

**Public Document Pack
PLANNING COMMITTEE**

12 SEPTEMBER 2018

Present: Councillors Roberts (Chair), Davies (Vice-Chair), Bishop, Cox, O'Callaghan, Turner, Beaver and Marlow-Eastwood

64. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Edwards and Scott.

65. DECLARATIONS OF INTEREST

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

Councillor	Minute	Interest
Beaver	5a –Harrow Lane Playing Fields, Harrow Lane, St. Leonards on Sea	Personal Interest – Member of East Sussex County Council.
O'Callaghan	5b – Stade Family Amusement Park, The Stade, Hastings	Prejudicial Interest – Son works at the Stade Amusement Park .

66. MINUTES OF PREVIOUS MEETING HELD ON 15 AUGUST 2018

RESOLVED – that the minutes of the meeting held on 15 August 2018 be approved and signed by the Chair as a true record.

67. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

68. PLANNING APPLICATIONS ATTRACTING A PETITION

68.1 The Stade Family Amusement Park, The Stade, Hastings

Proposal: Proposed extensions and refurbishments to main amusement building including raised roof to accommodate additional floor. Increased height and footprint of raised huts behind the main building. Proposed alterations to park and rides. Proposed new formalised and landscaped pedestrian footpath from adjacent to shelter, to beach front access. Proposed new boathouse and jetty.

Application No: HS/FA/17/01056

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Conservation Area:	Yes - Old Town
Listed Building	No
Public Consultation	17 letters of objection received and 1 petition of objection received.

This item was moved up the agenda with the agreement of the Chair.

Having raised her prejudicial interest, Councillor O'Callaghan was absent from the Chamber during discussion and voting of this item.

The Planning Services Manger presented this item for proposed extensions and refurbishments to main amusement building including raised roof to accommodate additional floor. Increased height and footprint of raised huts behind the main building. Proposed alterations to park and rides. Proposed new formalised and landscaped pedestrian footpath from A249 to beach. Proposed new boathouse and jetty at the Stade Family Amusement Park, The Stade, Hastings.

The Planning Services Manager recommended the item be deferred until the next available Planning Committee meeting as it was not clear to members of the public what was being proposed i.e. enlargement of the amusement park area. She asked for an adjournment to allow for a new site notice and re-publication of the application, so that the description is re-worded to include reference to the enlargement of the amusement park area.. This was proposed by Councillor Beaver and seconded by Councillor Davies.

RESOLVED – (Unanimously) that planning permission be deferred until the next available meeting after re-publication of the application.

68.2 Harrow Lane Playing Fields, Harrow Lane, St. Leonards on Sea

Proposal:	Outline application,(seeking approval of Access) for the erection of 140 residential units (22 no. 4-bed, 61 no. 3-bed, 36 no. 2-bed, 21 no. 1-bed units) of which fifty six are 'affordable homes', public open space, access and landscaping at Harrow Lane Playing Fields, St Leonards-on-sea.
Application No:	HS/OA/17/00901
Conservation Area:	No
Listed Building	No
Public Consultation	22 letters of objection received and 1 petition of objection received.

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The Planning Services Manager presented this outline application, (seeking approval of Access) for the erection of 140 residential units (22 no. 4-bed, 61 no. 3-bed, 36 no. 2-bed, 21 no. 1-bed units) of which fifty six are 'affordable homes', public open space, access and landscaping at Harrow Lane Playing Fields, St. Leonards on Sea.

The Planning Services Manager explained that this item had been deferred at the last Planning Committee meeting held on 15 August 2018, to seek clarification on the use of a mini roundabout at the entrance to the site or other options for access to the site. The application has been brought to the next available Planning Committee following receipt of clarification on these points. The Planning Services Manager explained that this was an outline application to consider access only. She said that the site was allocated in the Local Plan for residential development. She advised Councillor's that the site was not designated as open space and that the use of the land was considered at the Local Plan Inquiry.

The Planning Services Manager advised that East Sussex County Council have said the proposed access route onto the site is acceptable from a highways point of view. She said there is no other natural access route in terms of other surrounding development that would naturally lead to the cul-de-sac.

