between Queensway and Sedlescombe Road North)	Personal – Members of East Sussex County Council Highway Authority.

67. MINUTES OF THE MEETING HELD 7 JANUARY 2015

RESOLVED – That the minutes of the meeting held on 7 January 2015 be approved and signed by the Chair as a true record.

68. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

69. PLANNING APPLICATIONS ATTRACTING A PETITION:

69.1 Proposed Queensway Gateway Road (Land between Queensway and Sedlescombe Road North)

Proposal:

Proposed Queensway Gateway Road (land between Queensway and Sedlescombe Road North), St. Leonards on Sea
HS/FA/14/00832

Application No:

Existing Use:

Construction of a new road linking Sedlescombe Road North (A21) With Queensway (B2092)
E2, NC6, NC7, NC8, NC9, NC10, NC11, L1, L2, DG1, DG4, DG26, DG27, and C6

Hastings Local Plan 2004

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Conservation Area:	No
National Planning Policy Framework	Sections 1, 4, 11 and 12
Hastings Planning Strategy	DS2, FA1, FA6, SC1, SC2, SC7, EN1, EN2, EN3, EN4, EN6, EN7, E2, T1, T2 and T3
Development Management Plan	
Proposed Submission Version:	LP1, DM1, DM3, DM4, DM5, DM6, HN4, HN7, HN8 and HN9
Public Consultation:	371 letters of objection received and 1 petition

The Development Manager reported on an application that sought permission for the construction of a new road linking Sedlescombe Road North (A21) with Queensway (B2092) on the proposed Queensway Gateway Road (land between Queensway and Sedlescombe Road North), St. Leonards on Sea.

The applicant proposed to build a new road linking Sedlescombe Road North with Queensway – the Queensway Gateway Road (QGR). The QGR proposal includes 3 roundabouts – one at either end of the road where it would join the existing network and one in the middle which would allow for access to the allocated and emerging allocated land for employment development.

The proposal utilises the existing Whitworth Road alignment with a new section of road being proposed from the end of Whitworth Road to Queensway. No right turn left in and left out only junctions are proposed for the accesses to the existing businesses on Whitworth Road and a new left in and left out only junction is shown into the northern part of Sainsbury's car park.

The proposal includes shared footways and cycleways between the middle roundabout and Sedlescombe Road North, uncontrolled crossings and upgrades and diversions to existing Public Rights of Way.

The proposed QGR has materialised in an attempt to realise the development potential of allocated and emerging allocated employment land (as shown in the HLP and DMP policies LRA7 and LRA8). Funding and support for the road is available from the South East Local Enterprise Partnership (SELEP).

The proposed QGR also intends to perform a strategic role in linking the A21 with the Hastings and Bexhill 'growth corridor' - comprising Queensway and its various employment allocations, the Bexhill to Hastings Link Road (BHLR), and the North Bexhill development area. It is intended that this development will help Hastings and Rother to realise their housing and employment requirements, increase connectivity in the area and avoid congestion along The Ridge.

The main issues considered were the principle of the development; the transportation impacts and the environmental impacts, which covers matters such as noise and

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vibration; air quality, ecology and nature conservation, landscape and visual amenity, ground conditions, water quality and drainage; and heritage.

The Development Manager recommended that planning permission be granted subject to conditions to secure an appropriately mitigated development.

A report containing some late electronic comments had been received since the publication of the agenda. This was circulated to the Committee prior to the meeting.

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

The petitioner, Dr Clark, was present and spoke against the application.

The applicant, Mr John Shaw from Sea Change, was present and spoke in support of the application.

Members discussed this item at length.

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

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

1. The development hereby permitted shall be begun before the expiry from the date of this permission;
2. The development hereby permitted shall be carried out in accordance with approved plans:

C600-015 S3, C600-016 S2, C600-025 S1, C100-025 S2, C100-026 S3, and
3. Before each phase of development, in accordance with the phasing application condition 24 below, is commenced a Construction Environmental Management Plan (including biodiversity) in accordance with the approach outlined in the submitted Environmental Statement shall be submitted to, and approved by the local planning authority. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall provide for:
 - the parking of vehicles of site operatives and visitors;
 - i) loading and unloading of plant and materials;
 - ii) construction traffic management;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative facilities for public viewing, where appropriate;
 - v) wheel washing facilities;

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- vi) measures to control the emission of dust and dirt during construction;
 - vii) measures to control noise disturbance;
 - viii) measures to investigate and remediate any land contamination;
 - ix) measures to maintain land stability during construction;
 - x) a scheme for recycling/disposing of waste resulting from demolition construction works; and
 - xi) working hours.
4. The road must be built to an adoptable standard;
 5. The road hereby approved shall not be brought into use until the stop Road to prohibit its use by motor vehicles has been completed;
 6. The road hereby approved shall not be brought into use until measures at the northern end of Maplehurst Road to control traffic behaviour have been completed;
 7. Before the road hereby approved is brought into use a strategy for the quality once the road is operational, including an agreed timescale, shall be developed and approved in writing by the Local Planning Authority. The monitoring shall be carried out as approved;
 8. A report describing the results of the monitoring strategy required by condition 7 shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out any mitigation measures that may be required in consultation with the local planning authority, and then implemented;
 9. No development shall take place until the developer 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 by the Local Planning Authority;
 10. The development hereby permitted shall not be brought into use until the results of the site investigation and post investigation assessment (including provision for the publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation under condition 9 above to the satisfaction of the Local Planning Authority after consultation with the County Planning Authority;
 11. The road hereby approved shall not be brought into use until the diversion of the footpaths has been achieved under s257 of the Town and Country Planning Act 1990;
 12. The newly created paths - as a result of the diversion of the existing Paths - shall be constructed to an adoptable standard;
 13. Before it is implemented a scheme of soft landscaping shall be implemented in accordance with the approved scheme.

