

PLANNING

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

Apologies for absence were notes for Councillor

85. APOLOGIES FOR ABSENCE

None

86. DECLARATIONS OF INTEREST

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

Councillor	Minute	Interest
Beaver, Scott and Webb	5a- 85 -86 Castleham Road	Personal Interest- Member of East Sussex County Council.
Beaver, Scott and Webb	5b- Land Adjoining 14-16 Harley Way	Personal Interest- Member of East Sussex County Council.
Beaver	5a- 85 -86 Castleham Road	Personal Interest- Has received emails and spoken to residents but did not give an opinion and maintains an open mind.
Marlow-Eastwood and Edwards	5a- 85 -86 Castleham Road	Personal Interest- Application is in the ward they represent and have received emails from residents
Roberts	6e- Store 1 Bottle Alley, Eversfield Place, Lower Promenade	Personal Interest- Lives near to location but not affected by application.

87. MINUTES OF PREVIOUS MEETING HELD ON 10 OCTOBER 2018 AND 7 NOVEMBER 2018

The minutes from 10 October were missing from the agenda pack and will be approved at the next meeting

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

-that the minutes of the meeting held on 10 October 2018 will be approved at the next meeting

88. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

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89. PLANNING APPLICATIONS ATTRACTING A PETITION

89.1 85-86 Castleham Road HS-FA-18-00777

75.1 85 -86 Castleham Road

Proposal:	Change of use from the council archive (B1) and storage site (B8) to the councils Direct Service Organisation (DSO) Street Cleansing operational depot (B2).
Application No:	HS/FA/18/00777
Conservation Area:	No
Listed Building:	No
Public Consultation:	39 letters of objection received and 1 petition of objection received

The Principal Planner Mrs Wood, presented this application for change of use from the council archive (B1) and storage site (B8) to the councils Direct Service Organisation (DSO) Street Cleansing operational depot (B2).

Members were informed of one update to the report:-

- One additional comment had been received

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

Peter Emmanuel, petitioner spoke against the application. , He said he was there to represent local residents and the people who have raised objections. He had identified issues around the following;

- Change of use- Report states other units in plot have B2 status but none are within 18 metres of residents or operate 7 days a week. None have vehicles moving from 5am and operate until 8pm
- Suitability of the site- Local residents and an East Sussex County Council Highways officer have concerns that the site isn't large enough for the area. Report states there are no issues of the overlooking residential area. Believes to be untrue and several properties will overlook the internal compound and will see the tippers that collect the bulky waste and non-hazardous fly tips waste.
- Noise and proposed operating hours- Vehicles will be starting from 6am and left idly especially in winter months which will increase noise and petrol fumes. This has a health impact for local residents.
- Environmental impact- Environment agency has requested full noise report which has not been published. When will this be produced? This should be a prerequisite before planning permission should be granted. With regard to the impact the applicant in a document dated 22nd November, 7 weeks after planning notice was published that there will be waste stored overnight in the

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vehicles. Concern about the implications of this as stored all year round. Concerns about the disposal of contaminated water from the cleaning of the vehicles. Southern Water has had to previously investigate the capacity due to problems in the area. There will also be problems of spill light from the site.

- Planning process- From resident's point of view believes there are issues from the applicant, quality of application and potential breaches of procedures. This has been documented separately and formed parts of formal complaints. Many of the third party comments were done before final operating times were declared. The proposals need to be revisited in light of these changes. The council should be a role model in planning applications. Believes there has been inconsistencies throughout application and that the council are trying to 'shoe horn' this application through.

Mike Hepworth, of Hastings Borough Council; applicant, spoke in favour of the application. He responded to the points raised by the petitioner. He is responsible for the waste and cleansing operation within the council and explains how operations will work from the site. It will only be waste that hasn't been off loaded at Pebsham tip that will be stored overnight in the vehicles on site. In most cases they will be off loaded at the Pebsham site. When they can't there will only be 4 types of waste on the site and they will be stored on the vehicles and not offloaded

- Street sweeping- Mechanical street sweepers x2 that will generally be used only on weekdays. They will finish operating at 2pm and will be able to offload. Litter will be swept up and left in a sealed vehicle. No odour issues if left in vehicle overnight.
- Litter bins- Will use a mini freighter with compacter. Bags will be put in the back, compacted and mechanically transferred to a sealed unit in the vehicle.
- Hazardous fly tip waste- Will use a 7&1/2 ton cage tipper. Most is household or inert builders waste. Generally operating during times that they can offload at the tip during the working day.
- Bulky- Will use a 7&1/2 ton cage tipper. Will generally be household waste and white goods. Generally operating during times that they can offload at the tip during the working day.

