

Report to: PLANNING COMMITTEE

Date: 03 December 2014

Report from: Development Manager

Application Address: **Site of former Hurst Court, 316 The Ridge, Hastings, TN34 2RA**

Proposal: **Erection of a Restaurant / Public House, Associated Residential Accommodation, Car Park, Access, Landscaping and Ancillary Works**

Application No: **HS/FA/14/00477**

Recommendation: **Grant Full Planning Permission**

Ward: ST HELENS

File No: RI55316V

Applicant: Marston's PLC per Nathaniel Lichfield & Partners
14 Regent's Wharf All Saints Street London N1 9RL

Interest: Not owner - option to purchase site in the event of planning permission

Existing Use: Vacant previously development land

Policies

Hastings Local Plan 2004: H1 (Site Ref 66), NC8, NC9, L2, DG1, DG2, DG17, DG25 and C6

Conservation Area: No

National Planning Policy Framework: Sections 2, 4, 7, 11 and 12

Hastings Planning Strategy: FA2, SC1, SC2, SC3, SC4, EN1, EN2, EN3, EN7, CI1 and T3

Hastings Local Plan, Development Management Plan, Revised Proposed Submission Version: LP1, DM1, DM3, DM4, HN4, HN7, HN9, SA4 and SH3

Public Consultation

Adj. Properties: Yes

Advertisement: Yes - Departure from Local Plan

Letters of Objection: 19

Petitions Received: 0

Letters of Support: 3

Application Status: Not delegated - More than 2 letters of objection received

Summary

The application site relates to part of a large piece of land formerly known as Hurst Court, The Ridge. Although allocated for housing, the applicant wishes to build a public house/restaurant at the site with associated parking and a play area.

The application has been accompanied by a viability report explaining that the development of the site for residential purposes would be unviable and as such a departure from the site's allocation would be justified. The District Valuers Service have independently assessed this information and agree that the development of the site for residential purposes would be unviable. As the residential development of the site is considered unviable the alternative use of the site as a public house/restaurant is considered acceptable in principle.

The design of the proposed development is considered acceptable. Although not consistent with previous advice for a tall striking building at the site, the proposed development addresses the street, uses appropriate materials and retains a large amount of the site's tree coverage. The use is also considered to be compatible with the surrounding area. There will be no harm to character and appearance of the local area.

It is not considered that there will be any harm to neighbouring residential amenities mostly because many of the properties are suitably distanced from the development. Closer properties will be suitably screened to ensure no harm and the applicant has proposed a number of mitigation measures to reduce noise from mechanical ventilation. Odour control measures can be required by condition.

The proposal does not result in harm to protected species and a large number of trees are being retained.

The proposal provides for an adequate amount of parking and the Local Highway Authority is satisfied that the proposed development will not significantly add to traffic problems or cause any highway safety concerns.

The proposed development is recommended for approval subject to conditions and a legal agreement for a new footpath and a contribution towards local highway improvements.

The Site and its Location

The application site relates to part of a large piece of land formerly known as Hurst Court, The Ridge. Measuring an area of approximately 0.7ha, the site sits within a predominately residential area with open countryside (the High Weald Area of Outstanding Natural Beauty) to the north of the site and an area of green space to the west. There is a church nearby, a newly built care home to the south and the green spaces are used as playing fields.

The site includes many trees, some of which are preserved. It is bound by residential properties and three roads – The Ridge, Chowns Hill and Stonestile Lane.

Details of the Proposal and Other Background Information

The applicant proposes to erect a restaurant/public house at the site with associated manager's flat, car park and play area.

The applicant has made this application despite the site being allocated in the current Hastings Local Plan 2004 for new housing. This allocation is proposed to be carried forward in the emerging Hastings Local Plan: Development Management Plan.

The applicant first approached the Council about erecting the restaurant/public house at the site in June 2013. At the time they were advised of the housing allocation and that the proposed use would not be considered acceptable unless it could be proved that the site could not be developed for housing due to matters such as the site's constraints, development viability or an oversupply of housing allocations.

This application has been accompanied by a viability report, arguing that a residential development of the site would be unviable. This information has been independently assessed by the District Valuers Service (DVS).

Previous Site History

HS/FA/11/00695 Proposed residential development comprising 20 units, access road, parking and associated landscaping.
Refused 06 June 2011

HS/FA/07/00815 Residential development (incorporating the demolition of existing building) comprising 55 units including 14 affordable housing units), access road, parking and associated landscaping.
Appeal against non-determination dismissed 26 January 2009

Details of Consultations

The **Local Highway Authority** has raised no objection subject to conditions and a s106 legal agreement securing a financial contribution towards local highway improvements and the provision of a footpath across the frontage of the site.