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approved by the Local Planning Authority. It shall include indications of trees and hedgerows on the land including details of those to be retained and measures for their protection in the course of development. New soft landscaping shall include planting plans; written specifications (including cultivation operations associated with plant and grass establishment); schedule of species, plant sizes and proposed numbers/densities where appropriate; and a maintenance implementation programme;

14. All planting seeding or turfing comprised in the approved soft landscaping shall be carried out prior to the operation of the road, or with the written consent of the Local Planning Authority, in the first planting and seeding season after the occupation of any buildings or the completion of the development, and as soon as possible thereafter. Any trees or plants which within a period of 5 years from the commencement 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. Any variation shall require the Local Planning Authority gives written consent to any variation;
15. No development shall commence until details of how the development shall deal with existing drainage and sewerage infrastructure crossing the site has been submitted to and approved in writing by the Local Planning Authority. Details shall include measures for protection and diversion of the infrastructure where appropriate. All works shall be carried out in accordance with the approved details;
16. No development shall take place until a surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should be designed to ensure that surface water run-off generated up to and including the 1 in 100 year return period event (including an allowance for climate change) will not exceed the runoff from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details once the development is completed;
17. The surface water drainage scheme above shall include:
 - xii) details of how the scheme shall be maintained and managed after completion
 - details of specific measures to minimise the risk of deterioration in receiving watercourses and waterbodies downstream (for both the construction and operational phases of development);
 - details that are in accordance with the submitted Flood Risk Assessment (Rev D1 dated September 2014); and
 - details showing that the restricted discharge rates shall be in accordance with chapter 6 "Development Proposals", pages 18 to 31 of the FRA.
18. Before each phase of development (including demolition, ground works and site clearance) in accordance with the phasing approved as part of conditions of approval, the applicant shall commence a Construction Environmental Management Plan for biodiversity

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Biodiversity) shall be submitted to and approved in writing by the local authority. The CEMP: Biodiversity shall include the following;

- **Risk assessment of potentially damaging construction activities.**
- **Identification of “biodiversity protection zones”.**
- **Practical measures (both physical measures and sensitive working) avoid or reduce impacts during construction (may be provided as statements).**
- **The location and timing of sensitive works to avoid harm to biodiversity.**
- **The times during construction when specialist ecologists need to be to oversee works.**
- **Responsible persons and lines of communication.**
- **The role and responsibilities on site of an ecological clerk of work or a similarly competent person.**
- **Use of protective fences, exclusion barriers and warning signs.**

The approved CEMP shall be adhered to and implemented throughout the period strictly in accordance with the approved details and phasing agreed or otherwise agreed in writing by the local planning authority;

- 19. Before each phase of development (including demolition, ground work and clearance) in accordance with the phasing approved as part of conditions commenced a biodiversity monitoring strategy shall be submitted to, and approved in writing by, the local planning authority. The content of the Strategy shall be as follows;**

- **Aims and objectives of monitoring to match the stated purpose.**
- **Identification of adequate baseline conditions prior to the start of development.**
- **Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored shall be assessed.**
- **Methods for data gathering and analysis.**
- **Location of monitoring.**
- **Timing and duration of monitoring.**
- **Responsible persons and lines of communication.**
- **Review, and where appropriate, publication of results and outcomes.**

A report describing the results of monitoring shall be submitted to the local authority at intervals identified in the strategy. The report shall also set

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results from monitoring show that conservation aims and objectives are met. How contingencies and/or remedial action will be identified, agreed with the planning authority, and then implemented so that the development still meets the functioning biodiversity objectives of the originally approved scheme.

The monitoring strategy will be implemented in accordance with the approved scheme.

20. Before each phase of development (including demolition, ground work, clearance) in accordance with the phasing approved as part of condition 20 commenced an ecological design strategy (EDS) addressing, mitigation, enhancement, restoration, shall be to and approved in writing by the local planning authority.

The Ecological Design Strategy shall include the following;

- Review of site potential and constraints.
- Detailed design(s) and/or working method(s) to achieve stated objectives.
- Extent and location/area of proposed works on appropriate scale and detail.
- Type and source of materials to be used where appropriate, e.g. native species, local provenance.
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- Persons responsible for implementing the works.
- Details of initial aftercare and long-term maintenance and management.
- Details for monitoring and remedial measures.
- Details for disposal of any wastes arising from works.

The Ecological Design Strategy shall be implemented in accordance with the approved details and phasing and all features shall be retained in that manner throughout the development.

21. Before each phase of development, in accordance with the phasing approved as part of condition 24 below, is commenced full details of the hard landscape shall be submitted to and approved in writing by the Local Planning Authority. These details shall include proposed contours; means of enclosure; car parking layouts; other vehicle and pedestrian circulation areas; hard surfacing materials; minor artefacts and furniture, play equipment, refuse or other storage units, signs lighting and existing functional services above and below ground (eg. communications cables, pipelines etc. indicating lines, manholes, supports). Historic landscape features and proposals for restoration, where relevant, shall also be included.
22. 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 in accordance with the programme agreed with the Local Planning Authority.
23. No development of each phase of development, in accordance with the approved details as part of condition 24 below, shall commence until an adequate geotechnical investigation has been undertaken and suitable stability measures have been agreed to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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completed in accordance with the approved details; and

24. Before each phase of development is commenced details of the pre phase shall be submitted to and agreed in writing by the Local F Development shall be carried out in accordance with the approved pha

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;
2. For the avoidance of doubt and in the interests of proper planning;
3. In the interests of:
 - maintaining highway safety in accordance with policy DG1 of the Hastings Local Plan 2004, policy SC1 of the Hastings Local Plan: The Hastings Planning Strategy and policy DM3 of the emerging Hastings Local Plan: Development Management Plan;
 - maintaining a tidy appearance during construction in accordance with policy DG1 of the Hastings Local Plan 2004, policy SC1 of the Hastings Local Plan: The Hastings Planning Strategy and policy DM1 of the emerging Hastings Local Plan: Development Management Plan;
 - protecting neighbouring residential amenities in accordance with policy DG1 of Hastings Local Plan 2004, policy SC1 of the Hastings Local Plan: The Hastings Planning Strategy and policy DM3 of the emerging Hastings Local Plan: Development Management Plan;
 - minimising the amount of construction and demolition waste being disposed of in landfill sites in accordance with the East Sussex County Council Supplementary Planning Document on Construction and Demolition Waste; and
 - protecting the natural environment in accordance with policy EN1 of the Hastings Local Plan: The Hastings Planning Strategy.
4. In the interests of highway safety as the road will be part of the strategic public highway in accordance with policy T3 of the Hastings Local Plan: The Hastings Planning Strategy;
5. In the interests of highway safety and to ensure the free flow of traffic in the local highway network in accordance with policy T3 of the Hastings Local Plan: The Hastings Planning Strategy;
6. In the interests of highway safety and to ensure the free flow of traffic in the local highway network in accordance with policy T3 of the Hastings Local Plan: The Hastings Planning Strategy;
7. In the interests of the amenity of the neighbouring residential occupiers in accordance with policy DG1 of the Hastings Local Plan

