

Report to: PLANNING COMMITTEE

Date: 21 September 2016

Report from: Assistant Director of Housing and Built Environment

Application Address: 34 The Croft, Hastings, TN34 3HH
Proposal: 2 Storey detached single family house
Application No: HS/FA/16/00534

Recommendation: Grant Full Planning Permission

Ward: OLD HASTINGS
File No: CR30034
Applicant: Mr Saunders-Rawlins 48 Badlis Road London E17 5LQ

Interest: Freeholder
Existing Use: Vacant plot

Policies

Conservation Area: Yes - Old Town
Listed Building: No

Public Consultation

Adj. Properties: Yes
Advertisement: Yes - Conservation Area
Letters of Objection: 14
Letters of Support: 5
Petitions Received: 1

Application Status: Not delegated - Petition received & Called in by Local Member

Summary

This application is a resubmission following on from the refusal of HS/FA/15/00600. The previous application was refused on the due to the lack of an affordable housing contribution as previously required under Policy H3 of the Hastings Planning Strategy. On the 13 May 2016 an order was issued by the Court of Appeal which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014. As part of the Ministerial Statement there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. In light of this the Council are unable to seek an affordable housing contribution in relation to this application.

The Site and its Location

The site is located on the Southern side of The Croft and is set behind a 2 metre high red brick wall. The site is located within the Old Town Conservation area and is bordered by several listed buildings to the South. Until recently the site formed part of the residential curtilage of The Hermitage (No.34 The Croft). The plot has now been separated and for the purposes of this application is referred to as No. 34a. The access to this site is via The Croft which is an unmade private road. Parking is limited along The Croft with many of the properties having no on site parking. There are no protected trees within the site and the site itself does not form part of any listed curtilage. Due to the sloping land levels of the area the properties on this side of The Croft are set at a higher level than those on the Southern boundary which face on to The High Street. The properties on the Northern side of The Croft are at a higher level again to the application site.

Details of the Proposal and Other Background Information

This is a fully detailed application. The proposal involves the erection of a detached two storey, modern dwelling, set down within the site. The proposed dwelling is shown to have a dark grey zinc roof with red cedar vertical tongue and groove cladding. Due to the land levels within the site and the dwelling being set down, the entrance to the building is via a 'bridge' from The Croft. The dwelling is also shown to be of an 'upside-down' layout with the bedrooms on the ground floor and the living space on the upper floor. Access to the site is from The Croft with a pedestrian gateway being created in the existing boundary wall of No.34. There is no parking provision included with this application, however, there is designated cycle storage on site. The application also involves the creation of a bridge/walkway from The Croft to the front elevation of the property. This walkway is shown to be required due to the sloping nature of the site.

Constraints

- Flooding Groundwater
- Archaeological Notification Area
- Old Town Conservation Area
- Scotia Gas Network Pipeline within The Croft but not within the site
- Public right of way along The Croft but not within the site

Previous Site History

HS/FA/15/00600	Two storey detached single family house Refused 03/11/2015
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Development Plan Polices and Proposals

Hastings Local Plan - Development Management Plan (2015)

DM1 - Design principles

DM3 - General amenity

DM4 - General access

DM5 - Ground conditions

HN1 - Development affecting the significance and setting of designated heritage assets

HN4 - Development affecting Heritage assets and archaeological and historic interest or potential interest

LP1 - Considering planning applications

Hastings Local Plan - Planning Strategy (2014)

SC1 - Overall strategy for managing change in a sustainable way

FA5 - Strategic policy for eastern area

EN1 - Built and historic environment (conservation area & archaeological notification area)

HN2 - Housing mix

HN3 - Provision of affordable housing

National Planning Policy Framework

The NPPF states that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Three dimensions of sustainability given in paragraph 7 are to be sought jointly: economic (by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst paragraph 10 advises that plans and decisions need to take local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas. To achieve sustainable development, economic, social and environmental gains should be sought jointly.

Paragraph 12 of the NPPF states that, "This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise."

