

PLANNING COMMITTEE

19 OCTOBER 2017

Present: Councillors Street (Chair), Beaver, Cartwright, Clarke, B Dowling, Edwards, Rogers, Scott, Sinden (as the duly appointed substitute for Councillor Wincott) and Roberts

6. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Wincott.

7. DECLARATIONS OF INTEREST

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

Councillor	Minute	Interest
Dowling	5B – 56 Alma Terrace, St. Leonards on Sea	Prejudicial - Very personal reasons.
Dowling	5C – Land rear of 23 Martineau Lane, Hastings	Personal – Knows the owner of the property next door.
Roberts	5B – 56 Alma Terrace, St. Leonards on Sea	Prejudicial – Close friends live opposite the site.
Roberts	5C – Land rear of 23 Martineau Lane, Hastings	Personal – A friend lives in the area
Rogers	5C – Land rear of 23 Martineau Lane, Hastings	Personal – Knows two people who live fairly close to the site.
Scott	5B – 56 Alma Terrace, St. Leonards on Sea	Prejudicial – Close friends with several residents in the area.
Street	5C – Land rear of 23 Martineau Lane, Hastings	Personal – Applicant is a resident in the ward he represents. They have discussed procedural matters relating to the application.

8. MINUTES OF THE MEETING HELD ON 20 SEPTEMBER 2017

RESOLVED – that the minutes of the meeting held on 20th September 2017 be approved and signed by the Chair as a true record.

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9. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

With the agreement of the Chair, the Committee resolved to change the order of items on the agenda. Item 5(b) 56 Alma Terrace, St. Leonards on Sea, was discussed last.

10. OTHER PLANNING APPLICATIONS

10.1 Rocklands Private Caravan Park, Rocklands Lane, Hastings

Proposal:	Erection of 13 ground based solar panels on hardstanding to be retained with associated cabling and wall mounted controllers
Application No:	HS/FA/17/00294
Existing Use:	Caravan park
Conservation Area:	No
Listed Building	No
Public Consultation	26 letters of objection received.

The Principal Planner, Mr Batchelor, presented this report for the erection of 13 ground based solar panels on hardstanding to be retained with associated cabling and wall mounted controllers at Rocklands Private Caravan Park.

The site is within Rocklands Private Caravan Park, along Rocklands Lane, surrounded by Hastings Country Park and within the High Weald Area of Outstanding Natural Beauty. The solar panels are located to the north-east of Rocklands House, the site's owners' accommodation, with the ancillary cabling and mounting being attached to the house and its boundary retaining wall.

The application is partly retrospective, because the hardstanding already exists. Some solar panels are already on site (currently in a different configuration to that proposed) and the cabling and wall-mounted controllers are already installed (although this proposal includes the burying and pinning of some cabling).

Each solar panel is 1m by 1.6m, which at a 30 degree angle on a timber base makes the installation approximately 1.15m tall. The panels are proposed to be split into two arrays – one of 6 panels and one of 7 panels.

This application follows a refusal for the retention of some solar panels in a position closer to, and directly east of, Rocklands House. No objections have been received

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from statutory consultees. A number of representations have been received from Save Ecclesbourne Glen campaign group and residents. The main issues to consider were the principal of development, the impact on the landscape, the impact on heritage assets and the impact on biodiversity and trees. He considered that the proposals in their new location overcome the reason for the refusal of the previous application and do not cause any harm to landscape character, historic assets or matters of biodiversity.

Members were shown plans and photographs of the application site.

Mr Batchelor explained that the glinting of sunlight on the solar panels would be similar to a pond or still water, only to be experienced at certain times of the year between March and September and at certain angles. He stressed that this will not in any way be harmful.

Mr Batchelor explained what the differences were between the previous application that had been refused and the current application. He said that the main difference was that the previous application encroached onto the scheduled monument area. Although in a slightly different location, the current application sits outside of the ancient monument and is less harmful to the AONB, the Country Park and ecological areas.

