

## PLANNING COMMITTEE

18 JULY 2018

Present: Councillors Roberts (Chair), Davies (Vice-Chair), Bishop, Cox, O'Callaghan, Scott, Turner, Beaver and Marlow-Eastwood

### 45. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Edwards.

### 46. DECLARATIONS OF INTEREST

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

Councillor	Minute	Interest
Beaver	30 – Land north of 14 Fern Road, St. Leonards on Sea	Prejudicial Interest – Stated views publically on the site.
Beaver and Scott	29 – Site of Mount Pleasant Hospital, 7 Frederick Road, Hastings.	Personal Interest – Member of East Sussex County Council
Davies	30 – Land north of 14 Fern Road, St. Leonards on Sea	Prejudicial Interest – lives nearby
Roberts	29 – Site of Mount Pleasant Hospital, 7 Frederick Road, Hastings.	Prejudicial Interest – Partner lives nearby.

### 47. MINUTES OF PREVIOUS MEETING HELD ON 20 JUNE 2018

**RESOLVED** – that the minutes of the meeting held on 20 June 2018 be approved and signed by the Chair as a true record.

### 48. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

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### 49. PLANNING APPLICATIONS ATTRACTING A PETITION

### 50. SITE OF MOUNT PLEASANT HOSPITAL, 7 FREDERICK ROAD, HASTINGS

Proposal:	Redevelopment of part of former hospital site to provide 40 dwellings, including 10 apartments, with associated works including adjustments to the existing access, provision of car parking spaces and landscaping.
Application No:	HS/FA/18/00001
Conservation Area:	No
Listed Building	No
Public Consultation	14 letters of objection received and 1 petition of objection received.

Having raised his prejudicial interest, Councillor Roberts (Chair) was absent from the Chamber during discussion and voting of this item. The Vice Chair, Councillor Davies took the Chair for this item.

The Planning Services Manager, Mrs Evans presented this report for redevelopment of part of former hospital site to provide 40 dwellings, including 10 apartments, with associated works including adjustments to the existing access, provision of car parking spaces and landscaping at Site of Mount Pleasant Hospital, 7 Frederick Road, Hastings.

Members were informed of several updates to the report:-

Rights of Way consultation response

- No additional contribution required above that already sought.
- Amendments to recommendation to include additional policy references. 1. The proposed development would result in a poor layout that would appear cluttered, congested and fail to provide sufficiently sized parking spaces to the front of integral garages, a sufficient proportion of soft landscaping and a safe, unobstructed and direct cycle route. The proposed development would therefore be of poor design, represent overdevelopment, would not be fit for purpose or function in a suitable way, harmful to the character and appearance of the area and not creating a suitably designed place.

The proposed development would therefore be contrary to policies HOV3, DM1 and HN7 of the Hastings Development Management Local Plan (2015), Policies T3 and FA5 of the Hastings Planning Strategy, the aims of the Hastings Walking and Cycling Strategy 2014, guidance contained with the National Planning Policy Framework, specifically paragraphs 17, 58 and 64, the National Planning Practice Guidance paragraphs 007 (Reference ID: 26-007-20140306), 024 (Reference ID: 26-024-20140306), 040 (Reference ID: 26-040-20140306), 002 (Reference ID: 26-002-20140306) and (026 Reference ID: 26-026-20140306), the Draft National

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Planning Policy Framework paragraph 126 and guidance contained within Building for Life 12.

