

Report to: PLANNING COMMITTEE

Date of Meeting: 23 August 2017

Report from: Assistant Director of Housing and Built Environment

Application Address: Land north of 11 and 14 Shining Cliff, Hastings, TN34 2GT

Proposal: Proposed construction of 3 detached dwellings and integral garages

Application No: HS/FA/16/00620

Recommendation: Grant Full Planning Permission

Ward: ST HELENS
Conservation Area: No
Listed Building: No

Applicant: R Durnell and Sons Ltd per dowsettmayhew Planning Partnership 63A Ship Street Brighton BN1 1AE

Interest: Not owner - developer

Existing Use: Former garden / undeveloped

Public Consultation

Site Notice: No
Press Advertisement: Yes - General Interest
Letters of Objection: 11
Petitions of Objection Received: 1
Letters of Support: 0
Petitions of Support Received: 0
Neutral comments received 0

Application Status: Not delegated - Petition received

1. Site and Surrounding Area

The site is a triangular plot to the north of Shining Cliff, flanked by the unmetalled tracks of Dunclutha Road and the continuation of St Helens Park Road, which meet at the northern pinnacle of the site. Nos. 11 and 14 Shining Cliff lie immediately to the south. The northern part of the site and a strip on both the east and west boundaries are covered with a tree preservation order with the site otherwise surrounded by woodland which is either designated as Ancient Woodland (to the west) or part of St Helens Woods (a designated Local Nature Reserve and Local Wildlife Site to the east).

Aside from the areas covered by tree preservation orders the site has been stripped back and maintained in preparation for development.

Constraints

- SSSI Impact Risk Zone - Threshold for consultation with Natural England does not apply
- Tree Preservation Orders no. 172 (G6, G7, W4, W5 and T110) and no. 32 (T2)
- Ordinary watercourse (transects site from east to west)
- Surface water flood risk - 1 in 30, 1 in 100 and 1 in 1000
- Badger foraging area
- Outside 600m buffer for children's play space
- Adjacent to Ancient Woodland on western boundary

2. Proposed development

The proposal is for the development of 3 detached houses with integral garages. The houses are all four bedroom properties with plot 2 identified as having a sitting/study room which could possibly be used as a fifth bedroom. Access would be from an existing private access (serving 10, 11 and 14 Shining Cliff) leading from Shining Cliff, which is a no-through road. The internal garages and driveway areas allow each property to benefit from 2 tandem, off-street parking spaces.

Since submission and following comments about the position of plot 2, amended drawings were submitted showing plot 2 more aligned with plot 3. The application is being considered on the basis of this amended scheme. The application has also been updated in terms of information relating to bats and reptiles following comments from the Environment and Natural Resources Manager.

The application is supported by the following documents:

- Drawings
- Ecology reports
- Arboricultural reports
- Landscape strategy and landscape management plan
- Sustainable Urban Drainage Statement
- Planning Statement
- Design and access statement
- Phase 1 Geo-Environmental Assessment

Relevant Planning History

The Shining Cliff estate has a long and somewhat complex planning history, including appeals, relating to its various stages of development. However, none of these applications are particularly relevant to the current proposal. Aside from tree work applications, the most relevant planning history for this site is as follows:

HS/FA/15/00659 Construction of 5 detached dwellings and garages
Withdrawn 29 October 2015

HS/FA/12/00931 Erection of two detached dwellings plus two garages
Granted 27 February 2012

HS/FA/04/00107 Change of use to include the perimeter strip of land 9.14m wide within the present residential use
Granted 01 April 2004

National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

Policy FA2 - Strategic Policy for Central 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 SC7 - Flood Risk
Policy EN2 - Green Infrastructure Network
Policy EN3 - Nature Conservation and Improvement of Biodiversity
Policy EN4 - Ancient Woodland
Policy EN5 - Local Nature Reserves (LNR)
Policy EN6 - Local Wildlife Sites (LWS)
Policy H1 - Housing Density
Policy H2 - Housing Mix
Policy CI3 - Children's Play Provision
Policy T3 - Sustainable Transport

Hastings Local Plan – Development Management Plan (2015)

Policy LP1 - Considering planning applications
Policy DM1 - Design Principles
Policy DM3 - General Amenity
Policy DM4 - General Access
Policy DM5 - Ground Conditions
Policy DM6 - Pollution and Hazards
Policy HN7 - Green Infrastructure in New Developments
Policy HN8 - Biodiversity and Green Space

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.