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

RESOLVED – by (9 votes to 1 against) 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:

11.396/13D
3. The existing hedgerow surrounding the solar panel array, and shown on approved drawing no. 11.396/13D, shall be retained the whole time the solar panels remain in situ and shall be maintained at a height at or above the highest part of the solar panel array when measured from any part of the hedgerow. Should the hedgerow become damaged, diseased or die it should be replaced within the next planting season at a planting height that is greater than the solar panels.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;

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2. For the avoidance of doubt and in the interests of proper planning; and
3. In the interest of protecting the setting of designated heritage assets and the local landscape.

Notes to the Applicant

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

10.2 Land rear of 23 Martineau Lane, Hastings

Proposal:	Erection of a two-storey chalet style detached dwelling
Application No:	HS/FA/17/00468
Existing Use:	Open green land being used as C3 garden extension.
Conservation Area:	No
Listed Building	No
Public Consultation	6 letters of objection received and 1 letter of support received.

The Planning Services Manager, Mrs Evans, presented this report for the erection of a two-storey chalet style detached dwelling on land to the rear of 23 Martineau Lane.

Number 23 Martineau Lane is a large detached two-storey family dwelling house with a large rear garden. The application site/garden includes greenfield land that is not within the AONB, but it extends up to the boundary line of the AONB. The land level rises from 135.5m at the level of the existing dwelling, to approximately 137m at the area of land for the proposed new dwelling and continues to rise up to the boundary of the AONB and to the hedged ridge at the top of the field behind.

Previously a large agricultural workshop/store stood on part of the site. The workshop/store was demolished in recent years but the footprint of that previous development remains close to Mill Lane.

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The detached chalet-style dwelling will be a larger property both in height and footprint than the existing dwelling No.23 and would be situated at a higher level on the upward sloping land at the rear of the existing dwelling.

At ground floor level the new dwelling would provide an 'L' shaped open plan living-room/kitchen/family breakfast room; a shower-room and fourth bedroom/study room. At first floor level there will be 3 bedrooms and 2 bathrooms. At lower ground level there will be a built-in garage, small workshop and utility room (the lower ground level would cover a smaller area measuring approximately 85sqm due to being built to the natural slope of the land).

To the front of the dwelling, there would be a hardstanding area for car parking with drive access off Mill Lane. To the rear there would be a large garden area and small patio.

Members were shown plans, photographs and elevations of the application site.

The Planning Services Manager explained that there had been a number of applications for dwellings on the site, some of which had been refused, notably a refusal for a 4 bed dwelling in 2008 and subsequent to that an application for a 3 bed dwelling that was approved in 2009. Condition 15 attached to that permission restricted permitted development rights for extensions and outbuildings. An application was applied to remove that condition which was refused and dismissed at appeal. In dismissing it, the Planning Inspector was concerned about the plot size of that particular application in that any extension might feel cramped in the site and he recommended a condition be attached so that extensions or outbuildings be more carefully considered as part of an application.

She said the dwelling and plot size of the current application is much larger than the previous approval, the dwelling will sit on the site without feeling cramped. Although the dwelling will be closer to the Area of Outstanding Natural Beauty, it was considered it would not harm the character of the area or Area of Outstanding Natural Beauty. The proposed building is not considered to impact unacceptably on the character or views into or from the AONB. A small area of greenfield land would be developed but this is poor grade agricultural land. The benefits of this further encroachment are considered to outweigh the loss of further green land and would not look out of place in this semi-rural location. Soft Landscaping will mitigate and soften relationship with the AONB. She stated that there were no objections from statutory consultees.

Councillor Scott, requested an advisory note be added to any consent to ask for the road to not be further degraded where property is sited.

Councillor Beaver proposed a motion to approve the application as set out in the resolution below with the addition of note 8. This was seconded by Councillor Scott.

