

## PLANNING COMMITTEE

29 APRIL 2015

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

### 86. APOLOGIES FOR ABSENCE

Apologies for lateness were received from Councillor Beaver.

### 87. DECLARATIONS OF INTEREST

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

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Rogers	78.3 – Site of former 28 Dane Road and 37 Brittany Road, St. Leonards-on-Sea	Personal & Prejudicial – Lives at the site
Street	78.3 – Site of former 28 Dane Road and 37 Brittany Road, St. Leonards-on-Sea	In the interests of transparency – Made an independent site visit to Dane Road. Cllr Rogers and other residents were there. He did not express a view either way, just listened.

### 88. MINUTES OF THE MEETING HELD 1 APRIL 2015

**RESOLVED** – That the minutes of the meeting held on 1 April 2015 be approved and signed by the Chair as a true record.

### 89. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

### 90. PLANNING APPLICATIONS ATTRACTING A PETITION:

### 91. LAND ADJACENT 33 WEST STREET AND 1 EAST PARADE

Proposal:

Variation of approved drawings (door/window adjustments, internal layout changes, alterations to materials, additional windows, reduced roof profile, addition of Juliette balconies/flues/vents) of Planning

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Application No:	Permission HS/FA/11/00555. HS/FA/14/00717
Existing Use:	Dwellings under construction
Hastings Local Plan 2004	DG1, DG2, DG3, DG4, C1, C10
Conservation Area:	Yes – Old Town
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	FA5, SC1, SC3, SC4, EN1, H1, H2, T3
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4 and HN1
Public Consultation:	4 letters of objection received and 1 petition received

The Development Manager reported on an application for the amendment to the design of an approved scheme of 3 residential properties at Land adjacent 33 West Street and 1 East Parade, Hastings.

The site is located on the south side of West Street within the Old Town Conservation Area. The site is vacant, surfaced in tarmac and currently used by the owner as a private car park. The site adjoins 1 East Parade to the west, the western elevation of 33 West Street and 4A and 4 East Parade to the rear. The site was previously occupied by two buildings which adjoined 33 West Street and 1 East Parade, to create a terrace of buildings. Following fire damage, the last of these buildings was demolished in 2004, leaving a single storey section and the western elevation of 1 East Parade, together with the rear elevation of 4A East Parade exposed.

The application is to vary the plan numbers condition of planning permission: HS/FA/11/00555 which was for the erection of 2 x dwellings and 1 x maisonette. The approved scheme followed a number of applications for residential development at the site. Of particular relevance were the two schemes approved under planning permissions: HS/FA/03/00798 & HS/FA/08/00093 which were both for similar schemes.

Since the approval of planning permission: HS/FA/11/00555 two other applications have been made for residential development both of which were refused (HS/FA/12/00538 & HS/FA/13/00256). The main reasons for refusal related to the impact on the character and appearance of the area, the amenity of neighbouring residents and traffic safety.

The alterations to the approved scheme involve:

Front Elevation:

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- repositioning the door to the central unit;
- bringing the ground floor window of the central unit in line with windows of upper floors;
- introducing rendered skirting;
- replacing brickwork with terracotta mathematical tiles;
- forming 7 vents;
- formation of boiler flue;
- enlarging the windows of the western unit;
- alteration to the roof of the western unit to form a pitch roof with front facing gable.

### Rear Elevation:

- formation of feature windows to stairwells;
- formation of inward opening obscure glazed windows to stairwells and bathrooms;
- formation of rear door to twitten;
- formation of inward opening windows with Juliette balconies at first, second and roof levels in line with twitten;
- replacement of timber weatherboard with composite weatherboard to part of rear elevation;
- formation of 5 vents;
- formation of two boiler flues.

### Roof:

- formation of two flues;
- formation of glazed roof lights;
- alteration to the roof of the western unit to form a pitch roof with front facing gable.

The main issues were the impacts on the character and appearance of the streetscene and surrounding conservation area, the amenity of neighbouring residents and implementation of planning permission HS/FA/11/00555. After considering all the matters, the Development Manager considered that the proposed amendments will enhance the character and appearance of the streetscene whilst maintaining the amenity of neighbouring residents, he therefore recommended that planning permission be granted subject to conditions.

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

An error was noted on page 15 of the report, The Planning Enforcement Team visited the site on 15 September 2014 and not September 2015. 'Page 18 Note to the Applicant, No. 3' had in error been duplicated twice. No. 3 was re-numbered to No. 4.

