

PLANNING COMMITTEE

7 MARCH 2018

Present: Councillors Street (Chair), Scott (Vice-Chair), Sinden (the duly appointed substitute for Councillor Bacon), Beaver, Clarke, Dowling, Roberts, Rogers and Wincott

13. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Bacon and Edwards.

14. DECLARATIONS OF INTEREST

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

| Councillor | Minute | Interest |
|------------|---|---|
| Rogers | 5a – Land North of The Beacon, St. Mary’s Terrace, Hastings | Prejudicial Interest – A number of people in the vicinity are friends and she visits their homes regularly. |
| Scott | 5e – Shop and Premises, 400 The Ridge, Hastings | Personal Interest –Knows the owner of the shop . |
| Street | 5c – Proposed Visitor Centre, Hastings Country Park, Lower Coastguard Lane, Fairlight, Hastings | Prejudicial Interest – Has been involved in project as a member of the Country Park Management Forum. |
| B Dowling | 5e – Shop and Premises, 400 The Ridge, Hastings | Prejudicial - Friend of the owner of the shop and socialises with him |
| Roberts | 5e – Shop and Premises, 400 The Ridge, Hastings | Personal Interest – Knows the owner of the shop |

15. MINUTES OF PREVIOUS MEETING HELD ON 7 FEBRUARY 2018

RESOLVED – that the minutes of the meeting held on 7th February 2018 be approved and signed by the Chair as a true record.

16. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

17. OTHER PLANNING APPLICATIONS

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17.1 Land North of The Beacon, St Mary's Terrace, Hastings

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| Proposal: | Proposed new dwelling on undeveloped site North of The Beacon and construction of 4 parking spaces on St. Mary's Terrace |
| Application No: | HS/FA/17/00849 |
| Conservation Area: | Yes - Old Town |
| Listed Building | No |
| Public Consultation | 12 letters of objection received, 42 letters of support received and 2 neutral comments received |

Having declared her prejudicial interest, Councillor Rogers was absent during discussion and voting of this item.

The Planning Officer, Ms Ranson, presented this report for proposed new dwelling on undeveloped site north of The Beacon and construction of 4 parking spaces on St. Mary's Terrace, Hastings.

The Planning Officer informed the members of an update to the report:-

- 1 additional letter of support received.

Members were shown plans and photographs of the application site.

The Planning Officer explained the key points of the application:-

- The proposed development is likely to improve stability of the land in front of St. Marys Terrace.
- The proposed parking platform will help to ease shortage of parking along St. Marys Terrace and potentially strengthen the side of the road;
- A grampian planning condition will be used to ensure the access track would be assessed and improved as necessary for this proposal prior to development;
- A traffic construction management plan would be conditioned;
- The proposal is not considered harmful to neighbour amenity;
- The Heritage Officer has commented that the design of the property will enhance the character of the conservation area;
- The proposal will add a unique large family dwelling of good architectural design to Hastings housing stock;
- Submission of "CEMP" Construction Environmental Management Plan would be conditioned to safeguard slow worms identified as present on the site (protected species under the Wildlife & Countryside Act 1981);
- The proposal will enable the applicants to live more locally;
- The design includes solar panels on the southern roof slope towards sustainable development.

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- It is considered that the proposed development would not harm the special integrity of the Ashdown Forest, Pevensey Levels and Lewes Downs Special Areas of Conservation.

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

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:

BEA029-01A, BEA029-02A, BEA029-03, BEA029-04, BEA029-05, BEA029-06, BEA029-07, BEA029-08,
3. No part of the development shall be occupied until the car parking spaces have been constructed and provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles;
4. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details, structural calculations shall be submitted to the Planning Authority and be subject to its approval, in consultation with the ESCC Highway Authority;
5. Prior to commencement of development an Approval in Principle (AIP) document, produced in accordance with the Design Manual for Roads and Bridges, Volume 1, Section 1, Part 1, BD 2/12, Technical Approval of Highway Structures, relating to the retaining wall shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The structure shall then be built in accordance with the approved details, inspected and certificated in accordance with requirements of BD2/12, Technical Approval of Highway Structures and/or the Highway Authority. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission;
6. No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with approved plans and details. The cycle storage shall thereafter be retained for that use and shall not be used other than for the storage of cycles;
7. No development shall take place, including any ground works or works

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of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and egress and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.
8. No part of the development shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority to prevent surface water draining onto the public highway;
9. No development shall take place above ground until details and samples of the materials (including manufacturers details) to be used in the construction of the external surfaces of the new dwelling hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details;
10. No development shall take place above ground until details of joinery, including roof-light details, rainwater goods and all vents, flues and other extracts 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. Development shall be carried out in accordance with the approved details;
11. Prior to commencement of development a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority, which shall include indications of all existing trees and hedgerows on the land including details of those to be retained.

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The scheme shall include wildlife enhancement for the proposed development which incorporates wildlife conservation and enhancement measures of the submitted Ecological Scoping Survey by Martin Newcombe dated 27th December 2016 and the Reptile Survey Report by Martin Newcombe dated 12th November 2017. The approved landscaping scheme must be fully implemented within the first planting season following substantial completion of the development;

12. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband;
13. Drainage Scheme:
 - (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal and 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 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.
14. 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.
15. No development shall take place until investigation and assessment has been undertaken by a suitably qualified professional as to the suitability and stability of the access track leading from Plynlimmon Road to the site, for safe access and egress to and from the site. In the event that the track is found to require remedial work(s) to ensure safe access throughout construction and for future occupants of the site, details of a scheme of improvement works shall be submitted to and approved in writing by the local planning authority. The scheme shall provide for the timing of improvement works in relation to the implementation of the development, and shall be implemented in accordance with this timing prior to commencement of the development;
16. No development shall take place (including ground works, vegetation clearance) until a construction environmental management plan

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(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”
- 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 / contact details.
- 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.
- Provide full details of a scheme for the protection of slow worms.