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2004 and policy DM6 of the Hastings Local Plan: Development Management Plan and to protect biodiversity of recognised importance in accordance with policy EN1 of the Hastings Local Plan: The Hastings Planning Strategy;

- 8. In the interests of the amenity of the neighbouring residential occupiers in accordance with policy DG1 of the Hastings Local Plan 2004 and policy DM6 of the Hastings Local Plan: Development Management Plan and to protect biodiversity of recognised importance in accordance with policy EN1 of the Hastings Local Plan: The Hastings Planning Strategy;**
- 9. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework;**
- 10. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework;**
- 11. To ensure that Public Rights of Way are maintained;**
- 12. In the interests of pedestrian safety;**
- 13. In the interests of the visual amenity;**
- 14. In the interests of the visual amenity;**
- 15. To prevent increased risk of flooding and to ensure there is no damage to sewerage infrastructure;**
- 16. To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve habitat and amenity in accordance with the principles of the NPPF;**
- 17. To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve habitat and amenity in accordance with the principles of the NPPF;**
- 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. In the interests of the visual amenity and to ensure mitigation measures suggested in the submitted Environmental Statement are realised;**
- 22. In the interests of the visual amenity and to ensure mitigation**

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measures suggested in the submitted Environmental Statement are realised;

23. To ensure adequate mitigation for land instability in accordance with policy DG21 of the Hastings Local Plan 2004 and policy DM5 of the emerging Hastings Local Plan: Development Management Plan; and
24. In the interests of allowing the development to continue in a flexible but controlled manner.

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission enforcement action without further warning;
2. Statement of positive engagement: In dealing with this application Council has actively sought to work with the applicant in a positive manner, in accordance with paragraphs 186 and 187 of the National Framework;
3. Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the Lead Local Flood Authority which is East Sussex County Council;
4. Works to the existing highway will require a s278 legal agreement with East Sussex County Council;
5. The requirements of condition 4 and 12 above should be discussed with East Sussex County Council prior to the start of construction and completion of the development; and
6. The applicant is advised to contact Southern Water with regard to conditions 69.2 and 69.3 at 101 Cambridge Road

Proposal:	Proposed Change of Use from Dwelling House (C3) to HMO (Sui Generis).
Application No:	HS/FA/14/00941
Existing Use:	Single private dwellinghouse
Hastings Local Plan 2004:	H4, DG1, C1, C8
Conservation Area:	Yes - White Rock
National Planning Policy Framework:	No Conflict
Hastings Planning Strategy:	SC1, H2, H4
Development Management Plan:	

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Proposed Submission Version:

HC1, DM1, DM3, HN1, HN2

Public Consultation:

6 letters of objection and
3 petitions received.
Referred by Ward Councillor

This item was deferred at the last meeting for consideration at this meeting.

The Development Manager reported on a full planning application for the change of use from dwellinghouse (C3) to a house in multiple occupation (Sui Generis) at 101 Cambridge Road, Hastings.

The site is a large two storey property on the corner of Cambridge Road and adjoining Trinity Villas within the White Rock Conservation Area. The vacant property has been completely renovated both internally and externally. It has 7 bedrooms and there is a side garden and rear patio area. Permission was granted in 2013 to create 3no. self-contained flats.

The current proposal includes 8 bedrooms split over the ground and first floor level, with one kitchen on each floor and two bathrooms overall. The proposal does not include any external changes or extensions.

The main considerations of this application were the impacts of the proposal on the residential amenity and character of the area and provision for refuse storage and cycle parking. The Development Manager recommended the application be granted.

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

The petitioner, Mr Rolston, was present and spoke against the application.

The applicant had been invited to attend, but was not present.

Councillor Clark, Ward Councillor, was present and spoke against the application.

Members discussed this item at length.

With the agreement of the Chair, Councillor Rogers circulated some proposed reasons for refusal of the application, for members of the Committee to consider.

Councillor Rogers proposed a motion against the officer's recommendation to refuse the application as set out in the resolution below, this was seconded by Councillor Roberts.

RESOLVED – by (9 votes to 1) that planning permission be refused subject to the following reasons:-

Policy 4 of the Hastings Planning Strategy which states:

POLICY H4: Houses in Multiple Occupation

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In order to support mixed and balanced communities and maintain an appropriate housing mix within the Borough, applications for changes of use from:

a Class C3 (dwelling house) to a Class C4 (House in Multiple Occupation), or;
a Class C3 (dwelling house) to a House in Multiple Occupation in a sui generis use (more than six people sharing)

will not be permitted where more than 10% of the total numbers of properties within a 100m radius of the application property are already in use as either Class C4, or other types of HMO in a sui generis use.

This policy will not apply to social housing, care homes, children's homes, bail hostels and properties occupied by students which are managed by an educational establishment.

This policy will not apply to households who have foreign students staying as guests for a set period of time.

According to the current register of HMOs held and updated by Hastings Borough Council within the locale there are the following registered HMOs:

Cambridge Gardens – 10, 13, 14, 16, 17, 19, 20, 21, 24, 28, 29, 30, 31, 32, 34, 36, 37, 39 and 42
Cambridge Road – 33 and 34
Cornwallis Gardens – 3, 5, 18, 19, 20, 26, 27, 28, 38, 39-40, 43 and 44,
White Rock Gardens – 1-2
Cornwallis Terrace – 12 in total

I would also refer to the Planning Inspectorate judgement in respect of 93 Cambridge Road which upheld the Planning Committee's refusal to agree as an HMO

Furthermore I would suggest that 'saturation' has been reached in this area and that the current planning consent for 2 x 2 bedroom flats and 1x1 bedroom flats would benefit the local community and provide much needed family accommodation close to the town centre.