Paragraph 9 seeks to positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure; and
- widening the choice of high quality homes.

Paragraph 14 of the NPPF states, "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking."

Specific to decision-taking, the NPPF states that this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted."

Paragraph 17 sets out 12 Core Planning Principles which include a requirement that planning should:

- 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;'

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable sites. Where policies are considered out-of-date planning permission should be granted unless the adverse impact significantly and demonstrably outweighs the benefits when assessed against the NPPF as a whole, or if specific policies in the NPPF indicate development should be restricted (paragraph 14).

Paragraph 58 of the National Planning Policy Framework States, "..Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
 - respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
 - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;
- and
- are visually attractive as a result of good architecture and appropriate landscaping."

Paragraph 141 of the NPPF states that *"Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted"*.

Paragraph 187 of the NPPF states that, "Local planning authorities should look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work pro actively with applicants to secure developments that improve the economic, social and environmental conditions of the area."

Paragraph 197 of the NPPF states that "in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development."

Planning Practice Guidance

Design - Paragraph 026 states that 'decisions on building size and mass, and the scale of open spaces around and between them, will influence the character, functioning and efficiency of an area. In general terms too much building mass compared with open space may feel overly cramped and oppressive, with access and amenity spaces being asked to do more than they feasibly can. Too little and neither land as a resource or monetary investment will be put to best use'.

Details of Consultations

As part of this application 57 neighbouring properties were consulted, a site notice was displayed and an advert was placed in the local paper. In response to this 14 letters of objection, 5 letters of support and a petition of 40 signatures was submitted. The concerns within these letters of objection include:

- Overlooking
- Inappropriate materials
- Precedent
- Parking
- Loss of green space
- Damage/disruption during development
- Impact on surrounding listed buildings
- Impact on the character of the Conservation Area
- Impact on ecology and biodiversity
- Drainage

Conservation Officer - No Objection- subject to conditions.

County Flood Risk Management Team - No objections subject to conditions.

Limited information has been submitted in relation to the provision of SUDs within the site, however, due to the requirement to carry out an archaeological investigation it is considered that a land stability/drainage assessment can be carried out at the same time.

County Archaeology - No objection - subject to conditions.

The County Archaeological department were consulted on the previous application. At this time it was advised that the site is located within an archaeological notification area and should permission be granted, a written scheme of archaeological investigation is required to be submitted prior to works being commenced on site. Having discussed the current application with the County Archaeologist it has been confirmed that the previous comments are still relevant.

Southern Water - No objections - subject to conditions.

Southern Water were consulted as part of the previously refused permission. At this time no objections were raised to the proposal subject to the imposition of conditions. Their formal comments are as follows;

'As the proposal has not altered it is considered that the comments previously made are still relevant as are the suggested conditions.

Should planning permission be granted, an informative is attached to the decision notice advising that a formal application for connection to the public sewerage system is required. They have also advised that a further informative be attached stating that 'detailed design of the proposed drainage system should take in to account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding'.

Planning Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purpose of any determination to be

made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

Layout and Design

The total site area is approximately 350.52m², being 29.6m in length and 11.7m in width. The dwelling is shown to be set back from The Croft by approx 7.8 metres, with a minimum of 2 metres from the side boundaries. To the rear of the site the separation distance between the proposed dwelling and the boundaries with the properties in the High Street is shown to be approx 10 metres at the closest point and 15.5 metres at the furthest point. The dwelling is shown to be modern in design and finished with high quality materials.

Impact on Character and appearance of the area

Scale and appearance of the dwelling

The Hastings Development Management Plan states that when development takes place it is important that it has regard for local character and achieves a good standard of design. Having reviewed the proposed plans it is apparent that this is not a 'run of the mill' residential development. However, the Council have a duty to assess each application in a pragmatic manner. Within the Hastings DM Plan, it states that, when development takes place it is important that it has regard for local character and achieves a good standard of design. Allowing some flexibility in the form a development might take can sometimes however, result in a more imaginative and innovative scheme being built.