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;

17. 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 BSI 5837 standards 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;
18. The development shall be constructed in accordance with the approved plans and the details and recommendations of the following submitted reports:
 - Gabriel Geo-Consulting Ltd ‘Interpretive Report on Ground Investigations (GIR) and Slope Stability Analyses’ (May 2017)
 - Addendum to Interpretive Report on Ground Investigations (GIR) and Slope Stability Analyses (January 2018).

Unless otherwise first agreed in writing with the local planning

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authority;

19. The 70m³ of excavation beneath the southern part of the house, in addition to the basement of the specified dimensions as shown on the scheme drawings, has been calculated using the estimated weight of the new house provided in order to achieve the required slight unloading; a certified survey by a suitably qualified professional of the sub-floor area before and after excavation to verify that the required volume of excavation has been achieved must be submitted to and approved in writing by the local planning authority prior to construction of the new dwelling above slab level. If the weight of the proposed structure is revised then the required weight/volume of excavation must be accordingly re-calculated, verified and submitted to and approved in writing by the Local Planning Authority prior to final construction of the new dwelling above slab level. Excavated soils must be sustainably disposed off-site;
20. The design of all retaining walls associated with this scheme shall be checked and approved by a suitably competent engineer to ensure adequate allowance has been made for maintaining the stability of the supported slope. A report of the approved checks from a suitably competent engineer to confirm that adequate allowance has been made must be submitted to the local planning authority;
21. 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 extension to the property or development of ancillary out buildings shall take place without the grant of an additional planning permission.

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 provide car-parking space for the development;
4. In the interests of highway safety and for the benefit and convenience of the public at large. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission;
5. In the interests of highway safety and for the benefit and convenience of the public at large;

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6. To provide alternative travel options to the use of the car in accordance with current sustainable transport policies;
7. In the interests of highway safety and the amenities of the area. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account for the construction of the development and thus go to the heart of the planning permission;
8. In the interests of road safety;
9. In the interests of the visual amenity of the area;
10. In the interests of the visual amenity of the area and to protect the special character of the conservation area;
11. In the interests of the visual amenity, the protection / enhancement of biodiversity and the prevention of increased flood risk. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission;
12. In the interest of sustainable development;
13. To prevent increased risk of flooding. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission;
14. To safeguard the amenity of adjoining residents;
15. In the interests of safe access in accordance with planning policy DM4 of Hastings Development Plan 2015 that states that planning permission will be granted provided that safe access into (and within) the development for all users is provided. It is considered necessary for this to be a pre-commencement condition as the requirement for safe access goes to the heart of the planning permission;
16. For the protection of endangered species. It is considered necessary for this to be a pre-commencement condition as protection needs to be taken into account throughout the construction phase of the development and thus goes to the heart of the planning permission;
17. For the protection of trees and biodiversity. It is considered necessary for this to be a pre-commencement condition as protection needs to be taken into account throughout the construction phase of the development and thus goes to the heart of the planning permission;
18. In the interests of ensuring the stability of the land;

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- 19. In the interests of ensuring land stability;**
- 20. In the interests of ensuring land stability; and**
- 21. To protect stability of the land and the special character of the conservation area.**

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 will be required to enter into a Licence with East Sussex Highways before undertaking any works that affect the highway. The applicant is requested to contact East Sussex Highways on 0345 60 80 193 to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the licence being in place;**
- 4. The applicant must contact the Structures team at East Sussex Highways on 0345 60 80 193 before commencement of development regarding the required Approval in Principle for the retaining wall;**
- 5. Throughout the development works, trees on the site must be suitably protected in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction – recommendations';**
- 6. A formal application for connection to the public sewerage system 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. Please note that SW ask that the detailed design of the drainage scheme take into account the possibility of surcharging within the public sewerage system;**
- 7. Should Japanese Knotweed be found on site the Local Planning Authority (LPA) must be immediately informed and appropriate measures must be undertaken for its safe eradication to be carried out to the satisfaction of the LPA;**
- 8. The applicant is advised that regard should be had to paragraph 120 of the National Planning Policy Framework that states:
"To prevent unacceptable risks from pollution and land instability,**

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planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner."

9. Southern Gas Network (SGN) should be contacted direct for information on gas pipes that may possibly be crossing the site. Please contact SGN - Plant Location Team telephone: 0800 912 1722.

Up-to date SGN plans and information booklet "General safety measures to avoid injury and damage to gas plant" are available from SG web-site www.sgn.co.uk or email: plantlocation@sgn.co.uk. Please note that privately owned gas pipes or ones owned by or other GTs may be present in this area and information regarding those pipes needs to be requested from the owners.

<https://www.linesearchbeforeudig.co.uk/> is recommended as a helpful web facility for carrying out a line search.

Please note that it is the responsibility of the owner / developer to identify the presence of any underground/aboveground assets in and around your proposed site;

10. There may be a badger sett close to the site. Badgers are a protected species under the Protection of Badgers Act 1992 and your attention is drawn to your legal responsibility regarding the protection of badgers;
11. It is recommended that the parking bays shall be constructed as a suspended deck, supported on piled foundations except at the front (eastern) side of the deck, without the addition of any fill material beneath the deck;
12. The applicant is advised that the assessment and conclusions in respect of the land stability are based on the proposed position of the new dwelling as shown on the drawings hereby approved. Should there be any wish to revise the position of the dwelling in any manner a further planning application will be required, before works are undertaken; and
13. Waste needs to be presented on St. Mary's Terrace boundary on the day of collection.

