

**Public Document Pack  
PLANNING COMMITTEE**

**8 FEBRUARY 2017**

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

**154. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Rogers.

**155. DECLARATIONS OF INTEREST**

The following Councillors declared their interest in the minutes as indicated:

Councillor	Minute	Interest
Street	158.1 – Rocklands Private Caravan Park, Rocklands Lane, Hastings	Personal – Had a conversation with the petitioner, Mr Okines, regarding the practicalities of the petition.
Wincott and Scott	159.3 – Winchester House, 93 Pevensey Road, St. Leonards on Sea	Personal – Member of East Sussex County Council

**156. MINUTES OF THE MEETING HELD ON 11 JANUARY 2017**

**RESOLVED** – that the minutes of the meeting held on 11 January 2017 be approved and signed by the Chair as a true record.

**157. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS**

None.

**158. PLANNING APPLICATIONS ATTRACTING A PETITION:**

**158.1 Rocklands Private Caravan Park, Rocklands Lane, Hastings**

Proposal: Discharge of condition 4 (details of the planting scheme and soft landscaping), 6 (archaeological monitoring), 7 (foul and surface water drainage scheme) and 8 (external colour scheme) of Appeal A ref. APP/B1415/C/15/3029007 – (EN/15/00028).

## PLANNING COMMITTEE

8 FEBRUARY 2017

Application No:	HS/CD/16/00655
Existing Use:	Caravan Park
Conservation Area	No
Listed Building	No
Public Consultation	10 further representations received since the report was written. 1 petition received.

The Principal Planner, Miss Roots, presented this report for approval of the remaining part of condition 6 (archaeological monitoring) of Appeal A ref APP/B1415/C/15/3029007 – (EN/15/00028).

Condition 6 was partly discharged at Planning Committee on 16<sup>th</sup> November 2016 in relation to the written scheme of investigation which included the proposed methodology for the archaeological works. The remaining part of condition 6 (archaeological monitoring) is considered under this application relating to the final archaeological watching brief report. Both outstanding condition 4 (planting scheme and soft landscaping) and condition 7 (foul and surface water drainage scheme) will be considered at a future Planning Committee when current issues are resolved.

The report relates to the discharge of the outstanding part of condition 6 only, relating to the final archaeological watching brief report. The main issue to be considered is whether the written record of archaeological works is adequate and has been submitted within the required timescale. The applicant has submitted an Archaeological Watching Brief Report within 3 months of the work being undertaken, to comply with part of Condition 6.

Members were informed of several updates to the report:-

- 1 petition and 10 further representations had been received since the publication of the agenda. Objections had been received from 3 different individual/organisations, raising new concerns in respect of the archaeology condition as follows:-
  - Concern that additional works to satisfy outstanding drainage and landscaping conditions may disturb archaeological remains;
  - Premature to discharge condition without necessary groundworks being identified.

Other concerns relate to drainage and landscaping scheme which are not being considered under this application.

- In response to the petition and concerns raised, the Principal Planner, Miss Roots, provided an amended recommendation to the report:-

The discharge of condition 6 is based on the following information:-

## PLANNING COMMITTEE

8 FEBRUARY 2017

- Planting Schedule & Planting, Maintenance and Establishment Specification (The Mayhew Consultancy Ltd, January 2017);
- Drainage Layout Plan (Drawing: Drainage01, November 2016);
- Written Scheme of Investigation for Archaeological Monitoring (Archaeology South-East, August 2016);
- Archaeological Watching Brief Report (Archaeology South-East, December 2016).

The applicant is advised that should changes to the scheme, not currently identified in the application, be made in order to progress the discharge of landscaping or drainage conditions, or in light of any subsequent revisions to drainage or relevant ground works that may occur through the building regulation process, this condition will no longer be deemed to be discharged and a further application for discharge of condition 6, part 2, will be required.

Condition 6 of appeal decision APP/B1415/C/15/3029007:

*"No further groundworks required to complete the development shall take place until the implementation of a programme of archaeological works has been secured in accordance with a written scheme of investigation submitted to and approved in writing by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for the submission of the report is first agreed in writing with the Local Planning Authority".*

Members were shown plans and photographs of the application site.