70. PLANNING APPEALS AND DELEGATED DECISIONS

The Development Manager reported one appeal that had been received and one appeal that had been allowed. He also reported on a number of delegated decisions. All matters had arisen between 19 December 2014 and 23 January 2015.

71. PLANNING APPLICATIONS:

71.1 Land at Church Street

Proposal:

Development of site to provide five dwellings

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Application No:	HS/OA/14/00876
Existing Use:	Undeveloped
Hastings Local Plan 2004	NC8, NC9, DG1, DG2, DG3 and DG11
Conservation Area:	No
National Planning Policy Framework	Sections 6, 7 & 11
Hastings Planning Strategy	FA4, SC1, SC3, SC4, EN2, EN3, H1, H2 and T3
Development Management Plan	
Proposed Submission Version:	LP1, DM1, DM3, DM4, HN7, HN8 and CV04
Other	
Public Consultation:	136 letters of objection and 2 letters of support received

The Development Manager reported on an outline planning application for the erection of 5 dwelling houses with approval sought for the access and layout of the development only. The scale, appearance and landscaping are reserved matters.

The site is located at land at Church Street near the junction with Clifton Road. The site is undeveloped and is otherwise open as a mixture of unkempt shrubbery and mowed grass. The surrounding area is predominantly residential with houses to the north, south and west. To the east is an area of undeveloped land, known locally as 'Speckled Wood', which is proposed to be designated as green space in the emerging Hastings Local Plan: The Hastings Planning Strategy.

The applicant sought consent to build five dwelling houses, although this is an outline planning application they are seeking approval of the access and layout of the development.

The applicant proposed to build five dwelling houses on the site and although this is an outline planning application they sought approval of the access and layout of the development. The appearance of the buildings, landscaping and scale of the development are reserved matters, therefore approval of these will be sought at a later date. On this basis the applicant has submitted drawings showing the access and layout and indicatively showing the scale, appearance and landscaping of the development.

The main issues considered were the impact of the development on the character of the area; the impact on neighbouring residential amenities, the impact on biodiversity and parking/highways matters. Having considered these issues and the objections the Development Manager recommended that outline planning permission be granted subject to conditions.

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A report containing some late electronic comments had been received since the publication of the agenda. This was circulated to the Committee prior to the meeting.

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

Councillor Charman, Ward Councillor, was present and spoke against the application.

Councillor Beaney proposed a motion to approve the application as set out in the resolution below, this was seconded by Councillor Dowling.

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

1. **Approval of the details of the scale, external appearance of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced;**
2. **Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the design, external appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved;**
3. **Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;**
4. **The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later;**
5. **The development hereby permitted shall be carried out in accordance with the following approved plans in terms of access and layout only:**

664.02F
6.
 - (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 hereby approved shall**

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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.

- 7. No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:**

- a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and**
- b) open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.**

The development shall be carried out in accordance with the approved details;

- 8. No development shall commence until the role and responsibilities and operations to be overseen by an appropriately competent person have been submitted to and approved in writing by the local planning authority. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details;**

- 9. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following;**

- a) Risk assessment of potentially damaging construction activities.**
- b) Identification of “biodiversity protection zones”.**
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).**
- d) The location and timing of sensitive works to avoid harm to biodiversity features.**
- e) The times during construction when specialist ecologists need to be present on site to oversee works.**
- f) Responsible persons and lines of communication.**
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.**
- h) Use of protective fences, exclusion barriers and warning signs.**

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

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- 10. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband;**
- 11. Before the development hereby approved is commenced details of appropriate climate change mitigation and adaptation measures as required by policy SC3 of the Hastings Local Plan, The Hastings Planning Strategy 2011-2028, 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;**
- 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or as may be subsequently amended or re-enacted no extensions or windows at first floor level or above to the property shall take place or be installed without the grant of an additional planning permission;**
- 13. The new access shall be in the position shown on the submitted drawing 664.02F. Any works on or abutting the existing highway will require a s184 license with East Sussex County Council, prior to the commencement of works. Details of construction, surface water drainage, gradients and potential traffic management requirements can all be discussed with East Sussex County Council through the s184 license process;**
- 14. The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Local Planning Authority. The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles;**
- 15. The access onto Clifton Road shall not be used until visibility splays of 2.4m by 43m are cleared of all obstructions exceeding 800mm in height and kept clear thereafter; and**
- 16. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Local Planning Authority, to prevent contamination and damage to the adjacent roads.**

Reasons:

- 1. The application is in outline only;**
- 2. The application is in outline only;**
- 3. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990;**

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- 4. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990;**
- 5. For the avoidance of doubt and in the interests of proper planning;**
- 6. To prevent increased risk of flooding;**
- 7. To protect features of recognised nature conservation importance;**
- 8. To protect features of recognised nature conservation importance;**
- 9. To protect features of recognised nature conservation importance;**
- 10. To ensure the development complies with policy SC1 part (f) of the Hastings Local Plan: The Hastings Planning Strategy;**
- 11. To ensure the development complies with policy SC3 of the Hastings Local Plan: The Hastings Planning Strategy;**
- 12. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1);**
- 13. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 14. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 15. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway; and**
- 16. In the interests of highway safety and for the benefit and convenience of the public at large.**

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: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119.**

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E-mail: developerservices@southernwater.co.uk; and

4. **Consideration should be given to the provision of a domestic sprinkler system.**

71.2 The Ramparts, 101 Castle Hill Road

Proposal:	Erection of 5, four-bedroom homes, with associated gardens, garages, landscaping and access.
Application No:	HS/FA/14/00558
Existing Use:	Partially developed land
Hastings Local Plan 2004	DG1, DG2, DG3, DG11, C1, C3 and C6
Conservation Area:	Yes – Old Town
National Planning Policy Framework	Sections 6,7 and 12
Hastings Planning Strategy	DS1, FA2, SC1, SC2, SC3, SC4, EN1, H1, H2 and T3
Development Management Plan	
Proposed Submission Version:	LP1, DM1, DM3, DM4, HN1, HN4 and HN5
Public Consultation:	7 letters of objection and 3 letters of support received

The Development Manager reported on a full planning application for the erection of 5 x three-storey four-bedroom homes with associated gardens, garages, landscaping and access at 101 Castle Hill Road, Hastings.