17.2 Land to the rear of 18 Hollington Park Road, St. Leonards on Sea

Proposal:

Proposed demolition of existing domestic garage and

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| Application No: | erection of a three bed bungalow to the rear of 18 Hollington Park Road.. HS/FA/17/00884 |
| Conservation Area: | No |
| Listed Building | No |
| Public Consultation | 11 letters of objection received. |

The Planning Services Manager, Mrs Evans, presented this application for the proposed demolition of existing domestic garage and erection of a three bed bungalow to the rear of 18 Hollington Park Road, St. Leonards on Sea.

Members were informed of several updates to the report:-

- The applicant has submitted an amended plan to widen the vehicle entrance into the site to 4.5m for the first 5m.
- It is recommended that this item be deferred to allow for further consultation in respect of amended plan to consult neighbours and ESCC Highways.

Councillor Roberts proposed a motion to defer the application for further consultation. This was seconded by Councillor Rogers.

RESOLVED – (Unanimously) that the planning application be deferred for further consultation in respect of amended plan to consult neighbours and ESCC Highways.

17.3 Proposed Visitor Centre, Hastings Country Park, Lower Coastguard Lane, Fairlight, Hastings

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| Proposal: | Variation of condition 13 (approved drawings) of planning permission HS/FA/14/01033 - Amendments to roof structure, window openings, ventilation unit and weatherboarding material. |
| Application No: | HS/FA/17/01018 |
| Conservation Area: | No |
| Listed Building | No |
| Public Consultation | 12 letters of objection received, 1 letter of support received and 1 neutral comment received. |

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Having declared his prejudicial interest, Councillor Street was absent during discussion and voting of this item. The Vice Chair, Councillor Scott, took the Chair for this item.

The Planning Services Manager, Mrs Evans, presented a Section 73 application to vary Condition 13 (approved drawings) of planning permission HS/FA/14/01033 – Amendments to roof structure, window openings, ventilation unit and weatherboarding material at Proposed Visitor Centre, Hastings Country Park, Lower Coastguard Lane, Fairlight, Hastings.

Members were informed of several updates to the report:-

- Southern Water comments: No objections.
- Fairlight Parish Council comments:
 - ❖ Support the principle of a visitor centre
 - ❖ The proposed building is unattractive and in a prominent position in the AONB.
 - ❖ The proposed bike rack is in Rother.
- Friends of Hastings Country Park:
 - ❖ Have serious concerns. The changes proposed are significant.
 - ❖ Metal shutters are not acceptable.
 - ❖ Changes of this magnitude need proper scrutiny.

- 4 additional objections have been received raising the following points:
 - ❖ Insufficient drainage details submitted
 - ❖ A septic tank is proposed.
 - ❖ No additional consultation on amended plans.
 - ❖ Insufficient details of septic tank.
 - ❖ Proposal conflict with the AONB.
 - ❖ Errors on the plans.
 - ❖ Objectors comments ignored.
 - ❖ All conditions not copied over from original decision.
 - ❖ Changes to drainage not included.

- Comments on additional objections:
 - ❖ The Planning Committee report addresses a majority of these objections.
 - ❖ The septic tank is a subterranean packaged sewage treatment plant.
 - ❖ SuDS is dealt with via a condition.
 - ❖ Sewerage details have already been discharged.

Members were shown plans and photographs of the application site. Mrs Evans explained that planning permission had previously been granted and that the development had started. She explained that metal shutters were not acceptable and the application had been amended to reinstate wooden shutters.

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

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

1. The development hereby permitted shall be begun before 6 March 2018;
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 visitor centre shall not be used except between the following hours:-

9am - 5pm Monday - Sunday
4. The foul sewerage disposal/management shall be carried out in accordance with the details approved under application HS/CD/17/01101 and no use of the building hereby approved shall occur until those works have been completed.
5.
 - i) Prior to the construction of the development above ground level details of the proposed means of surface water disposal/management shall 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) 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.
6. The development shall be carried out in accordance with the soft landscaping details approved under application HS/CD/17/01101.

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

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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;

- 7. The development shall be constructed in accordance with the proposed materials schedule on the approved plans;**
- 8. The development shall be carried out in accordance with the Construction Management Plan approved under application HS/CD/17/01101;**
- 9. The proposed amphitheatre is to be used as an outdoor classroom only and for no other use;**
- 10. The development hereby permitted shall be carried out in accordance with the following approved plans:

101C, 108C, 240/204D, 240/205 B, 240/106/D, 240/107/D, 240/219D, 240/214B, 240/223;**
- 11. The development shall be carried out in accordance with the programme of archaeological work and Written Scheme of Archaeological Investigation approved under application HS/CD/17/01101; and**
- 12. 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 [11] 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 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**

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drainage facilities have been provided;

5. To ensure that no property is occupied until adequate access and drainage facilities have been provided;
6. To ensure a satisfactory form of development in the interests of the character and amenity of the area;
7. In the interests of the visual amenity;
8. To safeguard the amenity of nearby residents and user of the Country Park;
9. To protect the amenity of neighbouring residents;
10. For the avoidance of doubt and in the interests of proper planning;
11. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework; and
12. 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; and
3. The applicant should contact the Sussex Police Architect Liaison Officer at the Police Station, Bohemia Road, Hastings to discuss the "Secured by Design" principles for new developments.