Mr Bob Okines, Petitioner, Save Ecclesbourne Glen Campaign Group, spoke against the discharge of Condition 6 of the Planning Inspector's appeal decision. He said that it would be premature to discharge Condition 6 until the works have been agreed. He referred to three outstanding issues which he felt needed further consideration:- the tree planting scheme; surface water drainage and the building control recommendations. He requested that all the conditions set by the Planning Inspector are only discharged after all of the plans and schemes are agreed by the relevant authority and the wishes of the Planning Inspector and various consultees are satisfied.

The applicant, had been invited to attend, but was not present.

Councillor Bacon, Ward Councillor for Old Hastings, was present and spoke against the discharge of Condition 6. He said that all works at Rocklands must be subject to archaeological monitoring to protect any archaeological remains within the Iron Age hill fort and the scheduled monument. He felt that discharging condition 6 would be premature as there are still further ground works needed to complete the building at this stage and therefore Condition 6 should not be discharged until the full scale of works is known, so that all consultees have the chance to review them. He said we cannot allow any archaeological remains to be negatively affected until all works that may be carried out are clearly specified.



## PLANNING COMMITTEE

8 FEBRUARY 2017

Existing Use:	Residential curtilage
Conservation Area:	No
Listed Building	No
Public Consultation	The Applicant is Council employee in politically restricted post

The Principal Planner, Miss Roots, presented this report on the erection of 4 detached dwellings. She informed the Committee that this application had been brought to the Planning Committee for determination because the applicant is a senior council employee in a politically restricted post. Members were shown plans of the application site.

Planning permission had previously been approved for three dwellings on the site in 2015. This application is for 4 detached 2 storey dwellings comprising 4 bedrooms in the curtilage of 815 and 817 The Ridge.

Members raised concern regarding the gradual increase in the number of properties proposed on this site.

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

**RESOLVED** - (unanimously) that planning permission be granted subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

4178/16/LPB/B,4178/16/SUDS/B,4178/16/1/B,4178/16/2,4178/16/3,4178/E  
X

3. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday  
08.00 - 13.00 on Saturdays  
No working on Sundays or Public Holidays.

4. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried

## PLANNING COMMITTEE

8 FEBRUARY 2017

out in accordance with the approved details;

5. Notwithstanding the details on approved plans 4178/16/1/B and 4178/16/LBP/B, details regarding the alignment of the parking area for plot 3 and 817A, and the spaces to the rear; turning space, and an additional parking space for visitors, have been submitted to and approved in writing by the Local Planning Authority. These details should include 6m to the rear of each parking space in order to facilitate turning. Thereafter the parking areas be retained for that use and shall not be used other than for parking and turning of motor vehicles;
6. The access shall be reconstructed with a minimum width of 4.5m for the first 10m and laid out and constructed in accordance with the attached HT407 form/diagram and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority prior to occupation of the development hereby permitted;
7. The completed access shall have maximum gradients of 2.5% (1 in 40) from the channel line and 11% (1 in 9) thereafter;
8. Prior to the commencement of development details of the proposed surface water drainage to prevent the 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 shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority;
9. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles;
10. The windows in the side elevations of the proposed dwellings shown serving bathrooms shall be obscure glazed with obscure glass to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3, or similar equivalent and be permanently fixed shut and non-opening below 1.8 metres from finished floor level;
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 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

## PLANNING COMMITTEE

8 FEBRUARY 2017

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.
12. 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;
13. 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;
14. No development 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 proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials;
15. All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority;
16. Before the development hereby approved is occupied, provision shall be made for the ability to connect to fibre based broadband;
17. No development shall take place until the measures outlined in the Preliminary Ecological Appraisal (The Mayhew Consultancy) dated October 2016 have been fully implemented, unless:

## **PLANNING COMMITTEE**

**8 FEBRUARY 2017**

- (i) the programme for such measures is otherwise specified within that document, in which case the works shall be carried out in accordance with the timescales contained therein or;**
  
  - (ii) unless the measures contained within the Appraisal is otherwise first varied, by way of prior written approval from the Local Planning Authority.**
- 18. Prior to commencement of development, permission must be obtained by Southern Water to connect to the public sewer. A copy of this permission from Southern Water shall be submitted to the Local Planning Authority prior to the commencement of 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.**

