

Report to: PLANNING COMMITTEE

Date of Meeting: 20 July 2017

Report from: Assistant Director of Housing and Built Environment

Application Address: Land at Church Street, Hastings
Proposal: Approval of reserved matters, scale, external appearance of the buildings and the landscaping of the site, following Outline Approval HS/OA/14/00876 - Development of site to provide five dwellings

Application No: HS/DS/17/00194

Recommendation: Approve Reserved Matters

Ward: TRESSELL
File No: GR60000X/02V
Applicant: Forte Bailey LTD per Chris Anderson Architects Ltd 4 Western Road Southborough Tunbridge Wells TN4 0HG

Interest: Freeholder
Existing Use: Brownfield parcel of land

Policies
Conservation Area: No
Listed Building: No

Public Consultation
Adj. Properties: Yes
Advertisement: Yes - General Interest
Letters of Objection: 319
Petitions Received: 1 Letters of Support: 4

Application Status: Delegated

Notes

Members Expire: No
Neighbours or same as advert expiry if later.
Advert Expires: 05 May 2017
Objection letters read: Y
Site Visited: 14 April 2017

Site and Surrounding Area

The application site is an irregular area of land located to the east of Clifton Road, on both sides of Church Street. Church Street itself is an informally maintained, single-track road that provides access to the rear of a number of properties fronting Greville Road. A triangular section of the site is on the north side of Church Street, bounded to the north-west by Clifton Road and on the other side by the curtilage of 2 Greville Road. The surrounding area is predominantly residential with two-storey houses to the north, south and west. To the south are the properties in Speckled Wood and to the south east is an area of undeveloped land, known locally as 'Speckled Wood'. Church Street provides access to Speckled Wood.

The site slopes from north to south, with the properties in Greville Road being at a much higher land level than those to the rear in Speckled Wood. The highest point of the site is denoted as 85.000 and the lowest 78.000. This is typical of the topography of the surrounding area.

Constraints

Flooding Surface Water 1 in 100

Flooding Surface water 1 in 1000

Flooding Groundwater

Historic Landfill Buffer 250m Buffer

Asset of Community Value - Unsuccessful

SSSI Impact Risk Zone

Background

Outline planning permission for 5 dwellings was approved in 2014. As part of that assessment, means of access and appearance were considered reserving scale, external materials and landscaping for subsequent consideration as part of a reserved matters application.

Proposed development

The current application seeks to address the reserved matters (scale, external materials and landscaping) and in so doing enable development to proceed. The details submitted within this application are similar to those shown in the previous outline application. The houses are similarly positioned and remain as two storey dwellings.

The units proposed on site are as follows:

Plot 1 - Two Bedroom, eaves height (front elevation) 4.8 metres, eaves height (rear elevation) 3.2 metres, central point ridge height 7.3 metres

Plot 2 - Three Bedroom, eaves height 4.8 metres, highest ridge point 7.8 metres

Plot 3 - Three Bedroom, eaves height 4.8 metres, highest ridge point 7.8 metres

Plot 4 - Two Bedroom, eaves height 4.8 metres, highest ridge point 7.9 metres

Plot 5 - Two Bedroom, eaves height 4.8 metres, highest ridge point 7.6 metres

Plots 1, 4 and 5 all have two external parking spaces and plots 2 and 3 have a single external parking space and a garage. Each property has a bin store and cycle store within their curtilage.

The application is supported by the following documents:

- Contamination Risk Assessment (document reference 11661 - September 2016)
- Ecology Report prepared by the Ash Partnership, dated November 2016
- SuDSmart Pro Report (report reference 65364R1 - November 2016)

Relevant Planning History

- | | | |
|---|----------------|--|
| - | HS/OA/80/00794 | Residential development comprising two houses and thirty-eight flats and garages |
| | Granted | 18/02/1981 |
| - | HS/OA/87/00488 | Erection of five houses and new access road |
| | Granted | 03/08/1987 |
| - | HS/DS/87/00783 | Erection of houses, 5 parking spaces and new access road in pursuance of outline consent HS/OA/87/00488) |
| | Granted | 13/11/1987 |
| - | HS/OA/14/00876 | Development of site to provide five dwellings |
| | Granted | 05/02/2015 |
| - | HS/FA/16/01013 | Development of site to provide 5 dwellings. |
| | Withdrawn | 27/02/2017 |