The proposed development being two storeys demonstrates subservience to the existing properties on either side of the site, both of which are of three storey.

The proposed materials and finishes to the vertical surfaces are detailed to be timber cladding and as such rather than making reference to the local vernacular the proposed development contrasts with the built form. Whilst this does not directly reflect materials used in the locality, it does draw from informal pockets of established trees and shrubs which are prevalent in this locality and therefore is considered to have appropriate regard to the character of the area. The roof is proposed to be a dark grey anthra-zinc roof slate which is also considered to have a minimal visual contrast within the locality.

Impact on the Streetscene

The Hastings DM Plan states that applicants will need to demonstrate their understanding of the local character of the area of the Borough within which they hope to develop. This will include the impact of the local topography on views towards the development and the impact of their proposals on the setting of heritage assets. The setting of a building may be provided by the other buildings and landscape that immediately surrounds it. However, in a hilly town, like Hastings, we must also consider that a new development some streets away, or across the other side of the valley, may also significantly affect the setting of a heritage asset.

The existing built form follows the topography of the area resulting in a layering effect. The properties on the west side of the road are set higher up the side of the valley and are generally taller properties in large plots. The listed properties Nos. 19- 23 The Croft are located on the opposite side of The Croft at a higher level to the development site. It is considered that the existing property at No. 34 The Croft will largely obscure the proposed development from the outlook of this listed terrace. Similarly, Croft House and Holm Oak, two listed properties again on the opposite side of The Croft will be unaffected by the proposal and their setting will therefore not be impacted upon.

Whilst the building will be effectively elevated when viewed from the rear gardens of the properties along the High Street this is a circumstance of the urban sprawl of the Old Town as it rises up the side of the valley formed between the East and West Hills.

It is noted that the building, at two storey, sits between 3 storey buildings on either side. Normally a three storey building would be considered to sit better in this situation however, two points are relevant here. Firstly, that to enlarge the building would create additional mass that would potentially harm neighbouring amenity and secondly The Croft's character is one of a mixture of historic buildings mixed with more contemporary and unique buildings, reflecting a rather eclectic nature in some points of the road. Therefore in this instance the development is considered acceptable.

Overall impact on Heritage Assets

Old Town Conservation Area

As detailed above the site is located within the Old Town Conservation Area. Policy EN1 of the Hastings Planning Strategy states that importance will be placed on new development making a positive contribution to the quality, character, local distinctiveness and sense of place of historic buildings and areas. Having reviewed the proposed plans it is considered that the overall modest size and scale of the proposed dwelling is such that the building does not visually compete with the existing built form. It is also considered that the contemporary design is of high quality, makes clear reference to the area of soft landscaping and contributes to the eclectic nature of The Croft.

The concerns raised by local residents in relation to the proposed materials, namely dark grey zinc roofing and red cedar cladding, being stark and not in keeping. Having discussed the site with the Council's Conservation consultant I am of the opinion that the contemporary design is of a high quality and makes a clear reference to the surrounding built form. The proposed dwelling is also considered to sit well within the existing built form and the topography of Hastings Old Town. Taking this in to account I am of the opinion that the use of these proposed modern materials would have an acceptable impact on the special character of the conservation area

Cumulatively this results in a development that sits well within the existing morphology of the built form and the topography of Hastings Old Town. The proposal therefore is considered to have a neutral impact to the special character of the conservation area.

Listed Buildings

The heritage statement submitted as part of this application is considered to make a comprehensive assessment of the quality of the locality and the contribution the proposed development would make to the special character of the conservation area. Although not mentioned in great detail within the report, it is also considered that the site makes a contribution to the setting of a number of listed properties. Whilst there are a number of listed residences along The Croft, having reviewed the development it is considered that the impact of the new dwelling on the setting of these listed buildings is neutral.