### **Reasons:**

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;**
- 2. For the avoidance of doubt and in the interests of proper planning;**
- 3. To safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4);**
- 4. In the interests of the visual amenity of the area. (Hastings Local Plan 2004 - Policy DG1);**
- 5. In the interests of the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 6. In the interests of the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 7. To ensure the safety of persons and vehicles using the access and/or proceeding along the highway;**
- 8. In the interests of highway safety;**
- 9. In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development;**
- 10. To protect the amenities of adjoining residential properties;**
- 11. To prevent increased risk of flooding;**

## **PLANNING COMMITTEE**

**8 FEBRUARY 2017**

- 12. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 13. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 14. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 15. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 16. To ensure a satisfactory standard of development in accordance with Policy SC1 of the Hastings Planning Strategy 2014;**
- 17. To protect features of recognised nature conservation importance; and**
- 18. To support sustainable drainage methods proposed, and prevent increased risk of flooding.**

### **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. Bins for collection from the dwellings hereby approved should be placed on the boundary of the highway (The Ridge);**
- 4. The site is within a High Pressure Pipeline (Scotia Gas Networks) 2km buffer zone and guidance regarding any possible excavation works should be obtained through the relevant legislation under The Health and Safety Executive (HSE). For more information please contact the Plant Location Team at [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk) before works commence;**
- 5. The applicant is advised that the two smaller bedrooms at first floor level in Plots 1, 2 and 3, do not meet the minimum floorspace requirements for a double bedroom, and should only provide one bedspace each;**
- 6. No development or tree planting shall be located within 3m either side of the centreline of the public sewer, and no soakaways shall be located within 5m of the sewer.**

## PLANNING COMMITTEE

8 FEBRUARY 2017

### 159.2 Queensway North, Queensway, St. Leonards on Sea

Proposal:	Construction of new factory premises comprising manufacturing space, showroom, offices, welfare facilities and ancillary service yard and car park areas.
Application No:	HS/FA/15/00817
Existing Use:	Undeveloped
Conservation Area:	No
Listed Building	No
Public Consultation	4 letters of objection and 1 letter of support received

The Principal Planner, Mr Batchelor, presented this report for construction of a new factory premises comprising manufacturing space, showroom, offices, welfare facilities and ancillary service yard and car park areas.

He explained that the applicant was looking to relocate to a new premises to continue his furniture manufacturing business. In 2016, the application was amended to address drainage, the impact on the SSSI, biodiversity matters and the level of parking provision following discussions with Natural England and East Sussex County Council. He explained that the level of proposed parking fell below the parking standard for this development type and size. The applicant requires a certain level of floor space and has demonstrated that 40 parking spaces is adequate due to low staffing levels. This has been accepted by the Local Highways Authority but is conditioned for use by Michael Tyler Furniture (UK) Ltd only. This will ensure that should any new user wish to take over the site a planning permission will be required and the requirement for additional parking can be reviewed.

The Principal Planner provided several updates to the report. He advised that since the publication of the agenda, the wording of Condition 3 had been amended from 'Michael Tyler' to 'Michael Tyler Furniture (UK) Ltd'. He referred to the site plan, stating that the hatched area of the plan showed the difference between the Local Plan Employment Allocation (Policy LRA6) and the extent of the application site.

Members queried whether at a future time, someone could purchase the name/company and start a different business on the site. Members were advised that a different use class will require a new planning application; any other use would be a clear manipulation of the intention of the condition.

Members were shown plans and photographs of the application site.

Councillor Beaver proposed a motion to approve the application as set out in the resolution below, subject to the amended wording of condition 3. This was seconded by Councillor Roberts.

