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PLANNING

10 OCTOBER 2018

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

Apologies for absence were notes for Councillor Cox

71. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Cox.

72. DECLARATIONS OF INTEREST

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

Councillor	Minute	Interest
Beaver and Scott	5a – Astec House, 10-12 Sedlescombe Road South, St. Leonards on Sea	Personal Interest – Member of East Sussex County Council.
Beaver & Scott	5c – Land to the rear of 419 to 447 Bexhill Road, St. Leonards on Sea	Personal Interest – Member of East Sussex County Council.
Beaver	5c – Land to the rear of 419 to 447 Bexhill Road, St. Leonards on Sea	Personal Interest – Has attended a meeting of residents but did not give an opinion and maintains an open mind.
Beaver	6c – Site of former Hastings College of Arts and Technology, Archery Road, St. Leonards on Sea	Personal Interest – Attended a meeting, but did not give an opinion, only factual information.
Bishop	All applications	Personal Interest - Employer is the Environment Agency but she had no involvement with any of the applications.
O'Callaghan	5b – The Stade Family Amusement Park, The Stade, Hastings	Prejudicial Interest – Son has recently left employment at the Stade.

73. MINUTES OF PREVIOUS MEETING HELD ON 12 SEPTEMBER 2018

RESOLVED – that the minutes of the meeting held on 12 September 2018 be approved and signed by the Chair as a true record.

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74. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

75. PLANNING APPLICATIONS ATTRACTING A PETITION

75.1 **Astec House, 10-12 Sedlescombe Road South, St. Leonards on Sea**

Proposal:	Redevelopment to provide a mixed scheme comprising 290 sq m of business floor space and 12 x two bed and 1 x three bed apartments together with associated parking.
Application No:	HS/FA/18/00028
Conservation Area:	No
Listed Building	No
Public Consultation	42 letters of objection received and 1 petition of objection received.

The Principal Planning Officer, Mr Temple, introduced this planning application for the redevelopment to provide a mixed scheme comprising 290 sq m of business floor space and 12 x two bed and 1 x three bed apartments together with associated parking at Astec House, 10-12 Sedlescombe Road South, St. Leonards on Sea.

Members were informed of an update to the report:-

One additional letter of objection from an existing objector/lead petitioner.

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

Mr Adamson, petitioner, was present, he said he lived in the area for 31 years and was speaking on behalf of the residents. He raised concern regarding the height and appearance of the building and parking, stating that unauthorised parking was likely to increase. He said the scale and mass of the building is completely inappropriate and far too large; it is out of scale and out of character for the area and will impact on the privacy of the surrounding properties. The building will block out sunlight which is important to visiting patients of the neighbouring doctor's surgery. He read a letter from the owner of the neighbouring GP surgery raising concern regarding daylight; size and scale, design and drainage. Mr Adamson, said the development will cast a dark shadow over Silverhill both literally and physically.

Mike Pickup, agent on behalf of the applicant, spoke in support of the application. He said the Highways Authority were satisfied that the amount of car parking, widening and additional tactile paving at the entrance of Ponswood Road is acceptable. Furthermore, he said, the committee report confirmed that the costs associated with the proposed re-development scheme would not be viable to include affordable housing. He said the committee report refers to the potential for overlooking / loss of

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outlook, however they conclude there would be no such harm and this would not amount to a sustainable reason for refusal. He said the applicant has been given no opportunity to put in any amended proposals relating to the officer's concerns regarding building design and composition of the single storey bike store at the front of the site. He said the four storey building will be in keeping with the majority of other buildings with the exception of the adjoining surgery building which is not an appropriate bench mark. The penthouse forming the 5th storey, will be set back from main frontage line of the building, therefore its overall height will not appear significantly different to other buildings given angle of view from street level. The building will have modern technology: solar panel, water efficiency measures and much improved floor space. The office floor space has been occupied by Astec Computing since 1995, the company has expanded and the building is no longer practical for modern office day use. Given the almost Art deco design of the existing building, the committee report suggestion that the replacement building should include curved elements, will not reflect the character or character of other buildings in the vicinity. He said the proposed office accommodation on the ground floor, will be painted with light painted render, in contrast to the other three floors above, which are to be painted in grey render, making it a striking addition to street scene. The penthouse at the top floor level will be covered in zinc cladding. For these reasons, he said the applicant should be granted planning permission.

