

PLANNING

22 MARCH 2023

Present: Councillors O'Callaghan (Chair), Collins (Vice-Chair), Beaney, Beaver, Cannan, Edwards, Roberts, Williams and Sinden

401. APOLOGIES FOR ABSENCE

Councillors Bacon and Councillor Webb substituted by Councillor Sinden

402. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Cllr Beaver	5(a)	Personal – East Sussex County Councillor
Cllr Sinden	5(a)	Personal – Lives near to application site.

403. MINUTES OF PREVIOUS MEETING 22/02/23

RESOLVED – that the minutes of the meetings held on 22nd February 2023 be approved as a true record

404. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None received

405. PLANNING APPLICATIONS

406. LAND ADJACENT, 777 THE RIDGE, (EAST OF HARROW LANE), ST LEONARDS-ON-SEA (HS/FA/22/00906)

Proposal	Variation of condition 2 (approved plans), condition 15 (landscape drawing) and deletion of condition 19 (apartment building) of Planning Permission HS/FA/20/00970 granted on appeal APP/B415/W/21/3285744
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	(Erection of 67 dwellings together with access, open space, parking and landscaping) - Amendment to proposed housing mix and housing types including minor alterations to landscaping, elevation treatments and fenestration.
Application No	HS/FA/22/00906
Conservation Area	No
Listed Building	No
Public Consultation	Yes – 7 objections received

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The Principal Planning Officer updated that there had been four further letters of objection. These were expanding on concerns already raised and the total number of households objecting remains the same. Slides were shown showing a location plan, a block plan, an aerial photography and photographs of the site from Harrow Lane and the public footpath on The Ridge. A Layout slide was shown, and the Principal Planning Officer explained the layout is largely the same as originally approved, other than the amendments discussed in the report. The main change in this application is the proposed housing mix. This to be changed to now include two houses instead of a block of four flats. It also reduces the number of two-bedroom houses with offices and replaces them with size compliant three-bedroom units to make them more marketable as family homes. Slides were shown of the street scene and The Principal Planning Officer explained how some houses will have a loss of stonework and other minor alterations. There have been seven objections to the application, and these are covered in the report. The amendments are not considered substantial and are appropriate to be dealt with by the minor material amendment process, further details, drawings and clarification have been requested and received from the applicant since the application was submitted and the viability to provide affordable housing has been independently reviewed.

Councillors asked regarding the other applications on this site. The Principal Planning officer answered that they are alternatives to this application, but it is possible to have more than one permission on the site. It just gives the developer options of which one they implement.

Councillors asked regarding this application being a minor amendment. The Planning Services Manager answered that this is a minor material amendment, and the reasons are explained in the report. The Senior Solicitor explained that this application needs to be assessed as it is. It is not for the committee to assess if this is a minor material amendment or to reopen viability issues.

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Councillors asked if a section 106 agreement from the prior agreement would cover this application. The Planning Services Manager answered that the section 106 agreement will need to be amended to cover this application.

Councillors asked which permission is currently being implemented. The Principal Planning Officer explained there is currently only one extant planning permission and that is what is being implemented. That could change if subsequent applications are approved.

Councillors debated.

Councillor Edwards proposed to defer the application. There was no seconder for the proposal.

Councillor Roberts proposed approval of the recommendation, seconded by Councillor O'Callaghan.

RESOLVED (5 votes for, 2 votes against, 1 abstention)

Grant Full Planning Permission subject to the following conditions:

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

6695/P/LBP, 6695/P/100/D, 6695/P/101/D, 6695/P/102/C, 6695/P/103/D, 6695/P/104/C, 6695/P/200/C, 6695/P/106/D, 6695/P/107/G, 6695/P/110/E, 6695/P/111/C, 6695/P/112/C, 6695/P/113/E, 6695/P/114/E, 6695/P/115D, 6695/P/116/E, 6695/P/117/D, 6695/P/118/C, 6695/P/119/C, 6695/P/120/C, 6695/P/121/D, 6695/P/122/D, 6695/P/123/D, 6695/P/124/C, 6695/P/125/B, 6695/P/126/C, 6695/P/127/C, 6695/P/130/B, 6695/P/131/B, 6695/P/132/A, 6695/P/164/B, 6695/P/165/B, 6695/P/166/B, 6695/P/167/B, 6695/P/133/B, 6695/P/134/C, 6695/P/136/B, 6695/P/140/A, 6695/P/141/B, PLG/1656/20/E, 2020/5574/001/P8, 2020/5574/002/P7, 2020/5574/003/P4, 2200-1-S4 P15, 2201-2-S4 P15, 2210 S4 P03, 2220 S4 P4, 2221 S4 P2

2. Prior to commencement of development above the slab level of any of the approved buildings, details including samples of the materials to be used in the construction of the external surfaces of the development shall be

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submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