**PLANNING COMMITTEE**

**8 FEBRUARY 2017**

**RESOLVED - (unanimously) that planning permission be granted subject to the following conditions:-**

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;**
- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
A365\_PL\_001A, 002A, 003A, 004A, 010A, 011A and 012A**
- 3. This permission shall ensure for the benefit of furniture manufacturer Michael Tyler Furniture (UK) Ltd only and not for the benefit of the land, and, notwithstanding the changes of use permitted within Part 3 of Schedule 2 Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), the development hereby permitted shall be used for purposes within Class B1(c) of the Town and Country (Use Classes) Order (or any order revoking, re-enacting or modifying that Order) 1987 only, and for no other purpose. Upon Michael Tyler Furniture (UK) Ltd. ceasing to occupy and/or use the building as approved, the use hereby permitted shall cease and no occupation or use of the premises shall occur until such time that an additional planning permission has been granted;**
- 4. The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles;**
- 5. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles;**
- 6. During any forms of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site for use through the earthworks phase, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads;**
- 7. Before the development hereby approved is commenced, details of the turning spaces within the development, taking into account the requirement for a 5m (or otherwise appropriate) buffer zone with the adjacent ancient woodland, shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the approved turning spaces for vehicles has been provided and the turning spaces shall thereafter be retained for that use and shall not be used for any other purpose;**

**PLANNING COMMITTEE**

**8 FEBRUARY 2017**

- 8.**
- (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 the development shall not be brought into use until those works have been completed;**
  - (iii) The development shall not be brought into use until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage has been provided in accordance with the approved details and is now available to adequately service the development. Evidence in support of this shall include photographs.**
- 9.** The details required for condition 8 above shall be based on the surface water drainage strategy outlined in Peter Brett Associates drawing no. 26499/2001/500/005C. Surface water runoff from the approved development should be limited to 14.1 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability occurrence. The details shall include evidence of this in the form of hydraulic calculations and these calculations should take into account the connectivity of the different surface water drainage features;
- 10.** The details required by condition 8 above shall include details of how surface water flows exceeding the capacity of the surface water drainage features will be managed safely;
- 11.** The details required by condition 8 above shall include a maintenance and management plan for the entire drainage system. The plan shall be consistent with the biodiversity and drainage strategy approved under reference HS/CD/16/00662 (in connection with planning permission HS/FA/12/00802) and clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains. Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided;
- 12.** No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:
- a) Risk assessment of potentially damaging construction activities;**
  - b) Identification of “biodiversity protection zones”;**

## PLANNING COMMITTEE

8 FEBRUARY 2017

- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

13. Before its installation, details of all external lighting, including a “lighting design strategy for biodiversity”, shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bat species and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the approved details and in accordance with the approved strategy before the building is brought into use. The lighting shall thereafter be maintained in accordance with the strategy.

14. No development shall take place until an ecological design strategy (EDS) addressing:

- a) Retention and protection of existing habitats during construction;

**PLANNING COMMITTEE**

**8 FEBRUARY 2017**

- b) Habitat removal and reinstatement;**
- c) Provision for wildlife corridors, linear features and habitat connectivity;**
- d) Woodland, tree, hedgerow, shrub, wetland and wildflower planting and establishment;**
- e) Proposed new landforms associated with habitat creation, e.g. water bodies and watercourses;**
- f) Soil handling, movement and management;**
- g) Creation, restoration and enhancement of semi-natural habitats;**

**has been submitted to and approved in writing by the Local Planning Authority.**

**The EDS shall include the following:**

- a) Purpose and conservation objectives for the proposed works;**
- b) Review of site potential and constraints;**
- c) Detailed design(s) and/or working method(s) to achieve stated objectives;**
- d) Extent and location/area of proposed works on appropriate scale maps and plans;**
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance;**
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;**
- g) Persons responsible for implementing the works;**
- h) Details of initial aftercare and long-term maintenance;**
- i) Details for monitoring (including monitoring of the impacts on the SSSI and who is responsible for the monitoring) and remedial measures;**
- j) Details for disposal of any wastes arising from works.**

**The EDS shall be implemented in accordance with the approved details and the timetable for implementation and all features shall be retained in that manner thereafter;**

- 15. No development shall commence until a construction management plan for the control of noise, dust, vibrations and light pollution during**

## PLANNING COMMITTEE

8 FEBRUARY 2017

construction has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plan;

16. With the exception of internal works the building works required to carry out the development and construction related deliveries to and from the site must only be carried out within the following times:-  
  
08.00 - 18.00 Monday to Friday  
09.00 - 13.00 on Saturdays  
No working on Sundays or Public Holidays.
17. Once brought into use deliveries and waste collection from the premises shall not take place outside the hours of:  
  