3. Consultations comments

Building Control - **No objection** but comments that it is not clear that the access is building regulations compliant.

Waste - **No comment received.**

Highways - **No objection.**

Environment Agency - **No comment received.**

ESCC Flood Risk Management - **No objection subject to conditions (nos.4 & 8).**

Southern Water - **No objection.**

Ecology - **No objection subject to conditions (no.5).**

Trees - **No objection subject to conditions (no.5).**

4. Representations

17 letters/emails of objection received from 12 different properties. Representations raise the following concerns/suggestions:

- Land owner objects to land being included within application.
- Shining Cliff properties include covenant that entrance to Shining Cliff from St Helens Park Road be maintained (with sink fund, repair costs and public liability insurance). This should be a requirement of new properties (via s106).
- Working hours during construction (request for restricted hours and regular meeting with residents).
- Requirement for purpose built waste storage areas.
- No access for construction via Shining Cliff without strong restrictions.
- Access for emergency vehicles.
- Surface water must be controlled.
- Development should contribute to common areas along Shining Cliff.
- No storage of materials on Shining Cliff, Dunclutha Road or St Helens Park Road
- Impact on ecology - more surveys should be undertaken.
- No mud on Shining Cliff.
- No more development beyond three houses.
- Close of unofficial access from Dunclutha.
- Making good of damage to private access road.
- Need a management plan for the retained woodland and watercourse (preferably being ceded to St Helens Park Preservation Society).
- Requirement for parking to be within development site only.
- No construction worker/contractors parking on Shining Cliff.
- Inadequate parking.
- Detailed drainage required before approval.

The following has been raised but has not been taken into account:

- Objector refers to demolition of an existing house. Doesn't state which but regardless there is no demolition.
- Reference to conflict with TPO2, but there is no TPO2.
- Objectors state water charge (surface water run-off fee) to St Helens Park Preservation Society should be levied as per other residents.
- Street naming and numbering. This is a separate council function.

Petition signed by 33 people received. Petition states any planning permission should make provision for:

- waste storage for each dwelling;
- the incorporation of the new households into the existing estate covenant (which relates to the 'entrance land retention structures'); and
- a management plan for the retained woodland and watercourse (preferably being ceded to St Helens Park Preservation Society).

5. Determining Issues

Planning permission has been granted relatively recently (2012) for two houses on the site. A subsequent application was made for five houses but, this was withdrawn following a number of objections and feedback from the previous case officer that such a development would constitute an overdevelopment of the site. Considering this, the applicant has now submitted a revised proposal for three houses. Although many of the residents' concerns remain about the development of the site, it should be noted that many representations make reference to the houses being acceptable and the proposal now being more compatible with existing development on Shining Cliff. Therefore, aside from some objections, many of the representations offer suggestions to ensure any development comes forward in an appropriate manner. These suggestions are discussed below with the main considerations being the principle of the development; the impact on the character and appearance of the area; the impact on neighbouring residential amenities; the standard of proposed residential accommodation; ecology and trees (including impact on the ancient woodland); highway safety and parking; drainage; and sustainable construction.

a) 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.

In addition, the site has benefited from a planning permission for two houses (now expired), which had many of the same issues being considered here. This offers further support, in principle, to the development of the site for residential purposes.

b) Impact on character and appearance of area

The proposed houses are two-storey and detached. They have fully hipped roofs, integral garages and the facades are a mixture of brick and hung tiles.

The development is consistent with the scale and character of the development in the area, which is also two-storey and detached. The drawings indicate that none of the houses will sit higher than the adjacent 11 and 14 Shining Cliff - with plot three 0.75m below no.14, plot 2 at the height of no.11 and plot 1 below no.11 by 0.72m.