The petitioner, Sheila Bull, was present and spoke against the application.

The agent, Sue Konu, was present and spoke in support of the application.

The Planning Solicitor clarified comments made regarding a previous judicial review

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stating that Sheila Bull had sought permission to apply for judicial review which was refused. The Order stated that "This claim is not arguable. Read together, the Defendant's summary grounds and the supporting witness statement of Mr Tanner show a cogent and complete answer to the challenge. The proposal was properly dealt with by the Defendant without any procedural or other legal error. Proceedings for judicial review do not allow the decision to be attacked on its planning merits." The Court ordered that Sheila Bull pay the Council's costs.

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

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

1. No development above ground shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have either been made available for inspection at the site or submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details;
2. No development above ground shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
  - a) Full joinery details of all external doors, door surrounds, door hoods (to be weathered in lead), windows (to be in timber and fitted with 'Slimlite' slender section double glazed units, or agreed equivalent), soffits and bargeboards. These shall include 1:10 elevations and 1:2 or full sized cross sections. All timber work to have a painted finish;
  - b) Full construction details of the new roof dormers. The details are to include 1:10 elevations and full size cross sections, including full details of any proposed insulation. The dormers are to have lead roofs and cheeks;
  - c) Ventilation details including the external appearance of any external extract terminals or boiler flues;
  - d) The profile and decorative finish of all new rainwater goods and soil pipes (to be in either cast iron or cast aluminium); and
  - e) Refuse storage details.

Development shall be carried out in accordance with the details approved and no occupation of any building approved shall occur until those works have been completed;

3. Notwithstanding what is shown on the drawings, all new areas of render shall have a smooth (not textured) finish, with the surface of the

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render traditionally lined out in the form of Ashlar blocks;

4. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-  
  
08.00 - 18.00 Monday to Friday  
08.00 - 13.00 on Saturdays  
No working on Sundays or Public Holidays.
5. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 1995 (“the GPDO”) (or any order subsequently revoking or re-enacting that order with or without modification) no enlargement, improvement, other alteration to the dwelling house, no erection of a porch, enlargement of the house by altering or adding to the roof, no other changes to the roof, nor the installation of a satellite antenna to the dwellinghouses hereby permitted on the approved plans SD/279/01A and SD/279/02A, submitted with this application, shall take place without the grant of a further planning permission. This means that the normal residential permitted development rights under the GPDO Schedule 2, Part 1 Classes A, B, C, D and H (as amended by Amendment Order No. 2 of 2005) have been withdrawn for the new houses shown on approved plans SD/279/01A and SD/279/02A;
6. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
47200/PC/001D, 47200/PC/005A, 47200/PC/006B, 47200/PC/007  
(Location Plan Only), 47200/PC/009A, 47200/PC/010B
7. The south and east facing bathroom, stairwell, shower room and WC windows shall be obscure glazed with obscure glass to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3, or similar equivalent.

### Reasons:

1. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 - Policy DG1);
2. To ensure a satisfactory form of development in the interests of the character and amenity of the conservation area;
3. To ensure a satisfactory standard of development in terms of the character and appearance of the conservation area;
4. To safeguard the amenity of adjoining and future residents. (Hastings Local Plan 2004 - Policy DG1 and DG3);

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- 5. In the interests of the amenities of the area and to protect the setting of the two adjoining listed buildings;**
- 6. For the avoidance of doubt and in the interests of proper planning; and**
- 7. To safeguard the amenity of adjoining and future residents.**

**Notes to the Applicant**

- 1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning;**
- 2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework;**
- 3. The applicant is reminded that it will be necessary to obtain the appropriate consent from East Sussex County Council if it is proposed to obstruct or partially obstruct the public highway (including West Street and the pavement). Please contact the ESCC on: 0345 60 80 193 or by e-mail: [highways@eastsussex.gov.uk](mailto:highways@eastsussex.gov.uk) for further information; and**
- 4. Consideration should be given to the provision of a domestic sprinkler system.**

**92. 33 WEST STREET, 34 WEST STREET AND 1 EAST PARADE**

Proposal:	Abutment work to 2 joining listed buildings
Application No:	HS/LB/14/00730
Existing Use:	Dwellings under construction
Hastings Local Plan 2004	N/A
Conservation Area:	Yes – Old Town
National Planning Policy Framework	Section 12
Hastings Planning Strategy	N/A
Development Management Plan	
Proposed Submission Version:	N/A

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Public Consultation:

5 letters of objection and 1 petition received  
received

The Development Manager reported on an application for listed building consent following grant of planning permission HS/FA/11/00555 which is for the erection of 3 residential properties. The scheme under consideration is to adjoin 1 East Parade and 33 West Street which are listed buildings. The current proposal is for abutment works to the adjoining buildings.