08:00 and 20:00 Mondays to Fridays  
08:00 to 13:00 on Saturdays  
No deliveries or waste collection on Sundays or Public Holidays
18. 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 (and adjacent to the site) 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;
19. 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;
20. 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 proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs lighting etc.); proposed and existing functional services above and below ground (eg drainage, power,

## **PLANNING COMMITTEE**

**8 FEBRUARY 2017**

communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant;

- 21. All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority;**
- 22. Before development is commenced details of appropriate climate change mitigation and adaptation measures as required by policy SC3 and in accordance with the energy efficiency hierarchy in policy SC4 of the Hastings Local Plan, The Hastings Planning Strategy 2011-2028 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details;**
- 23. Before the development hereby approved is brought into use provision shall be made for the ability to connect to fibre-based broadband;**
- 24. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority;**
- 25. 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 approved under condition 23 and that provision for analysis, publication and dissemination of results and archive deposition has been secured;**
- 26. In the event that there is a breach into the greensand layer below the site, emergency procedures as approved under reference HS/CD/16/00189 (in accordance with planning permission HS/FA/12/00802) shall be followed in the case of such an emergency.**

### **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 order to maintain control over future use of the premises in the interests of highway safety. The approved development provides for less on-site parking than would typically be required for the approved use. This parking is acceptable for the intended occupier of the premises and their proposed use but should the occupier or use**

## PLANNING COMMITTEE

8 FEBRUARY 2017

change the level of on-site parking would need to be reconsidered in accordance with policy DM4 of the Hastings Local Plan: Development Management Plan and Supplementary Planning Document - Parking Provision in New Developments;

4. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;
5. In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development;
6. In the interests of highway safety and for the benefit and convenience of the public at large;
7. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to protect the adjacent ancient woodland;
8. To prevent increased risk of flooding and to ensure the drainage proposals adequately protect features of nature conservation importance;
9. To prevent increased risk of flooding and to ensure the drainage proposals adequately protect features of nature conservation importance;
10. To prevent increased risk of flooding and to ensure the drainage proposals adequately protect features of nature conservation importance;
11. To prevent increased risk of flooding and to ensure the drainage proposals adequately protect features of nature conservation importance;
12. To protect features of recognised nature conservation importance;
13. To protect features of recognised nature conservation importance and to protect neighbouring residential amenities;
14. To protect features of recognised nature conservation importance;
15. In the interests of the amenity of the neighbouring residential occupiers;
16. To safeguard the amenity of adjoining residents;
17. In the interests of the amenity of the neighbouring residential occupiers;
18. In the interests of the health of the trees, to protect the visual amenity,

## PLANNING COMMITTEE

8 FEBRUARY 2017

to provide for adequate SuDS features and to mitigate/enhance recognised features of nature conservation importance;

19. In the interests of the health of the trees, to protect the visual amenity, to provide for adequate SuDS features and to mitigate/enhance recognised features of nature conservation importance;
20. To ensure a satisfactory form of development in the interests of the visual amenity;
21. To ensure a satisfactory form of development in the interests of the visual amenity;
22. To ensure the development complies with policies SC3 and SC4 of the Hastings Local Plan: The Hastings Planning Strategy;
23. To ensure the development complies with policy SC1 of the Hastings Local Plan: The Hastings Planning Strategy;
24. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework;
25. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework; and
26. To protect features of recognised nature conservation importance including the Marline Valley SSSI.

### 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. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: [developerservices@southernwater.co.uk](mailto:developerservices@southernwater.co.uk).
4. Southern Water advise:

## PLANNING COMMITTEE

8 FEBRUARY 2017

- that waste water grease traps should be provided on the kitchen drain waste pipe or drain installed and maintained by the owner or operator of the premises;
  - hard surfacing should be drained by means of oil trap gullies or petrol/oil interceptors; and
  - that should any sewer be found on site during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any works commenced on site. The applicant is advised to discuss the matter further with Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: [developerservices@southernwater.co.uk](mailto:developerservices@southernwater.co.uk).
5. The applicant may wish to consider the Workplace (Health, Safety and Welfare) Regulations 1992 in relation to the minimum requirements for toilet provision;
  6. If the applicant requires further information in relation to food, health and safety matters please contact Food Health & Safety on 01424 451078; and
  7. The applicant is reminded that conditions relating to biodiversity and drainage above should be consistent with the biodiversity and drainage strategy approved under HS/CD/16/00662 (as required by the s106 legal agreement relating to planning permission HS/FA/12/00802).

