

Report to: PLANNING COMMITTEE

Date of Meeting: 10 October 2018

Report from: Assistant Director of Housing and Built Environment

Application Address: **Site of former Hastings College of Arts and Technology, Archery Road, St Leonards-on-sea, TN38 0HX**

Proposal: **Variation of Conditions 3(Approved Plans) and 34(Affordable housing) of Planning Permission HS/FA/15/00175 (As varied by HS/FA/17/00439) - Amendment for conversion of the listed terrace, into 12 units rather than 24 residential units, including minor external & internal alterations and reduction of affordable housing units from 56% to 25%.**

Application No: **HS/FA/18/00291**

Recommendation: **Grant Full Planning Permission**

Ward: MAZE HILL 2018
Conservation Area: Yes - Burtons' St. Leonards
Listed Building: Grade II

Applicant: Gemselect (Archery) Limited per Kember Loudon Williams Ltd Ridgers Barn Bunny Lane Eridge, Nr. Tunbridge Wells, Kent. TN3 9HA

Public Consultation

Site Notice: Yes
Press Advertisement: Yes - Affects a Listed Building
Letters of Objection: 9
Petitions of Objection Received: 0
Letters of Support: 0
Petitions of Support Received: 0
Neutral comments received 1

Application Status: Not delegated - 5 or more letters of objection received

1. Site and Surrounding Area

The main bulk of the site to the northern and central part of the site is currently undergoing ground works prior to further works for the new dwellings (approved by HS/FA/15/00175). The site slopes steeply from north west to south east and includes mature trees on its north eastern side, bounding Archery Road.

The character of the surrounding development varies enormously. In West Hill Road, to the south of the application site, there are substantial four storey Victorian terraced properties either side of a smaller two storey block of post war flats. At the junction of Quarry Hill and West Hill Road is a tiled two storey building with some mock Tudor detailing next to a single storey building with some Gothic-style fenestration, one in residential use and one currently undergoing substantial renovation. Further to the north is "The Mount", a group of predominantly substantial four storey semi-detached Victorian buildings set above Archery Road, in residential use mainly converted into flats set around a tennis court surrounded by trees. At the point of The Mount furthest from the application site there are two smaller and more modern two storey detached properties.

Opposite the north western corner is Highlands Gardens, a group of sandstone three/four storey Victorian buildings in residential use, set above a substantial sandstone retaining wall. The buildings on the western side of Archery Road opposite the application site are late 20th Century three storey blocks of flats. Below these, in the area between Archery Road and West Hill Road are smaller two/three storey residential properties of various styles.

The 'Archery Villas' are located within the southern end of the site, forming a terrace from east to west. The site lies within the St Leonards West Conservation Area. The listed buildings date to circa 1850-60 and are attributed to the architect Decimus Burton. They were formerly a group of houses, but over time they have been extended and converted into a single building, to suit the previous use of the site.

The site is key in providing a link between the St Leonards West Conservation Area within which the site falls and the Burtons' St Leonards Conservation Area. Although these are separately designated, they are both closely associated with the application site in both physical and visual terms. All of the other buildings on the development site have been demolished. The retention of the listed terrace maintains the continuity and a strong link to the surrounding Burton development.

The minor alterations include omission of the rear stair case atrium previously proposed for unit 2a, along with other minor alterations such as the extended light well proposed at no. 1. Internally, the changes include the reinstatement of stair cases and party walls in order to allow nos. 1, 2a, and 3-7 (inclusive) to revert to their previous use as single houses rather than flats.

Constraints

- St Leonards West Conservation Area
- Archery Villas- Grade 2 listed buildings
- Tree Preservation Orders
- Flood Zone 1
- SSSI Impact Risk Zone

- Site at risk of surface water flooding (1 in 30)

2. Proposed development

The application is to vary condition nos. 3 (approved plans) and 34 (Affordable housing) of HS/FA/15/00175 (as already varied by HS/FA/17/00439). The amendment would alter the conversion of the listed terrace (Archery Villas) into 12 residential units (7 houses and 5 flats) rather than 24, approved under previous consents. This would include minor internal and external alterations. The affordable housing provision would be reduced from 56% to 25% equating to 28 units.

The alterations would include of the omission of the rear stair case atrium previously proposed for unit 2a, along with other minor alterations such as the extended light well proposed at no. 1.

Internally, the changes include the reinstatement of stair cases and party walls in order to allow nos. 1, 2a, and 3-7 (inclusive) to revert to their previous use as single houses rather than flats.

The application is supported by the following documents:

- Heritage statement
- Planning statement
- Garden wall method statement
- Light refurbishment methodology
- Deed of variation

3. Relevant Planning History

HS/OA/67/01071	Erection of Engineering Training Centre GRANTED 14 November 1967
HS/DS/68/00335	Erection of Engineering Industrial Training Centre GRANTED 26 April 1968
HS/FA/69/00536	Erection of Administration Building and Car Park GRANTED 14 November 1967
HS/CC/78/10327	Construction of Business studies Block and communal Library/Dining Block GRANTED 23 August 1978
HS/CC/83/10744	Erection of new Administrative Unit for Hastings College GRANTED 1 June 1983
HS/CA/09/00483	Demolition of existing buildings Conservation Area Consent GRANTED 21 June 2012

