

# PLANNING COMMITTEE

3 DECEMBER 2014

Present: Councillors Street (Chair), Scott (Vice-Chair), Beaney, Beaver, Edwards, Dowling, Lee, Rogers, Webb (as the duly appointed substitute for Councillor Roberts) and Wincott

## 50. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Roberts.

## 51. DECLARATIONS OF INTEREST

The following Councillors declared their interests in the minutes as indicated:

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Webb	48.2 – 48-49 Caves Road	Prejudicial – Lives in close proximity to the site.
Street	48.2 – 48-49 Caves Road	Personal – On behalf of the Labour Group as Cllr Webb is a member of the Labour Group.

## 52. MINUTES OF THE MEETING HELD ON 5 NOVEMBER 2015

**RESOLVED** – That the minutes of the meeting held on 8 October 2014 be approved and signed by the Chair as a true record.

## 53. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

## 54. PLANNING APPEALS AND DELEGATED DECISIONS

The Development Manager reported one appeal that had been received. He also reported on a number of delegated decisions. All matters had arisen between 27 October and 21 November 2014.

**RESOLVED** – that the report be noted.

## 55. PLANNING APPLICATIONS:

### 55.1 SITE OF FORMER HURST COURT, 316 THE RIDGE

Proposal:

Erection of a Restaurant / Public House, Associated Residential Accommodation, Car Park, Access, Landscaping and

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Application No:	Ancillary Works HS/FA/14/00477
Existing Use:	Vacant previously development land
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, C11 and T3
Development Management Plan	
Proposed Submission Version:	LP1, DM1, DM3, DM4, HN4, HN7, HN9, SA4 and SH3
Public Consultation:	19 letters of objection and 3 letters of support received

The Development Manager reported on an application that sought permission for the erection of a restaurant/public house; associated residential accommodation, car park, access, landscaping and ancillary works at site of former Hurst Court, 316 The Ridge, Hastings.

The application was 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 had independently assessed this information and had agreed that the development of the site for residential purposes would be unviable. As the residential development of the site was considered unviable, the alternative use of the site as a public house/restaurant was considered acceptable in principle. Despite the site being allocated in the current Hasting Local Plan 2004 for new housing, the allocation is proposed to be carried forward in the emerging Hastings Local Plan: Development Plan.

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. The site includes many trees, some of which are preserved.

The main issues considered were the principal of the development; impact on the character and appearance of the area, impact on the neighbouring amenities and impact on local biodiversity and trees and parking and highway related matters.

The Development Manager felt the proposed development would retain a large amount of the site's tree coverage; provide an adequate amount of parking and use appropriate materials. The use was also considered compatible with the surrounding area. He believed the proposal would not result in harm to protected species and a large number of trees would be retained. As such he believed there would not be any harm to neighbouring residential amenities mostly because many of the properties

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were suitably distanced from the development and properties nearby would be suitably screened.

The Development Manager recommended the application be approved subject to revised wording of conditions 8, 14, 15 and 21, and a legal agreement securing a new footpath along the site's frontage and a financial contribution towards local highway improvements.

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

Members discussed this item at length.

Councillor Scott proposed a motion to approve the application subject to the revised conditions, as set out in the resolution below. This was seconded by Councillor Beaney.

**RESOLVED** – by (9 votes to 1) that:

- A) 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:
- 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

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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 the drawings hereby approved 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 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

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**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 06:00 to 21:00 Monday to Friday, 09:00 to 13:00 on Saturdays and at no time on Sundays and Public Holidays;**
- 15. The premises shall not be open to the public except between the following hours:-**

**07:00 - 00:30 Sunday - Thursday,**

**07:00 - 01:30 Friday and Saturday.**

**The play area shall not be used after 21:00 and the outdoor terrace and garden areas shall not be used after 22:00 except for a designated smoking area, details of which shall be submitted to and approved in writing by the local planning authority before it is created.**

- 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;**

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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 the development hereby approved shall not be brought into use until those works have been completed;
  - (iii) The development shall not be brought into use 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

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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

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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); and
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](mailto: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



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### Town and Country Planning Act 1990 (as amended).

