

PLANNING COMMITTEE

4 MARCH 2015

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

72. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Beaver and Roberts.

73. DECLARATIONS OF INTEREST

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

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Charlesworth	61.1 – Rocklands Private Caravan Park, Rocklands Lane	Prejudicial – Has advised the petitioners
Rogers	63.4 – 28 Lower South Road	Personal – Applicant is a former neighbour
Street	61.1 – Rocklands Private Caravan Park, Rocklands Lane	Personal – member of Friends of Hastings Country Park
Street	63.1 Little Warren Cottage, Fairlight Road	Personal – member of Friends of Hastings Country Park
Street	63.2 – Proposed Visitor Centre, Hastings Country Park, Lower Coastguard Lane	Prejudicial – involved in discussions with architect and publicly supported the application
Poole from the public gallery	63.2 – Proposed Visitor Centre, Hastings Country Park, Lower Coastguard Lane	Personal – Member of the Country Park Forum as Lead Member for Leisure and Amenities and Chair of the Visitor Centre Project Board.

74. MINUTES OF THE MEETING HELD 4 FEBRUARY 2015

RESOLVED – That the minutes of the meeting held on 4 February 2015 be approved and signed by the Chair as a true record.

75. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

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76. PLANNING APPLICATIONS ATTRACTING A PETITION:

76.1 Rocklands Private Caravan Park, Rocklands Lane

Proposal:	Retention of holiday let building (with reduction to balcony area to the dimensions permitted by HS/FA/12/00952) and access ramp. Relocation of solar panels to roof of holiday let building.
Application No:	HS/FA/14/01036
Existing Use:	Holiday let
Hastings Local Plan 2004	T7, L1, L2, L3, DG1, DG3, DG7, DG8, DG21, C1 and C6
Conservation Area:	No
National Planning Policy Framework	Paragraphs 17, 109, 115, 117, 118, 120, 121, 126, 128, 129, 131, 132, 133.
Hastings Planning Strategy	SC1, FA5, EN1, EN5 and EN7
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4, DM5, HN1 and HN4
Public Consultation:	463 letters of objection received; 4 letters of support received and 1 petition

Ms Bahcheli reported on an application for the retention of a holiday let building (with reduction to balcony area to the dimensions permitted by HS/FA/12/00952) and access ramp. Relocation of solar panels to roof of holiday let building at Rocklands Private Caravan Park, Rocklands Lane, Hastings.

The proposal is a full planning application to retain a holiday let building that has been partially constructed without planning permission in the south west corner of Rocklands Holiday Park.

The application site lies within the Rocklands Caravan Park, which sits within the Hastings Country Park and within the High Weald Area of Outstanding Natural Beauty (AONB). The application site lies at the south western edge of the caravan park.

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The site also lies within the setting of the Hastings Old Town conservation area, the boundary of which lies to the west and south of the application site and shares the southern boundary of the site with the conservation area.

The application site also lies partially on, and within the setting of a Scheduled Ancient Monument (SAM) and lies within an Archaeological Notification Area.

This is a full application which seeks planning permission to retain a two-storey holiday let building that has been partially constructed at Rocklands Holiday Park. The shell of the building has been constructed but the building is not complete.

In addition to the retention of the partially constructed building, this application also seeks consent to make some alterations to it:

- A reduction of the size balconies to be similar to a previous planning consent (HS/FA/12/00952),
- The location of solar panels on the roof,
- Further landscaping to the south, east and west,
- Some changes to window and door treatments.
- A ramp constructed for vehicular access will be cleared away and restored.
- Landscaping to the south and the north.

This application is similar to a previous application that was refused by this planning committee in June 2014 (HS/FA/14/00406). That application sought to amend a previous planning consent (HS/FA/12/00952 - granted on delegated authority) which is similar to this current proposal. However the differences between the 2012 proposal and this current proposal are sufficiently material to require a fresh planning application.

In addition, HS/FA/14/00406 was not supported by accurate plans and was not supported by appropriate evidence.

The current application building does not therefore benefit from planning permission.