17.4 Former Ore Business Park, Farley Bank, Hastings

Proposal: Variation of conditions 2 (approved drawings), 4 (soft landscaping), 6 (hard landscaping) and 7 (provision of drainage facilities) of planning application HS/FA/13/00177 - Amendments to allow for

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| Application No: | development phasing HS/FA/17/00798 |
| Conservation Area: | No |
| Listed Building | No |
| Public Consultation | 8 letters of objection received. |

The Planning Services Manager, Mrs Evans, presented this application for the variation of Conditions 2 (approved drawings), 4 (soft landscaping), 6 (hard landscaping), and 7 (provision of drainage facilities) of planning application HS/FA/13/00177 – Amendments to allow for development phasing at Former Ore Business Park, Farley Bank, Hastings.

The Planning Services Manager explained that this application was deferred at the previous Planning Committee meeting held on 7th February 2018 to seek comments from East Sussex County Council Highways Officers regarding their views on dual use of vehicular access from Farley Bank and to erect bollards at Hurrell Road to allow pedestrian and cycle access. Following deferment, she explained the Highways Officer did not make any further comment because it is an unadopted private road.

Members were informed of several updates to the report:-
Objection.

- 2 additional objections from a resident on Hurrell Road and one on Broomgrove Road. Both raised concerns to the condition of Hurrell Road and who would pay for the repair of this. Unacceptable use of the road.

Members were shown plans and photographs of the application site.

The applicant submitted a Transport Technical Note prepared by Reeves Transport Planning and a letter from their appointer contractor Natterjack Construction which set out the Contractor's Constraints:

- Building sites are dangerous, secured fencing for segregation required.
- There is no scope to create a temporary road for phase 1 residents.
- Cars not insured if parked or drive into the site.
- No one other than site workers with full safety inductions and wearing helmets, high viz jackets and safety boots will be allowed onto site during construction.
- Everyone on site will be required to sign/comply with CDM regulations.
- The road itself will be impassable for non-construction vehicles.
- Prosecution for contractors if HS not complied with.
- Phase 2 or the construction cannot be undertaken without segregation.
- Highways technical note – additional car movements limited to 25 a day
- Commercial and operational imperative to complete scheme.

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

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RESOLVED – (by 8 votes to 1 against) that the Planning Services Manager be authorised to issue planning permission upon completion of a S106 Agreement to secure a play area and open space. In the event that the Agreement is not completed by 1st July 2018 that permission be refused on the grounds that the application does not comply with policies DM1, DM3, DM4 of the 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) Subject to A) above:

- 1. All planting seeding or turfing comprised in the approved soft landscaping scheme, approved under planning permission HS/CD/16/00507 updated HS/CD/17/00836, shall be carried out in the first planting and seeding seasons following the completion of the development. "Completion of the development" is defined as the first sale or occupation of any unit within units 1 to 10 of the approved scheme. 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;**
- 2. All hard landscape works shall be carried out in accordance with the approved details, approved under planning permission HS/CD/16/00507 updated HS/CD/17/00836. The works shall be carried out prior to the first sale or occupation of any unit within units 1 to 10 of the approved scheme;**
- 3. (i) Development of units 1 to 10 shall be carried out in accordance with the details approved under local planning authority reference HS/CD/16/00670 foul sewerage and surface water and no occupation of units 1 to 10 shall occur until those works have been completed.
(ii) No occupation of units 1 to 10 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. Temporary protective fences to safeguard the trees and/or hedges to be retained on the site for Phase 2 works have been erected in accordance with the current BSI 5837 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;**
- 5. With the exception of internal works the building works required to carry out the development allowed by this permission must only be**

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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. Before 'phase 2' of the development hereby approved is commenced, details of the construction of the new estate road, which shall be designed and constructed in accordance with the Local Highway Authority's standards, including traffic calming measures and provision of a cycle route, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details;**
- 7. The development will be carried out in accordance with the approved Traffic Management Scheme, approved under planning permission HS/CD/16/00900;**
- 8. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Local Planning Authority, to prevent contamination and damage to the adjacent roads. The development shall be carried out in accordance with the details approved under planning permission HS/CD/16/00900;**
- 9. Development shall be carried out in accordance with the approved external building surface details, approved under planning permission HS/CD/17/00155 and HS/CD/15/00887;**
- 10. The parking and garden areas for each plot shall be provided in accordance with the approved plans, approved under planning permission HS/CD/16/00507;**
- 11. The Public Right of Way (Hastings 251) shall remain clear and unobstructed at all times during construction of the development, unless otherwise approved in writing by the Local Planning Authority;**
- 12. Any damage caused to the Public Right of Way referenced in condition 11 above as a result of any construction of the site shall be put right and all Rights of Way markings and furniture shall be retained during construction unless otherwise approved in writing by the Local Planning Authority;**
- 13. No materials shall be stored on the land forming the Public Right Of way referenced in condition 11 above unless otherwise approved in writing by the Local Planning Authority;**
- 14. Before 7th April 2018 a survey shall be undertaken by an independent surveyor and submitted to the Local Planning Authority. The survey shall include details of the existing standard of Hurrell Road including**

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photographic evidence. Once the construction works are complete and prior to the occupation of the second phase of the approved residential dwellings a further survey shall be undertaken by an independent surveyor. The survey shall include details of the standard of Hurrell Road as of the date of the second survey and include photographic evidence. Where the second survey shows that damage has occurred a scheme to reinstate the road to that established within the first survey of Hurrell Road shall be submitted to and approved in writing by the Local Planning Authority (LPA) prior to the occupation of the Phase 2 dwellings. Such scheme shall provide for the timing of the repair works, a description of the works to be undertaken and method statement for undertaking the works. The approved scheme shall be completed accordingly and have been certified in writing as complete by the Local Planning Authority prior to the occupation of the dwellings hereby approved within Phase 2 works;

15. The development will be constructed in accordance with the details approved under planning permission HS/CD/16/00301, regarding contamination on the site; and
16. The development hereby permitted shall be carried out in accordance with the following approved plans:

Y048 G 001; 002; 003A; 004A; 005; 006; 007; 008; 009; 010; 011; 012; 013; 014, 017
BC-284-03-L - Site Layout Temporary Arrangement to allow phasing.