Alternative access points to the site were considered including (page 20 of the officer's report):-

- 1) From Holmhurst St.Mary site, this was discounted as it placed over capacity on the approved Eldridge Way access and placed more traffic directly onto The Ridge as well as through the newly created residential streets.
- 2) From Harrow Lane, The option of a shared access with 777 The Ridge at the point of the existing access was discounted as this was on the line of the existing public right of way that would require re-diversion, widening of the road and reduction of land available on which to develop. This would have large costs implications which may well make the development unviable.

The provision of a mini roundabout was considered by ESCC Highways and their response is summarised below:-

- 1) The visibility required to achieve a mini roundabout would require significant cutting into the bank, resulting in large retaining walls fronting Harrow Lane that is likely to detrimentally impact on the character and appearance of the area but introducing a dominant hard feature in addition to the road, where previously there was a bank. This is highly likely to be unacceptable in design terms and not therefore a suitable alternative.
- 2) Mini roundabouts on a straight length of road such as this would only be appropriate with traffic calming measures to slow traffic down on Harrow Lane. It is possible however that those traffic calming measures would interfere with private

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access points and the bus stop.

3) Traffic flows from the site are not going to be to a level to warrant balance in the flow ratios required to allow for a mini-roundabout to operate safely (mini-roundabouts need good deflection or drivers tend to overshoot the junction when you have straight sections (Harrow Lane).

4) A Mini-roundabout would create difficult turning movement for larger vehicles including refuse vehicles and fixed base delivery lorries entering and leaving the site

Members were informed of several updates to the report:-

Amended Condition 29 as follows:-

The details required by Condition 1 shall include a noise survey, an air quality mitigation report and a full and adequate site investigation and soils report and work shall not proceed until and unless measures deemed to be necessary by the Local Planning Authority as a result of such reports and surveys have been incorporated in the development proposals.

Amendments to the Officers report:-

Page 15

- Tree officer comments – should refer to condition 28;
- Environmental Health comments should refer to condition 29.

Page 17

- 2nd row of table should refer to condition 31.

Page 23

- 2nd para should refer to condition 29 rather than 30.

Page 24

- 1st para – should refer to condition 30 not 31.

Members were shown plans, photographs and elevations of the application site.

Councillor Rankin, spoke as the lead petitioner on behalf of the petitioners in objection to the application on highway and parking matters, specifically traffic safety and traffic flow. He referred to page 13 of the officer's report, The Hastings Local Plan – Development Management Plan 2015, stating that he objected to paragraph 12 of the NPPF "that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise". The material considerations he said relate to access. In regard to the mini roundabout he said the Highways objection is tenuous and weak, the consultation comment on page 14 of the officer's report regarding the use of a roundabout states that it will be necessary to construct a retaining wall to allow visibility display. However, on page 21 of the officer's report they say it would be unacceptable in design terms. He said this was not a robust enough reason to object, there are no engineering terms. He said access and egress onto the site should be revisited. 140 houses have been proposed

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with 28 spaces for visitors. With this limited number of parking spaces there will be parking problems. Appearance can be covered aesthetically by using heritage bricks.

The Planning Services Manager explained that Highways have said the mini roundabout is not safe, the traffic flow is not strong enough and will result in traffic shooting over the mini roundabout. The Highway Officer has given very robust reasons for their objection.

Councillor Davies proposed a motion to approve the application. This was seconded by Councillor Turner.

RESOLVED – by (6 votes to 2 against) that the Planning Services Manager be authorised to issue planning permission upon completion of an agreement under S106 of the Town and Country Planning Act to secure:

- a financial contribution of £337,400 towards local highway improvements;
- a financial contribution of £5,000 towards off site highways works;
- a Travel Plan and associated auditing contribution of £6,000;
- a financial contribution towards improving existing play provision at Welton Rise play area of £110,600;
- the maintenance, management and monitoring of trees, protected species and wildlife areas;
- a financial contributions to libraries of £36,820
- a financial contribution to public rights of way of £3,360
- provision on site of 56 affordable dwellings

unless it has been conclusively shown that the development would not be viable and it would still be acceptable in planning terms without the identified development contributions. In the event that the Agreement is not completed or the viability issue not resolved by 12 January 2019 that permission be refused on the grounds that the application does not comply with the relevant policies (policies H3, CI1, T3, EN3, EN6, EN1, and H1) of the Hastings Local Plan, The Hastings Planning Strategy 2011-2028 or the Hastings Local Plan, Development Management Plan unless an extension of time has been agreed in writing by the Planning Services Manager in consultation with the Chair and Vice Chair of the Planning Committee.