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

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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:

1634-01C, 1634-02C, 1634-03C, 1634 - J, 1634 -VS.
JPI Survey 07.10.2016
Preliminary Ecological Appraisal prepared by The Mayhew Consultancy Ltd April 2017
Arboricultural Report prepared by The Mayhew Consultancy Ltd April 2017;
3. Prior to development full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out as approved prior to first occupation. Details shall include proposed finished levels; means of boundary enclosure; car parking layouts; vehicle access; hard surfacing materials and waste storage area;
4. Prior to first occupation of the dwelling hereby approved, there shall be submitted to and approved by the Local Planning Authority (LPA) a scheme of soft landscaping, which shall include all existing trees and hedgerows on the land to be retained, a full planting scheme to include planting on the south-west boundary of the site to soften the buildings appearance to the adjoining countryside and shall incorporate the landscaping suggestions for increasing biodiversity listed in Section 9 of the submitted Mayhews Preliminary Ecological Appraisal (April 2017). The scheme shall be implemented prior to fist occupation or within the first planting season of substantial completion of the development unless otherwise first agreed in writing with the Local Planning Authority;
5. All planting seeding or turfing comprised in the soft landscaping scheme approved for condition 4 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 substantial completion of the development. 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 variation;
6. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the new dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The details of the materials to be used shall include supporting information to explain how the

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materials will help to promote sustainable and green design as required by planning policies SC1 and SC3 of Hastings Planning Strategy:

Policy SC1- Overall Strategy for Managing Change in a Sustainable Way

Policy SC3 – Promoting Sustainable and Green Design.

Development shall be carried out in accordance with the approved details;

- 7. Throughout the development works recommended measures for protecting biodiversity as listed in Section 8 of the submitted Mayhew Consultancy Ltd Preliminary Ecological Appraisal (April 2017) must be fully adhered to;**
- 8. • 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;**
 - (i) Soakage tests must be undertaken by a suitably qualified professional to confirm infiltration rates for the site and a detailed drainage scheme to include a rainwater harvesting system suitable to the infiltration rates of the site must be 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) & (ii) and no occupation of the dwelling hereby approved shall occur until those works have been completed;**
 - (iii) No occupation 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.**
- 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. The dwelling hereby approved shall not be occupied until such time as it has been connected to the main drainage system and the mains water system to the satisfaction of the Local Planning Authority;**
- 11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended or as may be subsequently amended or re-enacted no extension of the property shall take place or out-buildings be erected for the property**

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without the grant of planning permission from the Local Planning Authority;

12. No development of the dwelling hereby approved shall take place until a scheme for the improvement of the first 5m of Mill Lane to include suitable vision splay at the junction with Martineau Lane has been submitted to and approved in writing by the Local Planning Authority (LPA). Such scheme shall provide for the timing of the improvement works in relation to the implementation of the development, and shall be implemented in accordance with such timing before the dwelling is first occupied. The approved scheme shall be completed accordingly and have been certified in writing as complete by the LPA prior to the occupation of the dwelling hereby approved;
13. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband; and
14. Prior to works starting on site the recommended tree protection measures in the submitted Mayhew Consultancy Ltd Arboricultural Report (April 2017) must be fully implemented.

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. To protect the character of the Area of Outstanding Natural Beauty AONB and the amenity of adjoining residents;
4. In the interests of the visual amenity;
5. In the interests of the visual amenity;
6. In the interests of the visual amenity of the area;
7. In the interest of protecting biodiversity;
8. To prevent increased risk of flooding;
9. To safeguard the amenity of adjoining residents;
10. To ensure a satisfactory form of development in the interests of health and safety and the character and amenity of the area;
11. To protect the visual amenity of the AONB;
12. To ensure a satisfactory form of development in the interests of vehicular and pedestrian safety and in compliance with policy DM4 of

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Hastings Development Management Plan;

13. In the interest of sustainable development management; the amenity of occupants and to ensure the development complies with policy SC1 part (f) of Hastings Planning Strategy 2011-2028; and
14. In the interest of protecting biodiversity.