National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

Policy FA5 - Strategic Policy for Eastern Area
Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way
Policy SC3 - Promoting Sustainable and Green Design
Policy SC4 - Working Towards Zero Carbon Development
Policy EN2 - Green Infrastructure Network
Policy EN3 - Nature Conservation and Improvement of Biodiversity
Policy H1 - Housing Density
Policy H2 - Housing Mix
Policy T3 - Sustainable Transport
Policy DS1 - New Housing Development

Hastings Local Plan – Development Management Plan (2015)

Policy LP1 - Considering planning applications
Policy LP2 - Overall Approach to Site Allocations
Policy DM1 - Design Principles
Policy DM3 - General Amenity
Policy DM4 - General Access
Policy DM5 - Ground Conditions
Policy HN7- Green Infrastructure in New Developments
Policy HN8 - Biodiversity and Green Space
Policy CVO4 - Church Street

National Planning Policy Framework (NPPF)

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.

Consultations comments

Highways - **No Objection**, subject to conditions 5, 13, 14, 15 of HS/OA/14/00876 and condition 8 of this permission

Environment and Natural Resources Officer - **No Objection**, subject to conditions 7, 8 and 9 of HS/OA/14/00876

Southern Water - **No Objection**, subject to condition 6 of HS/OA/14/00876

Borough Arboriculturalist - **No objection**

Waste Management - **No Objection**, subject to condition 8

Environmental Health Officer - **No objection**, subject to condition 4 and 5

Natural England - **No Comments**, referred to standing advice

Representations

In respect of this application, a site notice was displayed at the site and an advert was placed in the local paper. In response to this, 324 representations were received. Of these representations, 319 were objections, 4 were in support of the development. A petition with 22 signatures was also received.

The concerns within the letters of objections include:

- Impact on ecology on site
- Impact on Badgers on site
- Setting a precedent for further development in Speckled Wood
- Loss of an area used for public enjoyment
- Land used by Scouts
- Concerns the application as submitted is flawed
- Legal rights of the Council being only to maintain the site
- Development contrary to Cllr Chowney's mandate
- Contamination of the Ore Stream

- The allocation of the site within the Local Plan
- Loss of area of open space and insufficient green spaces in locality
- Loss of Greenbelt and woodland
- Impact on light to the properties in Greville Road
- Inability to access parking space associated with No. 2 Greville Road
- Access to gas metre at the side of No. 2 Greville Road
- Loss of light as a result of fencing
- Loss of privacy
- Presence of Japanese Knotweed
- Drainage capacity
- Land levels unsuitable due to steepness
- Worsen existing levels of parking
- More parking needed in Ore
- Creation of traffic on a road that is already congested
- Brownfield sites should be developed before Greenfield sites
- Concerns about the design of the dwellings and their orientation
- Concerns regarding restrictive covenants in a deed which the development would not be in accordance with
- Concerns that the application should not be considered as reserved matters application
- Concerns that the site was allocated in the Local Plan incorrectly, based on removal of the site in question from consultation responses during examination of the Local Plan
- Land needed for mental health, exercise and public enjoyment
- The grounding down of tree stumps
- Unlawful sale of the land
- Ecology report not in accordance with Validation requirements
- Inconsistent advice from Highways

Within several of the letters of objection there also appears to be some confusion stating that the application has been submitted by or is being developed by Hastings Borough Council. This is factually incorrect.

Four letters of support were also submitted. Of these letters, three raised 'no objection' and one included comments relating to badgers being destructive to personal land and property.

Determining Issues

Principle

Policy LP1 of the Hastings Local Plan - Development Management Plan (2015), paragraph 4.3 of the Hastings Local Plan – Planning Strategy (2014) and paragraph 14 of the NPPF set out a presumption in favour of sustainable development. The site is within a sustainable location with reasonable/good access to public transport, shops, services and facilities and as such the development is considered acceptable in principle subject to other local plan policies.

The application site is allocated within the Development Management Plan (2015) under Policy CVO4. This policy states that the site at Church Street could accommodate a residential development with a possible net capacity of 6 dwellings. It should also be acknowledged that background documents associated with the local plan, identify the site as brownfield.