The listed properties along the High Street have the potential to be impacted upon by the development due to them being set lower in the valley. It is also apparent that the proposed development will be located closer to the listed properties fronting the High Street than the listed properties within The Croft, however, the development is shown to project no further than the rear building line of No. 34 The Croft. From the rear gardens of the listed properties

fronting the High Street, the setting is sub-urban with the built form rising up to reflect the topography of the land. This is interspersed with pockets of established trees and shrubs. Whilst the proposed site is located within one of these soft landscaped pockets the size, orientation and form of the proposed building is such that sufficient soft landscaping will be retained.

Concerns have been raised by local residents regarding the level of information submitted in relation to the potential impact of the development on the surrounding listed buildings. While these concerns are acknowledged, having reviewed the information and carried out consultations with the Council's Conservation Consultant it is considered that the information submitted is sufficient.

Taking the above factors in to account it is considered that the proposal will have a neutral effect upon the setting of the surrounding listed buildings and as such will preserve the significance of the listed buildings.

Living Environment

Policy DM3 of the Hastings DMP 2015 states that, in order to achieve a good living standard for future users of proposed development and its neighbours, it should be demonstrated that amenity has been considered and appropriate solutions have been incorporated into schemes. This Policy goes on to state that dwellings with 3 bedrooms require a minimum internal floor area of 93m².

The Department for Communities and Local Government also recently produced Technical Guidance for Space Standards (TGSS). These standards require that the minimum internal floor area for a 3 bedroom, two storey unit is 84m².

Having calculated the floor area for the dwelling it is apparent that the proposed unit meets these requirements and as such is considered to provide an acceptable level of internal floor area.

Point (g) of Policy DM3 of the Hastings DM Plan states that appropriate levels of private external space are included, especially for larger homes designed for family use (dwellings with two or more bedrooms). In respect of proposed family dwellings the Council would expect to see the provision of private garden space (normally at the rear), of at least 10 metres in length. In this instance the proposed curtilage to the rear of the new dwelling is shown to range from 10 metres to 15 metres, in length to the rear of the dwelling and 8.10 metres to the front. The proposed development therefore meets the requirements of this policy.

Impact on Neighbouring Residential Amenities

Policy DM3 of the Hastings DM Plan states that in order to achieve a good living standard for future users of proposed development and its neighbours it should be demonstrated that amenity has been considered and appropriate solutions have been incorporated into schemes. This policy goes on to state that permission will be given for development where the use of the scale, form, height, mass, and density of any building or buildings, reduces or avoids any adverse impact on the amenity (privacy, over shadowing, loss of daylight) of neighbouring properties. As stated above concerns have been raised by local residents in terms of loss of privacy, noise and overlooking from the new dwelling and in particular from the enclosed balcony at the rear of the dwelling. These concerns are acknowledged and have been considered as part of the application.

With regards to the enclosed balcony to the rear, it should also be acknowledged that, due to the subservient nature of the dwelling, the height of the balcony will be relative to the rear facing first floor windows of Nos. 34 and 44 The Croft. Also, having reviewed the submitted plans, it is apparent that there is approx 10 metres from the enclosed balcony to the boundary with the properties in the High Street and approx 30 metres from the rear elevation of the proposed dwelling to the rear elevation of No. 92 High Street. These measurements have been calculated from the site location plan submitted with the application, produced by Ordnance Survey. It should also be acknowledged that the balcony is enclosed at the sides and is within the footprint of the proposed dwelling. Being enclosed at the sides provides a level of screening and significantly restricts views to the either side. When taking these factors in to account it is considered that this overcomes the concerns in regard to overlooking and as such the enclosed balcony at first floor level is acceptable.

Having reviewed the submitted plans it is apparent that there are 4 windows proposed in the side elevation facing towards No. 44 The Croft. Three of these are at the lower floor level and one at the upper floor level. As part of the previous application discussions were held with the agent in relation to the window at the upper floor level and at this time an agreement was reached that this window should be obscure glazed and remain as such. As the design of the dwelling remains the same as the previous application, it is considered that this condition should be imposed to ensure there is minimal impact on the privacy of the neighbouring property at No. 44 The Croft. With regards to the lower floor windows, it is considered that, due to these being at a low level and set behind an existing fence, there will be minimal impact on the amenities of the neighbouring residents in terms of overlooking or loss of privacy.

