

Report to:	PLANNING COMMITTEE
Date of Meeting:	03 February 2021
Report from:	Assistant Director of Housing and Built Environment
Application address:	Mayfield E, Land to the west of Bodiam Drive, St Leonards-on-Sea, TN38 9TW
Proposal:	Outline permission (seeking approval of access) for the erection of up to 38 residential dwellings. All other matters are reserved.
Application No:	HS/OA/20/00180
Recommendation:	Grant Outline Planning Permission
Ward:	HOLLINGTON 2018
Conservation Area:	No
Listed Building:	No
Applicant:	Hastings Borough Council per Kember Loudon Williams Ltd Ridgers Barn Bunny Lane Eridge, Nr. Tunbridge Wells, Kent. TN3 9HA
Public Consultation	
Site notice:	Yes
Press advertisement:	Yes - General Interest Amended Plans
Neighbour Letters:	Yes
People objecting:	3
Petitions of objection received:	0
People in support:	0
Petitions of support received:	0
Neutral comments received:	2
Application status:	Not delegated - Council application on Council owned land

The application was considered at Planning Committee on 19th January 2021.

Cllrs resolved to defer the application for the following reasons:

- 1) To explore alternative play areas to be considered for improvement and upgrading, such as Watermill Drive play area.
- 2) Whether it would be appropriate to require financial contributions towards the upgrading of the bus stop on Bodiam Drive, adjacent to the site, along with real time information, improved seating and shelter provision.

Following the deferment, consultations have been undertaken with the Highways Authority and Council's Parks and Open Spaces Department.

Consultation Responses:

Highway Authority – Comments Awaited

Parks and Open Spaces – Comments Awaited

1. Site and surrounding area

This application relates to a slightly sloping greenfield site allocated in the Hastings Local Plan for residential development. The land is gently sloping with a 13-metre change in level from the north west boundary down to the south east boundary. At just over 1ha in area, it lies between Bodiam Drive to the east, Queensway to the west, Watermill Drive to the north and the Grade II Listed Mayfield Farmhouse to the south. The site is currently unmanaged and is generally overgrown and screened in its entirety from Bodiam Drive and Queensway. There is an existing path leading from Watermill Close up to the site boundary, where it reaches a dead end.

Constraints

The site is constrained by area Tree Preservation Order (TPO) 37, and a small part of the site towards its southern end is affected by surface water flooding.

The entire site lies within the 250m buffer zone of a historic landfill site (Wilting Farm).

2. Proposed development

This is an application for outline planning consent, with all matters reserved except for access, for up to 38 dwellings on the site.

This site is 1.06 ha. in area and it is proposed to erect a total of 38 dwellings equating to some 36 per hectare.

The application is in outline with only the means of access to be determined at this stage. It is proposed that the site will be accessed via an extension of an existing access (serving the Robsack Children's Centre) onto Bodiam Drive.

An indicative layout plan shows a mixture of house types including terrace, semi-detached and detached dwellings arranged in a fairly conventional manner

The illustrative houses are generally 2 storeys high with a row of 3 storey townhouse on the eastern perimeter of the site. The layout provides for a mix of 2, 3 and 4 bed dwellings; 11 Nos. 2-bed houses; 5 Nos. 2-bed town houses; 19 Nos. 3-bed houses and 4 Nos. 4 bed houses.

The indicative layout shows car parking for 78 spaces (60 allocated spaces and 18 unallocated parking spaces).

The application is supported by the following documents:

- Design and Access Statement prepared by HMY;
- Transport Statement prepared by Inspire Transport;
- Flood Risk Assessment prepared by Monsons;
- Surface Water Drainage Strategy prepared by Monsons;
- Preliminary Ecological Appraisal Report prepared by Urban Edge;

- Protected Species Surveys Report prepared by Urban Edge;
- Arboricultural Survey prepared by PJC;
- Arboricultural Impact Assessment prepared by PJC; and
- Desk Top Contamination Report prepared by Geo-Environmental;
- Sustainability Statement

Relevant planning history

HS/OA/03/00949	New housing development GRANTED 8 January 2004
HS/PRE/19/00004	Pre-application enquiry for erection of 38 residential units with associated access, parking and landscaping
HS/FOR/19/00204	Forum Meeting took place on 2nd October 2019

Following issues/requirements were raised in the meeting:

- Want the site to be accessible from surrounding streets, not limited to one small access in and out
- Footpath between 7 and 8 Watermill Close currently doesn't lead anywhere - want this blocked up.
- Don't want pedestrian access between gardens - should be back to back (designing out crime)
- Consider potential for sustainable energy and green initiatives
- Need strategic planning for play provision - potential for informal play within the site or additional activities at community centre
- School and nursery places already oversubscribed
- Want the development to have a strong community focus
- 70 parking spaces too much? Might be able to have more houses if there is less parking
- Suggests bungalows are provided
- How many trees are to be retained
- Concern of noise from Queensway, plots on western boundary may be too close
- Timescale for development
- Might need to construct a ramp or move the bus stop to account for land levels and steep slope where footpath is proposed.
- Focus on housing for local, disabled and older people
- Translocation is not always successful
- Require public service contributions

It should be noted that this is an outline application only, only access is to be considered at this stage. The mix of houses has been indicated – whilst no bungalows have been provided, this is considered acceptable taking into context the character of the area. Car parking spaces calculations are based on ESCC car parking calculator. No gaps are proposed between pathway and northern boundary of the site – indicative layout includes back to back gardens. Building Regulations control disabled access. A landscape buffer has been proposed along the boundary of the site with Queensway. Other matters have been discussed in the report below.

National and local policies

Hastings Local Plan – Planning Strategy 2014

Policy DS1 – New Housing Development
Policy FA1 - Strategic Policy for Western Area
Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way
Policy SC7 – Flood Risk
Policy EN2 – Green Infrastructure Network
Policy EN3 – Nature Conservation and Improvement of Biodiversity
Policy H1 – Housing Density
Policy H2 – Housing Mix
Policy CI1 – Infrastructure and Development Contributions
Policy CI3 - Children's Play Provision
Policy T3 – Sustainable Transport

Hastings Local Plan – Development Management Plan 2015

Policy LP1 - Considering planning applications
Policy DM1 - Design Principles
Policy DM3 - General Amenity
Policy DM4 - General Access
Policy HN1 – Development affecting the Significance and Setting of Designated Heritage Assets
Policy HN7 – Green Infrastructure in New Developments
Policy HN8 – Biodiversity and Green Space
Policy GH2 – Mayfield E, Bodiam Drive

Other policies/guidance

National Design Guide
Sussex Air Quality and Emissions Mitigation Guidance 2019
Hastings Walking and Cycling Strategy May 2014
ESCC Guidance for Parking at New Residential Development October 2017
Supplementary Planning Guidance – The provision of Children's Play Space in Housing Developments

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;
- Establish or 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 which are accessible 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.

3. Consultation comments

Hastings Borough Council (Environmental Health) – No objections or conditions at this stage. If and when a full application is submitted we would then require an Air Quality Assessment and a Construction Method Statement.

Housing Development Manager – No objection subject to 40% affordable housing, contained in S106 legal agreement.

East Sussex County Council (S106 contributions) - Require contributions to library (38 dwellings x £263 per dwelling) = £9,994

East Sussex County Council (SUDs) – Lead Local Flood Authority (LLFA) has raised no objection subject to imposition of conditions to ensure safe water run off arising from the development (Conditions 16-20).

Highways - No objection to the accesses proposed (extension of the Robsack's Children Centre Access and new accesses for Plots 13-17 off Bodiam Road) subject to the imposition of conditions (Nos 7-14) Conditions have also been recommended in respect of provision and retention of parking spaces as shown in the layout plan; however such a condition is not required at this stage as the layout is indicative. The recommended condition in respect of cycle parking spaces is also not considered necessary at this stage as the layout is indicative.

County Archaeologist - No Objection

The County Archaeologist has raised no objection subject to imposition of conditions to secure the investigation of archaeological interest (Conditions 24-25).

Conservation Officer - No objection. Provides initial feedback on indicative proposals.

Requires that reserved matters application should include information that clearly demonstrates the relationship between the new dwellings and the listed farmhouse, including before and after views of the farmhouse from the south, east and west showing the change to its context, plus site sections across the development site and the Mayfield Farm site to show how the topography, siting and scale of the new development affects the relationship with the farmhouse.

Environment & Natural Resources Manager - Originally raised an objection as it was considered that the information and proposals provided were insufficient to assess the impacts on biodiversity and to inform appropriate mitigation, compensation and enhancement in line with local and national planning policies.