The site is located on the south side of West Street within the Old Town Conservation Area. The site is vacant, surfaced in tarmac and currently used by the owner as a private car park. The site adjoins 1 East Parade to the west, the western elevation of 33 West Street and 4A and 4 East Parade to the rear. The site was previously occupied by two buildings which adjoined 33 West Street and 1 East Parade, to create a terrace of buildings. Following fire damage, the last of these buildings was demolished in 2004, leaving a single storey section and the western elevation of 1 East Parade, together with the rear elevation of 4A East Parade exposed.

The works proposed involve forming vented cavities between the listed buildings and the new building. The cavities are to be sealed as follows:

- a lead finished upstand is to be used to seal the cavity between the roof of 33 West Street and the new building;
- a timber baton is to be used to seal the cavity between the weatherboard of the proposal and 33 West Street;
- at the lower levels mastic and lime mortar are to be used to seal the cavity,
- to close the cavity between the roof and 1 East Parade lead flashing is to be chased into the render of 1 East Parade;
- vertical weatherboard is to be used to seal the cavity between the roof of the proposal and the roof of 33 West Street.

The main issues considered were the impact of the proposal on the character and appearance of the two listed buildings only.

The Development Manager felt that, subject to conditions, the proposal will preserve the historic character and appearance of the adjoining listed buildings and recommended the application be approved subject to conditions.

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

Councillor Beaver arrived at this juncture and sat back from the meeting. He took no part in the discussion and voting on this item.

The petitioner, Sheila Bull, was present and spoke against the application.

The applicant, Sue Knou, was present and spoke in support of the application.

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

**RESOLVED** – (unanimously) that Listed Building Consent be granted subject to the following conditions:-

1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted; and
2. The works hereby permitted shall be carried out in accordance with the following approved plans:

47200/PC/001 REV D, 42700/LBC/003 REV A, 47200/LBC/004 REV A, 47200/LBC/005 REV A, 47200/LBC/006 REV A, 47200/LBC/007 REV A, 47200/LBC/008 REV A, 47200/PC/009A, 47200/PC/010A

**Reasons:**

1. To ensure the architectural and historic character of this Grade II Listed Building is adequately protected; and
2. 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 consent may result in enforcement action without further warning; and
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

### **93. PLANNING APPEALS AND DELEGATED DECISIONS**

The Development Manager reported one appeal that had been received and three appeals that had been dismissed. He also reported on a number of delegated decisions. All matters had arisen between 20 March 2015 and 17 April 2015.

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

### **94. PLANNING APPLICATIONS:**

#### **94.1 44 Birch Way**



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Proposal:	Erection of a detached single-storey dwelling
Application No:	HS/FA/15/00240
Existing Use:	Side Garden
Hastings Local Plan 2004	DG1, DG3, DG11
Conservation Area:	No
National Planning Policy Framework	
Hastings Planning Strategy	No Conflict
Development Management Plan	SC1, H2
Proposed Submission Version:	DM1, DM3
Public Consultation:	1 letter of support received.

The Development Manager reported on an application for a single-storey three bedroom dwellinghouse at 44 Birch Way, Hastings.

The proposed dwellinghouse is to be located in the existing garden of 44 Birch Way on a triangular piece of land, enclosed by boarded fencing. The footprint of the dwellinghouse is 10 x 9.2 metres with a pitched roof and an overall height of about 5.2 metres. The existing plot size of the properties along Birch Way is smaller than that of number 44 and the area is characterized by two storey semi-detached dwellinghouses. The adjacent dwellinghouses of 44 and 43 are two storey buildings.

The new dwelling will be served by the existing drive to the property. Two car parking spaces have been proposed for the proposed dwelling and two parking spaces are proposed for the existing dwelling, one space at the front of the dwelling and the second next to the retained garden. The driveway and turning head would be shared between the existing and proposed dwellinghouse.

The proposed materials are face brick work, Marley interlocking roof tiles (smooth grey) white upvc windows and black upvc down pipes and gutters.

Having regard to the residential amenity, visual amenity, parking and highway safety, 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.

An additional electronic comment of objection from Mr Wilson had been received since

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the publication of the agenda. This was circulated prior to the start of the meeting.