- Applies to reasons for refusal 2 and 4 also
- Amended plans received at 5.30pm on 11<sup>th</sup> July

Amended Plans:

- Can an applicant amend an application after it has been submitted?  
It is possible for an applicant to suggest changes to an application before the local planning authority has determined the proposal. It is equally possible after the consultation period for the local planning authority to ask the applicant if it would be possible to revise the application to overcome a possible objection. **It is at the discretion of the local planning authority whether to accept such changes, to determine if the changes need to be reconsulted upon, or if the proposed changes are so significant as to materially alter the proposal such that a new application should be submitted.**
- Paragraph: 061 Reference ID: 14-061-20140306

The Planning Services Manager explained this was a vacant and overgrown site, previously Mount Pleasant Hospital. It was an allocated site HOV3 for 40 dwellings net capacity. She explained that there were various constraints for the site including the cycle route, a badger sett and trees. A pre-application forum had been held in October 2017 for the public to hear how the applicant intended to develop the site. Subsequently, amended plans were submitted as there were concerns regarding elevations and massing of the flats but were considered to make little improvement or overcome the concerns of officers. The Planning Services Manager referred to the concerns raised in her report, she said the cycle route should be unobstructed with no tight turns and should provide a safe route for cyclists. Although the amended plans show the repositioning of the cycle route, she said it does not address some of these concerns. The various access points will cause interruption to the cycle route. Furthermore, the bulk, massing and height of development will create a cluttered environment, bland and unattractive in design. She said the development will be too close to a protected badger sett and refuse vehicles will be unable to turn without going on the curb. The development is not fit for purpose and for these reasons she said the amended plans were not accepted.

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

Ian Sear, petitioner, was present, he referred to the petition and Ore Valley Action Forum created in 2006. He said he was not opposed to development but it should be good quality design. He said that this was a bad design and cramped housing. The development, he said, would create a loss of greenspace and would double the number of dwellings allocated in the local plan. Splitting the site in half and building 40 dwellings on the site will maximise profit. He said it will create a cramped, dense development of poor design. The houses lack space and will be accessed by a steep, dangerous and congested road with poor visibility and no footpath. He urged the Committee to refuse the application.

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Roger Nightingale, Kember Loudon Williams, on behalf of the applicant, spoke in support of the application. He said an amended scheme and revised drawings were submitted following a meeting with officers. He said that this was an allocated site and that the Council's policy is for a minimum of 40 dwellings per hectare, this is not a maximum. If more units can be achieved in an acceptable form this should be the aim. With reference to the concerns raised, he said the layout is neither cluttered nor congested; the parking spaces have been addressed and landscaping has been softened in the amended drawings. Furthermore, the cycle route is more direct and will be free from obstruction and the roundabout has been removed. He said the design is the same as the Stills Factory site and if that was accepted this should be. The Legal Agreement will not be difficult to put in place and can be readily overcome. With regard to refuse vehicles turning onto the pavement, he said this is in one location and would apply for the largest of refuse vehicles in East Sussex. He asked the Committee to defer the application for further discussions to achieve an acceptable scheme.

The Planning Services Manager referred to Policy H1, she said the density must fit the site of at least 30 density per hectare. The site still has to offer an attractive, well thought out scheme. She said concerns were raised at the pre-application stage which still remain. Several meetings and a pre-application forum were held and telephone advice given. An opportunity to amend the plans was provided, but they do not address the concerns. The Fellows Road application was far superior in layout and does not have the same issues of design flaws, massing, landscaping, etc.

Councillor Chowney, Ward Councillor for Tressell, spoke against the application and supported the recommendation to refuse the application. The spine road he said was built long time ago and is not adopted and the road junction requires a better layout. He questioned who would be responsible for paying for the road and electricity for the street lighting if East Sussex County Council were not. He raised concerns regarding the overdevelopment of the site, stating it was overcrowded and cluttered. All the affordable housing would be in the flats and not integrated. If the number of dwellings are doubled he said it would need good quality design to enable bigger density. He said the cycle path has several steep ascents and should be level. He urged the Planning Committee to refuse the application.

Members discussed their concerns regarding the overdevelopment of the site referring to its poor design, lack of public safety, unknown responsibility for maintenance and being inappropriate for walkers and cyclists.

Councillor Beaver proposed a motion to refuse the application, subject to the amendment of Conditions 1, 2 and 4 as set out in the resolution below. This was seconded by Councillor Turner.