Having visited the site it is apparent that there will be some impact on the properties within the High Street, however, when considering the scale of the existing properties along The Croft and the difference in land levels it is apparent that there is an existing level of harm in terms of overlooking. This situation in terms of close knit development is a common feature within the Hastings Borough and especially within the urban sprawl of Hastings Old Town. Taking these factors into account it is considered that, with the aid of a robust soft landscaping scheme, the proposed dwelling would not increase the existing level of overlooking to an unacceptable level and as such the development is acceptable.

Ecology

This application is supported by a Preliminary Ecological Appraisal carried out by The Mayhew Consultancy Ltd dated June 2015. This report has advised that although there is evidence of mammal activity to the east of the site, due to the size and nature of the access and excavations under fences, this is more suggestive of foxes rather than badger activity. The appraisal concludes that no additional surveys are considered necessary to accompany the application, however, various mitigation measures are suggested to protect existing biodiversity on site during any construction and increasing the level of biodiversity post development.

Archaeology

Policy HN4 of the Hastings DM Plans relates to development affecting heritage assets with archaeological and historic interest. This policy goes on to state that for all applications affecting heritage assets with archaeological or historic interest or potential interest, the Council will require developers to submit an appropriate, Historic Environment Record (HER) informed, desk-based assessment and, where necessary, the results of a field evaluation. Applicants will be expected to demonstrate that the particular archaeological interest of the site will be satisfactorily preserved either in situ or by record. In this instance the County

Archaeologist has advised that a historic maps indicates that in the later 19th century this plot was divided into three narrow plots, one of which housed a small building. The more recent history of the plot is unclear, but given that it is likely to have received very limited below ground impact within the last 150 years, there is a very high potential that any archaeological remains that do exist will be in good condition. In light of the potential for the loss of heritage assets on this site resulting from development, the area affected by the proposal should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded, in line with the requirements of the NPPF. Taking this in to account it is considered that, by imposing necessary conditions, the development would meet the requirement of both local and national policy.

Drainage

As part of this submission the applicant has completed the SUDs toolkit in relation to the provision of a sustainable urban drainage system on site.

Having reviewed the SUDs report it is apparent that there is a requirement to provide 1 treatment feature within the site. Within the submitted report the applicant has detailed that it is proposed to install a Geocellular system within the site, however, no further details have been submitted.

Having reviewed the report produced by ESCC it is apparent that rainwater harvesting and geocellular systems, as proposed in this instance, are not considered as treatment features due to their poor pollutant removal performance (CIRIA Suds Manual C697). The report also goes on to state that there is a significant potential for one or more soil types influencing the infiltration potential which may result in ground instability. Lastly, the report advises that an assessment of ground conditions and associated hazards be carried out by a suitably qualified geotechnical engineer, as well as other soakage tests in accordance with BRE365.

Ideally this level of information should be submitted as part of an application submission to enable full assessment prior to a decision being issued. In this instance, following on from discussions with the ESCC Flood Risk Management Team it has been decided that, due to the level of site investigation required to address the archaeology constraints on site, the flood risk and ground instability assessment could be included within the site investigations at this point and as such dealt with as part of a planning condition.

Highways and Transport

No car parking is provided as part of this development however, a cycle store has been incorporated into the scheme. Due to the proximity to the Town Centre, local public transport connections and public car parks, it is considered that the lack of on site parking would not have a detrimental impact on the existing highway. It would also reflect the parking arrangements of the neighbouring properties within The Croft.