All vehicles would be serviced off site.. Maintenance on site would be minimal and would only be for issues such as wiper blades and pumping up tyres. Any issues relating to noise, fumes and contamination from washing vehicles would be subject to conditions from statutory authorities and guidelines. These conditions would have to be met before site operation could begin. Hastings Borough council doesn't have a lot of sites that would be suitable to this operation. Are considering other site but very few are suitable. Current contract with Kier who are based at Bulverhythe. The operation is moving as Hastings Borough Council is taking the cleansing contract on. Concerns

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about parking spaces on site were addressed. Not all of the operation is based here and the site has a very small work base based there. The site plan shows wide areas that will allow vehicles to enter site and park. Vehicles won't be left running for fumes to be created and in terms of building ventilation, a ventilation system will be fitted to a high specification by professionals.

The Principal Planner, Mrs Wood, responded to the issues that were raised. Issues concerning the ventilation system are addressed by condition 14 that meant the ventilation system would need to be approved by planning. In terms of noise, conditions 12 and 13 address this and state that measures would need approval by the environmental health department in conjunction with the planning department before operations commenced. The parking issue meant that a revised parking plan was submitted that East Sussex County Council Highways team are now happy with. Drainage issues are addressed throughout the report and condition 5 notes that discharge rates are restricted as much as possible. This is an identified industrial estate and not a residential area as defined by national planning policy. Planning doesn't have to consider an alternative site at this stage and is not material to the consideration of this application.

Councillor Davies proposed a motion to grant the application as per the officer recommendation. This was seconded by Councillor Scott.

Councillors discussed the application in detail. During the discussion it was suggested that an informative was added regarding acoustic fencing for the site to reduce noise for the residents. This was agreed by the proposer and seconder of the motion to approve.

RESOLVED – by (7 votes for and 3 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:**
 - BA1874.01 - Existing site location and block plan**
 - BA1874.03 - Existing site plan**
 - BA1874.04 - As existing floor plan for storage**
 - BA1874.05 - As existing floor plan for facilities**
 - BA1874.06 - Existing elevations**
 - BA1874.09 - Proposed plan**
 - BA1874.10 - Proposed site plan**
 - BA1874.11B - Parking plan**

3. **Waste shall not be off loaded or sorted on site at any time.**

4. **The premises shall not be operational except between the following hours:-**

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- **Monday - Sunday: 5.30am - 8.30pm**

Maintenance of vehicles must only take place during offices hours as follows:

- **Monday - Friday 8-30am to 5.30pm**
- **At no time on weekends or bank holidays.**

In the case of major events where these hours cannot be adhered to, permission must be sought in writing by the Local Planning Authority in advance.

5. (i) **The authorised use 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. This shall include drainage details to show attenuation methods and necessary infrastructure to restrict water flow to existing levels, prior to discharge into the public system. The details should also include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.**
- (ii) **Development shall then be carried out in accordance with the details approved under (i) and the use hereby approved shall not commence until those works have been completed.**

and

- (iii) **The use hereby approved shall not commence 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 location and condition of the existing drainage system should be investigated up to its outfall with the intention to reuse this system wherever possible. Any required improvements to the condition of the drainage system should be carried out prior to connecting into this system.**
 7. **The parking spaces shown on the approved plan (BA187411B) shall be provided prior to the occupation of the development hereby permitted**

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and thereafter shall not be used for any purpose other than the parking of vehicles.

- 8. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans (plan no. BA1874.11B) or details which have been submitted to and approved in writing by the Planning Authority, and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.**
- 9. The proposed parking spaces shall measure at least 2.5m by 5m (with an extra 50cm where spaces abut walls)**
- 10. Prior to the commencement of the proposed use a full noise report covering the whole site in accordance to BS 4142: 2014 shall be submitted to and approved in writing by the Local Planning Authority.**

Any noise mitigation measures recommended in the submitted noise report shall be installed prior to the commencement of the proposed use and shall be retained thereafter.