The main differences between the constructed building and the consented building (HS/FA/12/00952) are:

- The building has been re-sited/re-orientated to face further south
- The ground levels are 0.15m higher.
- The ground floor has been extended in the south west corner
- The height of the building has been increased by 0.6m (to 6.2m in total)
- The balconies extend further from the building.

There have also been some changes in circumstances at the application site in the period since planning permission HS/FA/12/00952 was granted. These are the

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landslip in February 2014 and the loss of vegetation as a result. Some hedging was also removed on the east/south of the application site as a result of the construction.

The main issues considered were the relationship of this proposal to the previous planning consent, the landscape impact, the impact on the historic environment, the impact on residential amenity, the impact on nature conservation interests, the ground conditions and drainage and tourism development.

On balance, the planning history/fallback position and the benefits of the scheme to the visitor economy are outweighed by the harm to the landscape character and visual amenity of the AONB, the Country Park and the setting of the conservation area.

Ms Bahcheli explained that a late representation was received from the Applicant's technical experts Oscus Ltd which responded to the Coffey Report commissioned by the Council. She recommended that planning permission be refused subject to additional wording being added to the resolution enabling the Council to go back to Coffey in respect of the specific issues raised by Oscus Limited regarding the second reason for refusal.

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.

Having declared her prejudicial interest Councillor Charlesworth was absent from the Chamber during discussion and voting.

Councillor Hodges, Ward Councillor, was present and spoke against the application. Members discussed this item at length.

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

RESOLVED – (unanimously) that:

Following receipt of late comments from Oscus Limited on Coffey's response to the Oscus November 2014 report, the Planning Officer needs to seek further advice from Coffey. If following receipt of that advice the Planning Officer agrees with the assessment of the Applicant's Experts the second reason for refusal will be withdrawn.

Planning permission be refused subject to the following reasons:-

- 1. The proposal, by virtue of its height, form and colour which is highly visible in long, medium and short views from the east, south and west, has a harmful impact on the landscape character and visual amenity of the High Weald Area of Outstanding Natural Beauty, the Hastings**

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Country Park. Therefore the proposal does not accord with Local Plan 2004 policies L1 and L2, Hastings Planning Strategy Policies EN7 and FA5, and the National Planning Policy Framework paragraphs 132, 133. The conflict with the development plan and the National Planning Policy Framework is not outweighed by any other material consideration;

2. Insufficient evidence is submitted to demonstrate that the application building would not be affected by landslips close to the application site and that the additional loading on existing building would not affect slope stability. As a result adopted Hastings Local Plan policy DG21 and emerging Development Management Plan proposed submission version policy DM5 are not complied with; and
3. The proposal, by virtue of its height, form and colour, would be highly visible within the setting of the Old Town conservation area and the setting of the SAM and would be harmful to the significance of each of these designated heritage assets. The proposal therefore does not accord with Local Plan 2004 policy C1 and Hastings Planning Strategy Policy EN1 and the National Planning Policy Framework paragraphs 131 and 132. The conflict with the development plan or the National Planning Policy Framework is not outweighed by any other material considerations.

Note to the Applicant

1. **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.

77. PLANNING APPEALS AND DELEGATED DECISIONS

The Development Manager reported five appeals 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 26 January 2015 and 20 February 2015.

RESOLVED – that the report be noted.

78. PLANNING APPLICATIONS:

78.1 Little Warren Cottage, Fairlight Road

Proposal:

Proposed side extension to form new bedroom and ensuite. Proposed rebuilding of attached store to form new porch area. Proposed demolition of WC and porch to form new lobby area to rear elevation. Proposed raised decking area, leading to a new Conservatory. Insertion of 3 No.

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	rooflights. Internal alterations to facilitate proposals. New detached studio/storage building. (Use as residential permitted under HS/PD/13/00517).
Application No:	HS/FA/14/00893
Existing Use:	B1
Hastings Local Plan 2004	L1, L2, L3, DG1, DG2, DG3, DG11, NC1, NC2, NC3, NC5, NC8, NC9
Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	FA5, SC1, EN1, EN2, EN3, EN4, EN5, EN6, H1, H2, E1, T3
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4, HN1, HN4, HN8, HN9
Other	
Public Consultation:	40 letters of objection and 4 letters of support received

The Development Manager reported on an application for extensions and alterations to the existing bungalow, the erection of an outbuilding, hard surfacing works and landscaping works at Little Warren Cottage, Fairlight Road, Hastings.