A Biodiversity Net Gain was subsequently submitted which identified that there will be a 68% loss of biodiversity on site which will require off site compensation to meet policy compliance.

In the re-consultation response, recommends a one-off compensation of £30,000 which in line with the DEFRA metric is £1,000 annually for the next 30 years. This amount would be used to benefit the Local Nature Reserves at Churchwood and Pondswood.

No objection subject to a financial contribution of £30, 000 which can be agreed by a S106 agreement.

Southern Water - No Objection. Southern Water has raised no objection to the development. Details of the new drainage infrastructure for the site can be secured by condition (Conditions 15-20).

Environmental Health – No adverse comments to make at this outline stage. Air Quality Assessment would be required at reserved matters stage (condition 37) .

Arboricultural Officer - No objection subject to conditions in respect of Landscaping, Tree Protection Measures and Biodiversity (Conditions 26-31)

Environment Agency – No comments to make as it falls outside their External Consultation Checklist

Waste and Street Scene Services – No objection

4. Representations

Following the display of site notices around the site, together with neighbour letters being distributed, 5 Nos. responses have been received – 4 Nos. from members of public and 1 No. from the Hollington Ward Councillors raising the following concerns and objections:

- Development would put additional strain on infrastructure – doctors surgery, schools, highways, maintenance of grass verges
- Increased traffic congestion which would compromise road safety
- Significant ecological value to the site which would be lost
- Lack of play provision
- No bungalows being provided

- Restricted access
- Loss of green space being used for ecology and recreational purposes
- Querying on the location of the entrance to the development
- Highway Safety Issues
- Loss of healthy Ash Trees
- Implications for ecology including bat population
- Implications for the area during construction works
- Bus shelter needs upgrading
- Carbon neutral development should be encouraged
- Submitted site plan still shows so many car park spaces and so little dedicated space for pedestrians, cyclists and seating. The standard ESCC parking calculation is excessive and does nothing to encourage sustainable living with more reliance on public transport as well as walking and cycling. The site needs plenty of bike racks and a bike charging point.

The relevant planning matters are discussed in the report below.

5. Determining issues

a) Principle

This application is outline and requests approval for access only. Therefore, matters of scale, appearance, layout and landscaping are reserved and not relevant to the determination of the application.

Policy LP1 of the Hastings Local Plan - Development Management Plan (2015), paragraph 4.3 of the Hastings Local Plan – Planning Strategy (2014) and paragraph 11 of the NPPF set out a presumption in favour of sustainable development. The site is within a sustainable location with reasonable/good access to public transport – the bus stop being located just outside the site. The closest shop Tesco Extra can be found approximately 0.8m north of the site on Church Wood Drive.

Meeting the requirements of Policy GH2 (Mayfield E, Bodiam Drive) of the Hastings Development Management Plan 2015.

The site is allocated for residential development through Policy GH2 (Mayfield E, Bodiam Drive) of the Hastings Development Management Plan 2015, which is the first consideration in establishing the principle of developing the site. As the site is allocated in the currently Adopted Local Plan, significant weight can be given to residential development.

Development should be in accordance with Policy GH2 and this policy requires a number of policy criteria to be met. The criteria are considered below: -

Policy GH2 - Mayfield E, Bodiam Drive

Mayfield E, Bodiam Drive is allocated for residential development (possible net capacity 37 dwellings).

Development proposals for this site will:

- a) include affordable housing on site at 40% of the overall housing provision;
- b) sustain and enhance the significance and setting of the Grade II listed Mayfield Farmhouse;
- c) include an Ecological Constraints and Opportunities Plan (ECOP) and incorporate appropriate conservation and mitigation measures as recommended by the ECOP. The ECOP must make specific reference to the presence of adjacent Local Wildlife Sites or similar;
- d) provide boundary landscaping to act as a buffer from Queensway to the west;
- e) include a Flood Risk Assessment and flood resilient design as appropriate to the outcome of that report;

- f) contribute to the improvement of existing play facilities in the surrounding area;
- g) include walking and cycling links to improve local connectivity;
- h) be supported by a Transport Statement. Proposals must indicate how the conclusions and recommendations of the Statement have been incorporated within the development;
- i) ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes as advised by Southern Water.

Additional guidance is also given in a design brief for this site in section 5 of this Plan.