HS/LB/09/00484	Conversion of Grade II listed terrace to create 24 residential units GRANTED 21 June 2012
HS/FA/09/00482	Conversion of Grade II listed terrace, demolition of all other structures and erection of 122 residential units APPEAL DISMISSED 20 December 2012
HS/FA/13/00590	Conversion of Grade II listed building to create 24 residential units, demolition of all other structures and erection of 97 residential units, with associated cycle and car parking spaces, new vehicular access from Archery Road, associated landscaping and enabling works GRANTED 26 February 2014
HS/FA/15/00175	Conversion of Grade II listed building to create 24 residential units, demolition of all other structures and erection of 97 residential units, with associated cycle and car parking spaces, new vehicular access from Archery Road, associated landscaping and enabling works GRANTED 22 November July 2016
HS/FA/17/00439	Variation of condition (3): Approved plans of planning application HS/FA/15/00175 (conversion of Grade II Listed Building to provide 24 residential units, demolition of all other structures and provision of 97 residential units, with associated cycle and car parking spaces, new vehicular access from Archery Road, associated landscaping and enabling works) - to comprise minor material amendment for removal of underground voids and to amend the staircase and car park ventilation arrangements to the 2 apartment buildings at the northern end of the site. GRANTED 22 November 2017
HS/LB/18/00447	Internal and external alterations to facilitate conversion to form 12 residential dwelling units. Currently under consideration.

4. National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

Policy CI1- Infrastructure and Development Contributions

Policy CI3- Children's Play Provision

Policy H3- Provision of Affordable Housing

Policy FA2 - Strategic Policy for Central Area

Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way

Policy SC7 - Flood Risk

Policy EN1 - Built and Historic Environment

Hastings Local Plan – Development Management Plan (2015)

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

Policy DM5 - Ground Conditions

Policy DM6 - Pollution and Hazards

Policy HN1 - Development Affecting the Significance and Setting of Designated Heritage Assets (including Conservation Areas)

Policy MBL1 - Former Hastings College, Archery Road

Other Policies/Guidance

Sussex Air Quality and Emissions Mitigation Guidance 2013

National Planning Policy Framework (NPPF)

Paragraph 11 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay.

Paragraph 12 of the NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Three dimensions of sustainability given in paragraph 8 are to be sought jointly: economic (by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst paragraph 9 advises that plans and decisions need to take local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas.

Section 12 of the NPPF sets out the requirement for good design in development. Paragraph 124 states: "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Paragraph 127 of the NPPF requires that decisions should ensure developments:

- Function well;
- Add to the overall quality of the area for the lifetime of that development;
- Are visually attractive in terms of:
 - Layout
 - * Architecture
 - * Landscaping
- * Are sympathetic to local character/history whilst not preventing change or innovation;
- Maintain a strong sense of place having regard to:
 - Building types
 - * Materials
 - * Arrangement of streets
- * Optimise the potential of the site to accommodate an appropriate number and mix of

development;

- Create safe places with a high standard of amenity for future and existing users

Paragraph 130 states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way that it functions.

Paragraph 130 also seeks to ensure that the quality of an approved development is not materially diminished between permission and completion through changes to the permitted scheme.

Paragraph 190 states “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”

Paragraph 192 requires local authorities to take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - a. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - b. the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 200 states: “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

5. Consultations comments

Highways - **No Objection.**

Housing Officer - **No Objection.**

The new proposal has reduced the affordable housing to 28 homes and provides no assurances regarding the provision of affordable rent.

Hastings is an urban area with limited development opportunities and therefore it is crucial that large developments help meet local housing need. With growing levels of homelessness and over 1,500 households on the council’s housing register, it is imperative that the site provides a high proportion of affordable rent homes. Given the site is in an area with little social housing, its development provides an excellent opportunity to meet housing need and support the development of mixed, sustainable communities.

Conservation Officer - **No Objection** subject to conditions (conditions to be listed when provided).

Ecology Officer - **No Objection** subject to conditions numbers 8, 9, 10 and 11 .

Environmental Health - Noise - **No comments received.**

Southern Water - **No Objection.** Comments provided in response for HS/FA/17/00439 remain.

Natural England – **No comment to make.**

County Archaeologist - **No Objection** subject to conditions 21 and 22.

Historic England – **No comment to make.**

Environment Agency- **No response.**

Tree Officer- **No objection** subject to condition numbers 15 and 16.

6. Representations

11 no of representations received from 10 different properties, including the Burton St.Leonards Society.

10 letters of objection have been received raising the following concerns:

- c. Incorrect form of application as the amendments are substantial and a further full application should be made.
- Objecting to the reduction in affordable housing as there is no justification provided for this.
- Contrary to guidance contained within the Planning Improvement Implementation Plan

1 neutral comment letter has been received also questioning the use of a s73 (variation of condition) application stating a resubmission of a full s70 planning application should be made. And a listed building consent should be submitted.

7. Determining Issues

This is an application for amendments to the previously approved scheme redeveloping the Archery Road site, approved in 2016, subsequently amended by HS/FA/17/00439. The physical amendments involve the grade 2 listed buildings (Archery Villas) towards the southern end of the site only, but it is important to assess the impact on the character and appearance of the area as a whole, the effect on the significance and setting of the conservation area, and whether the amendments negatively affect the layout of the

development, its function and highways safety. The units in block K (the listed building) would be reduced from 24 units (flats) to 12 units (7 houses and 5 flats). The application would also see the percentage of affordable housing reduced to 25% and this will be assessed with regards to policy compliance with the Hastings Planning Strategy (PS) more specifically, policy H3. The reduction in affordable housing provision also means the development is now capable of providing other planning contributions covered by Hastings PS policy CI1 and CI3 which will also have an impact on the parking demand for the site covered by DMP policy DM3.

