

# PLANNING COMMITTEE

24 FEBRUARY 2016

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

## 72. APOLOGIES FOR ABSENCE

None.

## 73. DECLARATIONS OF INTEREST

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

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Dowling, Scott and Street	50.2 – Land adjacent 99 West Hill Road, St. Leonards on Sea	Personal – David Hancock is a former Councillor and is known to them.

## 74. MINUTES OF THE MEETINGS HELD ON 27 JANUARY 2016

**RESOLVED** – that the minutes of the meeting held on 27 January 2016 be approved and signed by the Chair as a true record.

## 75. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

## 76. PLANNING APPLICATIONS ATTRACTING A PETITION:

### 76.1 Land adjacent 99 West Hill Road, St. Leonards on Sea

Proposal:	Erection of detached house with two parking spaces
Application No:	HS/FA/15/00511
Existing Use:	Residential Curtilage
Conservation Area:	Yes – Grosvenor Gardens
National Planning Policy Framework:	Paragraphs 14, 47, 50, 60
Hastings Local Plan The Hastings Planning Strategy:	EN1, FA2, DS1, SC1, SC2, SC3, SC4, SC6, E3, EN6, H2, H3, T3

## PLANNING COMMITTEE

24 FEBRUARY 2016

DM1, DM3, DM4, DM5, HN1,  
HN8

Public Consultation:

28 letters of objection, 1 petition  
and 1 letter of support received

The Planning Services Manager explained that this application was previously presented to Planning Committee on 25<sup>th</sup> November 2015 when a resolution to grant permission subject to conditions was agreed. The applicant, as a result of health issues, was not able to meet the deadline set out in the previous resolution to complete the S106 Agreement or resolve any viability issues. As a result the applicant requested an extension of the deadline until 25<sup>th</sup> May 2016. There was no update to the report previously brought to Planning Committee.

Councillor Scott proposed a motion to approve the application. This was seconded by Councillor Rogers.

**RESOLVED** – by (8 votes to 1, with 1 abstention) that:

**A) The Planning Services Manager be authorised to issue planning permission upon completion of an agreement under S106 of the Town and Country Planning Act to secure a financial contribution towards the provision of off-site affordable housing, unless it has been conclusively shown that the development would not be viable if a payment were made. In the event that the Agreement is not completed or the viability issue not resolved by 25 May 2016 that permission be refused on the grounds that the application does not comply with Policy H3 of the adopted Hastings Local Plan, The Hastings Planning Strategy 2011-2028 unless an extension of time has been agreed in writing by the Planning Services Manager in consultation with the Chair and Vice Chair of the Planning Committee.**

**B) Grant permission subject to the above**

- 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 above ground until details of the materials to be used in the construction of the external surfaces of the proposed dwelling 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.**
- 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.**

## PLANNING COMMITTEE

24 FEBRUARY 2016

4. All planting seeding or turfing comprised in the approved soft landscaping scheme shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
5. No development 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 (e.g. furniture, play equipment, refuse or other storage units, signs lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.
6. The development shall not be occupied until the 2 parking areas have been provided in accordance with the submitted plan (Drawing No.DRWG/DH/03). Thereafter the parking areas shall be retained for that use and shall not be used other than for the parking of motor vehicles.
7. The development shall not be occupied until cycle parking areas have been provided in accordance with the submitted plan (Drawing No. DRWG/DH/04).
8. No development shall take place until the investigations outlined in paragraph 6.1 of the submitted Land Stability Assessment by GabrielGeo Consulting, dated 5th October 2015 have been carried out and the resulting report and/or plans submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved report/plans.
9. 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.
10. During the construction phase the following Ecology requirements shall be adhered to;

### Mammals

- Gaps should be left beneath any perimeter fencing to allow free access for foraging mammals.

## PLANNING COMMITTEE

24 FEBRUARY 2016

- Any trenches left open overnight should incorporate a ramp – such as a scaffolding plank – to allow any trapped wildlife to escape.

### Nesting birds

- The timing of any construction activity should recognise the possibility that nesting birds might be present. Disturbance should therefore be avoided during the recognised bird nesting season which ranges from the beginning of March to the end of July.

### Reptiles

- All vegetation should be regularly maintained at a short height - or removed - to prevent the development of habitat which is favourable to reptiles.
- Site clearance of vegetation should be done with care, and in such a way as to enable any reptiles that might be present to be safely driven towards retained or adjacent habitat.
- Piles of debris, including logs, tiles, rubbish and vegetation all have the potential to be colonised by reptiles; such material should not be allowed to accumulate. If such debris does appear it should be removed off site by dismantling it carefully by hand, which will then allow any reptiles that may be present to escape.
- Compost heaps, or piles of vegetation waiting to be burnt, can provide a favourable habitat, particularly to hedgehogs and slow worms. Any dismantling of such heaps should be done by hand and with care, to ensure that any animals or reptiles they may contain are not injured. If possible, alternative compost heaps should be established elsewhere on the site to ensure that a continuity of habitat is retained.

11. (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 dwelling hereby approved shall occur until those works have been completed.  
(iii) No occupation of any of the dwelling 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.
12. The surface water management proposals formulated for the detailed design stage should be supported by detailed hydraulic calculations showing a 'like for like' discharge rate between the existing and proposed scenarios during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events.
13. The development hereby permitted shall be carried out in accordance with the following approved plans and details: DRWG/DH/01, 02, 03, 04, 05. JC/KD/01A and Land Stability Assessment carried out by GabrielGeo Consulting dated 5th October 2015.

## **PLANNING COMMITTEE**

**24 FEBRUARY 2016**

### **Reasons:**

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.**
- 2. To ensure that the finished development takes proper account of the character of the surrounding area in its use of external materials in the interests of the amenity of the area.**
- 3. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 4. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 5. To ensure a satisfactory form of development in the interests of the visual amenity.**
- 6. In the interests of the amenity of the neighbouring residential occupiers.**
- 7. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.**
- 8. To protect future residents and users of the development in the interests of Health and Safety.**
- 9. To safeguard the amenity of adjoining residents.**
- 10. In the interests of the safety and wellbeing of potential wildlife on the site.**
- 11. To prevent increased risk of flooding.**
- 12. To prevent increased risk of flooding.**
- 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.**
- 3. East Sussex County Council, must be consulted regarding the provision of a vehicular pavement crossing to Highway Authority's standard of specification and construction and at the applicant's expense.**

## PLANNING COMMITTEE

24 FEBRUARY 2016

Contact: [highways@eastsussex.gov.uk](mailto:highways@eastsussex.gov.uk) 0345 6080 193.

- 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 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).
- 6 Consideration should be given to the provision of a domestic sprinkler system.

### 77. PLANNING APPEALS AND DELEGATED DECISIONS

The Planning Services Manager reported that two planning appeals had been received; 1 appeal had been dismissed; 1 appeal against conditions had been dismissed and two appeals had been allowed. She also reported on the number of delegated decisions.

All matters had arisen between 18<sup>th</sup> January to 10<sup>th</sup> February 2016.

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

(The Chair declared the meeting closed at. 4.35 pm)