The Principal Planning Officer, Mr Temple, explained that Highways had not raised any objection on highway grounds because enough parking spaces had been proposed for cars / bicycles and the access was considered to be an improvement to the existing. Regarding the doctors surgery, he said non-residential buildings have less protection and therefore they were unable to raise an objection on the impact to the doctors surgery. He said he was surprised the doctors had not seen the yellow site notice. The drainage issue he said would be addressed by condition. Regarding maximising profit, he said they had a viability assessment submitted by Mr Pickup and were independently assured that the development would not make a profit, hence they did not ask for contributions or affordable housing. Regarding Mr Pickup's presentation, he said his comments on viability; residential amenity are not reasons for refusal, and that his reason for refusal had been based on scale; mass, layout, design and the blank wall sections facing Ponswood Road. Regarding negotiations, he said they provided an opportunity for the applicant to withdraw the application and no pre-application advice was carried out before the application was submitted. He confirmed the application is in Wishing tree Ward (not Silverhill). He said the policy referred to by Mr Pickup does not apply to the western area, but they would still have regard to it. He said it had not been demonstrated how the current building can be sufficiently upgraded to be used.

Having regard to the scheme, the Planning Services Manager said that the proposal must not be out of keeping or harmful to the area, and confirmed that their recommendation for refusal had been based on scale, mass, length and design.

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

RESOLVED – (Unanimously) that the Planning Permission be refused for the following reasons:

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1. The development by reason of its scale, mass layout and design and blank wall sections facing Ponswood Road would result in harm to the character and appearance of the area and not achieve an active or attractive frontage to Ponswood Road and fail to take opportunities to improve the character and appearance of the area contrary to Hastings Development Management Plan policy DM1, section 2 of the Homes and Communities Document Urban Design Lessons: Housing Layout and Neighbourhood Quality (2014) guidance, paragraphs 127 and 130 of the National Planning Policy Framework, "Consider Layout" Paragraph: 024 Reference ID: 26-024-20140306, "Consider Scale" Paragraph: 026 Reference ID: 26-026-20140306 and "Housing Design Issues" Paragraph: 040 Reference ID: 26-040-20140306.
2. The position of bicycle and bin stores would appear overly dominant and harmful in the street scene having regard to their prominent position relative to the building and established building line contrary to Hastings Development Management Plan policy DM1, section 2 of the Homes and Communities Document Urban Design Lessons: Housing Layout and Neighbourhood Quality (2014) guidance, paragraphs 127 and 130 of the National Planning Policy Framework, "Consider Layout" Paragraph: 024 Reference ID: 26-024-20140306, "Consider Scale" Paragraph: 026 Reference ID: 26-026-20140306 and "Housing Design Issues" Paragraph: 040 Reference ID: 26-040-20140306.

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.
- 75.2 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 and enlargement of amusement park to incorporate land where current footpath is located. Proposed new boathouse and jetty (amended description).

Application No: HS/FA/17/01056

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Conservation Area:	Yes - Old Town
Listed Building	No
Public Consultation	25 letters of objection received; 1 petition of objection received and 1 letter of support 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. Increase amusement ride area. 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 after the application has been resubmitted and the publicity period has expired, because the application form had not been filled in correctly by the applicant. This was proposed by Councillor Beaver and seconded by Councillor Scott.

RESOLVED – (Unanimously) that consideration of the application be deferred to amend the application form and for the application to be considered at the next available Planning Committee meeting once the relevant publicity period has expired.

75.3 Land to the rear of 419 to 447 Bexhill Road, St. Leonards on Sea

Proposal:	Outline application,(seeking approval of Access), for the reconfiguration of the car park and erection of 16 residential units and means of access.
Application No:	HS/OA/17/01071
Conservation Area:	No
Listed Building	No
Public Consultation	11 letters of objection received and 1 petition of objection received.

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The Principal Planning Officer, Mr Temple introduced this application (seeking approval of access only all other matters reserved) for the reconfiguration of the car park and erection of up to 16 residential units and means of access at land to the rear of 419 to 447 Bexhill Road, St. Leonards on Sea.

