

PLANNING COMMITTEE

8 OCTOBER 2014

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| National Planning Policy Framework | No Conflict |
| Hastings Planning Strategy | FA2, SC1, EN1, EN3, EN7, EN8, H1, H2, H3, T3 |
| Development Management Plan | |
| Proposed Submission Version: | DM1, DM3, DM4, HN5, HN7, HN8, HN9 |
| Public Consultation: | 1 petition and 6 letters of objection received. |

The Development Manager reported on an application for the erection of a pair of two bedroom semi-detached houses at Land rear of 38-40 Nelson Road, Hastings.

The site consists of a vacant parcel of land located at Nelson Road. The area is residential and is defined mainly by three storey terraced buildings.

The current scheme is for a pair of semi-detached dwellings which are to be built of facing brick with roof tiles and UPVC windows. Each dwelling is to be two bedroom with private amenity space to the side and rear.

The proposal also involves the removal of a preserved sycamore tree and its replacement with two trees either side of the proposed dwellings.

The main issues considered were the impacts on the character and appearance of the area; amenity of neighbouring residents; protected trees; living environment; loss of open space; housing type and affordable housing; drainage; highway safety and parking; and ecology and biodiversity.

The Development Manager felt the proposal would preserve the character and appearance of the area and through the use of conditions would not result in adverse impacts on its surroundings. As such he recommended the application be approved subject to conditions and a legal agreement to cover affordable housing and the formation of additional permit parking bays.

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

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

The applicant, Mr Cos Polito, was present, but chose not speak in the absence of the petitioner.

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

RESOLVED – (unanimously) that:-

(A) The Development Manager be authorised to issue planning permission on the completion of a Unilateral Undertaking to secure the provision of a financial contribution towards affordable housing. In the event of the agreement not being completed by 8 April 2015 that the Development Manager be authorised to

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refuse permission on the grounds that adequate provision has not been made for the provision of affordable housing.

(B) Subject to (A) above grant 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. No dwelling hereby approved shall be occupied until readily accessible external storage space for refuse bins has been provided to the satisfaction of the Local Planning Authority;**
- 3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been made available for inspection at the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details;**
- 4. 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;**
- 5. 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;**
- 6. No development shall take place until full details of all boundary enclosures have been submitted to and approved in writing by the Local Planning Authority. All such boundary enclosures shall be erected before the building to which it relates is occupied;**
- 7. The side facing windows at first floor level 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;**

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- 8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or as may be subsequently amended or re-enacted no extensions to the dwellings or outbuildings shall be formed/erected without the grant of an additional planning permission;**
- 9. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed;**
- 10. The development shall be completed in accordance with the submitted arboricultural statements and reports (Tree Survey Arboricultural Impact Assessment & Tree Protection Plan Land r/o 38-40 Nelson Road Hastings East Sussex TN34 3RZ dated June 2014 and Supplementary Planting Plan Land r/o 38-40 Nelson Road Hastings East Sussex TN34 3RZ dated September 2014 prepared by the Mayhew Consultancy Ltd) unless otherwise agreed in writing by the Local Planning Authority;**
- 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 hereby approved shall occur until those works have been completed;
(iii) No occupation of any of the dwellings 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 the measures outlined in the submitted ecological statements and reports (Preliminary Ecological Appraisal Land r/o 38-40 Nelson Road Hastings East Sussex TN34 3RZ dated July 2014 prepared by The Mayhew Consultancy) 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 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 scheme(s), or programme(s) of measures contained**

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within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.

- 13. The dwellings hereby approved shall not be occupied until provision has been made for high speed broadband infrastructure to serve the development;**
- 14. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site plan, NR.1124.10 & NR.1124.11**
- 15. The development shall not be occupied until cycle parking areas has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.**

Reasons:

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;**
- 2. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 3. In the interests of the character and amenity of the Conservation Area;**
- 4. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 5. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 6. To ensure a satisfactory form of development in the interests of the character and amenity of the area and to safeguard the amenity of adjoining and future residents;**
- 7. To protect the amenities of adjoining residential properties;**
- 8. To safeguard the amenity of adjoining and future residents;**
- 9. To safeguard the amenity of adjoining and future residents;**
- 10. In the interests of the visual amenity of the area and to ensure a satisfactory standard of development;**
- 11. To ensure a satisfactory standard of development;**

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12. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);
13. To ensure a satisfactory standard of development;
14. For the avoidance of doubt and in the interests of proper planning; and
15. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.