Notes 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;
2. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning;
3. A formal application for connection to the public sewerage system and water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk;
4. To improve the access from Mill Lane into Martineau Lane a licence will be required to carry out improvements. The applicant will need to Contact East Sussex Highways to apply.
East Sussex County Council, Transport Development Control Team tel. 01273 335443 and information can be found via the following web address:
<http://www.eastsussex.gov.uk/environment/planning/applications/developmentcontrol/vehiclecrossings.htm>
5. Guidance for construction of private vehicle access onto residential sites is available on East Sussex County Council Highways Authority document HT-407. Works undertaken must not cause damage to the public By-Way;
6. The Public By-Way along Mill Lane must remain clear and unobstructed at all times both during and after the construction period; and
7. This site is in a twin bin area so HBC provide bins for waste and recycling. Bins to be presented on the boundary of the public highway for collection on collection day and to be stored on-site at all other times.

INFORMATIVE

The applicant will give serious consideration to the state of repair of

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Mill Lane throughout the development and where located immediately adjacent to the application site, Mill Lane must be reinstated to its former state before the development commenced, prior to first occupation of the new dwelling.

10.3 56 Alma Terrace, St. Leonards on Sea

Proposal:	Approval of reserved matters relating to the access, appearance, landscaping, layout and scale, including drainage infrastructure and biodiversity enhancements of Outline Permission HS/OA/15/00211 (Conditions 1, 2, 5 & 9) - Proposed demolition of chalet bungalow and garage and construction of 10 No. new dwellings with associated off-street parking.
Application No:	HS/DS/17/00507
Existing Use:	Dwellinghouse
Conservation Area:	No
Listed Building	No
Public Consultation	Proposal within two years of previous Committee refusal

Having declared their prejudicial interests, Councillors B Dowling, Roberts and Scott were absent from the Chamber during discussion and voting.

The Principal Planner, Mr Batchelor, presented this report for approval of reserved matters relating to the access, appearance, landscaping, layout and scale including drainage infrastructure and biodiversity enhancements of outline planning permission HS/OA/15/00211 (Conditions 1, 2, 5 & 9) – Proposed demolition of chalet bungalow and garage and construction of 10 No. new dwellings with associated off-street parking at 56 Alma Terrace, St. Leonards on Sea.

The local area is made up of residential properties which vary in type and size including terraced houses, bungalows, detached two-storey houses and semi-detached properties. Alma Terrace is a cul-de-sac leading straight to the application site – with a pedestrian access only. The site is served by Burry Road. The site is a detached bungalow within substantial grounds. There was a small flat roofed garage in the western corner of the site which has been demolished since outline consent was granted.

Although this application has not attracted any objections, in accordance with the Council's Constitution, the application is brought before members as it is similar to

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an application refused by the Planning Committee within the last 2 years.

The applicant previously applied for approval of reserved matters under a separate application HS/DS/16/00485. It was refused by the Planning Committee on 5 April 2017 due to concerns about the height, mass and bulk of plot 1 and its impact on neighbouring residential amenities, the lack of design detail at plot 8 and the level of soft landscaping. The applicant has made a number of amendments to address these concerns: Plots 1-6 are significantly lower than the two-storey houses proposed previously and will appear as 1 or 1.5 storeys to the front and 2 storeys to the rear. Plots 7-10 are two-storey dwellings. Each house will be perceived differently due to the slope of the site and level of the proposed road. Each property has two off street parking spaces and each property has storage for wheeled bins.

To facilitate the development, the existing householder vehicular access onto Burry Road will be widened from 2.7m (the width of the current vehicular gate) to 4.5m for the estate road and approximately 10.25m at the access's widest point where it meets the carriageway. The proposed access will result in the loss of 3 spaces which is only a net loss of 1 on-street space. 25 spaces are proposed, 2 per property and 5 visitor spaces. Cycle storage shed and bin storage areas have been provided for each property.

Members were informed of an update to the report:-

- Additional ecology information received.

Members were shown plans and photographs of the application site.

Mr Batchelor, explained the previous conditions still stood and will be dealt with as part of the discharge of conditions. He felt the reasons for the refusal had been overcome.