A) Subject to the above:

Grant Outline Planning Permission 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

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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 layout, scale, 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 terms of access only, in accordance with the following approved plans: ITP 129-1-01-P2 and ITP 1219-1-02-P2.**

No part of the development shall be occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved plans (ITP 129-1-01-P2 and ITP 1219-1-02-P2).

- 6. No part of the development shall be occupied until provision has been made within the site to prevent surface water draining onto the public highway, in accordance with plans and details to be submitted to and approved by the Local Planning Authority.**
- 7. The access shall have maximum gradients of 4% (1 in 25 from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.**
- 8. No part of the development shall be first occupied until visibility splays of 2.4 metres by 90 metres have been provided at the proposed site vehicular access onto Harrow Lane in accordance with the approved plans. Once provided the splays shall thereafter be retained, maintained and kept free of all obstructions over a height of 600mm.**
- 9. The development hereby permitted shall not commence until details of the layout of the access roads and the specification for the construction of the access which shall include details of footways, surfaces, lighting, parking and cycle parking, have been submitted to and approved in writing by the Local Planning Authority and the use hereby permitted shall not commence until the construction of the road link has been completed in accordance with the specification to be agreed with the Highway Authority.**

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- 10. No part of the development shall be occupied until the vehicle turning space has been constructed within the site in accordance with details submitted to and approved in writing by the Local Planning Authority. This space shall thereafter be retained at all times for this use and shall not be obstructed.**
- 11. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,**
 - the anticipated number, frequency and types of vehicles used during construction,**
 - the method of access and egress and routeing of vehicles during construction,**
 - the parking of vehicles by site operatives and visitors,**
 - the loading and unloading of plant, materials and waste,**
 - the storage of plant and materials used in construction of the development,**
 - the erection and maintenance of security hoarding,**
 - the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders, traffic management),**
 - details of public engagement both prior to and during construction works.**
- 12. No development shall take place, including demolition, on the site until an agreed pre commencement condition survey of the surrounding highway network has been submitted and approved in writing by the Local Planning Authority. Any damage caused to the highway as a direct consequence of the construction traffic shall be rectified at the applicant's expense.**
- 13. No part of the development shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport and/or as advised by the Highway**

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Authority.

14. Upon the occupation/commencement of use, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor report and subsequently revise the travel plan as specified within the approved document.
15. No development shall be commenced until such time as a Traffic Regulation Order securing the provision of parking restriction on the west side of Harrow lane opposite the site access has been approved in writing by the County Council and written confirmation of this approval is made available to the Local Planning Authority.
16.
 - (i) Construction of the development shall not commence until a drainage strategy that includes details of the proposed means of foul sewerage and surface water disposal/management, together with an implementation timetable, 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.
 - (vi) Prior to occupation of the development evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.
17.
 - (i) Surface water runoff from the proposed development should be limited to a maximum of 10.5l/s, which is the rate agreed to by Southern Water for all rainfall events including those with a 1 in 100 (plus 40%) annual probability of occurrence. Evidence of this (in the form of hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.
 - (ii) The detailed design should also include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely. This should incorporate measures to intercept and slow down overland surface water flows through the woodland south of the development.

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- (iii) The detailed design of the attenuation ponds should be informed by findings of additional groundwater monitoring between autumn and spring. The design should leave at least 1m unsaturated zone between the base of the ponds and the highest recorded groundwater level. If this cannot be achieved, details of measures that will be taken to manage the impacts of high groundwater on the drainage system should be provided. Evidence of how impacts of high groundwater on the structural integrity of the tank will be managed should also be provided.
- 18. A maintenance and management plan for the entire drainage system should be submitted to the Local Planning Authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following:-

 - a) The plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details.
 - b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.
- 19. The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.
- 20. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- 21. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [20] to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.
- 22. Safe access to footpath Hastings 142, 143 and 144 is to be maintained at all times during and following completion of the development. Details of walking and cycle links should be submitted as part of a Reserved Matters application.
- 23. The landscaping details required by condition 1 above (reserved matters) shall include details of open space and play provision.