Councillor Scott 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 expiry from the date of this permission;
2. The development hereby permitted shall be carried out in accordance with approved plans:  
  
14-63-100 Revision A: Site and Block Plan and Plans & Elevations;
3. With the exception of internal works the building works required to carry out 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.
4.
  - i) Construction of the development shall not commence until details of the 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 and no occupation of any of the dwellings or flats hereby approved until those works have been completed;
  - (iii) No occupation of any of the dwellings or flats hereby approved shall take place until the Local Planning Authority has confirmed in writing that it is satisfied that the necessary drainage infrastructure capacity is now available to accommodate the development.
5. No development above ground shall take place until full details of the building 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 finished levels or contours; means of enclosure; car parking layouts; pedestrian access and circulation areas; hard surfacing materials;
6. All hard landscape works shall be carried out in accordance with the approved plans. 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;
7. The developer must advise the local authority (in consultation with South Gloucestershire Council) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development;

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8. The works shall be completed in accordance with BS 5837:2012 Trees i design, demolition and construction;
9. No development shall take place until the measures outlined in the sub Ecological Appraisal by The Mayhew Consultancy Ltd, dated Novembe and 9, have been fully implemented, unless:
  - (i) the programme for such measures is otherwise specified within th example with regard to measures related to monitoring, further sur erection of bird boxes on buildings or other conservation enhance case the works shall be carried out in accordance with the timesca therein or;
  - (ii) unless the scheme(s), or programme(s) of measures contained wit statements and reports is otherwise first varied, by way of prior wr the Local Planning Authority.
10. No development shall take place above ground until details of the mate the construction of the external surfaces of the dwelling hereby permit submitted to and approved in writing by the Local Planning Authority. be carried out in accordance with the approved details.

### 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 amenity of the neighbouring residential occupiers (Hastings Local Plan 2004 Policy DG1);
4. To prevent increased risk of flooding;
5. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (Hastings Local Plan 2004 Policy DG1);
6. 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. In order to protect drainage apparatus;
8. In interest of the health of the trees and the visual amenity of the area;

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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); and
10. In the interests of the visual 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. 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 proposed building is over or close to a public sewer and consultation with Southern Water Services Ltd. is necessary;
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](mailto:developerservices@southernwater.co.uk).
5. The maximum gradient of the private drive should not exceed 1 in 9; and
6. Consideration should be given to the provision of a domestic sprinkler system.

### **94.2 Site of former 28 Dane Road and 37 Brittany Road, St. Leonards-on-sea**

Proposal:	Erection of studio house and parking on rear garden of 28 Dane Road
Application No:	HS/FA/14/00912
Existing Use:	Vacant – previously occupied by garages
Hastings Local Plan 2004	DG1, DG2, DG3, C1
Conservation Area:	Yes – Markwick Terrace
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	FA2, SC1, SC3, SC4, EN1, H1, H2, T3

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Development Management Plan  
Proposed Submission Version: DM1, DM3, DM4, HN1, HN5, HN7, HN8

Public Consultation: 3 letters of objection received

The Development Manager reported on an application for the erection of a dwelling and parking on vacant land on the northern side of Dane Road at site of former 28 Dane Road and, 37 Brittany Road, St. Leonards on Sea.

The proposal consists of a three storey dwellinghouse with a slate pitched roof, painted rendered walls, aluminium casement windows and hardwood doors. A roof terrace is proposed to the rear of the property at first floor level. The proposal is to include pedestrian access only via a path leading from Dane Road and front and rear gardens.

The proposal is three storeys in height with a pitch roof. Its overall height is lower than the neighbouring block of flats at Du Cros House but taller than the neighbouring bungalow at 27 Dane Road. This approach means that the scheme "bridges" the gap between the two neighbouring properties and therefore draws on the size and scale of development found in the area. The front elevation of the property will be partly obscured by the existing mature trees as some are to be retained as part of the proposal.

The area forms part of the Markwick Terrace Conservation Area which includes a row of three to four storey terraced properties of Markwick Terrace but is otherwise defined mainly by three storey pairs of semi detached properties as well as larger blocks of flats. The trees along the site's front with Dane Road are protected by a group Tree Preservation Order (TPO).

The main considerations were the impacts on the character and appearance of the area; living environment, highways and transport, housing need and affordable housing, biodiversity, drainage, protected trees and the amenity of neighbouring residents.

The Development Manager felt that the scheme drew on the broad characteristics of the area and that it will result in an additional unit of accommodation without resulting in adverse impacts on the surrounding area. He therefore recommended the application be approved subject to conditions.