The site consists of partially developed land on the upper end of Castle Hill Road near to the remains of Hastings Castle. A large concrete base for a previous development has been constructed. The site is located within the Old Town Conservation Area and is situated between Castle View Mews, and 103 Castle Hill Road to the east. To the rear of the site is a new development of two pairs of semi-detached houses on Castledown Avenue.

The development is proposed to be zero carbon. The applicant proposed to orientate the properties at right angles to Castle Hill Road, this would allow for an access from Castle Hill Road with a row of garages beneath a series of raised gardens. A previous application which followed this general arrangement (the properties were not zero carbon) was refused and dismissed upon appeal. The applicant has submitted this application as they considered the new scheme would overcome the appeal Inspector's decision.

The main considerations were the impacts of the proposal upon the heritage assets

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including Hastings Castle and the Old Town Conservation Area; impacts on neighbouring residential amenities and the highway/parking matters and standard of accommodation.

The Development Manager considered the development was of a modern contemporary design with good sustainable credentials. It's design, although in contrast with its surroundings, was of sufficient quality to be acceptable in the context of the surrounding heritage assets and a decent standard of accommodation was being provided. Concerns with neighbouring amenities have been overcome, the development provides sufficient parking and there are no highway safety concerns. The previous application submitted for the site is particularly relevant given that this is a similar proposal that has been submitted to overcome the previous concerns raised. Any other relevant matters, such as drainage, can be adequately controlled by condition. The Development Manager recommended the application be approved subject to conditions.

The Human Rights considerations had 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 Rogers.

An amendment to the motion was proposed by Councillor Scott to grant the application, subject to the addition of Condition 19. The amendment was agreed by the proposer and seconder of the recommendation.

RESOLVED – (unanimously) 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 development hereby permitted shall be carried out in accordance with the following approved plans:

CAS009-P01, 297/4/401, 297/4/410A, 297/4/411A, 297/4/412B, 297/4/413, 297/4/420, 297/4/450B, 297/4/450B, 297/4/451, 297/4/452B, 297/4/453B and 297/4/453C;**
3. **No development shall take place above ground until samples and/or details of the materials to be used in the construction of the external surfaces of the dwellings and associated development hereby permitted have been submitted to or made available on site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details;**
4. **Before it is applied the colour used to paint the exterior of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved paint colour;**

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5. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or as may be subsequently amended or re-enacted no part of the property shall be painted in a different colour to that approved by condition 4 above without the grant of an additional planning permission;**
6. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or as may be subsequently amended or re-enacted no extensions, improvements, alterations, outbuildings, chimneys, flues, soil and vent pipes or microwave antennas to the properties or within their curtilages shall take place without the grant of an additional planning permission;**
7. **The development hereby approved shall be completed in accordance with the measures described in the 'sustainability' chapter of the submitted Design & Access Statement dated July 2014;**
8. **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;**
9. **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;**
10. **No development above ground shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (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,**

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supports etc.); retained historic landscape features and proposals for restoration, where relevant;

11. 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;
12. Prior to the commencement of development a Traffic Management Scheme shall be submitted to and approved in writing by the Local Planning 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 size of the vehicles should be restricted. The development should be carried out in accordance with the approved details;
13. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle washing equipment should be provided within the site, to the approval in writing of the Local Planning Authority, to prevent contamination and damage to the adjacent roads;
14. Prior to the commencement of development on site, detailed drawings of the proposed footway, access and site turning area, including visibility splays, levels, sections and construction details, surface water drainage and outfall disposal to be provided, 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;
15. Prior to the occupation of the development a dropped kerb shall be completed in accordance with details submitted to and approved in writing by the Local Planning Authority;
16.
 - (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management, including details of the measures to protect and/or divert the public sewers that run through the site, have been submitted to and approved in writing by the Local Planning Authority;
 - (ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed; and
 - (iii) No occupation of any of the dwellings or flats hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage

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infrastructure capacity is now available to adequately service the development.

- 17. The second floor east elevation windows and north facing dormer windows shall remain obscure glazed and fixed shut at all times; and**
- 18. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband.**
- 19. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-**

08.00 – 18.00 Monday to Friday

08.00 – 13.00 on Saturdays

No working on Sundays or Public Holidays

Reasons:

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;**
- 2. For the avoidance of doubt and in the interests of proper planning;**
- 3. In the interests of the character and amenity of the Old Town Conservation Area;**
- 4. In the interests of the character and amenity of the Old Town Conservation Area;**
- 5. In the interests of the character and amenity of the Old Town Conservation Area;**
- 6. In the interests of the character and amenity of the Old Town Conservation Area;**
- 7. To ensure the development is completed to the standard described in the application in the interests of justifying the modern contemporary design in the historic setting and to meet the requirements of policies SC3 and SC4 of the Hastings Local Plan: The Hastings Planning Strategy;**
- 8. In the interests of the character and amenity of the Old Town Conservation Area;**
- 9. In the interests of the character and amenity of the Old Town Conservation Area;**
- 10. In the interests of the character and amenity of the Old Town Conservation Area;**

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11. In the interests of the character and amenity of the Old Town Conservation Area;
12. In the interests of highway safety and for the benefit and convenience of the public at large;
13. In the interests of highway safety and for the benefit and convenience of the public at large;
14. In the interests of highway safety and for the benefit and convenience of the public at large;
15. In the interests of highway safety and for the benefit and convenience of the public at large;
16. To prevent increased risk of flooding;
17. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1); and
18. To ensure the development complies with policy SC1 part (f) of the Hastings Local Plan: The Hastings Planning Strategy.

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 stopping up order will be required to remove highway rights from the area to be covered by the revised stairs;
 4. A licence from ESCC will be required to construct a dropped kerb on the public highway;
 5. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: developerservices@southernwater.co.uk; and
 6. Consideration should be given to the provision of a domestic sprinkler system.
- 71.3 Land off Robert Tressell Close

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Proposal:	Erection of 10no. family dwellings and associated parking and access roads
Application No:	HS/FA/14/00823
Existing Use:	Vacant
Hastings Local Plan 2004	DG1, DG2, DG3, DG11, C1
Conservation Area:	Yes – Blacklands
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	DS1, FA2, SC1, SC3, SC4, EN1, EN2, EN3, H1, H2, H3, T3
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4, HN1, HN7, HN8
Public Consultation:	5 letters of objection received

The Development Manager reported on an application for the erection of 10 two storey family dwellings and associated parking and access road at Land off Robert Tressell Close, Hastings.