Southern Water has raised no objection subject to a condition requiring drainage details to be submitted and an informative notifying the applicant to make a formal application for connection to the public sewerage system.

The **County Archaeologist** has raised no objection.

The **Borough Arboriculturalist** has raised no objection subject to conditions regarding tree protection during construction and details of a landscaping scheme.

The **Environment & Natural Resources Manager** has raised no objection.

The **Principal Environmental Health Officer (Environmental Protection)** has raised no objection subject to conditions.

The **Environmental Health Officer (Food, Health & Safety Team)** has raised no objection but has provided a list of legal requirements the applicant will need to consider.

The **Housing Needs & Enabling Manager** has raised no objection.

The **Hastings & Rother Building Control Partnership** has raised no objection.

The **Waste & Streetscene Officer** has raised no objection but comments that a waste storage area be located as close to the access as possible. The submitted drawings do show a yard which includes an area for waste storage. This is easily accessible from the highway and suitably sized. It is considered acceptable.

Sussex Police has raised no objection subject to opening hours being consistent with other establishments in the area and that the outside seating area is not used after 21:00.

UK Power Networks has raised no objection.

The **Strategic Economic Infrastructure Team Manager (ESCC)** has raised no objection.

The **Licensing Manager** has raised no objection.

There is an objection from a **Planning Policy** perspective on the basis that the proposal would be inconsistent with policy DS1 of the Hastings Local Plan: The Hastings Planning Strategy. The policy encourages new housing within the Borough.

The proposal would be inconsistent with policy H1 of the Hastings Local Plan 2004 and policy SH3 of the Hastings Local Plan: Development Management Plan which allocate the site for housing development. As the proposal does not provide for any housing there will be no provision of affordable housing which would be inconsistent with policy H3 of the Hastings Local Plan: The Hastings Planning Strategy.

Nevertheless it is acknowledged that the application has been accompanied by a viability report stating that a residential development would not be viable and this has been independently assessed by the DVS.

Rother District Council has raised no objection subject to:

- The Borough Council being satisfied that housing delivery was still achievable if the principle of the restaurant/public house was considered acceptable.
- A condition being imposed for the retention of trees both within and adjoining the site and any additional soft landscaping to protect landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty.
- A condition being imposed to ensure that the proposed development safeguards nearby badger setts and associated foraging areas.

There have been 19 letters of objection received. Comments relate to:

- Impact on the character of the area
- Impact on neighbouring residential amenities
- The proximity of parking to residential gardens and possible noise pollution
- The possibility of further tree pruning
- Impact on protected species
- Quality of the submitted ecology information
- Increased traffic and highway/pedestrian safety problems
- Nuisance from light pollution
- Problems related to construction (parking/litter problems caused by contractors)
- Need and competition with existing businesses
- Loss of site for housing
- Nuisance from smells/odours caused by the commercial kitchen
- Poor public transport links
- Development viability and retaining the residential allocation
- Quality of the submitted transport statement

The have been three letters of support received. Reasons include:

- Proposal will provide much needed jobs and be a community benefit
- Proposal will not exacerbate problems with traffic as vehicle use will not be during peak times
- Development will provide a facility and opportunities for leisure and relaxation close to residential properties not served by many other establishments

Planning Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 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 main policies/guidance that apply are policies H1 (Site Ref 66), NC8, NC9, L2, DG1, DG2, DG17, DG25 and C6 of the Hastings Local Plan 2004 (HLP); policies FA2, SC1, SC2, SC3, SC4, EN1, EN2, EN3, EN7, CI1 and T3 of the Hastings Local Plan: The Hastings Planning Strategy (HPS); and policies DM1, DM3, DM4, HN4, HN7, HN9, SA4 and SH3 of the Hastings Local Plan: Development Management Plan (DMP). Others apply and are listed above.

The main issues to consider are the principle of the development (the loss of an allocated housing site), the impact on the character and appearance of the area, the impact on neighbouring residential amenities, the impact on biodiversity, the impact on trees, parking and highway related matters.

Principle of the development

The application site is allocated in the HLP for housing – site reference 66. This allocation is proposed to be taken forward in the emerging DMP as part of policy SH3. The use of the site as restaurant/public house would clearly be contrary to the existing HLP and the emerging DMP but the applicant claims the development of the site for residential purposes would be unviable and as such a departure from the existing and emerging development plan allocations would be justified.