All of the existing properties on Shining Cliff use external facing brickwork alternating between a red brick and a buff brick. None of the properties appear to be clad, particularly with hung tiles, but some properties do have attached garages with cat slide roofs. The cat slide roofs make roof tiles a more prominent feature on those houses and add to the mixed use of materials in the area. The fact that the proposed houses are clad at first floor level with hung tiles isn't unacceptable, as the tiles can be suitably coloured to ensure a general fit with the prevalent brickwork, but, given use of cat slide roofs in the area and the mix of brick colours, the proposed use of hanging tiles is considered acceptable.

Whilst most properties along Shining Cliff appear to be gable ended, there are some fully hipped properties so the proposed hipped roofs are not out-of-keeping. Also, in this instance, the proposed roof shape of the houses works better on site as it reduces the bulk of the properties, lessens their overall impact and relationship with the surrounding woodland character and ensures that the houses relate better to each other so they would not be imposing.

The development otherwise includes landscaped areas and generally acts as a continuation of the existing built form along Shining Cliff. The proposed development is not considered out character and complies with the aims of policies SC1 and DM1.

c) Layout

The development is laid out so that plot 1 is a continuation of the linear development along Shining Cliff and plots 2 and 3 are positioned at the top (northern) portion of the developable area of the site. Such a layout appears as a natural extension and conclusion to the development of Shining Cliff which tapers at this northern end as St Helens Park Road and Dunclutha Road Public Rights of Way merge together.

The properties are well positioned in relation to each other, mimicking the pattern of detached development along Shining Cliff and plot 1 is well separated from no.11 Shining Cliff by a minimum 6.2m.

The layout allows for the continuation of the private access from Shining Cliff, which serves nos. 10, 11 and 14 Shining Cliff, and the applicant has proposed a turning area on site as well as access and parking for each property. The adequacy of the parking and access is discussed in further detail below.

The layout otherwise incorporates adequate garden spaces for each property with both plots 2 and 3 benefiting from 10m rear garden spaces which are also very wide - plot 2 is in excess of 18 to 20m wide and plot 3 is 16m at its widest point. Plot 1 also shows a 10m rear garden towards the boundary with St Helens Park Road but is on sloping land. However, the combination of this space and the sizeable, more level, private side-garden areas, which collectively account for a plot size of 665sqm, mean that plot 1 has a very generous private amenity area.

Overall the layout is considered to show a continuation and positive conclusion to the development along Shining Cliff. It is not contrary to policies SC1, DM1 or DM3.

d) Standard of proposed residential use

The proposed houses are large detached units - each with four bedrooms and internal garages. Plot 2 also benefits from a study room, which could be used as a fifth bedroom, but regardless all properties will far exceed the minimum floor space standards set out in the *Technical housing standards – nationally described space standard*. The standard requires a minimum floor space of between 97sqm to 128 sqm, depending on number of bedrooms and the bedroom sizes. Whilst the applicant has not provided a schedule of the internal space standards the properties have gross external areas in excess of 200sqm which will make their internal floor areas well above the minimum required.

Each property will receive good levels of sunlight and daylight due to the spaciousness of the development.

As explained above, the properties also benefit from large garden areas and have space for access and parking.

In summary, the residential accommodation is considered very good and complies with the requirements of policies DM1 and DM3.

e) Impact on neighbouring residential amenities

All properties are suitably distanced from and orientated with neighbouring properties to cause no impact in terms of loss of light or overshadowing.

Plot 1 sits parallel with 11 Shining Cliff and will cause no harm from overlooking as the side elevation includes only obscure glazed windows at first floor level. These windows can also be conditioned to be fixed shut (condition 14). Although plots 2 and 3 face towards 14 Shining Cliff, they are separated by over 22m and face towards a side elevation. This relationship is considered acceptable.

Various objections raise concerns about the impact on amenities during construction. To control this, a condition about working hours is recommended (condition 6). Although this will be a little less restrictive than that suggested by residents, as working on Saturday mornings is acceptable. A condition requiring a construction management plan is also recommended (condition 7). The construction management plan will help control issues of construction traffic, noise, dust, wheel washing, contractor parking, etc.

