AGENDA ITEM NO: **6 (c)**

Report to:	PLANNING COMMITTEE
Date of Meeting:	15 November 2017
Report from:	Assistant Director of Housing and Built Environment
Application Address:	**First Floor And Second Floor Flat, 74 Marina, St Leonards-on-sea, TN38 0BJ**
Proposal:	**Like for like replacement of an existing stone balcony with inclusion of supporting ornamental iron brackets (front elevation), reinstatement of historic sash windows at first floor level on the front facade, reinstatement of the traditional canopy as a like for like replacement, reorganisation of the apartments internally from a 1st and 2nd floor apartment to front and rear duplex apartments, erection of a two storey rear extension to include an internal staircase connecting the floors of the proposed rear Duplex apartment.**
Application No:	**HS/FA/17/00360**
Recommendation:	**Grant Full Planning Permission**
Ward:	CENTRAL ST LEONARDS
Conservation Area:	Yes - Grosvenor Gardens
Listed Building:	No
Applicant:	Mr Hellicar per Iain Exley Ltd Architect 13 Quarry Terrace Hastings tn34 3sa
Interest:	CERT A Owner
Existing Use:	Residential.

Public Consultation

Site Notice:	Yes
Press Advertisement:	Yes - Conservation Area
Letters of Objection:	5
Petitions of Objection Received:	0
Letters of Support:	6
Petitions of Support Received:	0
Neutral comments received	0
Application Status:	Not delegated - 5 or more letters of objection received

1. Site and Surrounding Area

The site comprises terraced property no. 74 Marina situated on the sea-front. The property is over 6 floors (including basement) and is situated towards the foot of the cliff slope behind. The architecture is by Decimus Burton with an ornate frontage with slim stone balconies that have ornate ironwork railings. The balconies are currently in a bad state of disrepair propped up with agro-props. The property has a small front basement 'well' area with stone steps up to street level. There are steps from street level up to the main front door with large stone portico porch and ornate stone balustrade above. The front facade is Stucco finish with rustification to the basement and ground floors. The property is within the Grosvenor Gardens Conservation Area.

Two neighbouring properties retain original canopies over their first floor front balcony, but this feature has been lost to the application property.

At the rear the property has a large traditional two storey rear off-shoot with pitch roof that is shared with the neighbouring property to the east. The rear off-shoot is typical of other shared rear off-shoots along the terrace. There is a lower ground rear floor yard. The yard is north facing and dark surrounded by high walls. The north end of the yard is enclosed by a retaining wall and above the wall there is a small green garden area at ground floor height. The small raised garden area is at the foot of the tree covered slope that is part of a designated Local Wildlife Site (LWS).

An existing flat roof single storey extension bridges the gap between the rear elevation of the traditional off-shoot and the yards retaining wall. It bridges over the basement yard level and is supported on brick piers.

The property is currently sub-divided into different dwelling units/apartments. Many of the properties along Marina have been sub-divided into flats.

<u>Constraints</u>
Grosvenor Gardens Conservation Area
1 in 1000 surface water flood risk
Environment Agency Flood zone 2
Environment Agency Flood zone 3

2. Proposed development

The proposed development is like for like replacement of an existing stone balcony with inclusion of supporting ornamental iron brackets (front elevation), reinstatement of historic sash windows at first floor level on the front facade, reinstatement of the traditional canopy as a like for like replacement, reorganisation of the apartments internally from a 1st and 2nd floor apartment to front and rear duplex apartments, erection of a replacement rear extension block to house an internal staircase connecting the floors of the rear duplex apartment.

The proposed works form two distinct sets of works. The works to the front elevation are primarily for necessary works of repair and reinstatement of original features; whereas the proposed works to the rear are for replacement of the existing single storey rear extension with a new two-storey extension to replace it for proposed reconfiguration of the upper floors of the building into two separate self-contained duplex apartments.