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. 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; and
5. In the event that any sewers are found within the site the applicant is advised to contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Telephone: 0330 303 0119) or www.southernwater.co.uk.

39.2 SITE OF FORMER 18-32 (EVENS) AND LAND ADJOINING UPPER BROOMGROVE ROAD

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| Proposal: | Approval of reserved matters (access, appearance, landscaping, layout and scale) of outline planning permission HS/OA/11/00311 for residential development (12 flats) |
| Application No: | HS/DS/14/00647 |
| Existing Use: | Previously residential now open land |

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| Hastings Local Plan 2004 | NC8, NC9, DG1, DG2, DG3, DG21, DG26 and DG27 |
| Conservation Area: | No |
| National Planning Policy Framework | Sections 4, 12, 7 and 11 |
| Hastings Planning Strategy | FA5, SC1, SC2, SC3, SC4, SC7, EN2, EN3 and T3 |
| Development Management Plan | |
| Proposed Submission Version: | LP1, DM1, DM3, DM4, DM5, HN7 and HN8 |
| Public Consultation: | 1 Petition and 1 letter of objection received |

The Development Manager reported on an application for the Approval of Reserved Matters following approval of outline planning permission HS/OA/11/00311 for residential development of 12 flats at site of former 18 to 32 (evens) and Land adjoining upper Broomgrove Road, Hastings.

The site is bounded by Upper Broomgrove Road to the west, Chiltern Drive to the south, and Southdown Avenue to the east. There are bungalows on the Chiltern Drive frontage, outside the application site, and there is a four storey block of flats to the north, as well as the flank wall of 34 Upper Broomgrove Road, set some distance from the site boundary.

This application is the reserved matters application and seeks permission for the outstanding details, which include: layout, scale, external appearance, access and landscaping of the development.

The development has been designed to fit in with surrounding development and the topography of the site. It is distanced from neighbouring properties to ensure that there will be no harm to residential amenities. Provision for sufficient parking will be provided. The main issues considered were the impacts of the development on the character of the area; neighbouring amenities and highway safety concerns.

Through the use of conditions, the Development Manager considered the proposal would not result an adverse impact and therefore recommended approval.

An additional communication containing photos from the petitioner was submitted since the publication of the-agenda. It was circulated prior to the start of the meeting.

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

The petitioner, Mr Whiteside, was present and spoke against the application.

The applicant, Mr Mike Pickup, was present and spoke in support of the application.

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

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RESOLVED – (unanimously) that Reserved Matters be granted subject to the following conditions:-

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

4545/100, 200, 300, 400 and 500
2. The new accesses shall be in the positions shown on the approved drawing no. 4545/100 and shall be 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 any occupation of the development hereby approved.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning; and
2. To ensure that a reasonable standard of access is provided in the interests of pedestrian and traffic safety.

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; and
3. The developer is reminded that the conditions of outline planning permission HS/OA/11/00311 still apply and should be complied with in full.

40. **PLANNING APPEALS AND DELEGATED DECISIONS**

The Development Manager reported that two appeals that had been received. He also reported on a number of delegated decisions. All matters had arisen between 1 September and 27 September 2014.

RESOLVED – that the report be noted.

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41. PLANNING APPLICATIONS:

41.1 37 CHARLES ROAD WEST

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| Proposal: | Proposed demolition of existing dwelling and erection of 10 new dwellings with 15 parking spaces on land at and adjacent to 37 Charles Road West |
| Application No: | HS/OA/06/00694 |
| Existing Use: | Nursery/Garden Centre |

The Development Manager reported on an outline application for the demolition of existing dwelling and the erection of 10 new dwellings with 15 parking spaces on land at Filsham Nursery adjacent to 37 Charles Road West where only details of siting are to be determined.

The Planning Committee resolved to grant planning permission for this development subject to a Section 106 Agreement for highway improvements on 08 November 2006. Since that time the Section 106 has remained unsigned and the site has not been sold for redevelopment.

This application was brought before the Planning Committee to obtain approval to amend the resolution to include the requirement for affordable housing. A financial contribution towards junction improvements at the Green was also required as part of the original resolution to grant planning permission. Although some of these works have now been completed, a highways contribution towards further improvements is required. Reference to this contribution in the Section 106 Agreement remains.

Having raised her prejudicial interest, Councillor Charman was absent from the Chamber during discussion and debate.

The Human Rights considerations have been taken into account fully in balancing the planning issues: Article 8 - right to respect for private and family life and Article 1 of the first Protocol - protection of property; peaceful enjoyment of possessions and property (including commercial).