As mentioned above, this is reserved matters application (approval of scale, appearance and landscaping) for a development that has previously been granted outline planning permission. The impact of the development on the character of the area and highways matters have already been assessed and considered acceptable. Matters of neighbouring residential amenity and biodiversity were also considered but also form part of the assessment of this application.

Impact on the Character of the Area

Scale

Policy DM1 of the Hastings Development Management Plan states that all proposals must reach a good standard of design, which includes efficient use of resources, and shows an appreciation of the surrounding neighbourhood's historic context, street patterns, plot layouts and boundaries, block sizes and scale, height, massing and materials.

Plot 1 is split level dwelling located at the entrance to Church Street. The split level feature is reflective of surrounding area, due to the varying ground levels. This property is L shaped with a hipped roof and brick exterior. Being the corner property, this dwelling is the most prominent within the wider streetscene and the closest to existing residential properties in Clifton Road and Greville Road. It is considered that the split level design aids in reducing the bulk and massing of this property when viewed from the surrounding area. Being set down within the site also ensures the development does not appear overly dominant when viewed in relation to the existing built form in Clifton Road and Greville Road. It is also considered that, due to Plot 1 being set much lower than No.2 Greville Road, there would not be an unacceptable impact on the amenities of the residents within.

Plots 2 and 3 are set further within the site, approximately 23 metres from the entrance to Church Street, 21 metres from 8-10 Clifton Road and 16 metres from the properties to the rear of those in Speckled Wood. Plots 2 and 3 are again L shaped and mirror each other with two single detached garages and area for parking serving each property between. These properties have hipped roofs with a side projecting gable and hanging tile and render facades. These properties are shown to sit at a lower ground level to the properties in Greville Road but approximately 2 metres higher than those in Speckled Wood. This is again reflective of the topography of the area.

Plots 4 and 5 form a pair of semi-detached, two-storey properties at the furthest end of the site approximately 60 metres from the entrance to Church Street, 20 metres from the properties in Greville Road and over 14 metres away from the properties in Speckled Wood. These properties have pitched roofs that slope from front to back. Plot 5 has a slight step in the roof and is set forward of plot 4 by 0.9 metres. This stepping is considered to aid in breaking up the visual bulk of the properties and following the curve of the site.

While the scale of the dwellings was a reserved matter, as part of the outline application an indicative plan was submitted showing the likely scale of the dwellings. The planning officer who assessed the outline permission refers to this indicative plan and considered that the dwellings, as shown, were compatible with the character of the area. The overall scale of the dwellings has not altered since the outline permission and as such it is again considered that the overall scale of the dwellings is acceptable and sits well within the context of the surrounding area.

The proposed scale is considered acceptable and does not conflict with the requirements of policies SC1 and DM1.

Appearance of the Dwellings

Policy DM1 of the Hastings Development Management Plan stipulates that all proposals must reach a good standard of design, which includes efficient use of resources, and takes into account protecting and enhancing local character, showing an appreciation of the surrounding neighbourhood's historic context, street patterns, plot layouts and boundaries, block sizes and scale, height, massing and materials. This policy goes on to state that proposals should ensure good performance against nationally recognised best practice guidance on sustainability, urban design and place-making, architectural quality and distinctiveness.

The properties surrounding the site are a mix of red brick and render finishes, with the majority having Upvc windows and doors and concrete roof tiles. In support of the current application, an external materials schedule (dated March 2017) has been submitted. The materials included on this schedule are considered to reflect the surrounding built form and as such are considered sympathetic to the character of the area.

The proposed garages serving plots 2 and 3 are simple brick built units with tiled roofs. This simple design is compatible with the proposed houses and reflects materials used in the wider area.

The proposed dwellings and the accompanying garages are considered sympathetic to, and compatible with, the character of the area. As a result the proposal, in terms of its appearance, complies with local policies SC and DM1 and of the Hastings Development Management Plan.

Impact on Neighbouring Residential Amenities

As stated above, the site is surrounded by existing built form to the north, south and west and as such the potential for the development to impact on neighbouring amenities must be considered. Policy DM3 of the Hastings Development Management 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.