Subject to conditions to help manage the construction process, the proposed development is not considered to harm neighbouring amenities and complies with policy DM3.

f) Ecology and trees

The application is accompanied by extensive arboricultural and ecological reports which, given the location of the development on a wooded site, close to ancient woodland and near to a Local Wildlife Site/Local Nature Reserve, are necessary to explain the impact of the development and the likely necessary mitigation.

The development will encroach into areas protected by TPO along the east and west boundaries and the protected northern area. However, the submitted reports explain that the proposals include similar tree works to that proposed in the 2012 application, which was approved. There are some differences, with the main additional works being the removal of an additional Beech tree (now considered damaged following the unauthorised creation of a catchment pool/pond) and the removal and replacement of Conifer and Leylandii hedge rows that run along the east and west boundaries at the boundary of the site. These hedge rows have been classed as having low amenity value.

The application is supported by a tree survey which shows 24 trees on site. Five of these trees are shown to be removed; 2 x category U (trees unsuitable for retention), 2 x category B (moderate value) and 1 x category C (low quality). Although some tree removal and encroachment is shown, the tree reports are well considered with a clear review of the existing trees being undertaken and extensive tree replacement being proposed. The tree replacement proposed will not only ensure that development on the site remains screened and that the site remains connected with the surrounding woodland, it is also linked to the ecological enhancement proposed. The enhancement includes more appropriate native species which will enhance habitat for protected species, including bats and reptiles.

The proposal also explains that an appropriate buffer (minimum 15m) will be maintained with the Ancient Woodland. This complies with Standing Advice from Natural England and the Forestry Commission. To ensure the long term protection of the ancient woodland, retained preserved trees and new planting, a condition removing permitted development rights (all householder permitted development including extensions and outbuildings) is recommended (condition 13).

The Borough Arboriculturalist has raised no objections to the development or its impact on protected trees. Tree protection and replacement planting/landscaping have been proposed and can be secured by condition (condition 5).

The application was initially accompanied by a Preliminary Ecological Appraisal which stated generally that there would be no harm to protected species. Construction mitigation was proposed as well as references to biodiversity enhancement, strongly tied to the tree and landscaping proposals mentioned above. However, the Environment & Natural Resources Manager noted that the site had potential for bats and reptiles so the applicant was asked to undertake appropriate survey with reports for both being duly submitted. Both of the reports confirm there is no protected species constraints to development and propose mitigation should any be affected. The Environment & Natural Resources Manager raised no objection to the development subject to conditions to secure the recommendations and mitigation proposals of the submitted reports.

Some of the objections to the application have raised concerns about the management of the woodland area. This proposal does not materially change the status of the wooded area, which currently has no management scheme in place, but the application does include a management plan which can be secured by condition (no.5). This will ensure that appropriate monitoring is undertaken as well as any necessary replacement planting. Whilst some objections specifically refer to the land being gifted to or maintained by the St Helens Wood Preservation Society (SHWPS), this cannot be insisted on as it is not reasonable to dictate who should be responsible for privately owned land. However, an informative note (no.8) to the applicant referring them to the SHWPS is recommended as it may help resolve any concerns about the long term management of the area and remove this pressure from the future individual home owners.

Given the comprehensive proposals in relation to trees and ecology the proposed development is considered acceptable and will not conflict with policies EN2, EN3, EN4, EN5, EN6, HN7 and HN8.

g) Air Quality and Emissions

Having regard to guidance contained within 'Air Quality and Emission Mitigation' 2013 produced by Sussex Air Quality Partnership, the proposed development will not exceed statutory guidelines for airborne pollutants. No external lighting is proposed and residential amenities are not harmfully affected. The development will not give rise to ground or surface water pollutants and conditions are attached which require details of surface and foul water drainage. The development is therefore in accordance with Policy DM6 of the Hastings Development Management Plan (2015).

h) Highway Safety/Parking

The proposed development includes 6 parking spaces (one garage space and 1 driveway space per dwelling). The proposed parking falls short of the ESCC parking calculator requirement which states 7.12 spaces. This shortfall is considered small and can likely be made up on-street (on Shining Cliff), however, there have been objections in terms of parking. Therefore, whilst this is a small housing scheme and should be determined in accordance with ESCC guidance on small scale development, ESCC (as local highway authority) were contacted for their advice. They raise no objection, stating that the parking is not ideal but the garages are larger than normal and the minor shortfall in parking would not justify refusing the application.