The proposed works to the front of the building would repair the original stone balcony at first floor level that is currently in a poor state and propped up by agro props. The floor of the balcony would be repaired using Portland base-bed stone. The deck of the balcony would be finished with a thick layer of asphalt. The original ornate balcony iron railings would be removed, repaired and reinstated to match the existing. New ornate cast iron brackets would be attached to the front of the building beneath the balcony (centred on the main structural piers) to help support the balcony which as originally built, relied on cantilever support into the front of the building. The original ornate canopy over the balcony would be replaced to match the canopy of neighbouring property No. 75. The modern first floor front French windows would be replaced with traditional hard wood sash windows to match neighbouring property No. 73.

At the rear the existing single storey flat roof extension would be removed and replaced with a new rear extension built on the same floor area, but with an added second floor taking it up to the roof eaves height of the existing traditional rear off-shoot it would extend from. The extension would have a small hipped roof that would be slightly lower than the ridge height of the existing off-shoot roof. The new extension roof would be covered with slates and tiles to match the existing roof. The external wall materials would be Accoya (treated-wood) feather-board painted grey. There would be a glazed window panel on the west elevation demarking the new extension from the original off-shoot. The new first floor window in the north (rear) elevation would be a timber sash window painted white to match existing and beneath would be timber French doors opening to the small rear raised garden. There would be no windows in the east elevation.

A new window would be inserted into the west elevation of the existing rear off-shoot that would be a re-cycled window from the existing second floor north (rear) elevation.

The internal layout of the existing building would be altered to develop a small self-contained duplex apartment at the rear and a large two bedroom apartment at the front of the building. These apartments would be at first and second floor level of the property. The small rear apartment would be a single bedroom apartment comprising open plan living/kitchen and dining room downstairs with a staircase from the dining area up to a single bedroom with en-suite shower room. The front apartment would become a spacious self-contained apartment with a front living-room through to kitchen with stairs leading from the kitchen up to 2 double bedrooms, a dressing room, hall and shower-room/WC. The entrance to the flats would be accessed from the existing communal hallway.

The application is supported by the following documents:
Flood Risk Statement
Site Waste Statement
Design & Access (including Heritage Statement)
Monson Visual Structural Engineering Inspection Report, reference 8566A, Prepared by M.K. Lock C.Eng.MIStrctE. Principal Engineer.
Correspondence from Elliot Toms, CEnv BSc(Hons) MSc MIEnvSci FGS, Managing Director of Land Science Geotechnical Services.

Relevant Planning History

HS/FA/14/01020 Remedial Works to balcony on first floor level to front of property. Granted 02.02.2015

National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

Policy FA2 - Strategic Policy for Central Area
Policy FA6 - Strategic Policy for The Seafront
Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way
Policy SC2: Design and Access Statements
Policy SC3: Promoting Sustainable and Green Design
Policy SC7: Floodrisk
Policy EN1: Built and Historic Environment
Policy EN3: Nature Conservation and Improvement of Biodiversity
Policy EN6: Local Wildlife Sites (LWS)

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 HC1 - Conversion of existing dwellings
Policy HN1 – Development Affecting the Significance and Setting of Designated Heritage Assets (including Conservation Areas)
Policy HN2 – Changing Doors, Windows and Roofs in Conservation Areas

Other Policies/Guidance

Supplementary Planning Document 1 - Roof Materials for Listed Buildings and Conservation Areas (SPD1)
Supplementary Planning Document 2 - Replacement Doors and Windows for Listed Buildings and Conservation Areas (SPD2)

Department for Communities and Local Government – Technical housing standards – nationally described space standard (March 2015)

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.

Paragraph 134:
Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 135:
The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

3. Consultations comments

Conservation Officer - **No Objection**
The Conservation officer comments that the window details (drawing HGS16-74-300) and the canopy details (drawing HGS16-74-301) are acceptable.

Building Control - **Neither objects to nor support the application**
Building Control has commented that the stability of the proposed two storey rear extension would be covered by Building Regulation. They consider that it is highly likely that the ground floor section of the building that is to be built over would require at least under-pinning which may or may not be practical. The submitted Geo-technical inspection report (listed in the supporting documents above) calls for annual inspections of piers supporting the proposed extension in case of ground movement and Building Control are concerned at this aspect. They also note that the submitted report recommends the use of timber struts and a board propping the soil under the extension and comment that this appears to be a short term measure.