**RESOLVED – (Unanimously) that planning permission be refused for the following reasons:-**

- 1. The proposed development would result in a poor layout that would appear cluttered, congested and fail to provide sufficiently sized parking spaces to the front of integral garages, a sufficient proportion**

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of soft landscaping and a safe, unobstructed and direct cycle route. The proposed development would therefore be of poor design, represent overdevelopment, would not be fit for purpose or function in a suitable way, harmful to the character and appearance of the area and not creating a suitably designed place.

The proposed development would therefore be contrary to policies HOV3, DM1 and HN7 of the Hastings Development Management Local Plan (2015), Policies T3 and FA5 of the Hastings Planning Strategy, the aims of the Hastings Walking and Cycling Strategy 2014, guidance contained with the National Planning Policy Framework, specifically paragraphs 17, 58 and 64, the National Planning Practice Guidance paragraphs 007 (Reference ID: 26-007-20140306), 024 (Reference ID: 26-024-20140306), 040 (Reference ID: 26-040-20140306), 002 (Reference ID: 26-002-20140306) and (026 Reference ID: 26-026-20140306), the Draft National Planning Policy Framework paragraph 126 and guidance contained within Building for Life 12.

2. The proposed development would result in buildings that comprise bland elevations and poor window form and design. In addition the massing of the proposed block of flats would by reason of its height, length, depth and proximity to the road would result in an overly dominant and imposing structure, which does not properly address the road at the corner, out of keeping with and harmful to the character of the area.

The proposed development would therefore be contrary to policies DM1 and HOV3 of the Hastings Development Management Plan (2015), guidance contained with the National Planning Policy Framework, specifically paragraphs 17, 58 and 64 and the National Planning Practice Guidance, specifically paragraphs 025 (Reference ID: 26-025-20140306), 026 (Reference ID: 26-026-20140306), 027 (Reference ID: 26-027-20140306), 016 (Reference ID: 26-016-20140306), the Draft National Planning Policy Framework paragraph 126 and guidance contained within Building for Life 12.

3. The application will require the following infrastructure to be secured by means of a legal agreement in order to support the proposed development:

**Contribution of £25,000 towards Real Time Passenger Information (RTPI)**

**Pedestrian public realm improvements, including provision of a new pedestrian crossing at Farley Bank**

**Contribution Of £50,000 to off-site play facilities at Cookson Gardens and Farley Bank. The contribution will provide new and upgraded multi-play equipment (£25,000) at Cookson Gardens and upgrade fixed play equipment at Farley Bank (£25,000)**

**Libraries - £10, 520**

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Public Rights of Way - £960  
The provision and maintenance of a cycle path  
A travel plan  
Affordable Housing - 10 units on site

No firm arrangements have been entered into to secure such an agreement. As such, the application is contrary to policies H3, C11, C13 and T4 of the Hastings Planning Strategy Local Plan (2014).

4. The application has not sufficiently demonstrated that a refuse vehicle can turn satisfactorily on site. As such the development would fail to achieve a layout that functions well and is considered to be contrary to policies DM3 of the Hastings Development Management Local Plan (2015), guidance contained with the National Planning Policy Framework, specifically paragraphs 17, 58 and 64, guidance contained within the National Planning Practice Guidance paragraphs 007 (Reference ID: 26-007-20140306), 024 (Reference ID: 26-024-20140306), 040 (Reference ID: 26-040-20140306), 002 (Reference ID: 26-002-20140306) and (026 Reference ID: 26-026-20140306), the Draft National Planning Policy Framework paragraph 126 and guidance contained within Building for Life 12.

### 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. The applicant is advised that reason for refusal no 3 (for failure to make contribution) can be overcome by completion of agreement in compliance with policies H3, C11, C13 and T4 of the Hastings Planning Strategy Local Plan (2014).
3. The applicant is advised that the use of a mini roundabout would not be suitable given that the forecast traffic flow would be below the recommended level for such. A priority junction is considered acceptable as an alternative and any scheme for the development of this site should have regard to this.