To support their argument the applicant submitted, with their application, a viability report based on the indicative development of the site for two different residential schemes – a 22 unit scheme and a 19 unit scheme. In principle, these schemes are considered acceptable and as such were considered an appropriate way of testing the viability of residential development at the site.

The DVS were asked to independently assess the information submitted by the applicant and initially they considered that the residential development of the site was viable. In fact, they considered a viable residential development could be provided along with a full complement of development contributions – i.e. affordable housing, play space, highway improvements and financial contributions towards schools and libraries.

The DVS initial opinion was based on the opinion that they considered the applicant's benchmark land value (BLV) (the value of the land today, without any development) was set too high. The DVS considered that the applicant's BLV inappropriately took into account the value of the land at the time it was last purchased in 2006 and the holding costs that had developed in that time such as finance interest. When considering development viability the

BLV should usually be based on the current market value at the time of the application. Having undertaken this work themselves the DVS considered the BLV was much lower than the applicant had stated and as such the returns on a residential development would be sufficient enough to make a development viable.

The applicant did not agree with this view and entered into further discussions with the DVS, providing more information about land values in the local area. The outcome of these discussions is that the applicant has provided sufficient evidence to show that the residual land value (RLV) of both indicative schemes would be well below the BLV meaning that both schemes would be in deficit and residential development at the site would not be viable.

Clearly, the preferred approach would be for the site to be developed for residential purposes but the applicant has shown that it would not currently be viable to do so. The NPPF at paragraph 173 explains that to enable development to come forward it should be able to provide a competitive return for a willing landowner and a willing developer. If there is not going to be competitive return or a willing landowner then the development should not be burdened by development plan policy – in this instance the allocation of the site for housing purposes.

A material consideration in this application is also the likelihood that a residential development of the site will ever be implemented given the history of the site, which has remained undeveloped since its allocation in 2004. It is also known that the current landowner paid a high price for the site which is unlikely to yield a decent return for residential development for the foreseeable future. There have also been no discussions about developing the site for residential purposes since summer 2012. The likelihood of developing the site for residential purposes appears to be very slim.

Of course it is disappointing that the applicant considers that the site cannot provide towards the Borough's requirement for additional housing. The site is estimated in the emerging DMP to provide for 20 new units and losing this would impact upon the Council's housing supply forecast. That being said the site is not a large strategic housing site and although it could be argued that the site should be retained considering the viability information submitted I am of the opinion that a departure from the allocation for housing is acceptable and that the development of the site as a restaurant/public house is acceptable in principle.

Impact on the character and appearance of the area

The site was previously occupied by a substantial, detached, decorative Italianate style building known as Hurst Court. Its grand scale, striking design and prominent location made it an important and distinct feature in the streetscape. Unfortunately the building had no statutory protection and was lawfully demolished in 2009.

Many applications and discussions regarding the development of the site referenced the design of Hurst Court and it was this that for a long time influenced the advice given – that there should be tall striking buildings at the site's frontage to match the impressiveness of Hurst Court.

Such a development would be appropriate for the site but I consider that this is not the only acceptable development approach for the site which would also benefit from a smaller scale development which retains the wooded nature of the development site; something that maintains more openness in this transitional semi-rural nature of this edge-of-town location which is transitioning to the countryside.

This is the design approach that the applicant has taken by proposing a smaller scale

pub/restaurant development that sits at the front of the site. The design follows a historical coaching inn/tavern design. Such a design addresses the street adequately – the western elevation is not particularly strong – but the proposal which otherwise includes car parking allows for the significant retention of tree coverage within the site which helps the development to maintain the existing semi-rural character along this section of The Ridge.

The applicant proposes a palette of materials - red brick, slate tiles and render – that are consistent with the historic use of materials in Hastings.

Aside from the physical appearance of the building there have also been objections to the use and that this would be incompatible with the predominately residential nature of the area.

Whilst the immediate uses surrounding the site are residential the wider uses include playing fields and a church. In this context the addition of a detached family public house/restaurant would be wholly appropriate, adding to a mixed local character and providing more opportunities for leisure. Notwithstanding this a public house surrounded by residential properties is not an unusual scenario and is quite commonplace nationwide.

The development is otherwise well detached from existing residential properties and can be read on its own without causing harm to the otherwise predominant residential uses.

The proposed development is not considered to cause any harm to the character and appearance of the area.