#### 55.2 48-49 CAVES ROAD

Proposal:	Proposed demolition of minimal structures, erection of six no. 1 bedroomed flats and 1 two bedroomed flat together with access drive to serve 7 no. car parking spaces.
Application No:	HS/FA/14/00527
Existing Use:	Vacant - Former Scaffold Yard
Hastings Local Plan 2004	DG1, DG2, DG3, DG21, C3, C7, C9
Conservation Area:	
National Planning Policy Framework	No Conflict
Hastings Planning Strategy	FA2, SC1, EN1, EN2, EN3, EN6, H1, H2, H3, T3
Development Management Plan	
Proposed Submission Version:	DM1, DM3, DM4, DM5, DM6, HN1, HN3, HN5, HN7, HN8
Public Consultation:	3 letters of objection received

The Development Manager reported on an application for the redevelopment of a former scaffold yard and an end of terrace house with the erection of 6 x 1 bedroom flats and 1 x 2 bedroomed flats together with access drive to serve 7 no. car parking spaces at 48-49 Caves Road, St. Leonards on Sea.

The site consists of a scaffold yard and a single terraced house located on the northern side of Caves Road and within the Grosvenor Crescent Conservation Area. The single house forms part of a row of four terraced houses (No's 49-52 Caves Road) which are built of facing brick with slate pitch roofs and timber windows.

The front of the site adjoins 47 Caves Road to the west and the rear of the site adjoins 46 Caves Road. To the rear the site adjoins Caves Road Cliffs which is designated as a Site of Nature Conservation Importance (SNCI) and Local Wildlife Site (LWS). The site is opposite the rear of properties at the Marina. The surrounding area includes a mixture of traditional buildings and some sympathetic modern development.

The proposed building is to be built of facing brick and render with a slate tile pitch roof. The car park is proposed to the rear accessed from an archway leading from Caves Road. A bin store is proposed to be located within the car park area and a replacement retaining wall is to be provided along the rear boundary of the car park with the cliff.

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This application follows the approval of application HS/FA/07/00947 for the redevelopment of the yard and the terraced house at 48-49 Caves Road together with the adjoining three terraced houses at 50, 51 & 52 Caves Road. The scheme was for 7 x flats and 3 x terraced houses. The planning permission has since expired and the applicant is now proposing a similar scheme but has split the site and applied for planning permission for the houses and flats separately. Planning permission HS/FA/14/00539 was previously granted for the erection of three replacement terraced houses at 50, 51 & 52 Caves Road.

The main issues considered were the character and appearance, living environment, housing type and affordable housing, land stability, ecology and biodiversity, highway safety and parking and drainage.

The Development Manager considered the proposal was in keeping with the historic character of the area and that it would contribute to the mix of accommodation in the area without adversely impacting on its surroundings. He therefore recommended that planning permission be granted subject to conditions.

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

Having declared his prejudicial interest, Councillor Webb was absent from the chamber during discussion and voting.

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

**RESOLVED – (unanimously) 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. No development shall take place until full details of the land stabilisation techniques have been submitted to and approved in writing by the Local Planning Authority. The details shall be prepared by a suitably qualified person and include evidence to support the methods chosen and regarding the impacts on the ecology of the area. The development shall be completed in accordance with the approved details;**
- 3. No development shall take place until the measures outlined in the submitted ecological statements and reports (Ecological report on land at 48 & 49 Caves Road St. Leonards-on-Sea, East Sussex by Patrick Roper, 23 March 2007 and An update on the 2007 ecological report on 48 & 49 Caves Road, St. Leonards-on-Sea by Patrick Roper, 19 March 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,**

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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.

4. No development shall take place until samples of the materials including a sample panel of render 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;
5. No development shall commence until the following details have been and approved in writing by the Local Planning Authority:
  - (a) joinery details at no less than 1:10 scale of all windows and doors;
  - (b) window canopy details at no less than 1:20 scale;
  - (c) rainwater goods, flues and vents.The development shall be carried out in accordance with the details approved and no occupation of any building approved shall occur until those works have been completed.
6.
  - (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 flats hereby approved shall occur until those works have been completed;
  - (iii) No occupation of any of the 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.
7. No development shall commence until details of the size and location of any temporary structures required during the construction process, a vehicle wheel washing facility together with areas for storage of materials, and temporary site hoardings has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in full accordance with the approved details, and the wheel washing facility shall remain in place and in operation for the duration of the groundworks;
8. Notwithstanding the information shown on drawing number: 227600-02 bin storage details including the size, location and means of enclosure of

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**the bin store shall be submitted for approval by the Local Planning Authority prior to works commencing on site. The development shall be completed in accordance with the approved details and the bin store shall be used for no other purposes other than the storing of refuse bins awaiting collection unless otherwise agreed in writing by the Local Planning Authority;**