3. Notwithstanding the submitted details, prior to commencement of development above the ground level slab of any new building, details of a scheme for hard surfacing across the site shall be submitted to, and approved in writing by the Local Planning Authority. Those details shall include finished levels, pedestrian access and circulation areas, and details of materials for driveways. The development shall be carried out in accordance with the approved details.
4. The development hereby approved shall be carried out in accordance with the approved land contamination measures in the documents titled 'Combined Geotechnical and Quantitative Ground Contamination Risk Assessment' prepared by Ashdown Investigation Ltd and dated December 2020, and 'Ground Gas Risk Assessment' by Ashdown Investigation Ltd dated March 2021. Any variation to the measures contained therein shall be submitted to and approved in writing by the Local Planning Authority in advance of those works being undertaken. The recommendations and measures in the above mentioned documents shall be adhered to in full.
5. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development is resumed or continued.
6. The development shall be carried out in accordance with the ecological measures detailed in the report titled 'Ecological Enhancement, Management and Mitigation Plan' prepared by Greenspace Ecological Solutions and dated December 2020, and shall include hedgerow, shrub and species-rich grassland management, hedgerow planting, bat and bird boxes and hedgehog houses.
7. The development shall be carried out in accordance with the methodologies contained in Section 4: Sensitive Works Methodologies of the report titled 'Ecological Enhancement, Management and Mitigation Plan' by Greenspace Ecological Solutions dated December 2020, and those measures shall remain in place through the construction process.
8. No development shall take place until the protective fences to safeguard trees and hedges have been installed in full accordance with the Tree Protection Plan forming part of the report 'Arboricultural Impact Assessment and Method Statement, Revision A' by Greenspace Ecological Solutions dated December

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2020. The trees and hedgerows identified as being retained by the report shall be protected in accordance with the protection measures detailed within the report for the duration of the construction period.

9. The development shall be carried out in accordance with the 'Construction Method Statement', Revision A, prepared by The Park Lane Group, dated March 2021.
10. The measures detailed within the 'Travel Plan' by RGP, dated December 2020 shall be implemented from the first occupation of any part of the development and shall remain thereafter for a period of 5 years. Monitoring reports shall be provided to the Local Planning Authority in accordance with the details contained therein.
11. With the exception of internal works to the buildings hereby approved, the development must be carried out within the following times: 08:00- 18:00 Monday to Friday, 08:00- 13:00 on Saturdays, and no working on Sundays or Public Holidays.
12. The underwater attenuation tanks shall be installed in accordance with the details approved under HS/CD/22/00879 and shall be so maintained in accordance with the approved details.
13. The scheme of soft landscaping for the site (shown on plan PLG/1656/20 Rev E) shall be implemented in full and not later than the first planting season following the first occupation of the development. If, within a period of 5 years from the date of planting, the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.
14. No part of the development hereby approved shall be occupied until the storage and collection points for refuse bins, and all car parking spaces shown on the approved plans have been installed in full. These shall be retained and be available for use as such at all times.
15. Prior to the first occupation of the development, details of cycle parking areas shall be submitted to, and approved in writing, by the Local Planning Authority. These facilities shall be installed and available for use prior to the first occupation of the units they serve and shall be maintained at all times.
16. No external lighting shall be installed unless details have first been submitted to, and approved in writing by the Local Planning Authority. Those details shall

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include provisions for avoidance of 'light spill', and the external lighting shall be installed only in accordance with the approved details.

17. No part of the development hereby approved shall be occupied until the visibility splays at the Harrow Lane access, shown on plan 2020/5574/001 P7, have been provided in full. These shall be maintained and be free of any obstruction above 0.6m metres at all times.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. In the interests of the visual amenity of the area.
3. In the interests of the visual amenity of the area.
4. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.
5. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.
6. To protect features of recognised nature conservation importance.
7. To protect features of recognised nature conservation importance.
8. In the interests of the visual amenity.
9. In the interests of the visual amenity.
10. To encourage and promote sustainable transport.
11. In the interests of amenity.
12. To prevent increased risk of flooding.
13. In the interests of the visual amenity.
14. In order to secure a well planned development.
15. To encourage and promote sustainable transport.
16. In the interests of the visual amenity.
17. In the interest of highway safety.

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. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
4. This Authority's requirements associated with this development proposal will need to be secured through a Section 278 Legal Agreement between the applicant and East Sussex County Council. The applicant is requested to contact the Transport Development Control Team (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 agreement being in place.
5. In the event that roads are not offered for adoption, the Highway Authority would wish to see the roads within the site laid out and constructed to standards at, or at least close to, adoption standards.
6. In the event that any sewers are found within the site the applicant is advised to contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Telephone: 0330 303 0119) or www.southernwater.co.uk.

407. PLANNING APPEALS AND DELEGATED DECISIONS

The Committee noted the report.

(The Chair declared the meeting closed at. 6.28 pm)