4. Representations

11 representations received: including 1 from The Burtons' St Leonards Society and 1 from RTM Co representing 10 flats in neighbouring properties 75/76 Marina:

5 letters of objection have been received. They include the letter from RTM Co representing 10 flats in neighbouring properties 75/76 Marina; and 2 letters have been received that are part objection and part support. They raise the following concerns:

- General amenity - poor standard of accommodation being proposed.
- Loss of light to neighbouring dwellings/greater sense of enclosure/short gardens over-shadowed.
- Conservation Area/Design issues – the inclusion of supporting ornamental cast iron brackets out of keeping with the Burton architecture on Marina.
- Iron work likely to result in rust streaking exposed to sea air.
- Existing rear extension an eyesore and against what these buildings are about,- totally unrelated to the design of these houses which are historically important.
- Fire risk - associated with proposed wood/faux wood materials.
- Land Instability - concern that proposal will increase instability of cliff behind (loose sandy, clay ground) – drawing attention to nearby slippage incidents close by. Mud slide into basement and part ground floor of Nos. 76 -77 and nearby St Leonards church closed by Council due to cliff movement safety risk.
- Noise and dust nuisance from development works/access for proposed building works.

- Hazard concern of possible hazardous material - asbestos in existing rear extension.

6 letters of support have been received raising the following points:

- 1 x Burtons' St. Leonards Society letter stating this application has the support of the Society as a welcome reversal of previous degradation of a work of Decimus Burton. He was involved in supervision of the buildings construction as well as its overall design as part of terrace Nos 72 – 82 Marina. Their support is for the alterations to the front elevation only.
- The existing 'wooden' rear extension is in very poor condition.
- Agree with most of proposal (apart from the rear building).
- Support for application on all fronts.
- Pleased attention is being paid to repairs to front of building/the remedial works to front of building are welcomed.
- The conversion of existing 1st and 2nd floor will provide two good quality homes compared to current layout unusable layout.
- Support for design - rear extension is excellent use of space.
- Will stop the building falling into further disrepair.
- No experience of cliff slide in 24 years as local resident.
- Loss of light at rear is from tree canopy, cutting back trees could improve light.

5. Determining Issues

The main issues to be determined for this application are as follows:

- Land stability- whether any actual or potential instability of the cliff slope at the rear of the property could be overcome such that this proposal may be acceptable;
- Potential harm to character of conservation area - whether the design of the development would enhance the conservation area;
- Neighbour amenity - whether the proposal would be harmful to the amenity of the neighbouring properties regarding loss of light or privacy;
- Quality of architecture and internal layout/standard of accommodation proposed;
- Access for construction vehicles and potential noise and disruption during construction works.

Each of these are considered below:

a) Principle

The site is in a sustainable location being an existing residential dwelling situated within a central location of Hastings. The application is therefore in accordance with policy LP1 Hastings Local Plan - Development Management (2015) in this respect and acceptable in principle subject to other local plan policies.

b) Impact on Character and appearance of Conservation Area

Policies HN1-HN3 of Hastings Development Management Plan (HDMP) address development proposals that affect designated heritage assets. Policy DM1 of Hastings Development Management plan provides design principles for new development including that all proposals must reach a good standard of design and take in account protecting and enhancing local character. In this case the heritage asset is the Grosvenor Gardens conservation area that the property lies within. The property is not a listed building. It is a large traditional terraced building situated on the sea-front and is of architectural design attributed to Decimus Burton. The Burton's St. Leonards Society supports the proposal. The

Society aims to encourage high standards of architecture and prevent unsympathetic development in the area. They welcome the proposed works to the front elevation of the property that will reverse previous works that have degraded the quality and appearance of the property. The front balcony at first floor level is currently in a state of near collapse and the proposed works would reinstate it greatly improving the appearance of the building and enhancing the character of the conservation area. The Heritage officer has been consulted on all aspects of this proposal and has raised no objection. She has commented that the received amendments to the proposed replacement windows and canopy in the front elevation are acceptable.

The new two-storey rear extension would replace the existing dilapidated single storey extension and would thereby improve the appearance of the property. The extension would be wooden faced with Accoya (treated-wood) feather-board painted grey. The glazed separation panels and separate tiled pitched roof will clearly demark the new from the traditional existing dwelling and so not cause significant harm to the character of the main building. The two-storey wooden design to modern standards in this quiet rear setting away from street view is acceptable. The rear extension would not impact on the character of the conservation area due to the rear of this terrace being situated at the foot of the cliffs with little exposure to view from the public domain.