Councillor Scott proposed a motion to approve the application, subject to the amendment of Recommendation A by deleting the words "parking bays" and replace with the words "highway improvements" and the addition of Note 3 as set out in the resolution below. This was seconded by Councillor Wincott.

RESOLVED – by (7 votes to 0, with 1 abstention) that:-

- A) That the Development Manager be authorised to issue planning permission upon completion of a S106 Agreement to secure the provision of 20% Affordable Housing and contributions towards Highways Improvements. In the event of the agreement not being completed by 8 April 2015 that the**

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Development Manager be authorised to refuse permission on the grounds that adequate provision has not been made for the provision of affordable housing and highway improvements.

B) Subject to A) above

Grant Outline Planning Permission subject to the following conditions:

- 1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;**
- 2. 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.
- 3. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved;**
- 4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later;**
- 5. No building hereby permitted shall be occupied until drainage works have been completed, in accordance with details of foul and surface water drainage which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development;**
- 6. No building hereby permitted shall be occupied until the same has been connected to the main drainage system and the approved means of vehicular and pedestrian access thereto have been constructed to a specification and to an extent approved by the Local Planning Authority in relation to that building;**
- 7. There shall be no obstruction to visibility (over 0.8 metres above the level of the adjoining footway) within splays, details of which shall be submitted with the details specified in Condition 1;**
- 8. No development shall take place until details of the proposed parking arrangements have been submitted to and approved by the Local**

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Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the occupation of the building and shall thereafter not be used for any purpose other than the parking of vehicles;

- 9. No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times;**
- 10. The details required by Condition 1 shall include full details of all boundary walls and/or fences which shall be erected prior to the occupation of the houses which they serve;**
- 11. No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:**
 - (i) An appropriate scale plan showing 'wildlife protection zones' where all construction activities are restricted and where protective measures will be installed or implemented;**
 - (ii) Details of wildlife features of importance such as ancient woodland, Sites of Nature Conservation Importance and protected species;**
 - (iii) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction. These to include measures such as the covering of trenches and manholes, during construction; the safeguarding of badgers setts, runs and foraging area, especially relating to the throughput of construction and other vehicular traffic, timing of operational activities; the erection of protective fencing at agreed distances from sensitive habitats and wildlife areas;**
 - (iv) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed, such as the bird nesting season and other wildlife breeding seasons;**
 - (v) Persons responsible for:**
 - (a) Compliance with legal consents relating to nature conservation;**
 - (b) Compliance with planning conditions relating to nature conservation;**
 - (c) Installation of physical protection measures during construction;**

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- (d) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;**
- (e) Provision of training and information about the importance of 'wildlife protection zones' to all personnel on site;**
- (f) Species monitoring.**

This list to be updated whenever necessary to keep the contact list current. All construction activities shall be implemented in accordance with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

Reasons:

- 1. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990;**
- 2. To safeguard the amenity of adjoining residents;**
- 3. The application is in outline only;**
- 4. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990;**
- 5. In order to secure a satisfactory standard of development;**
- 6. To ensure a satisfactory standard of development;**
- 7. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 8. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 9. To ensure a satisfactory form of development in the interests of the character and amenity of the area;**
- 10. To ensure a satisfactory form of development in the interests of the character and amenity of the area; and**
- 11. In the interests of the safety and wellbeing of any wildlife on the site.**

Notes to the Applicant

- 1. Failure to comply with any condition imposed on this permission may**

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result in enforcement action without further warning; and

2. The applicant is advised to design the houses so as to avoid overlooking at 35 Charles Road west.
3. Consideration should be given to the provision of a domestic sprinkler system.

41.2 LAND TO REAR OF SITE OF FORMER HURST COURT 316 THE RIDGE

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| Proposal: | Erection of detached five bedroom house and detached double garage |
| Application No: | HS/FA/14/00394 |
| Existing Use: | Grounds of former Hurst Court |
| Hastings Local Plan 2004 | NC8, NC9, L2, DG1, DG2, DG11 and C6 |
| Conservation Area: | No |
| National Planning Policy Framework | No Conflict |
| Hastings Planning Strategy | FA2, SC1, SC3, SC4, EN1, EN2, EN3, EN7, H1, H2, H3 and T3 |
| Development Management Plan | |
| Proposed Submission Version: | LP1, DM1, DM3, DM4, HN4, HN7, HN8 and NN9 |
| Public Consultation: | 3 letters of objection received |

The Development Manager reported on an application for the erection of a detached five bedroom house and detached double garage at the former Hurst Court grounds, 316 The Ridge, Hastings.