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24. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details and phasing agreed, unless otherwise agreed in writing by the local planning authority.

25. No development shall take place until an ecological design strategy (EDS). The EDS shall include the following:
- a) Purpose and conservation objectives for the proposed works.
 - b) Review of site potential and constraints.
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
 - d) Extent and location/area of proposed works on appropriate scale maps and plans.
 - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for implementing the works.

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- h) Details of initial aftercare and long-term maintenance.**
- i) Details for monitoring and remedial measures.**
- j) Details for disposal of any wastes arising from works.**

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

- 26. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development. The content of the LEMP shall include the following:**

- a) Description and evaluation of features to be managed.**
- b) Ecological trends and constraints on site that might influence management.**
- c) Aims and objectives of management.**
- d) Appropriate management options for achieving aims and objectives.**
- e) Prescriptions for management actions.**
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).**
- g) Details of the body or organization responsible for implementation of the plan.**
- h) Ongoing monitoring and remedial measures.**

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (*where the results from monitoring show that conservation aims and objectives of the LEMP are not being met*) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

- 27. No development shall take place until a scheme for the provision of open space (including children's play area), as part of the development within the site in accordance with policy EN8 of the Hastings Local Plan and national guidance on open space provision has been submitted to and agreed by the Local Planning Authority. The scheme shall include details of the laying out and construction of the open**

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space, a timetable for its provision and arrangements for its future maintenance. The open space shall then be provided and maintained in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning authority.

- 28. No development shall take place until the measures outlined in the submitted arboricultural report (titles Arboricultural Impacts Assessment and Method Statement, prepared by PJV Consultancy, dated August 2017) have been fully implemented, unless:**
- (i) the programme for such measures is otherwise specified within that document in which case the works shall be carried out in accordance with the timescales contained therein or;**
 - (ii) unless the scheme(s), or programme(s) of measures contained within the arboricultural reports is otherwise first varied, by way of prior written approval from the Local Planning Authority.**
- 29. The details required by Condition 1 shall include a noise survey, an air quality mitigation report and a full and adequate site investigation and soils report and work shall not proceed until and unless measures deemed to be necessary by the Local Planning Authority as a result of such reports and surveys have been incorporated in the development proposals.**
- 30. Each individual dwelling hereby approved shall not be occupied until a minimum of one electric vehicle charging point has been installed on the given building(s) with dedicated off street parking, and shall thereafter be retained for that purpose.**
- 31. The details submitted for condition 1 (reserved matters) above shall include provision of at least 2% of the dwellings to be fully adapted for wheelchair users.**
- 32. Before the development hereby approved is occupied provision shall be made for the ability to connect to fibre-based broadband.**

Reasons:

- 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.**

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- 5. For the avoidance of doubt and in the interests of proper planning.**
- 6. In the interests of highway safety.**
- 7. In the interests of road safety.**
- 8. In the interests of road safety.**
- 9. To secure satisfactory standards of access for the proposed development.**
- 10. In the interest of highway safety and for this benefit and convenience of the public at large.**
- 11. To the interests of highways safety and the amenities in the area.**
- 12. In the interests of highway safety and the amenities of the area.**
- 13. To encourage and promote sustainable transport.**
- 14. To encourage and promote sustainable transport.**
- 15. In the interests of amenity and road safety.**
- 16. To prevent increased risk of flooding.**
- 17. To prevent increased risk of flooding.**
- 18. To prevent increased risk of flooding.**
- 19. To prevent increased risk of flooding.**
- 20. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.**
- 21. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.**
- 22. To maintain Public Rights of Way.**
- 23. To ensure a satisfactory form of development in the interests of the character and amenity of the area.**
- 24. To protect features of recognised nature conservation importance.**
- 25. To protect features of recognised nature conservation importance of the site and in the interests of the amenity of the neighbouring**

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residential occupiers.