The access is otherwise acceptable. It is narrower than ESCC guidance recommends for new housing development - 3.7m instead of 4.1 - but the width is dictated by the existing private access into the site and the proposals otherwise still allow for onsite turning of vehicles. To ensure the access remains useable a condition restricting it for access only with no parking is recommended (condition 10).

Some of the objections refer to a local covenant whereby local residents pay towards the maintenance and insurance of Shining Cliff, particularly the junction with St Helens Park Road. Whether this new development contributes in the manner suggested is a private matter between the collective land owners. The access along Shining Cliff is otherwise acceptable and its long term protection is not a planning consideration.

The proposed development does not conflict with policies DM4 and T3.

i) Drainage

The application has been accompanied by a SuDS Decision Tool Report which explains that the applicant intends to deal with surface water via a mix of attenuation tanks and rainwater harvesting. Whilst no detailed scheme has been submitted, the applicant has also addressed the issues raised by the report with regard to protected trees, ecology, archaeology, potential ground instability and the infiltration of the site.

The Lead Local Flood Authority has considered the information submitted and is satisfied that a drainage scheme based on the applicants suggestions will work on site. They recommend a condition for a detailed drainage proposal (conditions 4 and 8).

Southern Water have also raised no objection to the application but recommend a number of informatives for the applicant (nos.5, 6 and 7).

Subject to a condition about the detailed drainage proposals the proposed development does not conflict with policy SC7.

j) Other

An ordinary watercourse passes through the protected woodland area (from east to west) just at the boundary with gardens of proposed plots 2 and 3. Objectors have raised concerns about the management of this watercourse and requested conditions to ensure its future management as part of the retained woodland. As explained above, woodland and ecological management are proposed but there is no specific mention of the watercourse. However, a condition to secure the watercourse management is not considered necessary or reasonable. Any landowner with a watercourse running through their land or adjacent to it is considered a 'riparian owner' and has responsibilities for its maintenance. Therefore, additional planning controls are not necessary. Any issues relating to the watercourse are also the responsibility of ESCC and Lead Local Flood Authority.

The proposals include nothing specific in terms of climate change mitigation and adaptation measures. To ensure compliance with policies SC3 and SC4 requiring this sustainable construction details is recommended (condition 12).

The proposal is within a SSSI Impact Risk Zone. Given the size of development consultation with Natural England is not required and as such it is not considered that the proposal causes any harm to SSSIs.

The development is not within 600m of a play area. Policy CI3 states that developments with no good facilities within 600m or 15-20 minutes' walk should require new play facilities. There is no threshold for this requirement and there is no up-to-date guidance on this matter. The only tangible reference to the threshold to play space provision or contributions is within old Supplementary Planning Guidance which requires play facilities or contributions to facilities on developments of 25 houses or more. The development is well below this threshold. The development otherwise provides good private amenity space for use by families and the site is close to St Helens Wood which is publicly accessible and can be used for recreation. Given the lack of guidance, the site's generous garden sizes and the proximity to St Helens

Wood, the proposed development is considered to be acceptable.

6. Local Finance Considerations

There are no Local Finance Considerations material to the application.

7. Conclusion

Subject to appropriate conditions these proposals comply with the Development Plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

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

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

8. Recommendation

Grant Full Planning Permission subject to the following conditions:

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

LLD758/01 Rev 02, 02 Rev 03, 03 Rev 03 and 04 Rev 03; and 4173.LP, 10, 11, 12 and 20 Rev A
3. No development shall take place above ground until samples/details of the materials to be used in the construction of the external surfaces of the dwellings and retaining walls hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4.
 - (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority.
 - (ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed.
 - (iii) No occupation of any of the dwellings or flats hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.