The site is located within the High Weald AONB and Hastings Country Park. The surrounding area is designated as part of the Hastings Cliffs Special Area of Conservation (SAC), the Hastings Cliffs to Pett Beach Site of Special Scientific Interest (SSSI), the Country Park Local Wildlife Site (LWS) and The Country Park Local Nature Reserve.

The site consists of a single storey building and former garden area surrounded by hedges and other mature vegetation. The dwelling is built mainly of brick with a clay tile pitch roof. Access to the site is via a track leading from Fairlight Road to the north. The site does not adjoin other properties but does adjoin public rights of way to the north, east and south. Trees exist on all of the site's boundaries which are covered by a Tree Preservation Order (TPO).

The scheme follows the approval of application: HS/PD/13/00517 which was a prior approval application for the change of use of the premises from offices to residential.

This type of application basically seeks to determine whether the prior approval of

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the Local Planning Authority is required with regard to the following 3 matters only:

- (a) transport and highways impacts of the development;
- (b) contamination risks on the site; and
- (c) flooding risks on the site,

The current application also follows the grant of planning permission: HS/FA/13/00685 which was for extensions and alterations to the building. The approved scheme includes a side extension to the west (area: 13.5 square metres), a replacement porch to the north (area: 2.3 square metres), the removal of a porch to the south and the formation of a raised decking area to the south (area: 10.8 square metres).

The scheme currently proposed also involves an extension to the west with a similar footprint to that previously approved, a larger replacement porch to the north (increase of 0.7 square metres), replacing the existing porch/extension to the south with a new porch (area: 1.6 square metres), a conservatory to the south west (area: 4.9 square metres), the formation of a larger raised decking area (increase of 4.7 square metres) to the rear and an outbuilding (area 30 square metres).

The main issues considered were the impact of the development on the character and appearance of the surrounding High Weald Area of Outstanding Natural Beauty (AONB); Hastings Country Park; the ecology of the area and protected trees. Having considered these issues and the objections the Development Manager recommended that planning permission be granted subject to conditions.

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

The members had attended a site visit earlier in the afternoon. Councillors Charlesworth and Lee had not attended the site visit and took no part in consideration or voting on this item.

A minor amendment was noted to page 73 of the agenda, Condition 10. The word 'accommodation' shall be replaced with the word 'outbuilding'.

Councillor Wincott 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 arboricultural report (Arboricultural Report Tree Survey Arboricultural Impact Assessment & Tree Protection Plan Little Warren Cottage Fairlight Road Fairlight East Sussex TN35 4AA by the Mayhew Consultancy), dated November 2014 have been fully**

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implemented, unless:

- (i) the programme for such measures is otherwise specified within that document in which case the works shall be carried out in accordance with the timescales contained therein or;
 - (ii) unless the scheme(s), or programme(s) of measures contained within the report are otherwise first varied, by way of prior written approval from the Local Planning Authority.
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. Prior to the commencement of development, a biosecurity protocol shall be submitted to and approved by the local planning authority detailing measures to minimize or remove the risk of introducing non-native species into a particular area during the construction, operational or decommissioning phases of the project. The measures shall be carried out strictly in accordance with the approved scheme;
6. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
 - Risk assessment of potentially damaging construction activities;
 - Identification of “biodiversity protection zones”;

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- 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);
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- 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;

7. No development shall take place until the measures outlined in the submitted ecological statements and reports (Scoping Survey Warren Cottage, Hastings County Park. by Camber Ecology Limited dated 9th November 2012 and Bat Survey Little Warren Cottage, Fairlight, East Sussex. by Camber Ecology Limited dated July - August 2013, and the letter from Camber Ecology Limited dated 04 November 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;
 - (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.
8. Where ecological surveys have identified the presence of roosting bats, no activities that could result in disturbance (such as demolition, roof stripping, excavations or building works or associated operations) shall be carried out unless under the direction of a licensed bat ecologist to ensure that an offence is not committed and in accordance with the submitted and approved Construction Environmental Management Plan (Biodiversity);
9. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the extension, conservatory, outbuilding and hard surfaces hereby permitted have been made available on site or submitted to the Local