- 26. To protect and enhance the ecological value of the site.**
- 27. To ensure a satisfactory form of development in the interests of the character and amenity of the area.**
- 28. In the interests of the health of the trees and the visual amenity of the area.**
- 29. To ensure a satisfactory standard of development.**
- 30. To ensure a satisfactory standard of development.**
- 31. To comply with condition LRA1 of the Hastings Local Plan, Development Management Plan.**
- 32. To ensure the development complies with policy SC1 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 paragraph 38 of the National Planning Policy Framework.**
- 3. The applicant is advised that the 300 mm diameter surface water sewer requires a clearance of 3 metres either side of the sewer to protect it from construction works and allow for future access for maintenance. No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer.**
- 4. The applicant is advised that the 200 mm diameter water trunk main requires a clearance of 6 metres either side of the water trunk main to protect it from construction works and allow for future access for maintenance.**
- 5. The applicant is advised that no development or new tree planting should be located within 6 metres either side of the centreline of the water trunk main without consent of Southern Water. All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No new soakaways should be located within 5m of a public sewer and water main.**

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6. The applicant is advised that noncompliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.
7. The applicant is advised that due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk”.

8. The applicant is advised that a formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk
9. The applicant is advised that all side elevations facing access roads should be designed to a high standard and avoid blank facades and large expanse of wall.
10. The applicant is advised that the gateway 'key' buildings located either side of the junction into the site from Harrow Lane shall incorporate a design that better addresses its corner location than currently shown on illustrative plans and elevations. This amended design shall form part of the reserved matters application.
11. The applicant is advised that rear parking courts should be enclosed by brick walls and this should be shown within any subsequent Reserved Matters application.
12. The applicant is advised that parking spaces to the front of garages should have a depth of 6m. Any Reserved Matters application should incorporate this into the design.
13. The applicant is advised that they must ensure the proposed works, hereby approved, do not contravene laws protecting wildlife including the Countryside and Wildlife Act 1981. Where the applicant is in doubt they should contact Natural England on wildlife@naturalengland.org.uk Telephone 020 802 61089 or Environment and Natural Resources on parks@hastings.gov.uk Telephone 01424 451107 prior to commencement of any works.
14. The applicant should contact the Sussex Police Architect Liaison

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Officer at the Police Station, Bohemia Road, Hastings to discuss the "Secured by Design" principles for new developments.

15. No site clearance or tree or hedge removal shall be carried out on site between the 1st March and 31st July inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.
16. Nothing in this permission shall be construed as giving approval to the details shown on the plans accompanying the application hereby approved. Such plans have been treated as being indicative only.
17. Incentives for residents encourage them to rethink journeys from the very start of locating in a new neighbourhood to be adopted within the travel plan to be resubmitted with the reserved matters applications, to include:
 - 1) 3 months of bus travel with option to renew for a further 6 months with discount
 - 2) £100 for cycles or accessories
 - 3) 5 supermarket deliveries
 - 4) Car club vehicle dedicated space within the development
 - 5) Other incentives should include as suggested in the residents' information pack plus scheduled cycle training and Bike doctor visits.

69. OTHER PLANNING APPLICATIONS

69.1 20 Milward Crescent, Hastings

Proposal:	Retrospective permission for a change of use from C3 (Dwelling House) to C4 (House in Multiple Occupation) containing 5 bedrooms.
Application No:	HS/FA/18/00625
Conservation Area:	No
Listed Building	No
Public Consultation	9 letters of objection received

The Principal Planning Officer, Mr Temple introduced this application for retrospective permission for a change of use from C3 (Dwelling House) to C4 (House in Multiple Occupation) containing 5 bedrooms at 20 Millward Crescent, Hastings.

Members were informed of several updates to the report:-

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- One further neighbour comment has been made regarding the number of parking permits issued to this property.
- Parking services have confirmed that no more than two permits can be issued each addressed property. As such 10 permits could be issued to this 5 bedroom HMO but only if parking capacity is available. Only one parking permit is issued at present, as set out in the committee report. Given the control Parking Services have this does not for a sustainable reason for refusal.

Members were shown plans, photographs and elevations of the application site.

The Principal Planning Officer said the loss of a single family dwelling for a family cannot be fully justified in this area and that there is an identified housing need within the Borough for large single family dwellings.

Councillor Beaver proposed a motion to refuse the application. This was seconded by Councillor Davies.