The development would not cause harm to the character of the conservation area, rather the works will enhance it by being an improvement on the existing rear extension and the proposed works to the front elevation are in part necessary repair works and will enhance the appearance of the property. The proposal is considered acceptable in this respect.

c) Layout

Policy DM3 of HDMP addresses general amenity in new development including that dwellings should be designed to allow residents to live comfortably and conveniently with sufficient internal space. The Council applies the Department of Communities and Local Government (DCLG) technical housing standards - nationally described space standards (March 2015) as a minimum internal space standard. In this case the proposed rear apartment would be up to minimum internal space standard for a 1 person, 1 bedroom flat with a shower room instead of a bathroom. The proposed front duplex apartment would exceed the minimum internal space standard for a 2 bedroom, 4 person flat providing a well-proportioned self-contained apartment brought up to modern day living standards while reasonably respecting the existing room layout of this traditional building in compliance with policy HC1 of HDMP that states that conversion of existing dwellings should not include significant changes to room layouts to achieve an adequate standard of living.

The proposed new layout would improve the quality of accommodation from the existing layout which currently requires occupants of the first and second floor accommodation to access bathroom and kitchen facilities at the rear of the property via communal hall ways thereby not providing good privacy. The proposed layout is considered to raise the quality of accommodation at this property.

d) Impact on Neighbouring Residential Amenities/Future Residential Amenity

Policy DM3 of HDMP addresses general amenity and includes that proposed development avoid any adverse impact on privacy, overlooking and loss of daylight of neighbouring properties. In this case, the alterations to the front elevation of the property would not make significant difference to general amenity in this respect. There has been an objection raised from neighbouring dwellings that their light and privacy would be adversely affected by the new proposed two-storey rear extension. However, the north facing rear aspect as existing receives little direct sunlight into the rear of this terrace due to the existing large original

two-storey rear off-shoots and the steep slope of the cliff behind and so this small two-storey extension will make little significant overall difference to the levels of received daylight.

The neighbouring property to the east that this extension would cast some shadow over at lower ground and ground floor level are only bathroom windows and not main habitable rooms. At first floor level there is a small store room and under the standard 45° rule this proposal would cause little reduction in received daylight to that room.

The neighbouring dwellings to the west rely on ambient light due to the north orientation and over-shadowing cliff. The proposed additional storey will not make a significant difference to the received daylight or sunlight of these dwellings. No main living rooms would be significantly over-shadowed beyond the current level of overshadowing. The existing single storey rear extension extends out from the original rear off-shoot by only approximately 2.6m and the proposed replacement two-storey extension would not extend any further. While it would have an increased height from the existing extensions 3.15m flat roof height (measured from rear ground floor level) to the new proposed 6.75m to roof ridge height, the proposed addition of a second floor would not cause significant loss of light to neighbouring dwellings. The applicant has submitted a daylight model and this shows rather that the extension is likely to help reflect light down towards the lower-ground dwellings.

Loss of neighbour privacy has been considered for this application. A new west facing window is proposed to be inserted in the existing rear off-shoot at ground floor level to serve the kitchen/living area of the proposed new small rear flat. The new window is shown on the plan as being fitted with diffuse glass. This would help to protect the privacy of occupants of the proposed flat and the privacy of dwellings with windows in the east side elevation of the rear off-shoot of the property opposite. The new window will allow diffuse light to enter the main living area of the new rear flat improving internal light quality for occupants.

The proposed glazed separation between the existing off-shoot and the proposed extension (west elevation) would serve the ground floor and first floor landing areas of the new staircase and are not considered to cause additional or unacceptable overlooking or loss of privacy. The proposal will rather slightly improve privacy by the removal of the large existing ground floor window in the existing single storey rear extension. There are no windows proposed in the east elevation of the extension and therefore no loss of privacy to the neighbour on the east side.