Plot 1 is the closest property to the neighbouring residential units in Greville Road, with a separation distance of approximately 6 metres. Although this is relatively close, due to the dwelling on Plot 1 being split level, the elevation facing towards the rear of 2 Greville Road No.1 is a maximum of 1.5 storeys in height. Section plan 1628-05 also shows Plot 1 being 3.7 metres lower than the existing properties in Greville Road. As a result of this it is considered that there would not be an impact in terms of loss of light or overshadowing. Plot 1 has also been designed with high level, obscure windows in the rear elevation and no windows in the side elevations.

Plots 2 and 3 are approximately 16 metres from the rear of the properties in Speckled Wood and 21 metres from the properties in Clifton Road. These properties are shown to sit at a lower ground level to the properties in Greville Road, but approximately 2 metres higher than those in Speckled Wood. In the rear elevations of these properties, there is one upper floor obscure glazed, en-suite window shown on each property, facing towards Speckled Wood, which, due to the separation distances, is considered acceptable.

Plots 4 and 5 are over 14 metres away from the properties in Speckled Wood and over 20 metres from those in Greville Road. In the side elevation of Plot 4, which faces towards the Speckled Wood properties, there is one first floor window, which is shown to serve a bathroom. In the rear elevation of No. 4 there is one large first floor window which serves a bedroom. Although it is acknowledged that there may be views of the gardens of the properties in Speckled Wood from this window, due to the angle of view, these would be far removed. The windows in the rear of Plot 5 would not have an impact on the Speckled Wood properties due to them being stepped back from the rear elevation of Plot 4 with limited views to the side.

Taking the above in to account, it is considered that the development would not have an unacceptable impact in terms of loss of privacy, overlooking or over shadowing to the neighbouring residential properties. It should also be noted that condition 12 of the outline permission removes the permitted development rights in terms of extensions and first floor windows. This condition will also ensure that the relationship between the development and the neighbouring properties will not be detrimentally altered in the future.

Future Residential Amenities

The Department for Communities and Local Government (DCLG) has produced Technical Guidance for Space Standards (TGSS) in order to achieve a good living standard for future users of proposed development. This document states that the minimum internal floor area for a two bedroom, two-storey unit is 58m² and for a three-bedroom, two-storey unit is 84m².

Having calculated the floor area of the dwellings, it is apparent that the proposed units meet these figures and therefore comply with the requirements of the DCLG. As a result of this, the internal living accommodation provided by the dwellings is considered acceptable.

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. As part of the assessment carried out for the outline permission it was identified that, three of the properties clearly meet the requirement for 10m gardens and Plot 4 mostly achieves this. However, Plot 5 does not meet the 10m garden length. It does achieve this length down one boundary; however, the garden boundary is angled sharply towards Church Street. As a result of this, the middle of the garden measures between 7-8m before decreasing in length to 4.5m. Although this is less than ideal, the garden does still provide for some useable space and, on balance, has previously been considered acceptable. In light of this, it is considered that the external amenity space is acceptable and meets the aims of the above quoted policy.

Trees and Landscaping

Presently on site, despite being in close proximity to the entrance to Speckled Wood, there are only a few small trees present. Within paragraph 6.5 of the planning statement that accompanied the outline permission, these trees were identified as not being 'of any particular landscape value'. To facilitate the development, it is proposed to clear the entire site, excluding the area defined as the Badger corridor. The Council's Arboriculturalist has raised no objection to the removal of the trees within the site boundary.

Within the National Planning Policy Guidance it states that the opportunity for high quality hard and soft landscape design that helps to successfully integrate development into the wider environment should be carefully considered from the outset, to ensure it complements the architecture of the proposals and improves the overall quality of townscape or landscape. Good landscape design can help the natural surveillance of an area, creatively help differentiate public and private space and, where appropriate, enhance security.

Plan 1628-09 has been submitted to address the landscaping reserved matter. This plan provides details of the proposed species of plants and trees, a programme for planting as well as a five year maintenance programme. The Council's Arboricultural Officer has advised that this scheme of planting is sufficiently robust and as such is considered acceptable. The level of planting on site will aid in softening the appearance of the development and provide a level of visual connection to the entrance to Speckled Wood beyond. This is also considered to contribute to the character of the surrounding area. The landscaping as proposed on plan 1628-09 will be secured by condition 2.

Ecology and Biodiversity

The proposed development has been accompanied by an ecological report, not only because of the undeveloped nature of the site, but also because of the known presence of badgers in the area.