### 159.3 Winchester House, 93 Pevensey Road, St. Leonards on Sea

Proposal:	Demolition of 2 storey extension to the East of Winchester House and provision of replacement 3 storey extension and glazed link accommodating 6no. 2 bed apartments.
Application No:	HS/LA/16/00691
Existing Use:	Vacant Residential
Conservation Area:	Yes – Markwick Terrace
Listed Building	No
Public Consultation	7 letters of objection received

## PLANNING COMMITTEE

8 FEBRUARY 2017

The Planning Services Manager, Mrs Evans, presented this report for the demolition of the 2 storey extension to the east of Winchester House and replacement with a 3 storey extension and glazed link accommodating 6 X 2 bed apartments.

The Planning Services Manager provided several updates to the report. She advised that since the publication of the agenda, the number of representations had increased to 7 letters of objection from 6 different properties. Members were shown plans and photographs of the application site.

The property has been vacant for approximately 10 years. Planning permission was granted for the conversion of the whole block to 22 flats in October 2016. When originally submitted, the extension was considered unacceptable in terms of bulk, mass and scale and was positioned too far forward in relation to the main building. Amended plans were subsequently submitted showing the extension moved back to be in line with the main façade of Winchester House. The Planning Services Manager advised the committee that some letters of representation had been submitted prior to this amendment.

The application proposed 18 parking spaces for flats and the provision for a cycle store to accommodate 30 bikes. Members discussed the provision of cycle storage noting that car ownership is significantly lower for those living in affordable housing.

The Planning Services Manager said that Condition 6 of the report ensures that the details of the bin storage and car parking/cycle parking layouts will be submitted to and approved in writing by the Local Planning Authority prior to any works to enable the number of cycle spaces to be finalised at a later stage. She advised that some of the space could be better utilised for bin storage. Policy HN3 is relevant to the assessment of this application as it considers demolition within a conservation area. Although the loss of the existing annexe is unfortunate, it is noted that the demolition relates to only a portion of the building rather than the whole. Therefore the general aims of criteria a) and b) of Policy HN3 are considered to be met or not relevant in that the main building which has been vacant for over 10 years will be converted for a viable residential use and will remain intact.

Councillor Beaver sought clarification on parking provision, he asked why additional parking had not been recommended for the site. The Planning Services Manager said that Highways had made no objection and had given no clarification.

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

**RESOLVED - (unanimously) that planning permission be granted subject to the following conditions:-**

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;**
- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:**

## PLANNING COMMITTEE

8 FEBRUARY 2017

2-SP-22 REV D, 3/B/01-10. 1625P/101B, 102B, 103A, 104A, 105A, 106A, 107A - 107. 2/PKG/23 Rev D. 24 Rev A. 2-SP-22 Rev B.

3. With the exception of internal works the demolition and building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday

08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays.

4. No development shall take place (including any demolition, ground works, site clearance) until a method statement for creation of new wildlife features such as bat roosts and structures and for the demolition of buildings has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed designs and/or working methods necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance;
- g) disposal of any wastes arising from works

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

5. The demolition of any part of the building shall not, in any circumstances, commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 53 of the conservation of habitats and species Regulations 2010 authorising the specified activity/development to go ahead; or
  - b) a statement in writing from the relevant licencing body to the effect that it does not consider that the specified activity/development will require a licence.
6. 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 proposed finished levels or contours; means of enclosure; bin storage; car parking/cycle parking layouts; other vehicle and pedestrian access and circulation areas;

## **PLANNING COMMITTEE**

**8 FEBRUARY 2017**

**hard surfacing materials; minor artefacts and structures (eg furniture, refuse or other storage units, signs lighting etc.); retained historic landscape features and proposals for restoration, where relevant;**

- 7. All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority;**
- 8. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include an updated tree protection plan, 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;**
- 9. 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;**
- 10. (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; 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.**
- 11. No development shall take place above ground until samples of the**