Land Instability

Concerns have been raised by local residents in relation to potential land instability due to the gradient of the site. Policy DM5 of the DM Plan relates specifically to ground conditions. This policy states that 'on land potentially subject to instability (such as steeply sloping sites or in areas with a history of land instability), convincing supporting evidence (from a relevant and suitably qualified professional) must be supplied before development takes place. This evidence is to show that any actual or potential instability can be overcome through appropriate remedial preventative or precautionary measures'. On the proposed plans it is indicated that an area of earth is to be removed and reused elsewhere on site to form embankments. Although the earthwork on site appear to be relatively minor there are

concerns about the potential for land instability. In light of this and in line with Policy DM5 it is suggested that additional information about the extent of remediation and/or mitigation measures should be submitted and agreed by the council prior to commencement of development.

Conclusion

Taking the above into account it is considered that the proposal would, on balance, have an acceptable impact on the character of the Old Town Conservation Area and a neutral impact on the surrounding listed buildings. The development is therefore considered to comply with the Development Plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

The Human Rights considerations have been taken into account fully in balancing the planning issues.

Recommendation

Grant Full Planning Permission 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 materials used in the construction of the external surfaces of the dwelling hereby permitted shall be those indicated on drawing number 457_105 dated 08/04/2015, unless otherwise agreed in writing by the Local Planning Authority.
3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development. New soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme.
4. 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.

5. No development above ground shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include existing and proposed levels; means of enclosure; hard surfacing materials; minor artifacts and structures (eg refuse or other storage units, 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.
6. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Statement of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
7. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the written scheme of investigation required under condition 6 and that provision for analysis, publication and dissemination of results and archive deposition has been secured, unless an alternative time scale for submission of the report is first agreed in writing with the Local Planning Authority.
8. No development shall take place until a full and adequate site investigation and soils report including soakage tests, carried out by a suitably qualified Geotechnical Engineer has been submitted to and approved by the Local Planning Authority in conjunction with the County Flood Risk Management Team. Development shall not proceed on site until and unless measures deemed to be necessary by the Authority as a result of such report have been incorporated in the development proposals.
9.
 - (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority.
 - (ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed.
 - (iii) No occupation of any of the dwellings 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.
10. The window in the side elevation at upper floor level shown facing No. 44 The Croft shall be obscure glazed and remain as such at all times.
11. Prior to commencement of development details of the balustrade/screen for the proposed balcony at the rear of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

12. Notwithstanding the provisions of the The Town and Country Planning (General Permitted Development) (England) Order 2015 or as may be subsequently amended, re-enacted or modified, no extension or external alteration to the dwelling hereby permitted shall take place without the grant of an additional planning permission.
13. The dwelling hereby permitted shall not be occupied until the refuse and cycle stores as indicated on plan 457_103 has been provided to the satisfaction of the Local Planning Authority.
14. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday
08.00 - 13.00 on Saturdays
No working on Sundays or Public Holidays.
15. The development hereby permitted shall be carried out in accordance with the following approved plans and reports:457_102A, 457_103, 457_104, 457_105, 457_106, 457_107, 457_108, 457_109, 457_110, 457_111, 457_112 and Preliminary Ecology Appraisal EA/37815 dated June 2015.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of the visual amenity of the area.
3. In the interests of the visual amenity.
4. To ensure a satisfactory form of development in the interests of the visual amenity.
5. To ensure a satisfactory form of development in the interests of the visual amenity.
6. To ensure that the archaeological and historical interest of the site is safeguarded and recorded in accordance with the National Planning Policy Framework.
7. To ensure that the archaeological and historical interest of the site is safeguarded and recorded in accordance with the National Planning Policy Framework.
8. To ensure a satisfactory standard of development and to prevent increased risk of flooding or land instability.
9. To prevent increased risk of flooding.
10. To safeguard the amenity of adjoining and future residents.

11. To safeguard the amenity of adjoining and future residents.
12. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
13. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
14. To safeguard the amenity of adjoining residents.
15. For the avoidance of doubt and in the interests of proper planning.

Notes to the Applicant

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

Officer to Contact

Mrs E Meppem, Telephone 01424 783288

Background Papers

Application No: HS/FA/16/00534 including all letters and documents