To summarise the recent planning history of this development, permission was initially granted for the development under HS/FA/13/00590 for 121 units with 21.5% affordable housing and contributions under a S106 agreement. A further application for the same development but with 56% affordable housing and no contributions was granted under HS/FA/15/00175. However, the registered housing provider no longer wants to accept that level of affordable units. As such, this application has been made reducing the affordable housing to 28 units. This represents 25% of the proposed housing and therefore is in line with Hastings PS policy H3 which seeks 25% affordable housing on brownfield sites. The application also reduces the number of units within the listed building (block K).

Main issues for consideration:-

- Consideration of the application as a s.73 consent
- Impact on the character and appearance of the conservation area and listed buildings
- Future residential amenities
- Parking provision
- Affordable housing and other contributions

National Planning Guidance in respect of s.73 Minor-Material Amendments

When planning permission is granted, development must take place in accordance with the permission and conditions attached to it, and with any associated legal agreements.

New issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are fundamental or substantial, a new planning application under section 70 of the Town and Country Planning Act 1990 will need to be submitted. Where less substantial changes are proposed, there are the following options for amending a proposal that has planning permission:

- Making a non-material amendment – this type of application would not be applicable here as the proposed changes, whilst not considered to be fundamental or substantial, are considered to be material.
- Amending the conditions attached to the planning permission, including seeking to make minor material amendments

There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a

section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied.

Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.

A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged.

As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission. If the original permission was subject to a planning obligation then this may need to be the subject of a deed of variation.

Section 73 cannot be used to make minor material amendments if there is no relevant condition in the permission listing the originally approved plans.

Applying government guidance regarding amending applications to this application

As noted above, of the two types of varying applications, the 'non-material' amendment is not applicable here because the proposed changes, whilst not considered to be fundamental or substantial, are considered to be material.

This therefore means that the only other way to amend an application using section 73 would be to apply for a minor material amendment. This type of amendment includes amendments to conditions. It does allow material changes to the application however these changes cannot be fundamental or substantial. The changes to the internal and external elevations could not be considered as fundamental or substantial. In terms of the affordable housing provision, this was secured through condition no. 34 and as such procedure only allows one means by which this condition can be changed, namely an application for variation of condition. The change is indeed material, but a material change does not prevent a s73 application being used, the question is whether that change is substantial or fundamental. The reduction of affordable houses on site would not be contrary to the relevant Hastings PS policy H3. That policy would require a provision of 28 number of affordable units. This application achieves that with a provision of 28 affordable, family sized units.

The application also proposes a change in the number of units accommodated in the listed building, to accommodate this, a number of minor internal and external alterations are proposed, as listed at section 2 of this report. No enlargement to the building is proposed, although this in itself would not necessarily indicate that a substantial material change is proposed either. The change represents a reduction from 24 to 12 units and this is not considered to be a substantial change relative to the whole quantum of development, 121 units to 109 units, a reduction of 9% of the overall number of units.

a) Principle

The principle of development has been established following the approval of the original application in 2016 which was assessed against the same Local Plan policies that are applicable to the assessment of this application. The site is allocated by policy MBL1 of the DMP. Policy LP1 of the Hastings Local Plan - Development Management Plan (2015),

paragraph 4.3 of the Hastings Local Plan – Planning Strategy (PS) (2014) and paragraph 11 of the NPPF set out a presumption in favour of sustainable development. The site is within a sustainable location with good access to public transport, shops, services and facilities and as such the development is considered acceptable in principle subject to other local plan policies.

b) Impact on character and appearance of Conservation Area and listed buildings

The external impacts proposed by the amendments are minor and the conservation officer considered them to be a positive change to the development, noting that, as less physical changes to Archery Villas (grade 2 listed buildings) will be required compared to the extant permission. This is mainly as a result of the reduction in the number of units being proposed and creation of more houses instead of flats within the listed buildings. This would further preserve the character and appearance of the conservation area and listed buildings.

Taking the above into account therefore, it is considered that the proposed amendments will enhance the listed building and significance and setting of the St Leonards West Conservation Area. Thus the development is considered to be in compliance with policy EN1 of the Hastings PS and policies HN1 & DM1 of the DMP 2015.

c) Impact on Neighbouring Residential Amenities

As stated above, the external alterations to Archery Villas are minor. The external alterations to the buildings which could have an impact on residential amenity are at ground floor level thus would have a limited impact on neighbouring residential amenities. The development would be in compliance with policy DM3 of the Hastings Development Management Plan (DMP).

d) Future Residential Amenities

The 12 proposed dwellings (7no. single family houses and 5 no. apartments) will provide room sizes, storage space and internal amenity space in compliance with Department of Communities and Local Government (DCLG) Technical housing standards – nationally described space standard (March 2015) and policy DM3 of the Hastings DMP.