5. No development shall take place until the measures (i.e. tree protection, planting, biodiversity mitigation and enhancements) outlined in the following submitted arboricultural and ecological statements and reports:

- Preliminary Ecological Appraisal by The Ecology Partnership (dated August 2016)
- Reptile Survey Report by The Ecology Partnership (dated May 2017)
- Bat Survey Report by The Ecology Partnership (dated June 2017)
- Arboricultural Impact Assessment Tree Protection - Method Statement by Lizard Landscape Design (dated June 2016)
- Existing Tree Schedule and Schedule of Tree Works by Lizard Landscape Design (dated June 2016)
- Landscape Strategy, Outline Plant Specification and Landscape Management Plan by Lizard Landscape Design (dated June 2016)

have been fully implemented, unless:

- (i) the programme for such measures is otherwise specified within that document (for example with regard to measures related to long term management, monitoring, further survey work, the erection of bird boxes on buildings or other conservation enhancements), in which case the works shall be carried out in accordance with the timescales contained therein or;
- (ii) unless the schemes, or programmes of measures contained within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.

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. Before the development hereby approved is commenced a Transport and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The proposal shall include details of the control of dust, noise and vibrations, on site wheel washing facilities, construction parking, construction access (which should exclude side access from Dunclutha Road and St Helens Park Road). The development shall be carried out in accordance with the approved plan.

8. 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; refuse or other storage units; minor artefacts and structures (eg furniture, play equipment, signs, lighting

etc.); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

9. 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.
10. The development shall not be occupied until the turning space for vehicles has been provided and constructed in accordance with the approved plans and the turning space shall thereafter be retained for that use and shall not be used for any other purpose.
11. The development shall not be occupied until the parking area/garages have been provided in accordance with the approved plans and the areas/garages shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.
12. No development shall commence until details of appropriate climate change mitigation and adaptation measures as required by policy SC3 and in accordance with the hierarchy of policy SC4 of the Hastings Local Plan, The Hastings Planning Strategy 2011-2028 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
13. Notwithstanding the provisions of the The Town and Country Planning (General Permitted Development) (England) Order 2015 or as may be subsequently amended or re-enacted no development, other than that within the footprint of the dwellinghouse buildings as approved, shall take place without the grant of an additional planning permission.
14. The first-floor side-elevation windows in plot 1 (serving en-suite bathrooms) shall remain obscure glazed and fixed shut at all times unless otherwise approved in writing by 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. In the interests of the visual amenity of the area.
4. To prevent increased risk of flooding.
5. To protect trees and features of recognised nature conservation importance.
6. To safeguard the amenity of adjoining residents.
7. To safeguard the amenity of adjoining residents.

8. To ensure a satisfactory form of development in the interests of the visual amenity.
9. To ensure a satisfactory form of development in the interests of the visual amenity.
10. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
11. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
12. To ensure the development complies with policies SC3 and SC4 of the Hastings Local Plan: The Hastings Planning Strategy.
13. To protect trees (including the ancient woodland) and features of recognised nature conservation importance.
14. In the interests of the amenity of the neighbouring residential occupiers.

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. The applicant is advised that they must ensure the proposed works, hereby approved, do not contravene laws protecting wildlife including the Countryside and Wildlife Act 1981. Where the applicant is in doubt they should contact Natural England on wildlife@naturalengland.org.uk Telephone 020 802 61089 or Environment and Natural Resources on parks@hastings.gov.uk Telephone 01424 451107 prior to commencement of any works.
4. Consideration should be given to the provision of a domestic sprinkler system.
5. 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.
6. Detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.

7. Due to changes in legislation that came in to force on 01 October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found 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 further works commence on site. For further advice 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.
8. The applicant is advised to contact St Helens Park Preservation Society about the possibility of them undertaking the long term management of the development site's remaining woodland area, website: sthelenswoods.co.uk.

Officer to Contact

Mr S Batchelor, Telephone 01424 783254

Background Papers

Application No: HS/FA/16/00620 including all letters and documents