- 11. Prior to the commencement of the proposed use, details of any lighting scheme, such as flood lighting or security lighting, shall be submitted to and approved in writing by the Local Planning Authority.**
- 12. Details, including acoustic specifications of all fixed plant machinery and equipment associated with air moving equipment, including fans, ducting and external openings, compressors, generators or plant or equipment of like kind, installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved in writing by the Local Planning Authority prior to installation.**
- 13. Details of the times of operation for any proposed jet washing facilities to be used at the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the proposed use.**
- 14. Prior to the commencement of the proposed use details of the proposed ventilation systems shall be submitted to and approved in writing by the Local Planning Authority, and following approval, shall be retained thereafter.**

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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. In the interests of health and safety and to safeguard the amenity of neighbouring residential properties.**
- 4. To safeguard the amenity of neighbouring residential properties.**
- 5. To prevent increased risk of flooding.**
- 6. To prevent increased risk of flooding.**
- 7. To ensure an adequate level of off-street parking to serve the development.**
- 8. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.**
- 9. To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.**
- 10. To safeguard the amenity of neighbouring residents.**
- 11. To safeguard the amenities of neighbouring residents and the character of the surrounding area.**
- 12. To safeguard the amenities of neighbouring residents and the character of the surrounding area.**
- 13. To safeguard the amenities of neighbouring residents.**
- 14. To safeguard the amenity of adjoining and future residents.**

Notes to the Applicant

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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 paragraph 38 of the National Planning Policy Framework.
3. To be read in conjunction with condition 5:

The location and condition of the existing drainage system should be investigated up to its outfall with the intention to reuse this system wherever possible. Any required improvements to the condition of the drainage system should be carried out prior to connecting into this system.

Surface water discharge rates should be no greater than existing discharge rates from the site. This is subject to a capacity check undertaken by Southern Water with evidence of this and hydraulic calculations, submitted to the Local Planning Authority.

Prior to construction 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.

4. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: developerservices@southernwater.co.uk.
5. To be read in conjunction with Condition 10:
Consideration must be given to the provision of acoustic fencing on the northern and eastern boundaries of the site.

89.2 Land Adjoining 14-16 Harley Way HS-OA-18-00726

Proposal:	Outline application (seeking approval of Access), for the erection of up to 4 no.2 bed apartments
Application No:	HS/OA/18/00726
Conservation Area:	No
Listed Building:	No
Public Consultation:	11 letters of objection received and 1 petition of objection received

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The Principal Planner, Mrs Wood, presented this application for Outline application (seeking approval of Access), for the erection of up to 4 no.2 bed apartments. Members were shown plans, photographs and elevations of the application site. The Petitioner, Sharon Melville-Smith, spoke against the application. She said that she was there as a representative of the residents against planning and lives on Harley Way. She was concerned that they are here again at the committee due to the application being previously declined twice. No new evidence has been submitted by the applicant to support the application which is still contrary to Policy DM5 Only one new document has been submitted by the applicant on this application and all the others are 12-24 months old. New document contradicts itself and provides information that isn't true. It states that knotweed will be eradicated, no structural damage to the garage block. Petitioner states this is not true. The report use subjective words and is a misleading report. It also states that the thick vegetation is contributing land stability and good water flow. The have a small narrow road and can only park on one side of the road and the turning circle in the report is in fact too small for this. East Sussex County Council Highways say they have no objections to the application and that residents shouldn't be parking there. Residents cannot find anything that indicates that they cannot legally park there. Residents are using their garages and the spaces in front of them despite the committee being told that they weren't. Residents have ground movement on the road and walls which affects the drains. Area is on a steep sloping ground.

The applicant's representative, Brian Woods, spoke in support of the application.. Previous applications have been refused on the grounds of not enough information regarding the ground stability. New application includes a ground issues update letter provided by a specialist. Planning officers consulted with building control officers which had led to the inclusion of condition 22 which relates to before any works can be carried out a detailed site investigation must be completed. Building control have no record of land instability at the site only anecdotal evidence from residents. No suitably qualified professionals have provided evidence of this. No reasonable grounds for this application to be refused. The report in terms of land stability and risk refers to national planning policy framework, national policy guidance and policy DM5. Other residents concerns not addressed as only land stability caused previous applications to be refused. The applicant wants to develop on the land as urban area. No other third party experts have talked about land instability or produced evidence.