The site is located within an undeveloped parcel of land to the west of Robert Tressell Close. The site adjoins residential properties to the north and south and the boundary of the Blacklands Conservation Area runs along the site's northern boundary. A vacant area of the land lies to the east and a parking area to the west. Mature trees run along part of the northern, southern and eastern boundaries. The area is defined by a mixture of housing types including larger houses at Lower Park Road to the north.

Planning permission exists on the land for 9 dwellings (HS/OA/07/00963 & HS/DS/10/00681). The approved scheme involves taking access from the parking/turning area at the western end of Robert Tressell Close with the dwellings arranged around an access road running across the centre of the site from east to west. Works to the access have commenced and it is considered that the scheme of 9 dwellings has been implemented for planning purposes, and will therefore be extant in perpetuity.

In 2014 a planning application was made for 11 dwellings on the same site (planning application: HS/FA/14/00144). The scheme was withdrawn due to concerns regarding the proximity of three of the units to protected trees along the site's eastern boundary.

The current application was also originally for 11 dwellings but following negotiations is now for 10 dwellings. The layout involves taking access from the parking/turning area in a similar way to that previously approved, but altering the layout so that the houses are arranged around a 'T' shape access road. Each dwelling is to be 4 bedroom

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with 2 x parking spaces and a rear garden. Four housing types are proposed including 6 x 2 storey pitched roof properties (Plots 1- 6), a pair of two storey pitched roof properties (plots 7 & 8) and 2 x 3 storey properties with half hipped roofs (Plots 9 & 10). The materials proposed include: facing brick, concrete tiles and UPVC windows.

The main considerations were the impacts of the proposal on the loss of trees, ecology and biodiversity, highways and parking, drainage, housing type and density, affordable housing, living environment, character and appearance and the amenity of neighbouring residents. The Development Manager considered the proposal would result in the formation of additional family size accommodation without adversely impacting on its surroundings and therefore recommended planning permission be granted subject to conditions.

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

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

RESOLVED – (unanimously) 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. **No development shall take place until the measures outlined in the submitted ecological statements and reports (Land off Robert Tressell Close, Hastings, Ecological Impact Assessment by the Bourne Valley Consultancy dated September 2007; and the update letter from the Bourne Valley Consultancy dated 17 October 2014) 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;**

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;

3.
 - (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**

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approved under (i) and the dwellings hereby approved shall not be occupied until those works have been completed.

The dwellings hereby approved shall not be occupied 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;

- 4. 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 (in accordance with BS5837 2012: Trees in relation to design, demolition and construction – Recommendations). 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;**
- 5. 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;**
- 6. 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;**
- 7. 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;**
- 8. 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

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08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays;

- 9. The dwellings hereby approved shall not be occupied until provision has been made for high speed broadband infrastructure to serve the development;**
- 10. Prior to the commencement of development details of the proposed surface water drainage shall be submitted to the Local Planning Authority for approval. The development shall be completed in accordance with the approved details;**
- 11. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads;**
- 12. 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 motor vehicles;**
- 13. The development shall not be occupied until cycle 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 cycles;**
- 14. During development every loaded lorry shall be covered before leaving the site;**
- 15. No development shall take place until a scheme has been submitted to and approved by the Local Planning Authority that shows works to improve pedestrian access between the site and Priory Avenue by installing dropped kerbs at junctions where necessary. The improvements shall be provided prior to the occupation of any of the dwellings hereby approved, and shall be implemented in accordance with the approved scheme;**
- 16. 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;**
- 17. 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**

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operation for the duration of the construction period;

18. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Japanese Knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme;
19. 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;
20. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details; and
21. The development hereby permitted shall be carried out in accordance with the following approved plans:

1210-001REV E; 1210-002REV E; 1210-003REV E; 1210-004REV E;
1210-005REV E; 1210-015REV A; 1210-100REV X; 1210-101REV H;
1210-102REV E; 1210-103REV C; 1210-130REV E; 1210-131REV C;
1210-132REV A-; 1210-140REVD; 1210-141REV C; 1210-142REV C;
1210-144REV A-; 1210-210REV A; 1210-211REV A; 1210-220REV A;

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;
2. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);
3. To ensure a satisfactory standard of development;
4. To ensure a satisfactory form of development in the interests of the visual amenity;
5. To ensure a satisfactory form of development in the interests of the visual amenity;
6. To ensure a satisfactory form of development in the interests of the visual amenity;
7. To ensure a satisfactory form of development in the interests of the

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visual amenity;

8. To safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4);
9. To ensure a satisfactory standard of development;
10. In the interests of highway safety;
11. In the interests of highway safety and for the benefit and convenience of the public at large;
12. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;
13. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development;
14. In the interests of highway safety and the amenities of the area;
15. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety. (Hastings Local Plan 2004 policy TR10);
16. To protect features of recognised nature conservation importance;
17. In the interests of the visual and residential amenities of the locality;
18. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);
19. To ensure that no property is occupied until adequate access and drainage facilities have been provided;
20. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 - Policy DG1); and
21. For the avoidance of doubt and in the interests of proper planning.