The application site specifically relates to the north-western part of the site which adjoins the residential development at Hurst Way.

The proposed detached house will adjoin the 6 detached houses currently under construction.

Proposals also include the removal of some trees and mitigation measures in relation to the substantial badger sett to the north and east. The building materials proposed will be consistent with the local area.

The main issues considered were the impacts on the character of the area and the AONB, neighbouring residential amenities, biodiversity, trees, the AONB and highway safety.

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The development is subject to an affordable housing financial contribution in accordance with policy H3 of HPS. The applicant has signed a unilateral agreement to secure this financial contribution as part of the planning permission.

The Development Manager felt the development would not harm the character of the area or the AONB as it had been designed to fit in with the existing spacious character of the area and will be relatively well screened from the AONB. He believed the applicant had carried out sufficient work in relation to badgers and proposed appropriate mitigation, including a badger protection area. Furthermore, a number of trees will be retained in line with local character and the development will not involve any highway safety concerns. Therefore, he recommended that planning permission be granted subject to conditions.

One further email of objection had been received since the publication of the agenda. It was circulated prior to the start of the meeting.

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

Councillor Beaver proposed a motion to approve the application, subject to the addition of Note 5 as set out in the resolution below. This was seconded by Councillor Wincott.

RESOLVED – by (8 votes to 1) 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:

4456/1/D, 4456/24456/3, 4456/4 and 4456/14/A

3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include indications of all existing trees and hedgerows on the land including details of those to be retained. New soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme;
4. All planting seeding or turfing comprised in the approved soft landscaping scheme shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5

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years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

- 5. No development shall take place until the tree protection measures outlined in the submitted arboricultural statements and reports (Arboricultural implications assessment for proposed detached house and garage by Tim Laddiman of Broad Oak Tree Consultants Limited), dated 22 April 2014 (ref J48.72) have been fully implemented, unless:**
- (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 scheme(s), or programme(s) of measures contained within the arboricultural statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.**

Other tree works shall otherwise be undertaken wholly in accordance with the same arboricultural report unless varied by way of prior written approval from the Local Planning Authority;

- 6. No development shall take place until the measures outlined in the submitted ecological statements and reports (Ecological Scoping Survey by Martin Newcombe), dated 30 April 2014 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 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 scheme(s), or programme(s) of measures contained within the ecological statements and reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.**
- 7. No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the Local Planning Authority. The measures may include:**
- a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using**

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planks placed into them at the end of each working day; and

- b) open pipe work greater than 150 mm outside diameter being blanked off at the end of each working day.**

The development shall be carried out in accordance with the approved details;

- 8. 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”;**
 - 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;

- 9. 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; 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.); retained historic landscape features and proposals for restoration, where relevant;**

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- 10. 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;**
- 11. No development shall commence until details for the provision of dedicated cycle storage has been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided in accordance with the approved details prior to the occupation of the dwellinghouse hereby approved;**
- 12. For clarity the badger protection area, as shown on approved drawing no. 4456/1/D, does not form part of the residential curtilage of the dwellinghouse hereby approved;**
- 13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or as may be subsequently amended or re-enacted no development or use of the land identified as a badger protection area on drawing no. 4456/1/1D shall take place without the grant of an additional planning permission; and**
- 14. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband.**

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 visual amenity;**
- 4. To ensure a satisfactory form of development in the interests of the visual amenity;**
- 5. In the interests of the health of the trees and to protect the visual amenity;**
- 6. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);**
- 7. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);**
- 8. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);**

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9. To ensure a satisfactory form of development in the interests of the visual amenity;
10. To ensure a satisfactory form of development in the interests of the visual amenity;
11. To ensure that the site is accessible by non-car modes or transport in accordance with policy T3 of the Hastings Local Plan: The Hastings Planning Strategy and the Supplementary Planning Document: Parking provision in new development;
12. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);
13. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9); and
14. In accordance with policy SC1 part (f) of the Hastings Local Plan: The Hastings Planning Strategy.

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 are 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. A licence from Natural England will be required to carryout works related to protected species; and
4. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
5. Consideration should be given to the provision of a domestic sprinkler system.

42. ADDITIONAL URGENT ITEMS (IF ANY)

None.

(The Chair declared the meeting closed at. 6.40 pm)

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