The Principal Planner, Mrs Wood, responded to the issues that were raised. She discussed how an outline application is different from a planning application. There is no policy or legislative reason why approval can't be granted subject to a more detailed site investigation report and that is what is being required by condition 22. After receiving the objection the planning officer spoke to the agent to make sure that the investigation was carried out by a suitably qualified site investigator as required by the policy. Drainage can be further investigated. The parking concerns are addressed as the new accommodation will have parking on site. East Sussex County Council highways are our professional consultee for advice.

Councillor Beaver proposed a motion to refuse the application on the ground that is contrary to para 127 of the National Planning Policy Framework and does not add to the quality of the area for the lifetime of the development. This was seconded by Councillor Edwards.

VOTE: 3 for and 7 against. Recommendation to refuse unsuccessful

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Councillor Roberts proposed a motion to grant the application. This is seconded by Councillor Davies.

RESOLVED – by (8 votes for and 2 against) that planning permission be granted subject to the following conditions:

1. Approval of the details of the layout, scale and external appearance of the building, 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.
2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the siting, design and external appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
3. 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.
4. 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.
5. The development hereby permitted shall be carried out in accordance with the following approved plans:

GEG-100-1-B and TSP/BBCN/P3114/002
6. 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.
7. The reserved matters application required by condition 1 shall include details of the means of vehicular access to the site, including road widths, kerb radii, visibility splays and details of finishes and materials. The approved details shall be implemented prior to occupation.
8. 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.
9. The reserved matters application required by condition 1 shall include details of covered and secure cycle parking. The approved details shall be implemented prior to occupation and shall thereafter be retained for that use and shall not be used other than for the parking of vehicles

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and cycles.

10. The reserved matters application required by condition 1 shall include details of the proposed surface water drainage to prevent discharge of surface water from the proposed site onto the public highway, and similarly, to prevent the discharge of surface water from the highway onto the site. The approved details shall be implemented prior to occupation.
11.
 - (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority.
 - (ii) Development shall then be carried out in accordance with the details approved under (i) and no occupation of any of the flats hereby approved shall occur until those works have been completed.

and

- (iii) No occupation of any of the dwellings or flats hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.
12. The reserved matters application required by condition 1 shall include evidence (in the form of hydraulic calculations) with the detailed drainage drawings showing surface water discharge rates that are limited to 5.0l/s for all rainfall events, including those with 1 in 100 (+40% for climate change) annual probability of occurrence. The hydraulic calculations should take into account the connectivity of the different surface water drainage features. This should include evidence that the Southern Water network has capacity to accept the proposed surface water discharge into its network.
13. If a new connection or diversion of a public sewer is proposed, the reserved matters application required by condition 1 shall include details of the permission on the acceptability of this.
14. The reserved matters application required by condition 1 shall include details of the proposed attenuation, storage tank, permeable paving and water butts outlined in the Drainage Strategy Report (2016). The approved details shall be implemented prior to occupation.
15. The reserved matters application required by condition 1 shall include details of a maintenance and management plan for the entire drainage system, including culverted and open watercourses. This plan should

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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.

- 16. The reserved matters application required by condition 1 shall include a Site Waste Management Plan detailing measures to minimise and manage waste generated by the construction and demolition works. Thereafter the development shall only be carried out in accordance with the approved details.**
- 17. The reserved matters application required by condition 1 shall include details of any plant e.g. to heat the buildings or other equipment. The works shall be carried out in accordance with the details approved and no occupation of any building approved shall occur until those works have been completed.**
- 18. The reserved matters application required by condition 1 shall include a Construction Environmental Management Plan (CEMP) based on the submitted Construction Traffic Management Statement (CTMS).**

The document shall also include:

- a) parking provision for site operatives and visitors;**
- b) provision for loading and unloading of plant and materials;**
- c) storage of plant and materials used in constructing the development;**
- d) measures to prevent deposit of mud on the highway;**
- e) measures to minimise dust during demolition;**

The approved CEMP shall be adhered to throughout the construction period.