The development is not considered to cause any harm to the AONB as the proposals retain a significant number of trees which will screen the development from the AONB.

Impact on the neighbouring residential amenities

The proposed building is sufficiently distanced from neighbouring properties to cause no harm to neighbouring residents in terms of loss of light or overlooking.

The main concern is the use of the public house/restaurant and whether there would be any nuisance from people using the car park or from patrons of the business. Some residents have also raised concerns about noise from mechanical ventilation and nuisance cooking odours.

With regard to noise and disturbance from the car park, it is considered that most properties are situated well enough away from the site not to be affected. The properties closest to the site include 4 Hurst Way and 1 Hurst Court Gardens. Here, the natural screening between the properties, the opportunities for new boundary screening and a restriction on the operating hours of the premises will mean that the proposed development will not cause harmful disturbance to these local residents. The same can be said about the possible nuisance caused by patrons.

The applicant has provided a noise assessment with their application that considers noise from patrons, deliveries, mechanical systems and traffic. Potential harm from noisy mechanical ventilation is covered by the applicant's submitted noise report and, subject to suitable mitigation, there will be no harm. This has been checked by the Principal Environmental Health Officer who agrees with the conclusions of the report

With regard to odours, the application is lacking in sufficient detail to confirm that there will not be any nuisance to residents from odours. I am satisfied however that this matter can be controlled by condition with odour abatement measures being required before the

premises can be brought into use.

Concerns relating to light pollution can also be controlled by condition with details of appropriate lighting that limits light spillage being submitted before it is installed.

Given the above it is not considered that there will be any harm to neighbouring residential amenities.

Impact on local biodiversity and trees

The application has been accompanied by an Extended Phase 1 Habitat Survey Report. The main comments of the report are:

Badgers:

- No badger setts exist on the site but it is acknowledged that there is a substantial collection of badger setts to the north.
- There was little evidence of badgers using much of the site but it could be used for occasional foraging and some activity may be masked by rabbits.

Bats:

- A number of bat boxes exist on the site's existing trees.
- None of these are proposed to be removed and no trees containing bat boxes are proposed to be felled.

Reptiles:

- Slow worms have been identified on the site to the north but none were found on this site.
- The site is considered sub-optimal for reptiles and possible habitat is restricted to north-west corner and the south east perimeter although this is still poor quality.

In addition to the above, the report explains that a certain degree of habitat will be lost but this is inevitable given the site's allocation for housing.

The main conclusions are that no protected species will be harmed by the development and although some habitat will be lost, a significant part of the site woodland will remain which will maintain opportunities for badger foraging, bird nesting and possible habitat for invertebrates.

The report also proposes a number of mitigation measures – i.e. badger protection during construction, reptile checking before any clearance works and low level lighting to ensure reduced harm to bats. These measures are considered acceptable.

The proposed development retains a large number of trees because the car parking has been designed to work amongst the existing tree coverage.

A number of trees are proposed to be removed, including a yew tree which contributes well to local landscape value but, subject to some suitable replanting, the development is not considered to result in a significant loss of trees that would harm local character or affect the landscape quality of the surrounding area and nearby AONB.

Parking and highway related matters

The majority of the objections to the application are concerned with the impact the development would have on The Ridge and the safety of the junctions at Stonestile Lane and to a lesser extent Chowns Hill.

These concerns are understandable as The Ridge is well known as a busy road. The information submitted with the application has been assessed by the Local Highway Authority (LHA) and, subject to conditions and financial contribution to local highway improvements, they are satisfied that the development can be accommodated within the highway network without adversely affecting road safety.

The location of the development is not particularly sustainable. However, the LHA is satisfied that, with the footpath improvements along the frontage of the site and the contribution towards improvements along The Ridge, sustainable transport opportunities will improve such that they do not consider a refusal of the development on highway grounds can be supported.

Other Matters

The site is not within a flood zone and is not considered to be at risk from flooding. Matters to do with drainage, including foul and surface water drainage, can be covered by condition.

An archaeological study submitted with the application concludes that the potential for anything of archaeological interest is limited. The County Archaeologist agrees with the findings and does not require any further information.

Reports submitted with the application conclude that the site has no ground condition or contamination issues.

A report submitted with the application lists a number of energy reduction and renewable energy measures. Final details of these to ensure compliance with policy SC3 of the HLP, can be required by condition.

Some of the objections to the application have raised whether there is a need for the establishment and the impact it would have on the nearby businesses, like the Robert de Mortain public house/restaurant. Need and competition with other businesses are market factors and not a planning consideration.