The rear private gardens of the newly proposed houses will meet the external amenity space requirements of policy DM3. The acceptability of the apartments having limited or no private amenity space was established by the original grant of permission in 2016 and variation of condition application in 2017 respectively.

e) Ecology

As the alterations would be limited it is not considered they would have a materially different impact on ecology than the originally approved development. The original ecology and wildlife protection conditions have already been discharged and must still be complied with should permission be granted for this application. The development is considered to meet the requirements of policy EN3 of the Hastings PS.

f) Trees

The alterations would not be to foundations requiring additional excavation. As such there will be no additional impact on trees from the development, to that already granted planning permissions. Condition nos 16 and 17 are imposed to ensure trees are protected as agreed

in discharge of conditions application HS/CD/17/00164.

g) Air Quality, Emissions and Pollution

Having regard to guidance contained within 'Air Quality and Emission Mitigation' 2013 produced by Sussex Air Quality Partnership, the proposed development will not exceed statutory guidelines for airborne pollutants and Environmental Health Officers have no objection in this respect. No external lighting is proposed and residential amenities are not harmfully affected. The development will not give rise to ground or surface water pollutions and discharged conditions of consent HS/FA/15/00175 are still in place, approved details of which must be followed during development (which required details of surface and foul water drainage). The development is therefore in accordance with Policy DM6 of the Hastings Development Management Plan (2015).

h) Highway Safety and Parking Provision

ESCC Highways have made no objection to the parking provision on site following a reduction in unit numbers in block K. 163 spaces are provided and 157 are required by the ESCC parking calculator. Therefore, parking provision is in excess of ESCC Highway requirements. As such, the changes proposed by the application will not lead to a shortfall in parking provision or highways dangers. The application is in compliance with DMP policy D3

i) Environmental Impact Assessment

The National Planning Practice guidance (Paragraph: 017 Reference ID: 4-017-20170728) states that "Projects which are described in the first column of Schedule 2 but which do not exceed the relevant thresholds, or meet the criteria in the second column of the Schedule, or are not at least partly in a sensitive area, are not Schedule 2 development."

This development is not within a sensitive area as defined by Regulation 2 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and does not exceed the thresholds of schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

j) Screening of Application under Habitats Regulations 2017 - Impact of Development on Ashdown Forest Special Area Conservation (SAC)

The Council undertook an Air Quality Impact Assessment in 2018. The purpose of the assessment was to identify likely significant effects of planned housing and employment growth in Hastings Borough on the conservation objectives of Ashdown Forest Special Area of Conservation (SAC) from 2017 to 2033. The assessment took account of the traffic growth expected on roads within the vicinity of the Ashdown Forest SAC/Special Protection Area (SPA), not just arising from development within Hastings, but also, compliant with the requirement of the Conservation of Habitats and Species Regulations 2017, in combination with the anticipated growth arising from the development plans of other neighbouring authorities. The focus of the Assessment was on Ashdown Forest SAC and SPA.

It was not considered necessary to consider air quality implications of growth in Hastings Borough on the Pevensey Levels SAC and Ramsar site or the Lewes Downs SAC. In respect of Pevensey Levels SAC/Ramsar site the interest feature of this SAC (*Anisus vorticulus* - aka. a snail) is not affected by nitrogen from vehicle emissions. Lewes Downs SAC is too far removed to be affected. Nitrogen deposition from additional traffic beyond that modelled would have to be four times that currently expected from all traffic to exceed critical load at

this location.

The Council has modelled the expected growth in Hastings to 2033 including the Local Plan, existing planning permissions and the emerging Area Action Plan and demonstrated that development will not result in an adverse effect on the integrity of Ashdown Forest either alone or in combination with other plans or projects. As such the proposed development is considered to be within the allowances made within the strategic modelling and is not considered to harm the special conservation objectives of Ashdown Forest, Pevensey Levels or Lewes Downs Special Areas of Conservation.

k) Affordable Housing and other contributions

The application would see a reduction in the percentage of affordable homes provided on site by varying condition 34 of permission HS/FA/15/00175. This would equate to a reduction from 68 units (56%) to 28 (25%) units. This represents a loss of 40 affordable units. Although this is a reduction, the provision of 25% affordable units is in line with policy H3 which requires 25% on-site provision of affordable housing for a development of 15 or more dwellings, on a brownfield site. It is also in accordance with policy MBL1 which equally seeks 25% provision on site. Furthermore, this scheme would provide 2 more units than the 26 units (21.5% affordable housing provision) provided by HS/FA/13/00590. As such, whilst it is regrettable that the number of affordable units is to be reduced from application HS/FA/15/00175, there is no sound or reasonable policy reason to refuse permission solely on the grounds to vary condition 34 to reduce the on-site affordable housing provision to 25%.

The grant of permission HS/FA/15/00175 included no financial contributions.

The applicant has agreed to make financial contributions totalling £156,805.37 to:-

- Play space equipment at nearby play sites (£95,000)
- Public rights of way (£2,616)
- Libraries (£28,667)
- Local policing (£30,522.37)

This results in an increase of financial contributions of £156,805.37 from the last permission. The increase is made possible by the reduction in on site affordable housing. The applicant has sought to pay these contributions by means of a S106 agreement. As such the development complies with Hastings PS policies CI1 and CI3.

l) Archaeology

Condition nos 21 and 22 of HS/FA/17/00439 have already been fully and partially discharged (approved), respectively by HS/CD/17/00164. Condition (nos 21 and 22) have been included which are duplicates of the conditions on HS/FA/17/00439 which ensure the approved details of the conditions are complied with. Condition 22 requires further details to be approved once the development is complete, via an application for discharge of condition.

8. Local Finance Considerations

Hastings Borough Council and East Sussex County Council would receive payments towards

policing, play equipment and maintenance for nearby play sites, library facilities and public rights of way maintenance should the application be recommended for approval subject to a S106 agreement and agreed after the planning committee. These contributions are material to the recommendation of the application.