## **PLANNING COMMITTEE**

**8 FEBRUARY 2017**

**following materials to be used in the construction of the external surfaces of the extension hereby permitted have been made available on site and approved in writing by the Local Planning Authority**

- a) brick for the main elevations and projecting string course of the extension;**
- b) brick for the rubbers to be used for the segmental brick arches above the windows;**
- c) roof slate and ridge tile; and**
- d) single ply membrane for flat roof area**

**Development shall be carried out in accordance with the approved details.**

- 12. No development shall take place above ground until details of the following have been submitted to and approved in writing by the Local Planning Authority.**

- a) joinery details of all new doors and windows;**
- b) details of materials and finishes of proposed curtain walling including horizontal and vertical sections at 1:10 scale; and**
- c) details of materials and profiles of the proposed window cills**

**Development shall be carried out in accordance with the approved details.**

- 13. The brick bond on the main elevations, the projecting brick string course and the segmental brick arches above the new window openings shall all exactly replicate the detail of these features on the original building;**
- 14. No development shall take place until temporary protective fences to safeguard the trees and/or hedges to be retained on the site have been erected in accordance with the current BS5837:2012: Trees in relation to design, demolition and construction, standards and to the satisfaction of the Local Planning Authority. All such fences shall be kept in a sound, upright and complete condition until the development has been completed and/or the Local Planning Authority confirm in writing that the works have been sufficiently completed for the fencing to be removed;**
- 15. No flat hereby approved shall be occupied until readily accessible external storage space for refuse bins awaiting collection have been provided to the satisfaction of the Local Planning Authority.**

### **Reasons:**

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;**

**PLANNING COMMITTEE**

**8 FEBRUARY 2017**

- 2. For the avoidance of doubt and in the interests of proper planning;**
- 3. To safeguard the amenity of adjoining residents;**
- 4. To protect features of recognised nature conservation importance;**
- 5. To protect features of recognised nature conservation importance;**
- 6. In the interests of the character and amenity of the Markwick Terrace Conservation Area;**
- 7. In the interests of the character and amenity of the Markwick Terrace Conservation Area;**
- 8. In the interests of the character and amenity of the Markwick Terrace Conservation Area;**
- 9. In the interests of the character and amenity of the Markwick Terrace Conservation Area;**
- 10. To ensure that no property is occupied until adequate drainage facilities have been provided;**
- 11. In the interests of the character and amenity of the Markwick Terrace Conservation Area;**
- 12. In the interests of the character and amenity of the Markwick Terrace Conservation Area;**
- 13. In the interests of the character and amenity of the Markwick Terrace Conservation Area;**
- 14. In the interests of the health of the trees and to protect the visual amenity; and**
- 15. To ensure a satisfactory form of development in the interests of the character and amenity of the area.**

**Notes to the Applicant**

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

## PLANNING COMMITTEE

8 FEBRUARY 2017

3. **The developer is advised to contact Asset protection Kent AssetProtection kent@networkrail.co.uk prior to any works commencing on site due to the location of a hidden shaft within the region of the proposed application; and**
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.**

### 159.4 1 Marine Parade, Hastings

Proposal:	Re-building of the existing 4 storey property and reinstatement as a residential property for use as a HMO (sui generis).
Application No:	HS/FA/16/00905
Existing Use:	Fire damaged property, HMO use
Conservation Area:	Yes – Old Town
Listed Building	No
Public Consultation	3 letters of objection received 1 letter of support

The Planning Services Manager, Mrs Evans, presented this report for the re-building of the existing 4 storey property and reinstatement as a residential property for use as a HMO (sui generis).

The building will retain its original footprint and height so as to replicate the street scene. The existing use of the property as a 7 bedroom HMO (4 double and 3 single rooms) will house no more than 10 people. Although a condition controlling the number of persons living in the premises would be unenforceable, the premises will be subject to licensing and inspections from the Council's HMO Licensing Team as standard practice.

The Planning Services Manager also advised that concern had been raised by the neighbours regarding bin storage alongside the property in the passage way between No.1 Marine Parade and No. 1 West Street. Due to confined space on the site, the bins will be positioned on the piece of land opposite No.28 George Street. While this area of land falls outside the site boundary, it has been historically linked to the property for over 10 years and will be subject to a Grampian condition on any planning consent. Consideration had also been given to locating a cycle storage unit along the side of the property in the passageway; however she said it would create an unacceptable level of clutter. Given the proximity of the site to the Town Centre

## PLANNING COMMITTEE

8 FEBRUARY 2017

and adequate public transport connections, cycle storage has not been provided in this application.