Reasons:

1. In the interests of the visual amenity;
2. In the interests of the visual amenity;
3. To prevent increased risk of flooding;
5. To safeguard the amenity of adjoining residents;
6. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety;
7. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety;
8. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety;
9. To ensure a satisfactory form of development in the interests of the character and amenity of the area;

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- 10. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 11. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety;**
- 12. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety;**
- 13. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety;**
- 14. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety and to ensure the condition of Hurrell Road is maintained. In accordance with Policy DM4, General access of HLP;**
- 15. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination; and**
- 16. 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. The applicant is advised that drainage associated with wastewater or sewage must be separate to, and not connected with, surface water drainage unless otherwise approved. Drainage misconnections can pollute rivers and beaches in Hastings. You must ensure that drainage from your properties does not cause pollution. Enforcement action could be taken to resolve this under the Building Act 1984. Drainage misconnections for new development which allow or cause pollution would also be contrary to Building Regulations. You are advised therefore to check your property is connected correctly and any plans for additional drainage connect to the correct foul or surface water system. You can get further advice on identifying your drainage and repairing misconnections at <http://www.connectright.org.uk/>;**
- 4. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended); and**
- 5. The applicant is advised that whilst some details have been submitted**

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and approved in respect of condition 6, planning application HS/CD/17/00836 also seeks to discharge condition 11 (estate road details) of planning permission HS/FA/13/00177 (the original consent) and is yet to be determined.

17.5 Shop and Premises, 400 The Ridge, Hastings

| | |
|---------------------|---|
| Proposal: | Proposed demolition of existing buildings and redevelopment of site with 3no. detached 3 bed dwellings. |
| Application No: | HS/FA/17/00792 |
| Conservation Area: | No |
| Listed Building | No |
| Public Consultation | 6 letters of objection received, 7 letters of support received and 2 neutral comments received. |

Having declared his prejudicial interest, Councillor B Dowling was absent from the Chamber during discussion and voting of this item.

The Planning Officer, Mrs Ranson, presented this application for the proposed demolition of existing buildings and redevelopment of site with 3no. detached 3 bed dwellings at Shop and Premises, 400 The Ridge, Hastings.

Members were informed of several updates to the report:-

Further comment from Highways 05.03.16 re assessment of impact on SAC:

- It is for the developer to put forward information in relation to existing and proposed trips. Highways note the information provided by the developer (received email of 21.02.18).
On average (as in accordance with the TRICs database) Highways estimate the proposed dwellings would generate 5-6 trips per day per house (i.e. 15-18 trips in total). This equates to fewer trips than the current trips as stated by the applicant).

Members were shown plans and photographs of the application site.

The Officer referred to the key points of the application:

- The loss of the existing building and gardening supplies shop is not considered to result in the loss of a local shop serving the community; the existing business predominantly serves a wider catchment area with customers journeying by car or other larger transport suitable for transporting gardening and building goods.
- Park Wood Road is an 'unadopted public highway' – a way over which the

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- public have full rights of access;
- Only one of the three dwellings will have access from Park Wood Road and this will be a reduction on the level of traffic to this site using Park Wood Road;
 - There is an existing access from the site onto The Ridge; vehicle access onto The Ridge would be improved;
 - The proposed parking (2 spaces per dwelling) is acceptable and is not considered to increase traffic congestion along the Ridge compared to the existing shop use traffic;
 - The proposal will add 3 x 3 bedroom family dwellings to Hastings housing stock;
 - The design of the dwellings is considered to be acceptable to the existing mix of property architectural styles in this locality;
 - The proposal is considered to improve residential amenity in the locality.

Councillor Street explained that Wealden District Council was objecting to all applications in East Sussex which could have an impact on the Ashdown Forest and that applicants have to provide evidence that their application will not have a negative effect on the Ashdown Forest. With this application he said there is less traffic and less negative impact on the Ashdown Forest.

Councillor Wincott said this site was formerly a nursery, the only visitors will be to the three houses, so there would be fewer vehicles.

Councillor Scott 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 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:**

4509.1A, 4509.2E

3.
 - (i) **Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority.**
 - (ii) **Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings hereby approved shall occur until those works have been completed.**
 - (iii) **No occupation of any of the dwellings hereby approved shall occur until the Local Planning Authority has confirmed in writing**

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that it is satisfied, that the necessary drainage infrastructure capacity has been made available to adequately service the development.

- (iv) Construction evidence (including photographs) must be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.
4. Notwithstanding any indication of materials that may have been given in the application, no development above slab level shall take place on site until samples including manufacturers details of all the materials to be used for external facing and roofing for the development hereby approved have been submitted to or provided on site, and approved in writing by the Local Planning Authority. The development works shall be carried out in accordance with the approved details;
 5. No development shall be occupied until the vehicular access serving the development has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority;
 6. No part of the development shall be occupied until such time as the existing vehicular access onto The Ridge has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority;
 7. The site access shall have maximum gradients of 2.5% (1 in 40) for the whole width of the footway and continuing for 5m into the site and 11% (1 in 9) thereafter;
 8. No development including the demolition of the existing unit shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and egress and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,