Members were informed of several updates to the report:-

- Amended drainage layout received- 0000 Rev.D to be added as drawing as part of decision
- Additional Southern Water comments- no objection

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

Rebecca Bryan, petitioner, was present, she said the petition had been signed by 100 people against the application. The area, she said, is subject to flooding x 3 times a year, the water floods a large amount of the land and runs into the neighbouring gardens. Three years ago sewage flooded the land which had to be dug up and pumped out. The proposed new houses would be right next to the site and there would be no land left to drain it way. She said she spoke to Southern water who confirmed flooding could happen again at any time. After speaking to Monson who wrote the flood report, she said they had confirmed that they had not visited the site or area and did not know about the flooding issues and had said when flooding happens in the future it is likely to go across the railway and onto the beach. She said they had worked off an aerial view map and did not know about the height of the ground. She said it is the sloping ground that allows the water to flow away from houses to protect them. If the ground is not raised the houses will be at risk and if the ground is raised the new houses will be at risk. There is no evidence to show the soakaway will work. She said there are already many problems in area, the drains are constantly blocked; power cuts are becoming more frequent and the houses are liable to subsidence. The development will create additional traffic and noise and will take away a much needed car parking near the area. It is a wildlife site, with many trees and species. She said the proposed development will put the area at a higher risk of flooding.

The applicant had been invited to attend, but was not present.

The Principal Planning Officer, Mr Temple, said drainage will be improved in terms of the foul water on site and the surface water will be pumped away. With a site that has flooding problems, he said they would be looking to improve the flooding problems for the benefit of the wider area as well as the current site. The petitioner may have spoken to Southern Water, but they have not raised an objection. He said he would be very surprised if Munson had not carried out a site visit and confirmed he had not received any objection from the Environment Agency on flooding grounds, or ESCC on surface water drainage and sustainable drainage. Southern Water had suggested conditions which deal with ground contamination and potential flooding which will be dealt with under reserved matters, should this application be approved. He said the site is not allocated for development, although the Council is under pressure to supply more homes, this is a windfall site and brownfield site and has been previously used. Highways, he said, had not objected and neither had the Ecologist. The Ecologist had recommended conditions for wildlife protection. He said this application will not be out of character with the existing residential area.

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The Planning Services Manager referred to Condition 11(j) of the officer's report, she said if the application is approved and details submitted, they will consult with the various bodies to find out what their views are and if they find issue then the development will not go ahead.

Councillors discussed the application in detail.

Councillor Beaver proposed a motion against the officer's recommendation to refuse the application. This was seconded by Councillor Edwards.

RESOLVED – by (5 votes for, 3 against and 1 abstention) that Planning Permission be refused for the following reason:

The proposed development would exacerbate drainage and flooding issues both on and adjacent to the site and therefore the development is contrary to Policy SC7 of the Hastings Planning Strategy Local Plan (2014) and paragraphs 155, 158 and 160 of the National Planning Policy Framework.

75.4 Land at Church Street, Hastings

Proposal:	Development of site to provide a terrace of 4 dwellings and 2 detached dwelling.
Application No:	HS/FA/18/00110
Conservation Area:	No
Listed Building	No
Public Consultation	7 letters of objection received; 1 petition of objection received and 1 letter of support received.

The Senior Planning Officer, Mrs Meppem, presented this application for Development of site to provide a terrace of 4 dwellings and 2 detached dwelling at Land at Church Street, Hastings.

Members were informed of several updates to the report:-

- A further consultation response received from Southern Water. Their comments have not changed.
- One further objection letter received

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

Don Wise, petitioner, was present, he said he agreed with the recommendation to refuse the application. He said neither the applicant, Council or HMLR have provided a formulated plan or evidence upon reasonable request in more than 40 days to substantiate ownership claims made in this application effected by lease area of land. He referred to correspondence reference: HS/FA/18/00110EME it is

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written 'please note that in accordance with the Councils planning protocol no documents for the committee will be accepted less than 3 working days before meeting. Documents not previously submitted will not be allowed to be circulated at the meeting'. He said that as no formulated evidence has therefore been presented in respect of this application and ownership of land. During the term of this serving of public consultation of planning has been expressed, then this application would not seem to meet the criteria of an application to be heard by the Planning Committee.