The outcome of the report is that the site is of low ecological interest but badgers are known to be nearby. A number of mitigation measures is proposed in order to protect badgers.

The Environment & Natural Resources Manager is satisfied with the submitted information and raised no objection towards the proposal. Conditions 7, 8 and 9 of the outline permission are in place to ensure biodiversity is protected on site.

Refuse Storage

Having reviewed the site waste management plan (drawing 1628-08) it is apparent that an area has been provided within each plot for wheelie bin storage. This provision is considered acceptable.

The Waste and Refuse Team have advised that the road will need to be 4.5 meters wide and sturdy enough to accommodate a 26 ton vehicle. They have also advised that there should be a turning circle at the end as there is no reversing permitted. The layout of the site has previously been assessed and approved without the provision of a turning circle. As part of the outline application, the planning officer considered that the level of road engineering required to provide a turning circle could not be justified for a development so small, however the Highways Officer has also raised a concern in relation to access for a refuse vehicle. Part H of the Building Regulations sets out that waste containers should be sited so that residents don't have to push the container more than 30m (so any collection points for bins should be within that distance) and no more than 25m from the point where the refuse vehicle stops to collect the bin. Due to the site being long and narrow, the 25 metre points falls adjacent to Plot 2. In light of this, it is suggested that a refuse collection area be created adjacent to the parking spaces for Plot 1, where there is presently a cluster of three trees. It is acknowledged that this would result in the loss of a small area of curtilage for Plot 1 and at least one of the proposed three trees, noted under the 'Trees and Landscaping' heading. While this is not ideal, it would ensure the development complies with the necessary Building Regulations. The final design and location of the refuse collection point can be secured by condition 8 and is considered acceptable.

Access for Emergency Vehicles

In accordance with building regulation requirement B5 (2000) as indicated within Manual for Streets, there should be a vehicle access for pump appliances within 45m of every dwelling and a fire service vehicle should not have to reverse more than 20m.

According to Manual for Streets a 3.7m carriage way is needed however this can be reduced to 2.75 over short distances. The internal access is considered as such to be a short distance and the fire appliance could reach 20m within the site (adjacent to plot 3) and reach the furthest dwelling (Unit 5) within an additional 45m. The accessibility for emergency services is therefore considered acceptable for the 5 units proposed within the site.

Sustainable Drainage

A detailed Sustainable Urban Drainage System (SUDS) report has been carried out in support of this application. This report makes recommendations for methods for dealing with water on the site and states that with the use of appropriate materials such as permeable paving and attenuation basins the site would be considered acceptable. Page 3 of this document (ref - 65364R1) provides a SUDS scheme layout that would provide a minimum attenuation of 61 m³ for the development.

The report concludes that a detailed design and further site investigation is recommended to confirm the infiltration capacity and geology of the site and that permission may be required from a third party to discharge to the surface water feature to the south of the Site. It is considered that this level of information would be required under condition 6 (drainage) of the outline permission.

Site Constraints

Historic Landfill Buffer 250m Buffer:

Due to the site being within a Historic Landfill Buffer Zone guidance from the Environmental Health Team have been sought. While the Environmental Health Officer has raised no objection in principle towards the scheme, conditions in relation to impact on human health from migrating landfill gas have been suggested. These conditions include remedial measures should land gas be identified. (condition 4).

SSSI Impact Risk Zone:

The scale of development does not fall within the threshold for consultation with Natural England and as such it is not considered that there will be any impact on SSSIs.

Other Matters

One objection letter received raises concerns in relation to the gas box currently located on the side of No.2 Greville Road, and in particular, the ease of access to this box following development of the site. In light of this, investigation by the Council's Legal Department has been carried out. Point 3 of Land Title ESX115024 (relating to No. 2 Greville road) dated 30 August 1985 states that: *The right to enter upon any part of the remainder of the Estate in order to inspect, repair and renew or maintain such existing feature Conduits and any fence or structure on the Property, provided reasonable notice shall be given to the occupier of any intention to exercise this right and as little damage as possible shall be caused and any damage resulting from the exercise of the right shall be made good.* This title ensures that the residents at No. 2 Greville Road, subject to notice being given will remain able to access the gas box on the side of the property. The covenant remains with the land in perpetuity and therefore a condition is not appropriate. The agent has, however, indicated that, to ensure

access for the residents of no. 2 Greville Road remains, it is proposed to revise the rear boundary of Plot 1. It is considered that this can be secured by condition 7.