### 51. OTHER PLANNING APPLICATIONS

### 52. LAND TO THE WEST OF, CAMPKIN GARDENS, ST. LEONARDS ON SEA

Proposal: Construction of a two storey detached dwelling with integral garage (amended description)  
Application No: HS/FA/18/00252

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Conservation Area:	No
Listed Building	No
Public Consultation	11 letters of objection received

The Senior Planning Officer Mrs Meppem, presented this application for the construction of a two-storey detached dwelling with integral garage at Land to the West of Campkin Gardens, St Leonards-on-Sea.

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

The Senior Planning Officer explained that two previous applications had been withdrawn and a new revised application submitted. She stated that there was a woodland TPO but no trees were affected as part of the development.

Councillor Marlow-Eastwood raised her concern regarding the lack of parking for visitors and deliveries etc.

Members welcomed the applicant's efforts to take on board the officers comments to improve the application.

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

**RESOLVED – by (8 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:**  
**786A/18/05, 786A/18/07, 786A/18/06**
- 3. Prior to the erection of the dwelling hereby approved, details of the materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
- 4. Prior to commencement of development above ground, details of all proposed planting and a planting schedule setting out the proposed times of planting, are to be submitted to and approved in writing by the Local Planning Authority, and all planting shall be carried out in accordance with the details and planning schedule.**

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5. All planting seeding or turfing comprised in the approved soft landscaping scheme shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
6. Prior to commencement of development above ground, details of the proposed hard landscape works are to be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs lighting etc.); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.
7. All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
8. 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 and as identified within the Arboricultural Report prepared by The Mayhew Consultancy dated September 2017 (AR/53117). 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.
9. Prior to installation, details of the required cycle storage facility shall be submitted to and approved in writing by the Local Planning Authority. The storage unit shall then be implemented on site prior to occupation and in accordance with the approved details.
10. All ecological measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecological Appraisal for Land west of Campkin Gardens by the Mayhew Consultancy (April 2018) hereby approved.
11. Prior to commencement of development a full and adequate site

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**investigation and soils report, carried out by a suitably qualified person, is to be submitted to and approved in writing by the Local Planning Authority. Work shall not proceed until and unless measure deemed to be necessary by the Authority as a result of such report have been incorporated in the development proposals. The report shall include:**

- (i) a survey of the extent, scale and nature of contamination;**
- (ii) an assessment of the potential risks to:**
  - Human health**
  - Property (existing or proposed) including buildings, crops, livestock ,pets, woodland and service lines and pipes**
  - Adjoining land**
  - Groundwater and surface water**
  - Ecological systems**
  - Archaeological sites and ancient monuments**
- (iii) an appraisal of remedial options, and proposal of the preferred option(s)**

**This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".**

- 12. Prior to commencement of development a detailed scheme of remediation identifying how it is proposed to bring the site to a condition suitable for the intended use, by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, is to be submitted to and approved in writing by the Local Planning Authority. The remediation scheme shall include;**
- i. Details of all works to be undertaken**
  - ii. The proposed remediation objectives and remediation criteria,**
  - iii. A timetable of works and site management procedures.**

**The scheme must also ensure that the site will not qualify as contaminated land under Part 2A of the Environmental protection Act 1990 in relation to the intended use of the land after remediation.**

- 13. (i) The approved remediation measures as required under condition 12 are to be carried out on site in accordance with the approved timescales within the report and prior to erection of the extension, unless otherwise approved in writing by the Local Planning Authority.**
- (ii) The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works**

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**(iii) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.**

- 14. In the event that contamination, not previously identified, is found at any time while carrying out the approved development, this is to be immediately reported in writing to the Local Planning Authority. An investigation and risk assessment must then be undertaken in accordance with the requirements of condition 12, and where remediation is necessary a scheme be prepared in accordance with the requirements of condition 13. This is to then be submitted to and approved in writing by the Local Planning Authority prior to works continuing on site.**

**Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 13 (iii).**

- 15. Surface water that is to be discharged to the public sewer shall be limited to a rate agreed with Southern Water, which should not exceed the existing run-off rate, for all rainfall events including the 1 in 100 (plus climate change). Evidence of this, in the form of hydraulic calculations which take into account the connectivity of the drainage system should be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.**
- 16. Prior to commencement of development a scheme of foul drainage, and surface water drainage is to be submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.**
- 17. Prior to commencement of development a maintenance and management plan for the entire drainage system is to be submitted to and approved by the Local Planning Authority. This plan should clearly identify persons responsible for managing all aspects of the surface water drainage system, including piped drains. These responsibility arrangements will remain in place throughout the lifetime of the development unless otherwise approved in writing by the Local Planning Authority in conjunction with the Local Drainage Authorities.**
- 18. 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.**
- 19. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation**

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**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 18 to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.**

- 20. 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.**

- 21. No development shall take place until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:**

- parking of vehicle of site operatives and visitors**
- method of prevention of mud being carried onto highway**
- proposed temporary traffic restrictions to Campkin Gardens**
- arrangements for turning delivery vehicles**
- storage locations of materials during construction phase**

- 22. At no point during the construction phase of the development shall vehicles associated with the works on site block the highway and in so doing restrict access to the residential properties in Campkin Gardens.**

- 23. The garage shall not be used for any purpose other than those ancillary or incidental to the enjoyment of a dwelling house and shall not be used as living accommodation.**

- 24. Notwithstanding the provisions of the 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 outbuildings, external alterations or extensions are to be carried out to the dwelling hereby approved without the prior written approval from the Local Planning Authority.**

- 25. There shall be no obstruction to visibility (over 0.8 metres above the level of the adjoining ground level) in either direction onto Campkin Gardens within splays of 2.4 x 10 metres.**

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### **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 that the finished development takes proper account of the character of the surrounding area in its use of external materials in the interests of the amenity of the area.**
- 4. In the interests of the visual amenity.**
- 5. In the interests of the visual amenity.**
- 6. To ensure a satisfactory form of development in the interests of the character and amenity of the area.**
- 7. To ensure a satisfactory form of development in the interests of the character and amenity of the area.**
- 8. In accordance with good Arboricultural practice.**
- 9. To ensure a satisfactory standard of development.**
- 10. In the interests of the safety and wellbeing of wildlife and protected species in or around the site.**
- 11. To protect those redeveloping the site and any future occupants from potential contamination.**
- 12. To protect those redeveloping the site and any future occupants from potential contamination.**
- 13. To protect those redeveloping the site and any future occupants from potential contamination.**
- 14. To protect those redeveloping the site and any future occupants from potential contamination.**
- 15. To prevent increased risk of flooding.**
- 16. To ensure satisfactory drainage of the site and to avoid flooding.**
- 17. To ensure a satisfactory form of development in the interests of the character and amenity of the area.**
- 18. To ensure that the archaeological and historical interest of the site is**

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safeguarded and recorded to comply with the National Planning Policy Framework

19. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework
20. To safeguard the amenity of adjoining residents.
21. To ensure a satisfactory development and safeguard the amenity of adjoining residents.
22. In the interests of Highway safety and to safeguard the amenity of adjoining residents.
23. To safeguard the residential character of the neighbourhood and to ensure the provision of adequate off-street parking.
24. To ensure a satisfactory standard of development.
25. To ensure safe access to and from the site and in the interests of traffic safety.

### 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](mailto:wildlife@naturalengland.org.uk) Telephone 020 802 61089 or Environment and Natural Resources on [parks@hastings.gov.uk](mailto:parks@hastings.gov.uk) Telephone 01424 451107 prior to commencement of any works.
4. Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the gas mains, pipes, services and other apparatus on site before any mechanical plant is used. It is the developers responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working on or near gas plant and/or electricity assets.

