

**Outline Permission with Conditions
Town and Country Planning Act 1990
The Town and Country Planning (Development
Management Procedure) (England) Order 2010**



Development Management Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

www.hastings.gov.uk

Application Number: HS/OA/14/00806

File Number: AM80008V

Drawing Numbers: DHA/10298/01, 02 (access only) and 08 (access only)

Applicant: Mrs Digweed

Address:

8 Amherst Road, Hastings, TN34 1TT

Description:

Erection of three detached dwellings with access. (Outline application)

In pursuance of its powers under the Town and Country Planning Acts, and all other powers, the Council hereby permits the development described in the Plans and Application specified above, subject to the following conditions:

1. Approval of the details of the layout, scale and external appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
3. 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.
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. The development hereby permitted shall be carried out in accordance with the following approved plans: DHA/10298/01, 02 (access only) and 08 (access only)
6. The landscaping reserved matter details submitted in accordance with condition 1 above 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.

7. 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.
8. The landscaping reserved matter details submitted in accordance with condition 1 above 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.
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. 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.
11. No development shall take place until details of the proposed parking arrangements have been submitted to and approved by the Local 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.
12.
 - (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.
13. No development shall take place until the measures outlined in the submitted ecological statements and reports *Preliminary Ecological Appraisal* by KB Ecology (dated 03 July 2014 (Ref 2014/06/05)) and *Update Badger Survey* by Greenspace Ecological Solutions (dated September 2014 (Ref J-20184)) 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.

14. 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:

- a) An appropriate scale plan showing 'wildlife protection zones' where all construction activities are restricted and where protective measures will be installed or implemented.
- b) Details of wildlife features of importance such as protected species.
- c) 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 and specification of protective fencing at agreed distances from sensitive habitats and wildlife areas.
- d) 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.
- e) Persons responsible for;
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - v) Provision of training and information about the importance of 'wildlife protection zones' to all personnel on site.

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.

15. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of surveying and monitoring all important and protected species found on site, to show the effects of the scheme during construction and for a period of ten years after the last house has been occupied. The scheme shall include:

- a) A clear statement of the proposed aims and objectives of monitoring;
- b) Details and justification for selection of baseline data and any changes or thresholds that, if occurring or reached, will trigger detailed remedial measures;
- c) Details of positive conservation targets along with any associated performance standards or success criteria that will indicate that targets have been reached;
- d) Details of the important and protected species and their places of shelter such as sett, hibernation sites, that are to be monitored;
- e) Methods for sampling and analysing, including the timetable and location for field survey;
- f) Details of any legally required licences obtained from statutory agencies for the duration of the period of the construction and any changes to those licences which may be necessary during and post construction;
- g) Submission of a report on the monitoring to the local planning authority at intervals to be agreed after the commencement of construction works, or as otherwise approved in writing by the local planning authority, including a report on actual or anticipated changes in communities or populations, the reasons for

the changes and any remedial measures considered to be necessary to modify the changes;

- h) Procedures to be put in place to enable the monitoring reports to be considered by the local planning authority in consultation with the developer.

Should the local planning authority consider that remedial measures are necessary as a result of considering the monitoring report and any consultation responses under the above clause they shall give written notice to the developers. Within one month of receiving such written notice from the local planning authority the developers shall submit a scheme of remedial measures which shall include (but should not be limited to) the further mitigation and/or changes to any approved mitigation schemes and /or changes to working practices and programme of implementation for the approval of the local planning authority. The approved remedial measures shall be implemented in accordance with the approved scheme and programme unless otherwise approved in writing by the local planning authority.

16. Before the development hereby approved is commenced details of appropriate climate change mitigation and adaptation measures as required by policy SC3 of the Hastings Local Plan, The Hastings Planning Strategy 2011-2028, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
17. Before any dwellinghouse hereby approved is occupied each property shall be installed with the necessary equipment to ensure it can be connected to fibre-based broadband infrastructure.

The reasons for the imposition of the said conditions are:

1. The application is in outline only.
2. The application is in outline only.
3. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990.
4. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990.
5. For the avoidance of doubt and in the interests of proper planning.
6. In the interests of the health of the trees and to protect the visual amenity.
7. In the interests of the health of the trees and to protect the visual amenity.
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 safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4).
11. To ensure an adequate level of off-street parking to serve the development.
12. To prevent increased risk of flooding.
13. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9.)
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15. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9.)
16. To ensure the development complies with policy SC3 of the Hastings Local Plan: The Hastings Planning Strategy.
17. To ensure compliance with policy SC1 part (f) of the Hastings Local Plan: The Hastings Planning Strategy.

Notes to the Applicant

You are advised:

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 comply with conditions 13, 14, and 15 above further ecological investigations are required to be undertaken before any development commences.
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.

Dated: 23 December 2014

To: DHA Planning
Eclipse House
Eclipse Park
Sittingbourne Road
Maidstone, Kent
ME14 3EN



Raymond Crawford
Development Manager

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