Mr Batchelor explained what the key differences were between the current application and the refused application submitted in April 2017. He referred to his report which identified the difference between height, design and bulk of the property. Outline planning permission has already been granted for the redevelopment of the site for 10 houses. The details submitted show that the approved quantum of development can be achieved with an acceptable design in terms of access, appearance, landscaping, layout and scale. The proposed development is not considered to cause harm to the character of the area or to cause harm to neighbouring residential amenities.

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

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

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

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16.757/01F, 16.757/02F, 16.757/03F, 16.757/04G, 16.757/05F, 16.757/06E, 16.757/07F, 16.757/11A, CSD369-01D, CSD369-02C, CSD369-03D, CSD369-05D, CSD369-06B, CSD369-09F, CSD369-10C & CSD369-10E

- 2. The external materials of the development shall be carried out in accordance with the approved document 'Material Schedule';**
- 3. Notwithstanding that shown on the approved drawings, before any works above ground are undertaken the following details shall be submitted to and approved by the Local Planning Authority:**
 - Details of all new and retained fences and retaining walls around the perimeter of the site, within the curtilage of the new houses and within the estate.**
 - Details of screening between plot 1 and 100 Burry Road to ensure privacy.**
 - Details of grasscrete on the 4 x visitor vehicle parking spaces along the entrance of the site.**

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

- 4. All planting seeding or turfing comprised in the approved soft landscaping scheme (consisting of drawing no. 16.757/07F and document Landscape Scheme by The Mayhew Consultancy Ltd, dated June 2017, ref LP/35215/17/R4) 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 and the development shall otherwise be maintained in accordance with the approved soft landscaping scheme;**
- 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as may be subsequently amended or re-enacted no extensions or buildings to the dwellinghouses or within their curtilage shall take place without the grant of an additional planning permission;**
- 6. No development shall take place until the measures outlined in the submitted arboricultural report (Tree Survey, Arboricultural Impact Assessment & Tree Protection Plan, dated June 2017, referenced AR/35215/R4, by The Mayhew Consultancy Ltd) 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 ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.

Development shall otherwise be carried out in accordance with the submitted arboricultural report;

7. The access shall be laid out in accordance with detail shown on drawing CDS369-05D and the development hereby permitted shall not commence until the construction of the access has been completed to binder course level for the construction period and thereafter completed in accordance with the specification/details agreed prior to occupation;
8. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans and the turning space shall thereafter be retained for that use and shall not be used for any other purposes;
9. The development shall not be occupied until car parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use; and
10. The first floor windows in the west elevation of plot 1 hereby approved shall remain obscure glazed at all times and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed in the same elevation.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning;
2. In the interests of the visual 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;

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5. To protect features of recognised nature conservation importance, in the interests of the protection of preserved, retained and newly planted trees and to avoid damage to existing and new drainage infrastructure;
6. In the interests of the health of the trees and the visual amenity of the area;
7. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;
8. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;
9. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway; and
10. In the interests of the amenity of the neighbouring residential occupiers.

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 Highway Authority would wish to see the road within the site, that are not to be offered for adoption, laid out and constructed to standards at, or at close to, adoption standards;
4. The applicant is advised that they must ensure the proposed works, hereby approved, do not contravene laws protecting wildlife including the Countryside and Wildlife Act 1981. Where the applicant is in doubt they should contact Natural England on wildlife@naturalengland.org.uk Telephone 020 802 61089 or Environment and Natural Resources on parks@hastings.gov.uk Telephone 01424 451107 prior to commencement of any works;
5. Consideration should be given to the provision of a domestic sprinkler system; and
6. The developer is advised to notify purchasers or tenants of the approved properties that refuse and recycling bins must be presented to the kerb side when awaiting collection and otherwise stored within the storage areas shown.

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11. PLANNING APPEALS AND DELEGATED DECISIONS

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

All matters had arisen between 9 September to 6 October 2017.

The report was noted.

(The Chair declared the meeting closed at. 6.48 pm)