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5. **A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: [developerservices@southernwater.co.uk](mailto:developerservices@southernwater.co.uk).**
6. **Have regard to the Fact Sheet provided by UK power Networks dated 18.04.2018 available to view online here: <http://publicaccess.hastings.gov.uk/online-applications/>**
7. **The applicant is advised that where the supply of any underground utilities pass through the root protection area of the retained tree, detailed plans should be drawn up in conjunction with an appropriately qualified Arboriculturalist. In order to ensure the long term health of the retained trees is not prejudiced.**

### **53. LAND NORTH OF 14 FERN ROAD, ST. LEONARDS ON SEA**

Proposal:	Variation of Condition 10: Approved Drawings of planning permission HS/FA/08/00797- Fourteen semi-detached houses with garages on vacant land granted on appeal - Design updated to include rooms above garages on plots 1,2,4,5 & 7-14(inclusive)
Application No:	HS/FA/18/00208
Conservation Area:	No
Listed Building	No
Public Consultation	6 letters of objection received

Having raised their prejudicial interests, Councillors Beaver and Davies were absent from the Chamber during discussion and voting of this item.

Councillor O'Callaghan was not present for the start of this item and therefore sat back and did not take part in the discussion or voting of this item.

The Planning Services Manager, Mrs Evans, presented this application for the Variation of Condition 10: Approved Drawings of planning permission HS/FA/08/00797- Fourteen semi-detached houses with garages on vacant land granted on appeal - Design updated to include rooms above garages on plots 1,2,4,5 & 7-14 (inclusive) at Land North of 14, Fern Road, St Leonards-on-sea.

The Planning Services Manager explained that the incorrect application had been submitted. The proposals do not constitute minor material amendments due to the increased height and scale and changes to the overall design and appearance of the property. Therefore, the application was recommended for refusal because the

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proposed amendments were considered to be substantially different to the approved scheme.

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

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

**RESOLVED – (Unanimously) that planning permission be refused subject to the following reason:**

- 1. The proposals do not constitute minor material amendments by reason of the increased height and scale and the changes to the overall design and appearance of the property which would include an additional storey above the attached garages. As such the proposed amendments are considered to be substantially different to the approved scheme contrary to the National Planning Policy Guidance.**

### **Note to the Applicant**

- 1. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.**

### **54. 45 EVERSFIELD PLACE, ST. LEONARDS ON SEA**

Proposal:	Loft conversion with roof terrace to the front, Velux Cabrio balcony to the rear and solar panels.
Application No:	HS/FA/18/00297
Conservation Area:	Yes - Eversfield Place
Listed Building	No
Public Consultation	Application by serving employee in restricted post

The Planning Services Manager, Mrs Evans, presented this application for a Loft conversion with roof terrace to the front, Velux Cabrio balcony to the rear and solar panels at 45 Eversfield Place, St Leonards-on-sea.

Members were advised that this application had been brought to committee because the applicant was an employee in a restricted post.

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

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

**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:  
  
5693/LBP, 5693/EX, 5693/1/B.
3. No development shall take place above ground until samples/details of the materials to be used in the construction of the external surfaces of the roof, dormer, and solar panels 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.
4. Notwithstanding the details shown on the approved drawings full details, including the manufacturing specification, design, materials and where necessary cross- sectional drawings of the solar panels to be installed on the front roof slope shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement development. Development shall be carried out in accordance with the approved details.
5. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-  
  
08.00 - 18.00 Monday to Friday  
08.00 - 13.00 on Saturdays  
No working on Sundays or Public Holidays.

### 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 that the finished development takes proper account of the character of the surrounding area in its use of external materials in the interests of the amenity of the area and conservation area.
4. To ensure that the finished development takes proper account of the

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**character of the surrounding area in its use of external materials in the interests of the amenity of the area and conservation area.**

- 5. 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.**

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

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

All matters had arisen between 8 June 2018 and 6 July 2018.

The report was noted.

(The Chair declared the meeting closed at. 7.26 pm)