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning;
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework;

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3. Consideration should be given to the provision of a domestic sprinkler system;
4. 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;
5. In the event that any sewers are found within the site the applicant is advised to contact Atkins Ltd. Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Telephone 01962 858688) or www.southernwater.co.uk;
6. No excavation, mounding or tree planting should be carried out within 3m of the public foul sewer, and no new soakaways should be located within 5m of the public sewer without consent from Southern Water Services Ltd. The applicant is advised to contact Atkins Ltd. Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Telephone 01962 858688) or www.southernwater.co.uk;
7. The Local Highway Authority would wish to see the roads within the site that are not to be offered for adoption laid out and constructed to standards at, or at least close to, adoption standards; and
8. With regard to condition 14 of this planning permission the applicant's attention is drawn to the guidance set out in the Environment Agency's booklet: "The Knotweed Code of Practice", a copy of which is obtainable at:

<https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>

71.4 27 Linley Drive

Proposal:	Demolition of bungalow and garages, erection of pair of semi-detached two storey dwellings plus parking
Application No:	HS/FA/14/00940
Existing Use:	Single dwellinghouse (bungalow)
Hastings Local Plan 2004	NC8, NC9, DG1, DG2, DG3 and DG11
Conservation Area:	No
National Planning Policy Framework	Sections 6 and 7

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Hastings Planning Strategy	DS1, FA2, SC1, SC3, EN3, H1, H2 and T3
Development Management Plan	
Proposed Submission Version:	LP1, DM1, DM3, DM4 and HN8
Public Consultation:	3 letters of objection received

The Development Manager reported on an application for the demolition of a bungalow and garages and the erection of pair of semi-detached two storey dwellings plus car parking at 27 Linley Drive, Hastings.

The site is currently occupied by a bungalow which is set back into the site with a large front garden that includes a garage. The surrounding area is entirely residential and comprises bungalows or terraced housing.

The applicant sought consent to demolish the existing bungalow and erect a pair of semi-detached dwellings. The proposal includes off street parking and landscaping. Revised drawings show the proposed development at a slightly lower level and further away from 25 Linley Drive.

The main issues considered were the impact on the character of the area and the impact on the neighbouring residential amenities. The Development Manager felt the proposed development was compatible with the surrounding area and provided good transition between the bungalow properties to the north-east and the terraced houses to the southwest. Decent sized houses would be provided with good gardens, parking and landscaping. Although the development is close to two neighbouring properties, the Development Manager felt that given its size and position, it would not have an adverse impact on neighbouring amenities and 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 Beaver proposed a motion to approve the application as set out in the resolution below. This was seconded by Councillor Rogers.

An amendment to the motion was proposed by Councillor Scott to grant the application, subject to the addition of Condition 10. The amendment was agreed by the proposer and seconder of the recommendation.

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

- 1. The development hereby permitted shall be begun before the expiry from the date of this permission;**
- 2. The development hereby permitted shall be carried out in accordance with approved plans:**

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4333.LP, 4333.1B and 4333.2A;

3. All planting seeding or turfing comprised in the approved soft landscape shall be carried out prior to the occupation of any part of the development, with the agreement of the Local Planning Authority, in the first planting and following the occupation of any buildings or the completion of whichever is the sooner. Any trees or plants which within a period of 12 months of completion of the development die, are removed or become seriously diseased shall be replaced in the next planting season with others of the same species, unless the Local Planning Authority gives written consent to a different species;
4. All hard landscape works shall be carried out in accordance with the approved drawings. The works shall be carried out prior to the occupation of any part of the development in accordance with the programme agreed with the Local Planning Authority;
5. The materials to be used in the construction of the external surface hereby permitted shall match those on the approved drawings;
6. No development shall take place until the measures outlined in the sub-statements and reports Preliminary Ecological Appraisal, dated October 2014 (EA/32014) have been fully implemented, unless:
 - (i) the programme for such measures is otherwise specified within the approved drawings, for example with regard to measures related to monitoring, further survey, or erection of bird boxes on buildings or other conservation enhancement measures. In such case the works shall be carried out in accordance with the timescale set out therein or;
 - (ii) unless the scheme(s), or programme(s) of measures contained within the sub-statements and reports is otherwise first varied, by way of prior written agreement with the Local Planning Authority.
7. The development shall be undertaken wholly in accordance with the details of the approved waste minimisation statement;
8. Before the development hereby approved is commenced details of a landscape change mitigation and adaptation measures as required by policy S10 of the Local Plan, The Hastings Planning Strategy 2011-2028, shall be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details; and
9. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband.
10. With the exception of internal works the building works required for the development allowed by this permission must only be carried out at the following times:-

08.00 – 18.00 Monday to Friday

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**08.00 – 13.00 on Saturdays
No working on Sundays or Public Holidays**

Reasons:

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;**
- 2. For the avoidance of doubt and in the interests of proper planning;**
- 3. In the interests of the visual amenity;**
- 4. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 5. In the interests of the visual amenity of the area;**
- 6. To protect features of recognised nature conservation importance;**
- 7. To minimise the amount of construction and demolition waste being disposed of in landfill sites in accordance with the East Sussex County Council Supplementary Planning Document on Construction and Demolition Waste;**
- 8. To ensure the development complies with policy SC3 of the Hastings Local Plan: The Hastings Planning Strategy; and**
- 9. To ensure the development complies with policy SC1 part (f) of the Hastings Local Plan: The Hastings Planning Strategy.**

Notes to the Applicant

- 1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning;**
- 2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework; and**
- 3. Consideration should be given to the provision of a domestic sprinkler system.**

71.5 Town Hall, Queens Road

Proposal:

Siting of the historic statue of Prince Albert (formerly part of the Albert Memorial Clock Tower in

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Application No:	Hastings Town Centre) alongside Hastings Town Hall. New notice board A2 size, to be installed alongside Statue installation for displaying information on Statue. HS/FA/14/00979
Existing Use:	Location of HBC Notice board
Hastings Local Plan 2004	DG1, C1, C3
Conservation Area:	
National Planning Policy Framework	Section 12
Hastings Planning Strategy	EN1, FA2, FA3, SC1, E4
Development Management Plan	
Proposed Submission Version:	DM1, DM3, HN1
Public Consultation:	1 letter of objection received

The Development Manager reported on a full application for the siting of the historic statue of Prince Albert (formerly part of the Albert Memorial Clock Tower in Hastings Town Centre) outside the Town Hall.

The life size statue of Prince Albert which is 1800mm in height, is to be removed from the concrete block it is currently fixed to and is to be mounted onto 1250mm high Portland stone plinth outside the Town Hall. An information board is to be located adjacent to the statue and will display information on the history of the statue. The 'Fusilier' notice board is 1670mm in height and is of stainless steel construction, with a powder coated finish.

The statue is to be sited between the Town Hall's north east elevation and the curved access ramp leading to the Community Contact Centre. The Town Hall is a Grade II Listed Building and it is within the Town Centre Conservation Area.