Martin Hull, of Kember Loudon Williams Ltd; applicant, spoke in support of the application. He referred to the points raised in the committee report summary: With regard to Human Rights, housing is a human right and here housing is critically needed. He said the site is on the footprint of the former terrace that was Church Street which was demolished in the 1970's. It is an L shaped building, which gives light and /shade to south. On the north side there are a series of car ports for every building which allows light to come through the large windows. The planting will be replaced with four habitat sites: woodland; hedge, 200m of native hedging and damp woodland floor type which is in rain gardens and domestic gardens. He said the ecology value of the vegetation is low and that one third of the street area is planted (888msq). Each garden is over 50sqm which is an accepted national standard (the 10m standard in the local plan relates particularly to 21m separation on buildings from the living room to the eaves of the building in Speckled Wood, which is just over 21m). In terms of drainage, he said the paved area has been minimised by efficient layout and porous paved areas. Some of the paved area has been reduced by replacing cars in carports underneath each of the dwellings which means they can be easily retro fitted for electric cars. He said the rain gardens have been designed along the frontage of the terrace. Rain gardens aren't just for tenation into the ground they are for slowing up flow of water going into the drains and Southern water have not provide an objection, but have said it can be conditioned. There is a badger set at one end of street where there is a turning T. An armoured tunnel has been put in, however, the badgers are more likely to exit by front which is why that area has been left open and they are using the south side of the wall through Speckled Wood. The NPPF refers to high quality building, this development uses lifetime homes as a checklist for features so they are of quality and have light airy rooms.

Councillor Charman said she had noted that on the public website the map showed 5 units and the officers report referred to 6 units. The Planning Services Manager confirmed the report was incorrect and should refer to 6 units.

Councillor Charman, Ward Councillor for Tressell, spoke in support of the recommendation to refuse the application, she said it is important that the site is developed because it is in the Local Plan. She said she wanted to see something complementary which fits in well with Clifton Road; the woodland entry and protects the badgers and is maintained. She said they have enough unadopted Roads in Tressell Ward. The County Council will not adopt a highway if there is not a footway included. A footway is important when you consider the amount of dogs, bikes, families etc that will be using Speckled Wood. Furthermore, double lines are not enforceable and there will be no maintenance and no lights. Car ports, she said, may be used for storage and not vehicles which will further congest the roads.

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Cycling has not been properly considered and there is no turning arrangements for services. This type of paving is not acceptable to the Highways Authority. She said height and positioning of the development is of concern and is noted as visibly overbearing in the report. She suggested that three to four houses of quality would suit this site with proper gardens. Plot 6 has insufficient detail and does not comply with Policy DM1. She said she supported refusal and hoped for a more sympathetic development in the future.

The Senior Planning Officer said they were not disputing there is a need for housing across the Borough, the site is allocated however, development should be appropriate for the site and in this instance it is not. Regarding landscaping, she said it is a sensitive site leading though to woodland. The terrace of properties is set 2m back from the highway and she did not feel it was of a sufficient distance to allow appropriate soft landscaping. Moving the houses further back into site would have a detrimental impact on the already small gardens. Regarding sustainable design, she said rain gardens were welcome, however insufficient information was provided and they were not able to fully assess the proposals. With reference to the badger tunnel, she said they could not reasonably request it be maintained, there is nothing to stop a resident making alterations to their garden. She said it was acknowledged within the Ecology report that the badgers may not use the tunnel, however no alternate proposal has been put forward to secure a route along the back of the properties. Regarding shared surface, she said the Highways Authority would be supportive of shared space where appropriate, but advice from the Department of Transport recommends shared spaces are not taken forward at this time.

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

RESOLVED – (Unanimously) that the Planning Permission be refused for the following reasons:

- 1. The proposed development, by virtue of the site layout, design, scale and mass result in an overly dominant and incongruous development that is out of keeping with the established character of the area. The proposal therefore fails to comply with Policy DM1 of the Hastings Development Management Plan, Policy SC1 of the Hastings Development Management Plan 2015 and Paragraph 127 of the National Planning Policy Framework.**
- 2. The proposed development by virtue of its height, mass, proximity to its boundaries and having regard to variations in land level, would result in a dominating form of development that would detrimentally affect the residential amenities of the properties at Speckled Wood to the rear in terms of loss of outlook and overshadowing, the proposal therefore fails to comply with Policy DM3 of the Hastings Development Management Plan 2015.**
- 3. The development fails to provide sufficient external amenity space for Plots 2-5 such is contrary to Policy DM3 of the Hastings Development Management Plan 2015.**
- 4. Insufficient information has been submitted to demonstrate that the proposed drainage system can be accommodated on site and as a result, formal assessment of the site by the Lead Flood Risk Authority has not been possible. The proposal therefore fails to comply with Policy DM3 of the Hastings Development Management Plan 2015.**

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provide adequate information to ensure all material considerations are taken into account, and is considered contrary to Policy DM6 of the Hastings Development Management Plan 2015 and Policy SC7 of the Hastings Planning Strategy 2014.