The increase in size of the rear extension from the existing single storey to the proposed two storey extension will not cause significant harm to the outlook of the neighbouring dwellings at the rear of the property. The depth of the extension will not be increased and the increase in height from 3.15m to roof ridge height 6.75m (only 5.9m to eaves height) is not considered to detract unreasonably or harmfully from the out-look of the neighbouring dwellings.

e) Ecology

Policies EN3 and EN6 address nature conservation and Local Wildlife Sites (LWS). Although the cliff slope behind the property is a designated LWS, the proposed two-storey rear extension will occupy the same building footprint of the existing single storey extension that is to be replaced. The small scale of this development is not anticipated to cause harm to wildlife, biodiversity or the LWS.

f) Trees

No trees would need to be removed or harmed for this development. Representations received have suggested that the tree cover on the rear cliff slope should be cut back to allow more light through, but this is not considered necessary as the small increase in scale of this proposed development over the existing rear extension will not cause significant

reduction in daylight to neighbouring properties that would justify this as a planning condition.

g) Land Stability

Policy DM5 of HDMP addresses ground conditions on land potentially subject to instability (such as steeply sloping sites or in an area with a history of instability), convincing supporting evidence (from a relevant and suitably qualified professional) must be supplied before planning permission is granted. In this case, it has been suggested that the cliff behind is unstable. One objection received states that nos. 76 & 77 Marina had land slippage in the recent past resulting in major soil/mud slide into both the basement and ground floor, also that the cliff behind the nearby church has been moving. Conversely, one support letter states that as a local resident of 24 years they have never known of land slippage. In this case the proposed bridging design of the rear extension, that bridges the gap over the rear lower ground level across to the high retaining wall of the slope behind, resting on two brick piers stood on concrete pads set into the sloping ground requires convincing evidence to be submitted.

The applicant submitted the Monson report (listed above in supporting documents). The report is by a suitably qualified professional (C.Eng. MIStructE) and provides professional opinion on the visual inspection carried out. The report identifies:

- the sloping ground to be approximately 5m behind the proposed rear extension.
- the existing rear extension is supported on steel perimeter beams supported off the rear wall of the main building and on brick piers founded onto the concrete pads set into the sloping ground (which sloping ground was displaying signs of having been eroded away).
- the rendered retaining wall to the lower ground yard appeared to be in generally good condition with no signs of lateral movement or cracking in the vertical face.

Building control were consulted on the submitted Monson report and they have commented that it is highly likely that the ground floor section of the building that is to be built over would require at least under-pinning which may or may not be practical. The Geo-technical report calls for annual inspections of piers supporting the proposed extension in case of ground movement and Building Control are concerned at this aspect. They also noted that the submitted report recommends the use of timber struts and a board propping the soil under the extension and comment that this appears to be a short term measure.

Building Control confirmed that the stability of the proposed building extension would be covered by Building Regulation.

The Agent stated in his letter of 21st September 2017 that the repurposed existing steels that presently support the existing rear extension of the same footprint are being retained in situ; that the repurposed steels will be fit for purpose in supporting the new two storey structure. The new works will not involve any excavations other than to put in a small number of 4x4 timber decking posts in the back garden.However these posts will no longer be required as the rear garden decking element is no longer part of this proposal.

Further to the above the received email of 02.11.17 from Elliot Toms, CEnv BSc(Hons) MSc MIEnvSci FGS, Managing Director of Land Science Geotechnical Services and Ground Investigation has provided further professional opinion as follows:

That the main areas of concern are:

- underpinning the existing building

1. stability of the retaining wall
2. surface erosion of the low bank
3. the main slope/cliff at the rear

He has addressed each point as follows:

1. The back wall of the main house may or may not require underpinning, but the underpinning is to support the extra weight of the new building, and is not needed in order to maintain the slope stability. His understanding is that this is a building control issue.

2. The stability of the retaining wall has been assessed by Monson, in their submitted report, as not being a problem.

3. He was asked by the applicant to respond regarding surface erosion of the low bank and he recommends this would be better mitigated by battering this small section back and fixing a geotextile to the surface with steel pins.

4. He has not conducted a detailed assessment of the long term stability of the cliff and bank at the rear of the site. However, in his professional opinion, the new structure will not itself cause long term instability of the cliff face or bank behind the building. He understands that no temporary works such as long deep excavations are required.