- 19. No development shall take place until the measures outlined in the submitted ecological statements and reports have been fully implemented, unless:**
 - (i) the programme for such measures is otherwise specified within that document (for example with regard to measures related to monitoring, further survey work, the erection of bird boxes on buildings or other conservation enhancements), in which case the works shall be carried out in accordance with the timescales contained therein or;**

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- (ii) unless the scheme(s), or programme(s) of measures contained within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.

The submitted reports include

- Update Ecological Appraisal, September 2017 (David Archer Associates)
- The Ecological Appraisal Report, May 2016 (Ash Partnership)
- Report on Badger Activity February, 2017 (Peter Mortimer Badger Consultant)
- Mitigation and Method Statement, March 2017 (Peter Mortimer Badger Consultant)
- Report on Bat Survey, December 2016 (Eagle Trees Management)

20. The reserved matters application required by condition 1 shall include details of the role and responsibilities and operations to be overseen by an appropriately competent person (e.g. an ecological clerk of works, on-site ecologist). The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
21. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared following completion of measures identified in the approved remediation scheme a verification report must be prepared. All the above should be approved in writing by the Local Planning Authority.
22. The reserved matters application required by condition 1 shall include a full and adequate Land Stability and Soils Report, which sets out intrusive site investigation, undertaken in accordance with established procedures. Work shall not proceed until and unless measures deemed to be necessary by the Authority as a result of such report have been incorporated in the development proposals.
23. The reserved matters application required by condition 1 shall include a detailed scheme of external lighting. The approved details shall be implemented prior to occupation. The scheme shall be maintained and shall not be altered without prior written approval of the Local Planning Authority.
24. The reserved matters application required by condition 1 shall include

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details of open space, planting, and all boundary fences, including provision for free access to wildlife. The approved details shall be implemented prior to occupation.

- 25. The reserved matters application required by condition 1 shall include a full tree report, which determines where replanting will take place. The approved details shall be implemented prior to occupation**
- 26. The reserved matters application required by condition 1 shall include details of readily accessible external storage space for refuse bins awaiting collection. The approved details shall be implemented prior to occupation**
- 27. The reserved matters application required by condition 1 shall include details of electric vehicle charging points, including a programme for their installation, maintenance and management. The electric vehicle charging points as approved shall be installed prior to occupation of the buildings hereby permitted and shall thereafter be retained and maintained in accordance with the approved details.**
- 28. The reserved matters application required by condition 1 shall include details of appropriate climate change mitigation and adaptation measures as required by Policy SC3 of the Hastings Planning Strategy 2014. The approved details shall be implemented prior to occupation.**

Reasons:

- 1. The application is in outline only.**
- 2. The application is in outline only.**
- 3. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990.**
- 4. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990.**
- 5. For the avoidance of doubt and in the interests of proper planning.**
- 6. To safeguard the amenity of adjoining residents.**
- 7. In the interests of road safety.**
- 8. In the interests of road safety.**
- 9. In the interests of vehicular and pedestrian safety.**
- 10. In the interests of highway safety and for the benefit and convenience of the public at large.**

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- 11. To prevent increased risk of flooding.**
- 12. To prevent increased risk of flooding.**
- 13. To prevent increased risk of flooding.**
- 14. To prevent increased risk of flooding.**
- 15. To prevent increased risk of flooding.**
- 16. To minimise the amount of construction and demolition waste being disposed of in landfill sites.**
- 17. To ensure a satisfactory standard of development.**
- 18. To safeguard the amenity of adjoining and future residents.**
- 19. To protect features of recognised nature conservation importance.**
- 20. To protect features of recognised nature conservation importance.**
- 21. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.**
- 22. To ensure that the construction takes account of the local ground conditions and the sloping nature of the site.**
- 23. To safeguard the amenity of adjoining and future residents.**
- 24. To ensure a satisfactory standard of development.**
- 25. In the interests of the visual amenity and to improve biodiversity.**
- 26. To ensure a satisfactory standard of development.**
- 27. To ensure a satisfactory standard of development.**
- 28. To ensure a satisfactory standard of development in accordance with the requirements of Policy SC3 of the Hastings Planning Strategy.**

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 paragraph 38 of the National Planning Policy Framework.**

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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 parks@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 1 March and 31 July inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.
6. The applicant is advised that the development is likely to be reliant on the existing public highway being incorporated into the development site and as such must be formally Stopped Up to remove the highway rights over it. A 'Stopping Up' order would need to be processed separately to the planning process in accordance with the Town & Country Planning Act 1990. This process must be successfully completed prior to any highway land being enclosed within the development and before any reserved matters application. In order to commence the stopping up order process, the applicant will need to contact the Department for Transport's National Casework Team (0207 9444115).