Alternatively, the developer has the option to approach the residents of No. 2 to discuss the relocation of the gas box to an alternative location on the premises, at the developers expense. This, however, is a civil matter and as such would not involve the Local Planning Authority.

Conclusion

Taking the above in to account, it is considered that the reserved matters have been adequately addressed and as such the proposal complies 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

Approve Reserved Matters subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the time scales as imposed on the outline permission HS/OA/14/00876.
2. The development hereby permitted, in terms of scale, external appearance of the buildings and the landscaping of the site, shall be carried out in accordance with the following approved plans and details: 1628-00, 1628-01, 1628-02, 1628-03, 1628-04, 1628-05, 1628-06, 1628-07, 1628-08, 1628-09, External Materials Schedule dated March 2017 and SuDSmart Pro Report dated November 2016.
3. The refuse storage units as shown on plan 1628-08 shall be provided on site prior to occupation of the dwellings and retained thereafter.
4. i) A phase two assessment including a program of soil gas monitoring at the site in order to determine the presence or absence of any landfill gas migrating to the site is to be undertaken for the presence of contaminants, methane and carbon dioxide in soil shall be submitted to and approved by the Local Planning Authority prior to the commencement of construction works on site. Details of the investigation shall be approved by the Local Planning Authority prior to investigative works commencing. Such investigation and assessment should be carried out by a suitably qualified personnel in accordance with current Government, Environment Agency and British Standard Guidance. Should any significant risks be identified by such an

investigation, a remediation scheme including suitable monitoring and verification methodologies shall be agreed in writing by the Local Planning Authority.

- ii) The remediation scheme, as agreed by the Local Planning Authority, shall be fully implemented before the development is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. The remediation scheme is to include considerations and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

On completion of the works the developer shall provide written confirmation that all works were completed in accordance with the agreed details.

5. Prior to commencement of development, a detailed method statement demonstrating how it is proposed to mitigate any adverse impacts on the surrounding area from noise and dust during the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved method statement unless otherwise approved by the Council.
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. Prior to commencement of development a plan showing the amendment to the boundary treatment for Plot 1 shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall then be implemented on site in accordance with the approved details.
8. Prior to commencement of development details of the proposed area for refuse bins awaiting collection shall be submitted to and approved in writing by the Local Planning Authority. This area shall then be provided prior to occupation of the dwellings hereby approved and maintained thereafter.
9. No development shall take place until there has been submitted to and approved by the Local Planning Authority the finalised scheme of soft landscaping, which shall include indications of any 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.

10. 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.
11. No development above ground shall take place until full details of the finalised hard landscape scheme 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, communications cables, pipelines etc. indicating lines, manholes, supports etc.).
12. 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.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
4. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.
5. To safeguard the amenity of adjoining and future residents.
6. To safeguard the amenity of adjoining residents.
7. To safeguard the amenity of adjoining and future residents.
8. To ensure a satisfactory standard of development.
9. In the interests of the visual amenity.
10. In the interests of the visual amenity.
11. In the interests of the visual amenity.

12. In the interests of the visual amenity.

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. There may be badgers on the site and your attention is drawn to the provisions of the Badger Protection Act 1992. It is a criminal offence to kill or injure a badger; to damage or obstruct access to its sett; or to disturb a badger when it is occupying a sett.
4. No site clearance or tree or hedge removal shall be carried out on site between the 1st March and 31st July inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.
5. The applicant is advised that they must ensure the proposed works, hereby approved, do not contravene laws protecting wildlife including the Countryside and Wildlife Act 1981. Where the applicant is in doubt they should contact Natural England on wildlife@naturalengland.org.uk Telephone 020 802 61089 or Environment and Natural Resources on parcs@hastings.gov.uk Telephone 01424 451107 prior to commencement of any works
6. The applicant is advised to contact East Sussex County Council on 01273 482254 to apply for the necessary licence if it is proposed to carry out any road closures, etc during construction.

Officer to Contact

Mrs E Meppem, Telephone 01424 783288

Background Papers

Application No: HS/DS/17/00194 including all letters and documents