The development would also be subject to the New Homes Bonus scheme. Under the scheme the Government matches the council tax raised from new homes for the first six years. The Council then works with the community to decide how to spend the extra funding. Although a clear incentive to promoting development, this payment is not considered material to the application.

9. Conclusion

The variation of conditions 3 (drawing numbers) and 34 (affordable housing contribution) HS/FA/15/00175 are considered to be minor material amendments; that would be in compliance with Hastings Planning Strategy and Development Management Plan policies and relevant National Planning Policy. The development would deliver 25% affordable housing on site, financial contributions towards nearby play sites, policing, public rights of way and libraries. In addition, the alterations to Archery Villas (block K) would reduce the number of housing units from 24 to 12 (offering larger family sized houses and flats) which is considered to be an enhancement of the existing listed building and surrounding conservation area.

These proposals comply with the Development Plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

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

10. Recommendation

A) That the Development 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 towards libraries (£28,667) and local public right of way improvements (£2616);
- a financial contribution towards local policing (£30,522.37
- a financial contribution towards improving and upgrading local play facilities (£95,000);

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 by 15th February 2019 that permission be refused on the grounds that the application does not comply with the relevant policies (policies H3, C11 and C13) 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.

B) Subject to the above:

Grant Full Planning Permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from 22 November 2016.
2. 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.

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

554/001 P2, 554/002 P3, 554/004 P9, 554/005 P9, 554/006 P9, 554/009 P7, 554/009 P9, 554/012 P6, 554/014 P2, 554/501 P1, 554/502 P3, 554/503 P2, 554/504 P3, 554/505 P2, 554/506 P2, 554/507 P2, 554/508 P3, 554/509 P1, 554/510 P2, 554/511 P2, 554/512 P2, 554/513 P3, 554/514 P2, 554/515 P1, 554/516 P2, 554/517 P1, 554/518 P1, 554/519 P2, 554/520 P2, 554/521 P3, 554/522 P2, 554/523 P2, 554/524 P3, 554/203 P1, 554/204 P1, 554/205 P1, 554/206 P1, 554/207 P1, 554/208 P1, 554/209 P1, 554/210 P1, 554/211 P1, 554/212 P1, 554/213 P1, 554/214 P1, 554/215 P1, 554/216 P2, 554/217 P1, 554/218 P2, 554/221 P1, 554/222 P1, 554/225 P1, 554/226 P3, 554/227 P1, 554/228 P1, 554/229 P2, 554/230 P3, 554/231 P1, 554/232 P5, 554/233 P1, 554/234 P1, 554/235 P1, 554/240 P1 together with all submitted documentation relating to the contents of these plans.

4. The development shall be carried out in accordance with the approved details of brick approved by HS/CD/17/00164.

No further work shall take place regarding the external elevations of all visible external elevations and boundary walls until sample boards, measuring 1.5m x 1.5m of all materials to be used on all visible external elevations and boundary walls of the new development shall be submitted to and approved in writing by the Local Planning Authority. Where relating to brick and stone sample panels, such details shall show the bond pattern and mortar pointing. The development shall be carried out in accordance with the approved details.

5. Notwithstanding the details shown on the submitted plans and having regard to Condition 4, the sample panels in respect of the brick elevations to Blocks A and B shall include details of the brick bond, window dressings and string courses formed either by brick or stone to match copings.
6. Development shall be undertaken in accordance with the details of the bridge from the northern end of the site to the podium, approved under

planning reference HS/CD/17/00448. These included elevations and sections showing details of the construction of the walkway, balusters and balustrades, privacy screens and supports including samples of materials and details of finishes.

7. No development shall take place until the following details under criteria 7i, j, m, and p listed below have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Development in relation to criteria 7 a, b, c, d, e, f, g, h, k, l, n, o, q, r shall be undertaken in accordance with the details approved under HS/CD/17/00448 and HS/CD/17/00662 as relevant, and shall be maintained thereafter in accordance with those approved details.

- windows and door type variations for the proposed new development (including bin stores and garage doors), to include the manufacturers details, size, appearance, materials and finishes proposed, without trickle vents or detailing concealed trickle vents plus 1:10 elevation drawings and 1:2 or full size horizontal and vertical cross-sections through each type;
 - a. roof profiles, colour and finish, plus details of the abutment to the main roof slopes, 1:10 plans and 1:2 or full size section details to be provided.
 - b. roof mounted plant, to include details of all solar panels and photo voltaic installations proposed on visible roof slopes. Details to include information on the size and proposed location of the array, the size of each panel, its appearance, materials, finish, plus full details of any supporting framework required.
 - c. dormers (Block K) and other roof extensions, to include 1:10 front, side and roof elevations, plus 1:2 or full size horizontal and vertical cross-sections.
 - d. rainwater goods, to include proposed locations, sizes profiles, material and finishes.
 - e. visible external flues and extract vents, to include proposed locations, sizes, appearance, materials and finishes.
 - f. louvered panels including the profile, size, materials and finish, 1:10 elevation details and 1:2 or full size horizontal and vertical sections to be provided.
 - g. balconies on the new buildings, to include full details of the frameless glazing (glass type/colour/reflective qualities), any top rail or vertical support, fixings for the railing and the proposed materials, profile and finishes to all balcony floors. Details to be provided as 1:10 elevations and 1:2 or full size sections.