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Authority for approval in writing. Development shall be carried out in accordance with the approved details;

- 10 The outbuilding hereby approved shall only be used as ancillary accommodation and storage incidental to the use of Little Warren Cottage, Fairlight Road, Fairlight, East Sussex, TN35 4AA as a dwellinghouse only. The building shall be used for no other purposes whatsoever including as independent residential use;**
- 11 Notwithstanding the information shown on drawing number: 14.613/02 D the area immediately to the east of the site's entrance annotated "Type 1 roadstone" is not approved as part of this permission;**
- 12**
 - (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.**
- 13 The development hereby permitted shall be carried out in accordance with the following approved plans:**

14.613/03, 01 (Date Stamped 10/12/14), 02D

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 and the landscape character of the area;**
- 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 protect features of recognised nature conservation importance.**

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(Hastings Local Plan 2004 policies NC8 and NC9);

- 6. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);**
- 7. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);**
- 8. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);**
- 9. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 - Policy DG1);**
- 10 To accord with the terms of the application and to safeguard proper planning of the area;**
- 11 To ensure a satisfactory standard of development and to protect features of recognised nature conservation importance;**
- 12 To ensure that the property is occupied until adequate access and drainage facilities have been provided; and**
- 13 For the avoidance of doubt and in the interests of proper planning.**

Notes to the Applicant

- 1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning;**
- 2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework; and**
- 3. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.**

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

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78.2 Proposed Visitor Centre, Hastings Country Park, Lower Coastguard Lane

Proposal:	Proposed Visitor Centre Hastings Country Park, Lower Coastguard Lane, Fairlight, Hastings, TN35 4AB
Application No:	HS/FA/14/01033
Existing Use:	Agricultural land/Country Park
Hastings Local Plan 2004	CN1, NC8, NC9, DG1, DG7
Conservation Area:	No
National Planning Policy Framework	Para 115
Hastings Planning Strategy	FA5(g), SC3, EN3, EN5, EN7
Development Management Plan	
Proposed Submission Version:	LP1, DM1, DM3, DM4, DM6, HN8, HN9
Public Consultation:	50 letters of objection and 12 letters of support received

The Development Manager reported on a full planning application submitted by Hastings Borough Council for the erection of a new Visitor Centre within Hastings Country Park, Lower Coastguard Lane, Fairlight, Hastings.

The proposed location of the new visitor centre is on coastguard Lane, to the south west of the existing Visitor Centre, and will be set within the existing grass verge/agricultural land. The site lies with the High Weald Area of Outstanding Natural Beauty (AONB) and is a Local Nature Reserve (LNR).

The existing facility is no longer considered fit for purpose and the Council wish to provide a new centre for all members of the public to learn more about the Park. The ground floor will be fully accessible to all and provide a safe, warm environment for educational purposes. The location has been chosen as the least intrusive within the AONB and will have the least impact on the special landscape of the Country Park. Materials are considered to be sustainable and in keeping with the rural location.

The proposed visitor centre will be a south facing, one storey multi-functional building including a viewing platform at 1st floor level. Access to the 1st floor will be limited to maintenance only until such time that the floor is accessible to all by lift. A small seating area outside will be provided for picnicking. A small refreshment kiosk will be provided within the building.

Internally, the centre will provide 2 unisex toilets and 1 accessible toilet, a small

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shop and refreshments area, storage, plant room and a large flexible space for education/exhibitions.

An amphitheatre is proposed to the south of the building, to be used as an outdoor classroom for educational purposes.

As well as the existing adjacent car park, there is additional space for car/coach parking a short walk away to accommodate any additional traffic should more schools take advantage of the enhanced educational facility/opportunity.

The main function of the visitor centre is a facility which provides information and education regarding the local landscape and special character and beauty of the Hastings Country Park/AONB. The proposals include a new access with turning head in order to provide level access to all.