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- the erection and maintenance of security hoarding,
 - the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.
9. No part of the development shall be occupied until the car parking spaces have been constructed and provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles;
 10. No part of the development shall be occupied until cycle parking storage spaces have been provided in accordance with the approved details. The cycle storage shall thereafter be retained for that use and shall not be used other than for the parking of cycles;
 11. No part of the development shall be occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority, to prevent surface water draining onto the public highway;
 12. No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto The Ridge in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 600mm;
 13. Prior to commencement of development a further bat survey as recommended by the PJC Consultancy's Preliminary Bat Roost Assessment must be undertaken. Where the further ecological survey identifies 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 between the dates of 1st May and 1st August in any year. Any works undertaken during the specified periods should only be carried out under the direction of a licensed bat ecologist to ensure that an offence is not committed;
 14. Details of the measures to be undertaken to minimise and manage waste generated by the construction and demolition works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall only be carried out in accordance with the approved details;

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- 15. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband;**
- 16. No development above ground shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping. 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;**
- 17. 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 means of enclosure / boundary treatment and hard surfacing materials to be compatible with approved drainage details for the site; and**
- 18. 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. To ensure adequate provision for drainage and to mitigate flood risk to neighbouring land and properties. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission;**
- 4. In the interests of the visual amenity of the area;**
- 5. In the interests of highway safety;**
- 6. In the interests of highway safety;**
- 7. In the interests of highway safety;**
- 8. In the interests of highway safety and the amenities of the area;**

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- 9. To provide car-parking space for the development;**
- 10. To provide alternative travel options to the use of the car in accordance with current sustainable transport policies;**
- 11. In the interests of highway safety;**
- 12. In the interests of highway safety;**
- 13. In the interests of safeguarding protected species;**
- 14. To minimise the amount of construction and demolition waste being disposed of in landfill sites in accordance with the East Sussex County Council Supplementary Planning Document on Construction and Demolition Waste;**
- 15. To ensure the development complies with policy SC1 part (f) of the Hastings Local Plan: The Hastings Planning Strategy 2011-2028;**
- 16. In the interests of the visual amenity and sustainable development;**
- 17. To safeguard residential amenity and help to prevent flood risk; and**
- 18. To safeguard the amenity of adjoining 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. ESCC Sustainable Urban Drainage Authority request and advise that prior to construction of the proposed development:**
 - a suitable ground investigation is undertaken to establish the infiltration rates and the depth of groundwater at the site. Any soakage testing should be undertaken to the BRE365 methodology. These should be used to confirm the design of the proposed surface water drainage network.**
 - if connection to adjacent surface water public sewer is proposed, evidence that Southern Water have agreed to the principle of connection to the public sewer should be submitted to the Local Planning Authority.**

A maintenance and management plan for the entire drainage system

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should be submitted to the Local Planning Authority as part of the pre-commencement drainage scheme details for the site. This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and include evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided;

4. Southern Water inform that "A formal application for connection to the public foul sewerage and surface water system 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". It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritise the means of surface water disposal in the following order:
 - a). Adequate soakaway or infiltration system
 - b). Water course
 - c). Where neither of the above is practicable sewer

Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site;

5. Southern Gas Network (SGN) should be contacted direct for information on gas pipes that may possibly be crossing the site. Please contact SGN - Plant Location Team telephone: 0800 912 1722. Up-to date SGN plans and information booklet "General safety measures to avoid injury and damage to gas plant" are available from SG web-site www.sgn.co.uk or email: plantlocation@sgn.co.uk. Please note that privately owned gas pipes or ones owned by or other GTs may be present in this area and information regarding those pipes needs to be requested from the owners.

<https://www.linesearchbeforeudig.co.uk/> is recommended as a helpful web facility for carrying out a line search.

Please note that it is the responsibility of the owner / developer to identify the presence of any underground/aboveground assets in and around your proposed site;

6. The applicant will be required to enter into a Licence with East Sussex Highways, for the provision of a new vehicular access and the stopping up of the existing access. The applicant is requested to contact East Sussex County Council on 01273 482254 to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the licence being in place;

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7. The applicant should liaise with East Sussex Highways on 0345 60 80 193 before implementation of any planning permission to ensure the bus stop works and pedestrian access to the site do not conflict;
8. ESCC Communities, Economy & Transport Department inform that Park Wood Road is an 'unadopted public highway' – a way over which the public have full rights of access but is not maintainable at the public expense. The responsibility for maintenance lies with the owner of the road or the frontagers. ESCC advise that this status may be open to challenge. It is the responsibility of the developer to ensure that the new dwelling has lawful access from Park Wood Road;
9. Your attention is drawn to the requirements of the Party Wall etc. Act 1996. This planning permission does not convey the right for the development to encroach over, under or on land which is not within your ownership without the consent of the landowner; and
10. This site has a weekly waste and recycling collection. The collections are taken from the kerbside and so occupants will need to present their bins at a bin collection point by the entrance to the site on collection days. Further details can be found at: https://www.hastings.gov.uk/waste_recycling/

17.6 The Robert De Mortain, 373 The Ridge, Hastings

| | |
|---------------------|---|
| Proposal: | Outline approval for demolition of existing building and erection of 10 dwellings together with parking and access. |
| Application No: | HS/OA/17/00774 |
| Conservation Area: | No |
| Listed Building | No |
| Public Consultation | 5 letters of objection received. |

The Planning Services Manager, Mrs Evans, presented this Outline Application for the demolition of existing building and development of site for ten residential units together with parking, access and landscaping at The Robert De Mortain, 373 The Ridge, Hastings.

The Planning Services Manager provided an update to the report:-

- Page 114 of the committee papers, last paragraph of that page notes that an

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acoustic fence will be secured by condition 18, however this should read condition 16.

Members were shown plans and photographs of the application site.

The Planning Services Manager explained that this application would generate a lower number of vehicle movements than the former public house would have generated. Houses were well spaced and there was no harmful overlooking. Conditions on obscure glazing and acoustic fence were proposed. No objections had been received from consultees. The Planning Services Manager noted that the application was considered acceptable in all respects and recommended that the application be approved.