- h. in respect of Block K full details of all new and replacement windows and external doors. Elevations shall be provided for each item at a scale of 1:10, with full size or 1:2 scale horizontal and vertical sections. Full details of all proposed door and window furniture should also be provided. Window details shall include sections through cills, heads, frames, meeting rails and opening lights, glazing bars and mullions. Doors shall include sections through fanlights, top rails, mid rail, bottom rail, panel details and frame. All new doors and windows on the listed buildings shall match an existing original example profile as agreed with the local planning authority.
- i. in respect of Block K only, full constructional details of the proposed new rear elevation canopy and balcony, to include 1:20 elevations and roof plan, plus full size or 1:2 scale cross-sections through the canopy, and details of the materials, finishes and proposed fixing to the building. Detailed drawings shall show elevations and sections through the canopy profile, canopy ribs/supports, the railing profile and the balcony construction.
- j. in respect of Block K full constructional details of the new rear staircase atrium. To include the proposed fixing in to the original fabric of the listed buildings, plus elevations and roof plans at 1:20 and 1:2 or full size sections through the new construction (to include profiles through the proposed brise soleil, steps and handrails), and a full palette of materials to be used in the construction (roof, walls, floors and staircase).
- k. in respect of Block K full details of proposals for the area below the retained Victorian infill, to the rear of the main entrance area, at basement level. Details shall be provided of all structural proposals, making good works and of any new doors, windows or other new construction proposed.
- l. in respect of Block K full details of the proposed new front wall railings and gates to include the siting, size, appearance, materials and finishes and the proposed method of fixing. Details shall include 1:10 elevation drawings and 1:2 or full size cross-sections through the top rail, baluster profile, queen post profile, rear support bracket profile and a full size detail of all proposed finial types.
- m. in respect of Block K full details of the new porticos to be reinstated to the front elevation of the terrace. To include 1:10 front, side and roof elevations and sections, plus 1:2 or full size sections through the render mouldings. Full details shall also be provided of all the materials and finishes proposed.
- n. in respect of Block K full details of the new external staircase to the front area to Apt. 1, to include elevation and plan drawings at 1:10 and the step profile and handrail profile at 1:2 or full size, plus details of materials and finishes proposed;

o. in respect of Block K full details of any proposed new hanging lanterns to the front elevation of the terrace. To include 1:10 elevations and sections, plus details of their fixing to the building and the materials and finishes for the lanterns.

p. a methodology statement to be submitted and approved in writing by the local planning authority for the refurbishment of the existing lanterns which are to be rehung in a location to be agreed with the local planning authority. The methodology to include repairs to cast iron lantern and associated brackets, details of proposed replacement glass, fixing details into the masonry substrate and details of the luminaire to be inserted;

(i) existing hanging lanterns to be carefully recorded by way of drawings which will form the template of the proposed and the details are to be submitted in the form of 1:10 plans, elevations and sections, plus details of their fixing to the building and materials and finishes.

(ii) the locations of the new hanging lanterns to be agreed with the local planning authority.

(iii) in respect of Block K full details of the proposals in relation to the area of original party/garden wall that is to be retained to the rear garden area of the listed buildings. These are to include a methodology statement for the following:

q. Any areas of existing wall to be taken down;

(i) Reconstruction of wall including full specification for the works;

(ii) Specification for reconsolidation of existing parts of the wall to be retained. The methodology statement should include all means of temporary supports to facilitate the works and be accompanied by a detailed drawing showing the extent of each element of works. Should new materials be required, a sample panel showing the proposed materials, width of mortar joint and finish of joint be constructed on site for approval and thereafter maintained on site until completion of the works.

(iii) in respect of Block K full details of all new surface treatments to yard and garden areas, where immediately abutting the listed buildings

8. Development shall be undertaken in accordance with the details approved under HS/CD/17/00164 in relation to the measures outlined in the submitted ecological statements and reports Updated Extended Phase 1 Habitat Survey, Updated Badger Survey and Bat Survey, by PJC Ecology, dated March 2013, unless:

r. 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;

- (i) 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.

9. Development should be undertaken in accordance with the details approved under HS/CD/17/00164 in relation to the Wildlife Protection Plan for Construction. The plan includes:

- (ii) An appropriate scale plan showing 'wildlife protection zones' where all construction activities are restricted and where protective measures will be installed or implemented.

- (i) Details of wildlife features of importance such as ancient woodland, Sites of Nature Conservation Importance and protected species.

- (ii) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction. These to include measures such as the covering of trenches and manholes, during construction; the safeguarding of badgers setts, runs and foraging area, especially relating to the throughput of construction and other vehicular traffic, timing of operational activities; the erection of protective fencing at agreed distances from sensitive habitats and wildlife areas.

- (iii) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed, such as the bird nesting season and other wildlife breeding seasons.

- (iv) Persons responsible for:

- (v) Compliance with legal consents relating to nature conservation;

- (a) Compliance with planning conditions relating to nature conservation;

- (b) Installation of physical protection measures during construction;

- (c) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;

- (d) Provision of training and information about the importance of 'wildlife protection zones' to all personnel on site.

- (e) Species monitoring in accordance with condition 19 below. This list to be updated whenever necessary to keep the contact list current.

All construction activities shall be implemented in accordance with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

10. No development shall take place until fencing and warning signs have been erected in accordance with the approved 'Wildlife Protection Plan for Construction' submitted and discharged in accordance with condition 9. All fencing and warning signs will be maintained in accordance with the plan, unless otherwise approved in writing by the Local Planning Authority.