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

Having raised her prejudicial interest, Councillor Rogers was absent from the Chamber during discussion and debate.

Councillor Beaney 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**

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following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
2. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-  
  
08.00 - 18.00 Monday to Friday  
08.00 - 13.00 on Saturdays  
No working on Sundays or Public Holidays.
3. The dwelling hereby approved shall not be occupied until readily accessible external storage space for refuse bins awaiting collection has been provided to the satisfaction of the Local Planning Authority;
4. Prior to the development hereby approved being occupied details of a screen to be positioned along the north west and south east edges of the flat roof area to the rear of the dwelling hereby approved shall be submitted for approval by the Local Planning Authority. The screen shall be erected in accordance with the approved details and shall be maintained as such in perpetuity;
5. No works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
  - detailed elevation and cross section drawings at no less than 1:20 scale and/or samples of the proposed guard rails/enclosures to the rear edge of the flat roof area.
  - detailed elevation and cross section drawings at no less than 1:20 scale and/or samples of the privacy screen required by condition 4.The works shall be carried out in accordance with the details approved and no occupation of any building approved shall occur until those works have been completed.
6. The development shall not be occupied until cycle parking details have been submitted to and approved in writing by the Local Planning Authority. The cycle parking areas shall be provided before the dwelling is occupied and in accordance with the approved details. Once provided the cycle parking areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
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 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

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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.

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 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 until temporary protective fences to safeguard the trees and/or hedges to be retained on the site have been erected in accordance with the current "BS 5837:2012 - Trees in relation to design, demolition and construction. - Recommendations" standards and to the satisfaction of the Local Planning Authority. All such fences shall be kept in a sound, upright and complete condition until the development has been completed and/or the Local Planning Authority confirm in writing that the works have been sufficiently completed for the fencing to be removed.
10. 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.
11. No development shall take place until the measures outlined in the submitted ecological and arboricultural statements and reports (Tree Survey Arboricultural Impact Assessment & Tree protection Plan Land at 28 Dane Road St Leonards on Sea TN38 0QW by The Mayhew Consultancy Ltd Dated December 2014 and Preliminary Ecological Appraisal Land at 28 Dane Road St Leonards on Sea TN38 0QW by The Mayhew Consultancy Ltd Dated 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; unless the scheme(s), or programme(s) of measures contained within the ecological statements and reports

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is otherwise first varied, by way of prior written approval from the Local Planning Authority.

12. The studio at third floor level shall only be used as ancillary accommodation in relation to the main use of the building as a single dwellinghouse. The third floor shall be used for no other purposes whatsoever including as independent residential use or for commercial purposes.
13.
  - (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 the dwelling shall not be occupied until those works have been completed.
  - (iii) The dwelling 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.
14. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no hardstanding shall be created to the front of the property and no vehicular access shall be created without the grant of a separate planning permission.
15. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
PO861/SK/1/1, 1/2D, 1/3A, 1/4A, 1/5A, 1/6A, 1/7A, 1/8B, 1/9B, 1/10A, 1/11C, 1/14C, 1/15C, 1/16.

### 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 residents. (Hastings Local Plan 2004 - Policy DG4);
3. To ensure a satisfactory standard of development;
4. In the interests of the visual amenity of the area. (Hastings Local Plan



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**2004 - Policy DG1);**

- 5. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 - Policy DG1);**
- 6. In order that the development site is accessible by non-car modes and to meet the objectives of sustainable transport;**
- 7. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 8. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 9. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);**
- 10. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 - Policy DG1);**
- 11. To protect features of recognised nature conservation importance and the character and appearance of the area;**
- 12. To accord with the terms of the application and to safeguard proper planning of the area;**
- 13. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 14. To enable the local planning authority to control the development in the interests of the visual amenities of the area, with particular regard to the trees on the site; and**
- 15. For the avoidance of doubt and in the interests of proper planning.**

### **Notes to the Applicant**

- 1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning;**
- 2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework;**
- 3. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Telephone: 0330 303 0119) or**

## **PLANNING COMMITTEE**

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**[www.southernwater.co.uk](http://www.southernwater.co.uk).**

- 4. In the event that any sewers are found within the site the applicant is advised to contact Atkins Ltd. Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Telephone 01962 858688) or [www.southernwater.co.uk](http://www.southernwater.co.uk).**
- 5. Consideration should be given to the provision of a domestic sprinkler system.**

(The Chair declared the meeting closed at 6.39pm)