The main considerations were the principle of the development/proposed use; AONB/Landscape impact; ecology; drainage; highways/traffic; residential amenity; and impact on existing business.

The Development Manager considered the proposal has been designed and located to be in keeping with the rural character and landscape of the Local Nature Reserve and Highway Weald AONB. The Development Manager recommended the application be approved subject to conditions.

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.

Having declared his prejudicial interest, Councillor Street was absent from the chamber during discussion and voting and the application was chaired by Councillor Scott as Vice-Chair.

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

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. 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

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No working on Sundays or Public Holidays.

- 3. The visitor centre shall not be used except between the following hours:-
9am - 5pm Monday - Sunday**
- 4. (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 use of the building hereby approved shall occur until those works have been completed;
(iii) The building shall not be used 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.
- 5. No development above ground shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs lighting etc.); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant;**
- 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 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 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**
- 8. 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**

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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;

- 9. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the visitor centre and amphitheatre (including photovoltaics) hereby permitted have been made submitted 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;**
- 10. No development to be commenced on site until a Construction Management Plan setting out mitigation measures to protect against disruption caused during construction has been submitted to and approved in writing by the Local Planning Authority;**
- 11. There must be no public access to the proposed viewing platform unless a fully functioning lift is provided;**
- 12. The proposed amphitheatre is to be used as an outdoor classroom only and for no other use;**
- 13. The development hereby permitted shall be carried out in accordance with the following approved plans:

240/100 NEW, 001, 101A, 102A, 103A, 104A, 105B, 106B, 107B, 108A, 109A.**
- 14. 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 Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority;**
- 15. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [14] to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.**

Reasons:

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;**
- 2. To safeguard the amenity of adjoining and future residents. (Hastings**

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Local Plan 2004 Policies DG1 and DG3);

- 3. To safeguard the amenity of adjoining and future residents. (Hastings Local Plan 2004 Policies DG1 and DG3);**
- 4. To ensure that no property is occupied until adequate access and drainage facilities have been provided;**
- 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 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. In the interests of the visual amenity;**
- 10. To safeguard the amenity of nearby residents and user of the Country Park;**
- 11. In order that the facility is accessible to all members of the public;**
- 12. To protect the amenity of neighbouring residents;**
- 13. For the avoidance of doubt and in the interests of proper planning;**
- 14. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework;**
- 15. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.**

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 should contact the Sussex Police Architect Liaison Officer**

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at the Police Station, Bohemia Road, Hastings to discuss the "Secured by Design" principles for new developments; and

4. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: developerservices@southernwater.co.uk.

78.3 63 St. Helens Park Road

Proposal:	Single storey flat roofed rear extension together with front facing dormer window
Application No:	HS/FA/14/01008
Existing Use:	Single private dwellinghouse
Hastings Local Plan 2004	DG1 and DG3
Conservation Area:	
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	SC1
Development Management Plan	
Proposed Submission Version:	DM1, DM3
Public Consultation:	3 letters of objection received

The Development Manager reported on an application for a single storey flat roofed rear extension, together with front facing dormer window at 63 St. Helens Park Road, Hastings.

The application site comprises a substantial detached period property with an existing flat roofed garage which is built on the boundary to the side (south). The properties on both sides are similar in nature, although some have smaller gardens. 61 St. Helens Park Road is set at a lower level.

Following refusal of the previous application which included a dormer window (HS/FA/14/00744), it was initially felt that the dormer forming part of this planning application was also unacceptable, but amended plans were received to site it in the centre of the house, reducing its size and changing the roof to a pitched roof with a width of about 1.7m and a total height of 2m.

It is proposed that the rear single storey extension would cover the full width of the dwellinghouse and also the space behind the existing side garage bringing the extension up to the boundary wall with 61 St Helens Park Road. The extension will have a width of 12.25m with a depth of 3.9m. The plans show a height of 3.25m,

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increasing in height to 4m for the two metres nearest to the boundary wall due to changes in ground levels. The extension will have a flat roof with two lantern style rooflights and will match the existing white painted rendered brickwork.