RESOLVED – (Unanimously) that planning permission be refused subject to the following reasons:

1. **This application fails to satisfy policy DS1 of the Hastings Planning Strategy 2014 and policy HC1 of the Development Management Plan 2015. The application constitutes the loss of a single family dwelling which could have been retained. There is an identified housing need within the borough for large single family dwellings and the conversion of this property to a House of Multiple Occupation (HMO) therefore cannot be justified.**

Note to the Applicant

1. **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 paragraph 38 of the National Planning Policy Framework.**

69.2 Railings fronting 37-75 Marline Road, St. Leonards on Sea

Proposal:	Display to show amount of EU investment in the St Leonards area. Requirement from funders of our EU SHINE (Sustainable Homes in Inclusive Neighbourhoods) Project
Application No:	HS/AA/18/00614
Conservation Area:	No
Listed Building	No
Public Consultation	Applicant holds a politically restricted post

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The Principal Planning Officer, Mr Temple presented this application for advertisement consent for a display to show amount of EU investment in the St Leonards area. Requirement from funders of our EU SHINE (Sustainable Homes in Inclusive Neighbourhoods) Project on Railings forming 37-75 Marline Road, St. Leonards on Sea.

Members were shown plans, photographs and elevations of the application site.

Members were advised that this application had been brought to Planning Committee because the applicant holds a politically restricted post. Members were advised that they could only consider the impact on amenity and public safety. This was not a moving sign with no illumination and complied with policy.

Councillor Roberts proposed a motion to approve the application. This was seconded by Councillor Davies.

RESOLVED – (Unanimously) that Advertisement Consent be granted subject to the following conditions:

1. **This consent is for five years from the date of this decision and is subject to the standard conditions set out in the Regulations**
2. **No advertisement shall be sited or displayed so as to—**
 - a) **endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);**
 - b) **obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or**
 - c) **hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.**
3. **Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.**
4. **Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.**
5. **Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the**

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public or impair visual amenity.

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

Block plan showing sign location (dated 15/08/18) and photograph of temporary sign.

Reasons:

1. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
2. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
3. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
4. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
5. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
6. 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 consent 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 paragraph 38 of the National Planning Policy Framework.

69.3 6-8 Pelham Arcade, Pelham Place, Hastings

Proposal: Replacement of lead guttering with new zinc guttering to match the existing zinc roof covering.

Application No: HS/LB/18/00391

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Conservation Area:	Yes - Old Town
Listed Building	Grade II*
Public Consultation	Application on Council owned land.

The Planning Services Manager, Mrs Evans, presented this application for the replacement of lead guttering with new zinc guttering to match the existing zinc roof covering at 6-8 Pelham Arcade, Pelham Place, Hastings due to theft of the lead guttering on multiple occasions.

Members were shown plans, photographs and elevations of the application site.

Councillor Beaver proposed a motion to approve the application. This was seconded by Councillor Turner.

RESOLVED – (Unanimously) that Listed Building Consent be granted subject to the following conditions:

- 1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.**
- 2. The works hereby permitted shall be carried out in accordance with the following approved plans:**

BA1829.01D, BA1829.02A, BA1829.03A, BA1829.04C, BA1829.05 and BA1829.06
- 3. 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.
- 4. Prior to commencement of works, a methodology statement shall be submitted to and approved in writing by the Local Planning Authority to explain how the existing lead is to be removed and then how the new zinc clad guttering is to be installed. The statement shall cover how the roof lantern glazing will be removed and replaced to enable the works. Development shall be carried out in accordance with the approved methodology statement.**
- 5. Prior to commencement of works, drawn details shall be submitted to and approved in writing by the Local Planning Authority of the junction treatment between the new zinc clad guttering and the lead guttering**

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either side. The details shall be 1:5 cross sections and plan drawings showing the junction treatment. Development shall be carried out in accordance with the approved details.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To safeguard the amenity of adjoining and future residents.
4. To ensure the architectural and historic character of this Grade II* Listed Building is adequately protected.
5. To ensure the architectural and historic character of this Grade II* Listed Building is adequately protected, and to ensure water from the gutter along the terrace is drained properly.