The applicant should note that the stopping up is subject to public consultation and objection and therefore success cannot be guaranteed.

7. The applicant's attention is drawn to the need for a licence to construct the access. The applicant should contact East Sussex Highways on 0345 6080193 to apply for a licence to ensure the construction is to an acceptable standard.
8. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the 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 prioritises the means of surface water disposal in the order of:

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- a) Adequate soakaway or infiltration system
- b) Water course
- c) Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate planning conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors. The design of drainage should ensure that no land drainage or ground water is to enter public sewers network.

90. OTHER PLANNING APPLICATIONS

91.1 Muriel Matters House HA-PA-18-00887

76.1 Muriel Matters House, Breeds Place

Proposal:	Installation of a 18.09kW Solar PV array on the roof
Application No:	HS/PA/18/00887
Conservation Area:	No
Listed Building:	No
Public Consultation:	Nothing received

The Principal Planner, Mr Temple, presented this application for prior approval for installation of a 18.09kW Solar PV array on the roof of Muriel Matters House, Breeds Place.

The Principal Planner explained that this was a council application and that the application met all the criteria and conditions and that the Council recommended that prior approval be given subject to conditions.

Members were shown plans and photographs of the application site.

Councillor Beaver proposed a motion to grant prior approval. This was seconded by Councillor Bishop.

RESOLVED – (Unanimously) that prior approval be given subject to the following conditions:

1. (a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the

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area; and

(b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

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.

Reasons:

1. To ensure that the proposed development falls within the limit of permitted development within Class J of Part 14 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
2. To safeguard the amenity of adjoining residents.

Note to the Applicant

1. The applicant is advised that great consideration should be given in the interest of the neighbouring amenity, in regards to potential noise and dust that may be generated through the construction works.

91.2 Castleham Business Centre East, Stirling Road HS-PA-18-00936

Proposal:	Installation of a 38.34kW Solar PV array on the roof
Application No:	HS/PA/18/00936
Conservation Area:	No
Listed Building:	No
Public Consultation:	Nothing received

The Principal Planner, Mr Temple, presented this application for prior approval for installation of a 18.09kW Solar PV array on the roof of Muriel Matters House, Breeds Place.

The Principal Planner explained that this was a council application and that the application met all the criteria and conditions and that the Council recommended that prior approval be given subject to conditions.

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Members were shown plans and photographs of the application site.

Councillor Scott proposed a motion to grant prior approval . This was seconded by Councillor Roberts.

RESOLVED – (Unanimously) that prior approval be given subject to the following conditions:

1. (a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and
(b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

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.

Reasons:

1. To ensure that the proposed development falls within the limit of permitted development within Class J of Part 14 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

2. To safeguard the amenity of adjoining residents.

Note to the Applicant

1. The applicant is advised that great consideration should be given in the interest of the neighbouring amenity, in regards to potential noise and dust that may be generated through the construction works.
- 91.3 Former Lifeguard Hut at Pelham Beach, Pelham Place HS-FA-18-00735

Proposal:	Change of use from sui generis to D1 (childrens playhut)
Application No:	HS/FA/18/00735
Conservation Area:	Yes-Old Town

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Listed Building:	No
Public Consultation:	Nothing received

The Principal Planner, Mrs Wood, presented this application for change of use from sui generis to D1 and explained that this was a retrospective application.

Members were shown plans and photographs of the application site.

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

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

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

BT/P2/2/4, BT/P2/2/2, BT/P2/2/3

Reason:

- 1. 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 paragraph 38 of the National Planning Policy Framework.**

91.4 Former Lifeguard Hut at Pelham Beach, Pelham Place HS-AA-18-736

Proposal:	2x Banners 45cmx120cmx1cm and 4x metal signs 45cmx60cmx1cm
Application No:	HS/AA/18/00736
Conservation Area:	Yes- Old Town
Listed Building:	No
Public Consultation:	Nothing received

The Principal Planner Mrs Wood, presented this application for publicity consisting of 2x Banners 45cmx120cmx1cm and 4x metal signs 45cmx60cmx1cm for the Former Lifeguard Hut at Pelham Beach, Pelham Place.