The main considerations were the impacts of the proposal on the visual impact and living conditions of the adjoining properties. The Development Manager considered the proposal would not result in any overlooking 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 Rogers proposed a motion to approve the application as set out in the resolution below. This was seconded by Councillor Lee.

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:

Site Plan; and 1601 (110)-1, 2, 9, 10B, 12 & D

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building;
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.

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 of the area. (Hastings Local Plan 2004 - Policy DG1); and
4. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1)

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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. **Please note that the approval relates only to the single storey rear extension and front dormer window.**

78.4 28 Lower South Road

Proposal:	Demolition of existing garage and storage building and erection of an apartment building containing four flats
Application No:	HS/FA/14/00966
Existing Use:	Garages/storage
Hastings Local Plan 2004	DG1, DG2, E4, TR8
Conservation Area:	No
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	DC1, E1
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4
Public Consultation:	2 letters of objection received

This application was referred to the Planning Committee by Councillor Cartwright, Ward Member for Gensing.

The Development Manager reported on an application for the demolition of a garage and storage building and erection of a three-storey high block of four flats, including a flat at lower ground floor level at land adjacent to 27 Lower South Road.

The site lies on the southern side of Lower South Road adjacent to the end of terrace property of 27 Lower South Road and to the rear of 267 London Road. The site contains a garage and single storey building where it fronts Lower South Road and two-storey at the rear. Nearby buildings are two or three storey in height.

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The apartment block will comprise three 1-bedroom and one 2-bedroom flats over four floors, including accommodation at lower ground level, similar to the adjoining terraced houses. The building would form a link between 27 Lower South Road and the existing accommodation at the rear of 267 London Road which is in the same ownership as the application site. The building would be angled and articulated to suit the site and to match the height of the adjacent property of 267 London Road. The fenestration details (including bay windows) would match the existing houses along the south side of Lower South Road.

The proposed flats would be accessed via a common lobby area on the ground floor of the building on Lower South Road. This entrance would also be used to provide access to the existing ground floor flat at 267 London Road. The lower ground floor flat and the existing flat at 267 London Road would have access to a court yard area at the rear of the site.

Proposals include blocking-up of two existing windows serving a kitchen and a bathroom on the ground floor and two windows in bathrooms at the first and second floor levels of the residential accommodation to the rear of 267 London Road.

A cycle storage area is to be included on the lower ground floor level of the building. No parking is proposed to serve the development.

The main issues considered were the impacts on loss of employment use; character of the area; amenities of adjacent properties; highway considerations, and access.

The Development Manager felt the proposal was in line with the National Planning Policy Framework and that it made effective use of previously developed brownfield land. As there is no material change in circumstance that would justify a refusal against the background of the previously allowed appeal, the Development Manager recommended planning permission 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 as set out in the resolution below. This was seconded by Councillor Lee.

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

TCPS 289/1; 2597; and 4612/1
3. **(i) Construction of the development shall not commence until details**

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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.**
- 4. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the building 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;**
- 5. 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.
- 6. No flat hereby approved shall be occupied until readily accessible external storage space for refuse bins awaiting collection has been provided to the satisfaction of the Local Planning Authority;**
- 7. The lower ground, ground, 1st and 2nd floor windows on the rear elevation of the building marked on drawings 4612/1 shall be obscure glazed at all times unless otherwise first approved in writing by the Local Planning Authority;**
- 8. No development shall commence until the boundary treatment details have been submitted to and approved in writing by the Local Planning Authority. Thereafter no development shall take place other than in accordance with the approved details; and**
- 9. No development shall take place until details of the windows have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reasons:

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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. To prevent increased risk of flooding;
4. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 Policy DG1);
5. In the interests of the amenity of the neighbouring residential occupiers (Hastings Local Plan 2004 Policy DG1);
6. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (Hastings Local Plan 2004 Policy DG1);
7. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (Hastings Local Plan 2004 Policy DG1);
8. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (Hastings Local Plan 2004 Policy DG1); and
9. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (Hastings Local Plan 2004 Policy DG1).

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning;
2. Consideration should be given to the provision of a domestic sprinkler system; and
3. **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.

(The Chair declared the meeting closed at. 7.07 pm)

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