5. The proposed mitigation measures included within the Ecological Report are not considered sufficiently robust to ensure the functionality and continued usability of the proposed Badger tunnel for the lifetime of the consent as required by Paragraph 175 of the National Planning Policy Framework. The proposed development is therefore considered contrary to paragraph 175 of the National Planning Policy Frameworks along with Policy DM6 of the Hastings Development Management Plan 2015 and Paragraph SC7 of the Hastings Planning Strategy 2014.
6. Insufficient soft landscaping is provided to balance the extent of hard landscaping and built form proposed. As such the proposed development is considered to be contrary to Policy DM1 of the Hastings Development Management Plan 2015 and Paragraph 130 of the National Planning Policy Framework.

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.

Councillor Scott left the Committee meeting during consideration of the next item and did not take part in the voting.

76. OTHER PLANNING APPLICATIONS

76.1 Land at Ore Place and Centurion Rise, Hastings

Proposal:	Outline planning permission for a residential dwelling with all matters reserved
Application No:	HS/OA/18/00463
Conservation Area:	Yes - Ore Place
Listed Building	No
Public Consultation	34 letters of objection received

The Senior Planning Officer, Mrs Meppem, introduced this outline application for a residential dwelling with all matters reserved at Land at Ore Place and Centurion Rise, Hastings. She said it was an outline application which was contrary to local and national policy.

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

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

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

1. **The principle of development of this site for a single residential dwelling is considered unacceptable by virtue of the loss of protected trees, the introduction of built form and the associated infrastructure would cause harm to the significance of the character of the area and the Ore Place Conservation Area. The proposal is therefore contrary to Policies DM1, HN1 and HN8 of the Hastings Development Management Plan, Policy EN3 of the Hastings Planning Strategy and Paragraphs 127, 130 and 171 of the National Planning Policy Framework.**

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.**

76.2 Land adjoining 3 Ore Place, Hastings

Proposal:	Outline planning permission for a residential dwelling with all matters reserved
Application No:	HS/OA/18/00464
Conservation Area:	Yes - Ore Place
Listed Building	No
Public Consultation	32 Letters of objection received.

The Senior Planning Officer, Mrs Meppem, presented this application for Outline planning permission for a residential dwelling with all matters reserved at Land adjoining 3 Ore Place, Hastings. She stated that the site was covered by a TPO and the loss of trees was contrary to policy and would be detrimental to the area.

Members were shown plans and photographs of the application site.

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

RESOLVED – (unanimously) that planning permission be refused subject to the following

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1. **The principle of development of this site for a single residential dwelling is considered unacceptable by virtue of the loss of protected trees and the resultant harm to the significance of the character of the area and the Ore Place Conservation Area. The proposal is therefore contrary to Policies DM1, HN1 and HN8 of the Hastings Development Management Plan, Policy EN3 of the Hastings Planning Strategy and Paragraphs 127, 130 and 171 of the National Planning Policy Framework.**

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.**

76.3 Site of former Hastings College of Arts and Technology, Archery Road, St. Leonards on Sea

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
Conservation Area:	Yes - Burtons' St. Leonards
Listed Building	Grade II
Public Consultation	9 letters of objection received and 1 neutral comment received

The Principal Planning Officer, Mr Temple, presented this application for variation of Conditions 3 (Approved Plans) and 34(Affordable housing) of 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%.

Members were informed of several updates to the report:-

- Amended drawings 554_230 P3, 554_232 P5, 554_513 P3 and 554_521 P3 received following requirements of Conservation officer. These relate to external stair and railing of unit 8, garden wall detailing (Block K- listed building), section details of Block K, and an existing rear elevation of Block K respectively
- Tree Officer consultation response- **No objection.**

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- “Deed of variation” to be removed from page 145. An S106 will now be submitted if the committee resolve to grant permission.

Mr Temple explained that the only physical changes were to Block K. Members were shown plans, photographs and elevations of the application site.

Councillor Davies sought clarification on the accessibility of the footpath. The Planning Services Manager said she would add an informative to advise that the footpath at the northern end of the site is not closed off and kept open.

Councillor Beaver proposed a motion to approve the application subject to an Informative. This was seconded by Councillor Davies.

RESOLVED – (unanimously) 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 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, CI1 and CI3) 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.

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

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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.

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- 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

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- 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,

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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.