Listed Building Consent, HS/LB/14/00801, was granted subject to conditions for the proposal on 17 December 2014. That application was not referred to the Planning Committee and did not receive any objections, so was decided by officers under delegated powers, the determination was made only in relation to the listed building.

The main considerations of this application were the impacts on the significance and setting of the Town Hall and on the character and appearance of the Town Centre Conservation Area. The Development Manger felt that if the statue was to be on display again, in a public area, it would benefit both residents and visitors to the town, and it would provide an interesting feature and a new piece of public art for the town to enjoy. As such, he recommended the application be approved subject to conditions.

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

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planning issues.

With the agreement of the committee, the Chair, Councillor Street circulated some proposed reasons for refusal of the application, for the committee to consider.

Councillor Beaney proposed a motion against the officer's recommendation to refuse the application as set out in the resolution below, this was seconded by Councillor Roberts.

RESOLVED – by (7 votes to 3) that planning permission be refused subject to the following reasons:-

The poor condition of the statue would be detrimental to the adjacent Town Centre Conservation Area and the setting of Hastings Town Hall, a grade II listed building contrary to the following policies:

Local Plan 2004

Policy C1 Development within Conservation Areas

Planning permission for development proposals within and adjacent to conservation areas will not be granted unless:-

- a) The proposal would preserve or enhance the buildings, related spaces, the streetscene and other features that contribute to the character or appearance of the area;
- b) There is a high standard of design and detailing which reflects the surrounding architectural style, scale, massing, boundary treatment and site coverage;

Development Management Plan

Policy DM1 – Design Principles

All proposals must reach a good standard of design, which includes efficient use of resources, and takes into account:

- a) Protecting and enhancing local character;
- e) An assessment of visual impact, including the height, scale, and form of development that should be appropriate to the location, especially given the complex topography of the Borough and the need, in some instances, to consider the visual effect from key viewpoints. This is particularly important when there are potential impacts upon areas of heritage and/or landscape value as outlined in the Planning Strategy

Policy HN1 – Development Affecting the Significance and Setting of Designated Heritage Assets (including Conservation Areas)

Applications that have the potential to impact upon the significance of designated heritage assets (including conservation areas) will be assessed against the following criteria, to ensure that the proposed development sustains and enhances the significance of the heritage asset:

- a) The historic context, street patterns, plot layouts and boundary treatments, green space and landscaping, site levels, block sizes, siting, scale, height, massing, appearance, materials and finishes in relation to the heritage assets.

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- b) Good performance against nationally recognised best practice guidance on development in relation to heritage assets, including building in context, setting and views, architectural quality and local distinctiveness.

Permission will be given for those schemes that show a full understanding of the significance of the asset and convincingly demonstrate how their chosen design sustains and enhances the significance of any heritage assets affected (including conservation areas).

The topography of Hastings means that the Council will give consideration to the impact of development on the setting of heritage assets, including the impact upon more distant views and from across the other sides of the valleys. The Council encourages proposals that sustain or enhance the setting of heritage assets.

POLICY EN1: Built and Historic Environment

Particular care will be given to protecting the significance and setting of the following heritage assets:

- a) Listed buildings;
b) Conservation areas;

There is a presumption in favour of the conservation of heritage assets and their settings. The more important the asset, the greater the weight that will be given to the need to conserve it. As heritage assets are irreplaceable, any harm or loss will require clear and convincing justification.

Development which sustains and enhances the significance of heritage assets and/or their setting will be encouraged.

71.6 37 Charles Road West

Proposal:	Proposed demolition of existing dwelling and erection of 10 new dwellings with 15 parking spaces on land at and adjacent to 37 Charles Road West
Application No:	HS/OA/06/00694
Existing Use:	Nursery/Garden Centre

The Development Manager reported on an outline application for the proposed demolition of the existing dwelling and the erection of 10 new dwellings with 15 car parking spaces on the site of Filsham Nursery, at land at and adjacent to 37 Charles Road West. Only the details of siting were to be determined at this stage.

The application was previously considered by the Planning Committee at its meeting on 8th October 2006. The Committee resolved to grant planning permission subject to a legal agreement for highway improvements. The legal agreement had not been signed as the site had not been sold.

As the Hastings Planning Strategy was adopted last year and Policy H3 became applicable, the application was brought back to Planning Committee on 08 October 2014 with an amended recommendation to include the requirement for affordable

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housing. The recommendation was agreed.

On 28 November 2014, the National Planning Guidance was changed to make it clear that local authorities should not request affordable housing contributions for developments of 10 units or less. Following this, it is recommended to remove the previous requirement for affordable housing.

The Development Manager recommended that outline planning permission be granted subject to conditions. He also advised that 'Elevations' were no longer the agents for this application.

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 Scott.

RESOLVED – by (9 votes to 1) that:

- A) That the Development Manager be authorised to issue planning permission upon completion of a S106 Agreement to secure the provision of a contribution towards Highways Improvements**
- B) Subject to A) above**

Grant Outline Planning Permission subject to the following conditions:

- 1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;**
- 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. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved;**
- 4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later;**

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- 5. No building hereby permitted shall be occupied until drainage works have been completed, in accordance with details of foul and surface water drainage which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development;**
- 6. 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;**
- 7. 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;**
- 8. No development shall take place until details of the proposed parking arrangements have been submitted to and approved by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the occupation of the building and shall thereafter not be used for any purpose other than the parking of vehicles;**
- 9. No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times;**
- 10. The details required by Condition 1 shall include full details of all boundary walls and/or fences which shall be erected prior to the occupation of the houses which they serve;**
- 11. 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,**

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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

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.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990;
2. To safeguard the amenity of adjoining residents;
3. The application is in outline only;
4. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990;
5. In order to secure a satisfactory standard of development;
6. To ensure a satisfactory standard of development;

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- 7. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 8. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 9. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 10. To ensure a satisfactory form of development in the interests of the character and amenity of the area; and**
- 11. In the interests of the safety and wellbeing of any wildlife on the site.**

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. The applicant is advised to design the houses so as to avoid overlooking at 35 Charles Road west.**

(The Chair declared the meeting closed at. 8.30 pm)