Given the above it is considered that any actual or potential instability relevant to this application can be overcome through appropriate measures such that this application should not be refused on land instability grounds. A planning condition would be attached to ensure that the identified erosion of the lower slope that the proposed extension bridges across would be mitigated by battering this small section back and fixing a geotextile to the surface with steel pins as recommended.

h) Sustainable Construction

Policies SC1 - SC3 of Hastings Planning Strategy address sustainable development including that all development must be designed to enable a low carbon future in changing climate and should incorporate appropriate climate change and adaptation measures. In this case the proposed Accoya (treated-wood) feather-board is manufactured using wood from sustainable sources and the submitted Waste Management Plan provides that wherever possible the materials arising from demolition shall be recycled and that all site waste will be lawfully disposed of. Further the new rear extension would be built to modern building control standards and thereby be more energy saving than the existing rear extension that it would replace.

The works to the front of the property will be using traditional materials in order to protect the character of the conservation area and the traditional integrity of the property.

i) Access for Construction Vehicles & Noise Nuisance During Development Works

The rear of the building is not accessible for vehicles and concern has been raised at poor access, noise and dust nuisance from development works. On the site visit the Agent pointed out that the doorways for the proposed rear extension are in line with the internal stair access to allow for scaffolding and materials to be brought in through the front of the property. One neighbour representation raised the issue of possible hazardous material asbestos on site. A condition would be attached to keep hours of working within reasonable hours and an informative would be attached to alert the applicant to health and safety regulations should any asbestos be found.

5. Conclusion

The proposal will enhance the character of the conservation area and reinstate traditional features of this significant Demicus Burton architecture property which has been allowed to fall into a state of disrepair. The two storey rear extension proposed with associated internal conversion works to create two self-contained apartments comply with national space standards and will up-grade the quality of accommodation on offer at this property. There would be no significant harm caused to the amenity of neighbouring properties from loss of light or over-looking. The submitted supporting information satisfies the Council that any actual or potential land instability can be overcome through appropriate remedial, preventative or precautionary measures. I recommend this proposal for approval.

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.

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:

   HGS16-74 P005 A (block plan); HGS16-74 010 (location plan); HGS16-74 101 (existing front elevation and details); HGS16-74 102 (proposed front elevation and details); HGS16-74-300 (proposed 1st floor window details); HGS16-74-301 (proposed canopy details); HGS16-74 104 Rev B (proposed rear elevation); HGS16-74 110 (existing 1st & 2nd floor plans); HGS16-74 120 (PR front apartment floor plans); HGS16-74-130B (proposed rear duplex apartment).

3. The bricks to be used in making good the new window opening in the west elevation of the rear off-shoot and the bricks to be used in making good the rear elevation of the off-shoot as it adjoins the new extension hereby permitted shall match as far as possible those used in the existing building.

4. 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.

5. The rear lower land slope that the proposed rear extension bridges across must be stabilised by battering this section back and fixing a geotextile to the surface with steel pins as recommended by **Elliot Toms** CEnv BSc (Hons) MSc MIEnvSci FGS**,** Managing Director Land Science.

6. No disturbance of the rear, upper bank or cliff face behind the building shall be caused by the works undertaken for carrying out the development hereby approved.

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 that the materials used are a suitable match the appearance of the existing dwelling.

4. To safeguard the amenity of adjoining residents.

5. To overcome any possible land stability in compliance with policy DM5 of Hastings Development Management Plan, 2015.

6. To protect against possible land instability in compliance with policy DM5 of Hastings Development Management Plan, 2015.

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 building requires a maintenance program to ensure all new woodwork and iron work is properly painted and maintained to avoid rust scarring to the front of the building.

4. Your attention is drawn to the Control of Asbestos Regulations 2012 should asbestos be found during the development hereby approved.

5. The Building Regulations 1991 apply to this development and so a building regulation submission will be necessary before development.

6. Your attention is drawn to paragraph 120 of the National Planning Policy Framework that states:

To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Officer to Contact

Ms N Ranson, Telephone 01424 783253

Background Papers

Application No: HS/FA/17/00360 including all letters and documents