Members were shown plans and photographs of the application site.

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Councillor Beaver proposed a motion to grant the application. This was seconded by Councillor Edwards.

RESOLVED – (Unanimously) that advertisement consent be granted subject to the following conditions:

1. No advertisement is to 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.
2. 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
 - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. 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.
4. 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.
5. 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.
6. The period of consent lapses at the expiration of five years from the date of issue.
7. The development hereby permitted shall be carried out in accordance with the following approved plans:

BT/P2/2/4, BT/P2/2/2, BT/P2/2/3

Reasons:

1. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
2. In the interests of safeguarding the amenities of the area.
3. In the interests of safeguarding the amenities of the area.

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4. In the interests of safeguarding the amenities of the area.
5. In the interests of safeguarding the amenities of the area.
6. In the interests of safeguarding the amenities of the area.
7. 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 paragraph 38 of the National Planning Policy Framework.

91.5 Store 1 Bottle Alley, Eversfield Place, Lower Promenade, HS-FA-18-00535

Proposal:	Change of use from B8 (Storage) to D1 (Gallery/Studio. And alterations to front elevation (amended description).
Application No:	HS/FA/18/00535
Conservation Area:	Yes- Warrior Square
Listed Building:	No
Public Consultation:	Nothing received – Application on Council owned land

The Planning Officer, Ms Ranson, presented this application for change of use from B8 (Storage) to D1 (Gallery/Studio). And alterations to front elevation (amended description) for Store 1 Bottle Alley, Eversfield Place, Lower Promenade. Members were shown plans and photographs of the application site. The Planning Officer explained that it was a local designated heritage asset and that the Conservation Officer had no problem as long as the windows were painted which was conditioned.

Councillor Davies proposed a motion to grant the application. 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 before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance

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with the following approved plans:

BF/L1/5/3/6, BF/L1/5/3/5, BF/L1/5/3/4, BF/L1/5/3/1

- 3. Prior to use of the Gallery commencing the opening hours shall be submitted to and agreed in writing by the Local Planning Authority.**
- 4. The use hereby approved is for Art Gallery (D1 use) only and there shall be no further change of use to other uses without planning permission first being applied for and approved in writing by the Local Planning Authority.**
- 5. Hours of opening / operation of the gallery must be submitted to and agreed in writing with the Local Planning Authority within 6 weeks of the Gallery use being started.**
- 6. Prior to the gallery use hereby approved being brought into use details of suitable waste storage and collection must be submitted to and agreed in writing with the Local Planning Authority.**
- 7. Before the change of use hereby approved is first brought into use, the white aluminium windows shall be painted either dark grey or black and the windows internal reveal and finish shall be made good to a standard to be agreed with the Conservation Officer.**

Reasons:

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.**
- 2. For the avoidance of doubt and in the interests of proper planning.**
- 3. In the interests of proper planning and to protect neighbour amenity.**
- 4. To ensure that any further change of use is appropriate to the level of flood risk.**
- 5. In the interest of local amenity.**
- 6. In the interest of local amenity.**
- 7. In the interest of conserving the significance and character of the heritage asset.**

Notes to the Applicant

- 1. Failure to comply with any condition imposed on this permission may**

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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 paragraph 38 of the National Planning Policy Framework.
3. **The Crime & Disorder Act 1998** heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. If you are planning to replace windows and doors, appropriate security standards should be adopted. For further information please see www.securedbydesign.com or contact Sussex Police.
4. Any alterations to the door or windows / shutters will require planning permission and you are strongly advised that they be designed for appropriate flood protection to help protect the gallery as this unit is at high risk of sea flood (Environment Agency zones 2 & 3).
5. There shall be no material external alterations made to the store unit hereby granted change of use to (Gallery D1 use) without further planning permission first being applied for and approved in writing by the Local Planning Authority. External alterations include alterations to the window and door openings.

92. PLANNING APPEALS AND DELEGATED DECISIONS

The Principal Planner reported that 3 planning appeals had been received, 3 appeals had been dismissed and 1 had been withdrawn. No appeals had been allowed. They also reported on the number of delegated decisions.

The report was noted.

(The Chair declared the meeting closed at 7.34pm)

(The Chair declared the meeting closed at. Time Not Specified)