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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.**
 - (iv) Details of wildlife features of importance such as ancient woodland, Sites of Nature Conservation Importance and protected species.**
 - (v) 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.**
 - (vi) 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.**
- Persons responsible for:**
- (viii) 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**

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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

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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

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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,

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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**

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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 dwelling houses 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.

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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

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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 if 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.)**
- 11. To protect features of recognised nature conservations importance. (Hastings Local Plan 2004 policies NC8 and NC9.)**
- 12. In the interests of the character and amenity of the St. Leonards West Conservation Area.**
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- 14. In the interests of the character and amenity of the St. Leonards Conservation Area.**
- 15. In the interest 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**

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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

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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.
13. It is advised that the footpath at the northern end of the site should be retained and remain open at all times.

76.4 109 St. Helens Park Road, Hastings

Proposal:	Change of use from (D1) Non-residential to C3 (Dwelling house)
Application No:	HS/FA/18/00597
Conservation Area:	No
Listed Building	No
Public Consultation	1 neutral comment received – Councillor Sabetian has an Ownership interest.

The Planning Services Manager presented this application for Change of use from (D1) Non-residential language school to C3 (Dwelling house) at 109 St Helens Park Road, Hastings. She advised that Policy E4 seeks to retain language schools unless it can be demonstrated that they are no longer viable. She said that the business had not made a profit and the property had been vacant for almost 2 years and that the loss of the language school was justified.

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Members were advised that this application had been brought to Planning Committee because the applicant is an existing Councillor.

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

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

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:**

2000/151/LBP

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.**

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.**
- 76.5 Former lifeguard hut at Pelham Beach, Pelham Place, Hastings (HS/FA/18/00735)**

Proposal:	Change of use from sui generis to D1 (childrens playhut)
Application No:	HS/FA/18/00735
Conservation Area:	Yes – Old Town
Listed Building	No
Public Consultation	Not delegated - Application by Hastings Borough Council

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The Planning Services Manager presented this retrospective application for change of use from sui generis to D1 (childrens playhut) at Former Lifeguard Hut at Pelham Beach, Pelham Place, Hastings.

Members were advised that this application had been brought to Planning Committee because the applicant is Hastings Borough Council.

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

The Planning Services Manager explained that since the publication of the agenda, it was noted that the red boundary line on the plan was incorrect for both the Full Planning Application (HS/FA/18/00735) and Advertisement application (HS/AA/18/00736) and should be corrected. She therefore recommended the application be deferred for the plan to be corrected.

Councillor Marlow-Eastwood proposed a motion to defer the application. This was seconded by Councillor Edwards.

RESOLVED – (Unanimously) that consideration of the application be deferred to amend the plan and for the application to be considered at the next available Planning Committee meeting once the relevant publicity period has expired.

76.6 Former lifeguard hut at Pelham Beach, Pelham Place, Hastings (HS/AA/18/00736)

Proposal:	2x Banners 45cmx120cmx1cm and 4x metal signs 45cmx60cmx1cm
Application No:	HS/AA/18/00736
Conservation Area:	Yes – Old Town
Listed Building	No
Public Consultation	Not delegated - Application by Hastings Borough Council

The Planning Services Manager presented this retrospective application for advertisement consent for 2x Banners 45cmx120cmx1cm and 4x metal signs 45cmx60cmx1cm, at the Former Lifeguard Hut at Pelham Beach, Pelham Place, Hastings. The applicant is Hastings Borough Council.

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

The Planning Services Manager explained that since the publication of the agenda, it was noted that the red boundary line on the plan was incorrect for both the Full Planning Application (HS/FA/18/00735) and Advertisement application (HS/AA/18/00736) and should be corrected. She therefore recommended the application be deferred for the plan to be corrected.

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Councillor Roberts proposed a motion to defer the application. This was seconded by Councillor Bishop.

RESOLVED – (Unanimously) that consideration of the application be deferred to amend the plan and for the application to be considered at the next available Planning Committee meeting once the relevant publicity period has expired.

77. **PLANNING APPEALS AND DELEGATED DECISIONS**

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

All matters had arisen between 3 September 2018 and 28 September 2018.

The report was noted.

(The Chair declared the meeting closed at 8.57pm) **PLANNING APPEALS AND DELEGATED DECISIONS**

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

All matters had arisen between 3 September 2018 and 28 September 2018.

The report was noted.

(The Chair declared the meeting closed at 8.57pm) **PLANNING APPEALS AND DELEGATED DECISIONS**

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(The Chair declared the meeting closed at 8.57pm)

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