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 either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later;**
2. **Approval of the details of the external appearance of the Buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced;**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;

3. **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.

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 occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed.
(iii) No occupation of any of the dwellings hereby approved shall occur

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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.

(iv) Surface water runoff from the proposed development should be limited to the greenfield runoff rates, if possible, for rainfall events including those with a 1 in 100 (plus climate change) annual probability of occurrence. Evidence of this (in the form hydraulic calculations) should be submitted with the detailed drainage drawings. approved under (i) above. The hydraulic calculations should take into account the connectivity of the different surface water drainage features. Possible connection to surface water sewers or watercourse should be investigated before pursuing a connection to the combined sewer;

5. The detailed design of the attenuation cellular storage systems should be informed by findings of groundwater monitoring between autumn and spring. The design should leave at least 1m unsaturated zone between the base of the cellular storage and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the drainage system should be provided prior to commencement of development (excluding demolition) and approved by the Local Planning Authority. Evidence of how impacts of high groundwater on the structural integrity of the tank will be managed should also be provided at this time;
6. The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase, defined as the commencement of demolition works to the first occupation of a dwelling. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development, this is to be submitted and agreed by the Local Planning Authority prior to the commencement of works, including demolition of existing structures;
7. A maintenance and management plan for the entire drainage system, including culverted and open watercourses, should be submitted to the planning authority before the commencement of development on site.

This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details. Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority;

8. Prior to occupation of the development evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs, required by Condition 4;

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9. No development shall take place until details of the means of vehicular access to the site, including road widths, kerb radii, visibility splays and details of finishes of materials have been submitted to and approved in writing by the Local Planning Authority;
10. No part of the development shall be occupied until such time as the unused parts of the existing vehicular access onto The Ridge has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority;
11. The access shall have maximum gradients of 2.5% (1 in 40) for the whole width of the footway and continuing for 5m into the site and 11% (1 in 9) thereafter. The new access road is to be kept free of parked vehicles to allow access by emergency services and waste collection vehicles;
12. No part of the development shall be occupied until the car parking spaces have been constructed and provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles;
13. No part of the development shall be occupied until the vehicle turning space has been constructed within the site in accordance with details submitted to and approved in writing by the Local Planning Authority. This space shall thereafter be retained at all times for this use and shall not be obstructed or used for the parking of vehicles;
14. No development shall take place until tree protection measures detailed in the Arboricultural Report submitted with the application have been implemented. Protective fences are to be erected in accordance with the current BS5837.2005 - Trees in Relation to Construction 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. Excavation works to the tree root areas of trees T2, T5 and T25 are to be undertaken by hand;
15. The existing trees and hedges along the southern, eastern and western boundary of the site shall be retained permanently. Any trees or plants within this area which within 5 years of the completion of the development die, are removed or become damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives prior written consent to any variation;

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- 16. No development shall take place above ground until full details of all boundary fences, including acoustic fencing and provision for free access to wildlife including badgers, have been submitted to and approved in writing by the Local Planning Authority. All such boundary fences shall be erected before the building to which it relates is occupied;**
- 17. No dwelling 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;**
- 18. Each individual dwelling hereby approved shall not be occupied until a minimum of one electric vehicle charging point has been installed on the given buildings with dedicated off street parking, and shall thereafter be retained for that purpose;**
- 19. Units 4, 7 and 8 shall not be occupied until the obscure glass is installed to the windows on the first floor western elevation, once installed, the windows shall be permanently maintained in that condition. Any changes to these windows must be approved in writing by the Local Planning Authority;**
- 20. Construction Environmental Management Plan**

No development, including any works of demolition, shall take place until the appointed main contractor has submitted a detailed Construction Environmental Management Plan (CEMP) based on the submitted Construction Traffic Management Statement (CTMS) and the detailed CEMP has been approved in writing by Local Planning Authority. In addition to the issues identified in the Outline CTMP the document shall include:

 - i. parking provision for site operatives and visitors;**
 - ii. provision for loading and unloading of plant and materials;**
 - iii. storage of plant and materials used in constructing the development;**
 - iv. measures to prevent deposit of mud on the highway;**
 - v. measures to minimise dust during demolition;**

The approved CEMP shall be adhered to throughout the construction period;
- 21. Before the development hereby approved is commenced details of appropriate climate change mitigation and adaptation measures as required by Policy SC3 and in accordance with the hierarchy of Policy SC4 of the Hastings Local Plan, The Hastings Planning Strategy 2011-2028 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details;**
- 22. No part of the development shall be occupied until covered and secure**

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cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles;

23. No part of the development shall be occupied until visibility splays of 2.4m metres by 43 metres have been provided at the proposed site vehicular access onto The Ridge in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm;
24. 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;
25. Prior to the commencement of development and during the construction phase all mitigation measures as outlined in the Ecological Appraisal, April 2017, and Badger report March 2017, submitted with the application will be undertaken to protect existing biodiversity during any construction activity on the site;
26. The following works; demolition of the main building or any part thereof where bats have been identified in the report by Cherryfield Ecology, dated 12/11/17 for the site of the Robert de Mortain public house shall not in any circumstances commence unless the local planning authority has been provided with either:
 - a) a licence issued by [the relevant licensing body] pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.
27. Prior to occupation, a “lighting design strategy for biodiversity” for the site in relation to the impact on bat species shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) identify those areas/features on site that are particularly sensitive for bat species and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through

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the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority;

28. No development shall commence until the role and responsibilities and operations to be overseen by an appropriately competent person [e.g. *an ecological clerk of works, on-site ecologist*] have been submitted to and approved in writing by the local planning authority. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details; and
29. The development hereby permitted shall be carried out in accordance with the following approved plans:

5576/LP, 5576/EX, 5576/1/B, 5576/2/B, 5576/6/B

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;
2. In the interests of the visual amenity of the area;
3. To safeguard the amenity of adjoining residents;
4. To ensure appropriate drainage is provided;
5. To safeguard the amenity of adjoining and future residents;
6. To safeguard the amenity of adjoining and future residents;
7. To ensure that no property is occupied until adequate access and drainage facilities have been provided;
8. To ensure that no property is occupied until adequate access and drainage facilities have been provided;
9. In the interests of vehicular and pedestrian safety;
10. In the interests of road safety;

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- 11. In the interests of road safety;**
- 12. To ensure an adequate level of off-street parking to serve the development;**
- 13. In the interests of vehicular and pedestrian safety;**
- 14. To ensure a satisfactory standard of development;**
- 15. To preserve the visual quality of the surrounding historic landscape;**
- 16. To safeguard the amenity of adjoining residents;**
- 17. To ensure a satisfactory standard of development;**
- 18. To ensure a satisfactory standard of development;**
- 19. To safeguard the amenity of adjoining and future residents;**
- 20. In the interests of highway safety and convenience and to minimise the impact on the amenity of local residents arising from dust, emissions and noise during the construction phase;**
- 21. To ensure the development complies with Policy SC3 of the Hastings Planning Strategy 2014;**
- 22. To provide alternative travel options to the use of the car in accordance with current sustainable transport policies;**
- 23. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety;**
- 24. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework;**
- 25. To preserve and protect the biodiversity on the site;**
- 26. To ensure a satisfactory form of development in the interests of the amenity and long term health and safety of the bats in the area;**
- 27. To ensure a satisfactory form of development in the interests of the amenity and long term health and safety of the bats in the area;**
- 28. To ensure a satisfactory form of development in the interests of the character and amenity of the area and natural habitats and wildlife; and**
- 29. For the avoidance of doubt and in the interests of proper planning.**

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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;
3. 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 parcs@hastings.gov.uk Telephone 01424 451107 prior to commencement of any works;
4. There may be badgers on the site and your attention is drawn to the provisions of the Badger Protection Act 1992. It is a criminal offence to kill or injure a badger; to damage or obstruct access to its sett; or to disturb a badger when it is occupying a sett;
5. No site clearance or tree or hedge removal shall be carried out on site between the 1st March and 31st July inclusive in any year, unless otherwise approved in writing by the Local Planning Authority; and
6. Separate foul and surface water drains must be provided. You are advised to consult Southern Water Services Ltd. with regard to an application for connection to the public foul and surface water sewers.

17.7 Heritage & Arts Display Boards, Hastings

| | |
|---------------------|--|
| Proposal: | 7 free standing non-commercial interactive heritage & art display boards |
| Application No: | HS/AA/17/00816 |
| Conservation Area: | Yes - Hastings Town Centre |
| Listed Building | No |
| Public Consultation | 5 letters of objection received, 5 letters of support received |

The Planning Services Manager, Mrs Evans, presented this application for 7 free standing non-commercial interactive Heritage & Arts Display Boards at Carlisle

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Parade Shelter (near Robertson Terrace), Carlisle Parade Car Park, Pelham Roundabout, Hastings Adventure Golf, West Hill Lift (Lower Station), The Net Shop Jellied Eel Bar & tamarisk Steps Lookout Point.

The Planning Services Manager explained the signs were cubed and had bevelled edges for safety reasons. They were 1m high; contained no electrical component and were not illuminated.

Members were informed of several updates to the report:-

- Location map updated to correct the position of sign outside Net shop jellied eel bar.
- New condition 8: The period of consent lapses at the expiration of five years from the date of issue.
Reason: To comply with regulation 14(5) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Any advertisement may continue to be displayed after this date, subject to the same conditions as set out in the Consent and the power of the District Planning Authority to require discontinuance of the display under Regulation 8.

Members were shown plans and photographs of each location.

Councillor Rogers advised where the report had stated the applications were in Castle ward, some of the applications were in Old Hastings.

It was noted that 5 letters of objection had been received. All points were taken into account and signs moved and misunderstandings regarding location were corrected.

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 Advertisement Consent 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 advertisement hereby permitted shall be carried out in accordance with the following approved plans:**

Amended planning document (undated, received 26 February 2018)

3. **No advertisement shall be sited or displayed so as to—**
 - a) **endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);**
 - b) **obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or**

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- c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site;
 5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public;
 6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity; and
 7. The colours of the proposed signs shall be approved in advance in writing by the Local Authority.
 8. The period of consent lapses at the expiration of five years from the date of issue.

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 accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007;
4. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007;
5. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007;
6. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007; and
7. In the interests of visual amenity of the local area.
8. To comply with regulation 14(5) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Any advertisement may continue to be displayed after this date, subject to the same conditions as set out in the Consent and the power of the District Planning Authority to require discontinuance of the display

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under Regulation 8.

Notes to the Applicant

1. Failure to comply with any condition imposed on this consent 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 text of the proposed panels should be agreed in advance by the Major Projects and Marketing Manager of the Local Authority;
4. The boards will require a licence. The applicant must contact Licencing and Enforcement at East Sussex Highways on 0345 60 80 193 to apply for a licence; and
5. No advertisement should be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

18. PLANNING APPEALS AND DELEGATED DECISIONS

The Planning Services Manager reported that one planning appeal had been received. No appeals had been allowed or dismissed. She also reported on the number of delegated decisions.

All matters had arisen between 26 January 2018 and 23 February 2018.

The report was noted.

(The Chair declared the meeting closed at. 7.16 pm)