11. A scheme of surveying and monitoring all important and protected species found on site to show the effects of the scheme during construction and for a period of ten years after the last house has been occupied must be submitted in accordance with the details approved under HS/CD/17/00164. The scheme includes:
 - (f) A clear statement of the proposed aims and objectives of monitoring;
 - i) Details and justification for selection of baseline data and any changes or thresholds that, if occurring or reached, will trigger detailed remedial measures;
 - ii) Details of positive conservation targets along with any associated performance standards or success criteria that will indicate that targets have been reached;
 - iii) Details of the important and protected species and their places of shelter such as sett, hibernation sites, that are to be monitored;
 - iv) Methods for sampling and analysing, including the timetable and location for field survey;
 - v) Details of any legally required licences obtained from statutory agencies for the duration of the period of the construction and any changes to those licences which may be necessary during and post construction;
 - vi) Submission of a report on the monitoring to the local planning authority at intervals to be agreed after the commencement of construction works, or as otherwise approved in writing by the local planning authority, including a report on actual or anticipated changes in communities or populations, the reasons for the changes and any remedial measures considered to be necessary to modify the changes;
 - vii) Procedures to be put in place to enable the monitoring reports to be considered by the local planning authority in consultation with the developer. Should the local planning authority consider that remedial measures are necessary as a result of considering the monitoring report and any consultation responses under the above clause they shall give written notice to the developers. Within one month of receiving such written notice from the local planning authority the developers shall submit a scheme of remedial measures which shall include (but should not be limited to) the further mitigation and/or changes to any approved mitigation schemes and /or changes to working practices and programme of implementation for the approval of the local planning authority. The approved remedial measures shall

be implemented in accordance with the approved scheme and programme unless otherwise approved in writing by the local planning authority.

12. The hard landscape works shall be carried out as approved by HS/CD/17/00662. These details 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.
13. All hard landscape works shall be carried out in accordance with the details approved by HS/CD/17/00662. 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.
14. All boundary fences, walls and enclosures shall be erected in compliance with approved details in HS/CD/17/00662. All such boundary fences, walls and enclosures shall be erected before the building to which they relate are occupied.
15. Development shall be undertaken in accordance with the scheme of soft landscaping approved under reference HS/CD/17/00164, which includes 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.

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.

16. Temporary protective fences to safeguard the trees and/or hedges to be retained on the site shall be erected in accordance with details approved under HS/CD/17/00164 and the current BSI 5837 standards. All such fences shall be kept in a sound, upright and complete condition until the

development has been completed and/or the Local Planning Authority confirm in writing that the works have been sufficiently completed for the fencing to be removed.

17. Demolition and development on site shall be undertaken in accordance with the Construction Management Plan approved under HS/CD/17/00448. This sets out mitigation measures to protect against disruption caused during demolition and construction and Includes:
 - viii) Parking for vehicles of site personnel, operatives and visitors;
 - a) loading and unloading of plant and materials;
 - b) storage of plant and materials
 - c) programme of works (including measures for traffic management)
 - d) Proposed methods of excavation, demolition, piling and all other construction associated with the development;
 - e) Noise and vibration monitoring arrangements for any piling that may be undertaken;
 - f) Methods of controlling dust emissions from the site
 - g) Details of wheel washing facilities and equipment to be provided during periods of demolition, excavations, earthworks and construction to be provided within the site to prevent the carrying and deposition of mud, dust or other debris on their wheels and to prevent contamination and damage to adjacent roads.
18. Demolition and commencement of development shall be undertaken in accordance with the measures in the approved Traffic Management Scheme (HS/FA/17/00662).
19.
 - (i) Detailed site investigation for the presence of contaminants, methane and carbon dioxide in soil shall be undertaken in accordance with the details approved under HS/CD/17/00662 prior to the commencement of construction works on site. Such investigation and assessment should be carried out by suitably qualified personnel in accordance with current Government, Environment Agency and British Standard Guidance. Should any significant risks be identified by such an investigation, a remediation scheme including suitable monitoring and verification methodologies shall be agreed in writing by the Local Planning Authority.
 - (ii) The remediation scheme, as agreed by the Local Planning Authority, shall be fully implemented before the development is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. The remediation scheme is to include considerations and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully

assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval. On completion of the works the developer shall provide written confirmation that all works were completed in accordance with the agreed details.

20. The new estate roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to their subsequent adoption as publicly maintained highway.
21. No development shall take place within the application site until the applicant or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with the written scheme of investigation approved under HS/CD/17/00164.
22. The development shall take place in accordance with the on-site watching brief approved by HS/CD/17/00164. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller excavation, then construction work shall cease until the applicant has secured the implementation of a programme of archaeological work in accordance with a revised written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
23. There shall be no obstruction to visibility in either direction onto Archery Road within splays of 2.4 X 43 metres at the junction with the access roads into the development
24. The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of vehicles.
25. Construction of the development shall be undertaken in accordance with details of the proposed means of foul sewerage and surface water disposal/management approved under reference HS/CD/17/00164.
26. Development shall be carried out in accordance with the details approved under condition 25 and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed.
27. 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.
28. No dwelling hereby approved shall be occupied until readily accessible

storage space for refuse bins awaiting collection have been provided to the satisfaction of the Local Planning Authority.