Notes to the Applicant

1. Failure to comply with any condition imposed on this consent 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 paragraph 38 of the National Planning Policy Framework.

The reason for granting this consent is:

National Planning Policy Framework Section 12 applies. The works proposed will not harm the designated heritage asset.

69.4 Store 1, Bottle Alley, Eversfield Place, Lower Promenade, St. Leonards on Sea

Proposal:	Change of use from B8 (Storage) to D1 (Gallery/Studio)
Application No:	HS/FA/18/00535
Conservation Area:	Yes - Warrior Square
Listed Building	No

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Public Consultation

Not delegated – Application on Council owned land.

The Planning Officer Ms Ranson, presented this application for the proposed change of use from B8 (Storage) to D1 (Gallery/Studio) at Store 1, Bottle Alley, Eversfield Place, Lower Promenade, St. Leonards on Sea.

Updates:-

- Deferment requested for this item:

Estates have notified us of works on site to fit windows / door. Estates have been asked to forward drawings and photographs of the windows and door fitted so that they may be considered for any impact on the heritage asset.

Key Points:-

- This application is a minor application made by Hastings Borough Council Estates Department and so needs to come before Planning Committee .
- It is recommended that this matter be deferred to allow for submission and consideration of material alterations to windows and door openings.

Councillor Davies proposed a motion to defer the application. This was seconded by Councillor Beaver.

RESOLVED – (Unanimously) that planning permission be deferred to allow submission of further plans in respect of proposed external alterations. The application will be brought back to the next available Planning Committee following consideration of additional and amended plans and any necessary publicity.

69.5 First Floor, 379 London Road, St. Leonards on Sea

Proposal:	Change of use of first floor from Health and Well-Being Centre (D1) to 1 bedroom flat (C3 use) incorporating conversion of loft space - development of roof dormer to rear roof slope and insertion of three roof-lights in front roof slope.
Application No:	HS/FA/18/00612
Conservation Area:	No
Listed Building	No
Public Consultation	Not delegated - Application by Councillor

Councillor Rankin who was sat in the public gallery had a prejudicial interest in this application and left the chamber.

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The Planning Officer, Ms Ranson presented this application for the change of use of first floor from Health and Well-Being Centre (D1) to 1 bedroom flat (C3 use) incorporating conversion of loft space - development of roof dormer to rear roof slope and insertion of three roof-lights in front roof slope at First Floor, 379 London Road, St. Leonards on Sea.

Key Points:

- The loss of the existing D1 use is considered acceptable.
- The proposed flat will be situated in a highly sustainable location.
- The flat will make efficient use of the upper floors of the building and the planning principle of 'living above the shop' is widely established and supported.
- The flat will provide a good internal living space and has access to Alexandra Park for outdoor amenity opportunity.
- There is storage space for waste and parking available within the rear curtilage of the property, accessible for occupants of the flat through the building.
- The proposed rear dormer is not considered to be harmful to the character of the area.

Members were shown plans, photographs and elevations of the application site.

The Planning Officer stated the dormer had been reduced in size: The eaves space had been removed and consequently the overall floor space had been reduced (D layout).

Councillor O'Callaghan proposed a motion to approve the application. This was seconded by Councillor Davies.

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

00B, 01B, 379LR-E-02E
3. **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.
4. **The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.**

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5. The flat hereby approved shall not be occupied until a scheme of works for sound-proofing of the flat have been submitted to and approved in writing by the Local Planning Authority and thereafter carried out to the satisfaction of the Local Planning Authority.

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 safeguard the amenity of adjoining residents.
4. In the interests of the visual amenity of the area.
5. In order to protect residential amenity.

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 paragraph 38 of the National Planning Policy Framework.
3. Building Regulations are a separate raft of legislation to the Planning Act. The proposal is likely be a material change of use to which the Building Regulations 1991 apply and you are advised to seek building regulation advise on submission under the regulations before the change of use takes place.

70. PLANNING APPEALS AND DELEGATED DECISIONS

The Planning Services Manager reported that one planning appeal has been received and one appeal had been allowed. She also reported on the number of delegated decisions.

All matters had arisen between 3 August 2018 and 31 August 2018.

The report was noted.

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(The Chair declared the meeting closed at. 7.12 pm)

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