Conclusion

These proposals comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

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

I therefore recommend that planning permission be granted subject to conditions and a legal agreement securing a footpath along the site's frontage and a financial contribution towards local highway improvements.

Recommendation

A) That the Development Manager be authorised to issue planning permission upon completion of a legal agreement under Section 106 of the Town and Country Planning Act for a financial contribution towards local highway improvements and the provision of a public footpath along The Ridge frontage of the site. In the event of the agreement not being completed by 4 June 2015 that the Development Manager be authorised to refuse permission on the grounds that adequate provision has not been made to mitigate the impact of the development on highway

and pedestrian safety.

B) Upon completion of (A) that planning permission be issued subject to the following conditions:

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:

3342/P100D, P103A, P104I, P105F, P106D, P107D, P108, P110, P111 and P112; 7615; 298-74/M/01A; and J48.39/02
3. No development shall take place until details of the layout of the reconstructed access and the specification for the construction of the access have been submitted to and approved in writing by the Local Planning Authority. Construction of the access shall be completed in accordance with the approved details prior to approved prior to the development being brought into use.
4. Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site 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.
5. Prior to the commencement of development a Traffic Management Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of the construction access and how this will be managed, the size of the vehicles, routing of vehicles and hours of operation. The development shall be carried out in accordance with the approved Scheme.
6. During any form of earthworks and/or excavations that are carried out as part of the development, suitable wheel washing equipment should be provided within the site, to the approval of the Local Planning Authority, to prevent contamination and damage to the adjacent roads.
7. The development shall not be brought into use until a turning space for vehicles has been provided and constructed in accordance with the approved drawings. The turning space shall thereafter be retained for that use and shall not be used for any other purpose.
8. The development shall not be brought into use until parking areas have 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 motor vehicles.

9. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The parking shall be provided before the development is brought into use and shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
10. The development shall be carried out in accordance with the noise reduction measures recommended in *Planning Noise Assessment (Report 14/0066/R01)* by Cole Jarman.
11. Before the development hereby approved is commenced a construction method statement shall be submitted detailing how the construction shall be managed to prevent nuisance to neighbouring residential amenities by dust, noise and light.
12. 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.
13. Before it is installed details of all new external lighting 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.
14. Deliveries and private waste collection to and from the premises shall not take place outside of the hours of 08:00 to 20:00 Monday to Saturday, and at no time on Sundays and Public Holidays.
15. The premises shall not be used except between the following hours:-

08:00 - 23:00 Monday - Friday,
08:00 - 23:00 Saturdays,
08:00 - 22:30 Sundays or Bank Holidays.

The play area shall not be used after 21:00 and the outdoor terrace and garden areas shall not be used after 22:00.
16. Before the development hereby approved is brought into use details of odour abatement measures 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. 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.

18. 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.
19. 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; 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.
20. 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.
21.
 - (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.
22. No development shall take place until the measures outlined in the submitted ecological statements and reports (Extended Phase 1 Habitat Survey Report), dated 30 May 2014 by BSG Ecology 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.

23. 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.

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 the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
4. In the interests of highway safety.
5. In the interests of highway safety and for the benefit and convenience of the public at large.
6. In the interests of highway safety and for the benefit and convenience of the public at large.
7. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
8. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
9. In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.
10. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1)
11. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1)
12. To safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4).
13. In the interests of the amenity of the neighbouring residential occupiers and to protect features of ecological importance (i.e. bats).

14. To safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4).
15. To safeguard the amenity of adjoining residents. (Hastings Local Plan 2004 - Policy DG4).
16. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1)
17. In the interests of the visual amenity and to protect the landscape and scenic beauty of the AONB.
18. In the interests of the visual amenity and to protect the landscape and scenic beauty of the AONB.
19. In the interests of the visual amenity.
20. In the interests of the visual amenity.
21. To prevent increased risk of flooding.
22. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9.)
23. To ensure the development complies with policy SC3 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. With regard to condition 5 above, given the restrictions of the access and/or the approach road the hours of delivery/collection should avoid peak traffic flow times.
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.
5. The developer is advised to read the consultation response received from the Environmental Health Officer in the Food, Health & Safety Team dated 09 June 2014 for advice on the legal requirements in relation to environmental health.
6. This permission is the subject of an obligation under Section 106 of the

Town and Country Planning Act 1990 (as amended).

Officer to Contact

Mr S Batchelor, Telephone 01424 783254

Background Papers

Application No: HS/FA/14/00477 including all letters and documents