- 9. Prior to occupation of any part of the development hereby approved the proposed access shall be provided in accordance with drawing number 227600.02] and laid out and constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority;**
- 10. Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the proposed 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 by the Local Planning Authority in consultation with the Highway Authority;**
- 11. Prior to demolition works commencing on site a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority. This shall include the size of vehicles, routing of vehicles and hours of operation;**
- 12. Notwithstanding the information shown on drawing number: 227600-02 the development shall not be occupied 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;**
- 13. Notwithstanding the information shown on drawing number: 227600-02 the development shall not be occupied until cycle parking 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;**
- 1 The access hereby permitted shall not be used until a turning space for  
4 vehicles has been provided and constructed in accordance with the submitted plan and the turning space shall thereafter be maintained in a suitable condition for that use and shall not be used for any other purpose;**
- 1 The development hereby permitted shall be carried out in accordance  
5 with the following approved plans:**

**227600.02, 227600.03 & 227600.04**

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- 16. 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.**

### **Reasons:**

- 1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990;**
- 2. To protect future residents and users of the development in the interests of Health and Safety;**
- 3. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9);**
- 4. In the interests of the character and amenity of the Grosvenor Gardens Conservation Area;**
- 5. In the interests of the character and amenity of the Grosvenor Gardens Conservation Area;**
- 6. To ensure a satisfactory standard of development;**
- 7. In the interests of the visual and residential amenities of the locality;**
- 8. To ensure a satisfactory standard of development;**
- 9. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway;**
- 10. In the interests of highway safety;**
- 11. In the interests of highway safety and for the benefit and convenience of the public at large;**
- 12. In the interests of highway safety;**
- 13. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development;**
- 14. In the interests of highway safety;**
- 15. For the avoidance of doubt and in the interests of proper planning;**
- 16. To safeguard the amenity of adjoining residents. (Hastings Local Plan**

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**2004 - Policy DG4).**

**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;**
- 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](http://www.southernwater.co.uk);**
- 6. With regard to condition 11 of this planning permission the applicant's attention is drawn to the consultation response from the Transport Development Control Team dated 14 August 2014;**
- 7. With regard to condition 2 of this planning permission, it is only necessary to submit details of the works necessary to stabilise the cliff in relation to the development hereby approved. If following further investigation no additional works are required to the upper levels of the cliff then the evidence should accompany an application to discharge the condition.**

**55.3 BIN STORE ADJACENT CASTLEHAM BUSINESS CENTRE (WEST), STIRLING ROAD**

Proposal:	Fitting a galvanised metal mesh roof over the existing bin store
Application No:	HS/FA/14/00826
Existing Use:	Bin Store
Hastings Local Plan 2004	DG1

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Conservation Area:	No
National Planning Policy Framework	Section 7
Hastings Planning Strategy	FA1, SC1
Development Management Plan	
Proposed Submission Version:	DM1, DM3
Public Consultation:	1 letter of objection received

The Development Manager reported on a full planning application for permission to install a mesh roof on an existing bin store. The bin store is adjacent to Castleham Business Centre (west) and the premises are owned by Hastings Borough Council. Additional security is required following continued fly tipping at Bin Store adjacent Castleham Business Centre (West), Stirling Road, St. Leonards on Sea.

The bin store is adjacent the south east corner of Castleham Business Centre (west) which is located on the Castleham Industrial Estate and is on the corner of Stirling Road and Maunsell Road. The bin store faces a footway to the north, Stirling Road to the east, an access road to the south and a parking area to the west.

The bin store is of a brick finish, with double metal gates. The proposal is to fix a galvanized roof frame around the top of the brick walls and the gates, raising the height by 300mm.

The main considerations were the impacts of the proposal on the amenity of nearby residential properties and impacts on the area in general. The Development Manager felt the design, scale and materials of the proposed mesh roof were considered to be in keeping with adjacent and nearby commercial buildings and with the character and appearance of the industrial estate. Furthermore, the mesh will prevent fly tipping and the rotating anti-climb units will prevent unauthorized access onto the roof of the adjacent building. The residential properties in Swynford Drive which back onto Castleham Industrial Estate, are considered to be of such a distance so as not to be affected by the proposed mesh roof.

Given the height of the bin store, particularly with the raised mesh roof, the Development Manager recommended the application be approved and recommended the proposal be approved subject to conditions.

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

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

### **RESOLVED – (unanimously) that:**

- 1. The development hereby permitted shall be begun before the expiration**

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of three years from the date of this permission; and

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

Site Location Plan, BG/15/2/6B.

**Reasons:**

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990; and
2. For the avoidance of doubt and in the interests of proper planning.

**Notes to the Applicant**

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning; and
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.

**56. ADDITIONAL URGENT ITEMS (IF ANY)**

None.

(The Chair declared the meeting closed at 6.30pm)