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

**RESOLVED** - (unanimously) that planning permission be granted subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
2. No demolition works shall commence until a copy of the completed contract for the redevelopment works has been submitted to and approved in writing by the Local Planning Authority. The redevelopment shall start within 6 months from the date of the completed contract unless otherwise agreed in writing by the Local Planning Authority;
3. No demolition work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
  - a) measures to protect and prevent any damage to the surrounding listed buildings
  - b) measures to control the emission of dust and dirt generated by demolition and construction works;
  - c) a scheme for controlling noise and vibration from demolition and construction activities [including details of any piling];
  - d) the arrangements for deliveries associated with all construction works, loading/unloading of plant & materials and restoration of any damage to the highway;
  - e) location of compounds and or storage of construction materials to be used during demolition and construction.

The works shall then be carried out in accordance with the approved details.

4. Prior to commencement of the erection of the replacement building samples of the materials to be used in the construction of the external surfaces shall be made available on site to be inspected and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details;
5. Prior to commencement of the erection of the replacement building, joinery details of all new windows and doors, at a scale of 1:10 elevations with full size (1:1) sections through cills, heads, frames and opening lights, including glazing bars and mullions and other decorative elements, including paint colour etc., shall be submitted to and approved in writing by the Local Planning Authority and only those approved

**PLANNING COMMITTEE**

**8 FEBRUARY 2017**

details employed within the development and thereafter retained;

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. **No deliveries to the site shall be made outside of the following times:-**

**08.00 - 18.00 Monday to Friday**

**08.00 - 13.00 on Saturdays**

**Not at all on Sundays or Public Holidays.**

8. **Any external windows serving bathrooms or WCs shall be obscure glazed and remain as such thereafter;**

9. **Prior to occupation details of the finalised layout of the kitchens shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the HMO Licensing Team. The kitchens shall then be provided in accordance with the approved layout and retained thereafter;**

10. **The development shall not be occupied until the local Planning Authority has approved in writing a full scheme for the provision of;**

**(a) an adequate refuse store, including details of:**

**(i) location**

**(ii) materials and finish**

**(iii) maintenance programme**

**The refuse store shall then be provided prior to occupation and retained in a good working order thereafter.**

11. **The development hereby permitted shall be carried out in accordance with the following approved plans: 418MP01/03A and 418MP01/04.**

**Reasons:**

1. **This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;**
2. **To prevent premature demolition and the creation of an unsightly gap in the streetscene which would be detrimental to the visual amenities of the conservation area;**
3. **To protect the character and appearance of the conservation area and the preserve the neighbouring listed buildings;**

## **PLANNING COMMITTEE**

**8 FEBRUARY 2017**

- 4. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 5. To ensure a satisfactory form of development in the interests of the character and amenity of the conservation area;**
- 6. To safeguard the amenity of adjoining residents;**
- 7. To safeguard the amenity of adjoining residents;**
- 8. In the interests of the amenity of the residential occupiers;**
- 9. To ensure a satisfactory standard of development that is functional and adequate facilities are provided for the number of residents within the unit;**
- 10. To ensure a satisfactory standard of development and in the interest of future and existing local residents;**
- 11. 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;**
- 4. Wherever practicable materials shall be salvaged from the existing building and reused as part of the construction of the new premises;**
- 5. The applicant is advised that the premises should be managed in a responsible manner at all times.**

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

The Planning Services Manager reported that three planning appeals had been received and three planning appeals had been dismissed. She also reported on the number of delegated decisions.

## PLANNING COMMITTEE

8 FEBRUARY 2017

All matters had arisen between 23 December 2016 to 27 January 2017.

The report was noted.

A recording of this meeting is available to view via the following link:

Part 1- <https://www.youtube.com/watch?v=Tq5T1LrYb0k>

Part 2- <https://www.youtube.com/watch?v=L-6MVljNBoY>

(The Chair declared the meeting closed at. 7.30 pm)

This page is intentionally left blank