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby approved shall be kept available for the parking of motor vehicles at all times.
30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-G shall take place on the dwellinghouses hereby permitted or within their curtilage.
31. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no television, radio aerial, satellite dish or other form of antenna shall be affixed on the exterior of any building forming part of the development hereby permitted.
32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the flank elevations of Blocks C, D, F, G, H, L, M of the development hereby permitted.
33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed forward of the principal wall of the dwellings forming Blocks C and F.
34. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

(i) the numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 25% of housing units which equates to 28 housing units.

(ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing. The phasing of occupancy within the scheme for the provision of affordable housing shall include a requirement that no more than 50% occupancy of the market housing shall be allowed until 100% of the affordable housing units have been constructed.

(iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);

(iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

(v) a signed nomination agreement setting out the Council's rights to nominate from its housing register (or another list that the Council is required to keep for the discharge of its housing responsibilities) a new tenant or tenants in respect of three of every four Dwellings which become true voids.

(vi) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

(vii) details of the notice given to the Council when a vacancy of an affordable unit becomes available and when a vacancy has been filled.

(viii) details of liability connected with the exercise of Nomination Rights, which shall require that the loss of rent, Service Charge, for any legal or other costs or fees or any other expenses incurred by the Housing Association arising from the exercise of the Nomination Rights shall remain with, be covered by and be the responsibility of the Housing Association.

Reasons:

1. This Condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To safeguard the amenity of adjoining and future residents. (Hastings Local Plan 2004 Policies DG1 and DG3).
3. For the avoidance of doubt and in the interests of proper planning.
4. In the interests of the character and amenity of the St. Leonards West Conservation Area.
5. In the interests of the character and amenity of the St. Leonards West Conservation Area.

6. To ensure a satisfactory form of development and in the interests of the character and amenity of the St. Leonards West Conservation Area.
7. In the interests of the character and amenity of the St. Leonards West Conservation Area.
8. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 Policies NC8 and NC9.)
9. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9.)
10. To protect features of recognised nature conservation importance. (Hastings Local Plan 2004 policies NC8 and NC9.)
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12. In the interests of the character and amenity of the St. Leonards West Conservation Area.
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16. In the interest of the character and amenity of the St. Leonards West Conservation Area.
17. In the interest of the character and amenity of the St. Leonards West Conservation Area.
18. In the interests of the amenity of the neighbouring residential occupiers. (Hastings Local Plan 2004 Policy DG1).
19. In the interests of highway safety and for the benefit and convenience of the public at large.
20. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.
21. In the interest of public safety.
22. In view of the position of the site in an area of archaeological interest. In accordance with the aims of Policy C6 in the Hastings Local Plan 2004.
23. In view of the position of the site in an area of archaeological interest. In accordance with the aims of Policy C6 in the Hastings Local Plan 2004.

24. To ensure that an acceptable standard of access is provided in the interests of pedestrians safety.
25. To prevent flooding
26. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
27. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
28. To ensure the deliver of sustainable development in accordance with the interests of the NPPF and emerging Policy EC4 of the Development Managing Plan.
29. To ensure the deliver of sustainable development in accordance with the interests of the NPPF and emerging Policy EC4 of the Development Managing Plan.
30. To ensure the deliver of sustainable development in accordance with the interests of the NPPF and emerging Policy EC4 of the Development Managing Plan.
31. In the interests of the character and amenity of the St. Leonards West Conservation Area.
32. In the interests of the character and amenity of the St. Leonards West Conservation Area.
33. In the interest of the character and amenity of the St. Leonards West Conservation Area.
34. To ensure that the proposal provides an appropriate level of affordable housing provision within the development and to meet the requirements of Policies H3 and CI1 of the Hastings Planning Strategy Local Plan (2014).

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. There may be badgers on the site and your attention is drawn to the provisions of the Badger Protection Act 1992. It is a criminal offence to kill or injure a badger; to damage or obstruct access to its sett; or to disturb a badger when it is occupying a sett.
4. This permission is the subject of a legal agreement, agreed by application

HS/FA/15/00175 as per the agreed deed for variation and a new legal agreement as part of of this consent under S106 of the Town and Country Planning Act 1990 (as amended).

5. It will be necessary to enter into a Section 38 Agreement for the adoption of the roads before works commence.
6. Due to the nature of the highway in the vicinity of the site, construction traffic could damage the carriageway/verges. The highway authority will require the applicant to reimburse their legitimate expenses in making good any such damage. Prior to the commencement of development the applicant should contact East Sussex highways 0345 60 80 193 to arrange a photographic survey and joint inspection of the local highway network.
7. The developer should enter into a formal agreement with southern Water to provide necessary sewerage infrastructure required to service this development. Please contact Atkins Ltd, Anglo st James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688) or www.southernwater.co.uk
8. A formal application to requisition water infrastructure is required in order to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688) or www.southernwater.co.uk
9. Consideration should be given to the provision of domestic sprinkler systems within the properties.
10. The applicant is advised that the UPVC windows within the development shall be of a slim line form that responds positively to the character and appearance of the conservation area.
11. The applicant is reminded of their obligations in respect of the Combined Geotechnical and Ground Contamination Risk Assessment (Ashdown Site Investigation Limited, October 2015) and the identified measures in relation to land stability in undertaking these works.
12. Conditions imposed on permissions HS/FA/15/00175 and HS/FA/17/00439 must still be complied with during and after development.

Officer to Contact

Mr R Temple, Telephone 01424 783254

Background Papers

Application No: HS/FA/18/00291 including all letters and documents