Given this allocation, the principle of residential development on the site has already been accepted, subject to detailed considerations which are discussed below.

b) 5 Year Housing Land Supply

As the Council cannot demonstrate a 5 year housing supply at this time, the tilted balance of the NPPF paragraph 11d) is engaged. It is considered that a development as proposed would positively contribute to the Council's housing stock. However, this positive of the scheme needs to be weighed against the negatives and a decision made on whether these negatives significantly and demonstrably outweigh this benefit. This is balanced and concluded on paragraph 5 (Conclusion) of this report.

c) Layout and design and Impact on character and appearance of area

Policy DM1 of the Hastings Local Plan - Development Management Plan (2015), states, that all proposals must reach a good standard of design, which includes efficient use of resources, and takes into account: (a) protecting and enhancing local character; (b) showing an appreciation of the surrounding neighbourhood's historic context, street patterns, plot layouts and boundaries, block sizes and scale, height, massing and materials; (c) good performance against nationally recognised best practice guidance on sustainability, urban design and place-making, architectural quality and distinctiveness; (d) the layout and siting of buildings to make efficient use of land, the orientation of frontages to achieve attractive streetscapes and to best take into account the effects of solar gain; (e) an assessment of visual impact, including the height, scale, and form of development that should be appropriate to the location, especially given the complex topography of the Borough and the need, in some instances, to consider the visual effect from key viewpoints.

At this stage the layout and design are indicative. The proposed residential development would not be at odds with the established character of the area. The dwellings would be behind the dwellings on Watermill Drive and separated by rear gardens. Although the site is not overly prominent, it would be visible by the public along Bodiam Drive.

The scale of the dwellings within a wider landscaped area would be similar to the dwellings in the immediate locality (predominantly 2 storey) and as such it is not considered they would be overly prominent or out of character.

The design of the dwellings, although indicative, would not be at odds with the immediate locality. The scale also relates to the immediate locality (2-storey) and the appearance of the dwellings is considered to be appropriate in this location. The 3-storey town houses would also be acceptable along the eastern site boundary taking into consideration the topography of the site.

However, concerns are raised in respect of the indicative layout. The layout is very parking dominated; with car parking spaces located at the entrance of the development, along the access route (front of Plot) Nos. 20-25 and 30-34 and parking being located to the sides of every other property. The layout provides little opportunity for appropriate landscaping within

the development.

The proposed dwellings fronting Bodiam Drive Nos. 13-17 result in narrow parking dominated frontages with limited opportunity for landscaping. It is considered that this will result in detriment to the character of this part of Bodiam Drive.

Furthermore, no opportunities have been taken to connect the site to the one directly to its south, GH6 - Mayfield Farm, Mayfield Lane. The submitted Planning Statement states that as the timescales of this development coming forward are not forthcoming, a decision has been taken not to connect the two sites at this stage. However, the provision of some sort of permeability between these two sites should be maintained.

Whilst these matters are not under consideration under this outline application, it is vital that the above concerns are resolved prior to any reserved matters application being submitted.

Notwithstanding the submitted layout, it is considered a residential development could be brought forward at reserved matters stage (subject to layout considerations as discussed above) which would meet the aims of Policy DM1 of the Development Management Plan 2015.

d) Impact on the setting of a listed building

Policy HN1 of the Hastings Local Plan - Development Management Plan (2015), states, applications that have the potential to impact upon the significance of designated heritage assets (including conservation areas) will be assessed against the following criteria, to ensure that the proposed development sustains and enhances the significance of the heritage asset:

(a) The historic context, street patterns, plot layouts and boundary treatments, green space and landscaping, site levels, block sizes, siting, scale, height, massing, appearance, materials and finishes in relation to the heritage assets; (b) Good performance against nationally recognised best practice guidance on development in relation to heritage assets, including building in context, setting and views, architectural quality and local distinctiveness. Permission will be given for those schemes that show a full understanding of the significance of the asset and convincingly demonstrate how their chosen design sustains and enhances the significance of any heritage assets affected (including conservation areas).

Policy EN1 of the Hastings Local Plan – Planning Strategy (2014), states, importance will be placed on new development making a positive contribution to the quality, character, local distinctiveness and sense of place of historic buildings and areas. Particular care will be given to protecting the significance and setting of the following heritage assets: (a) Listed buildings; (b) Conservation areas; (c) Locally listed heritage assets (d) Historic parks and gardens; (e) Scheduled Monument sites; and (f) Areas of archaeological potential and known archaeological find sites. There is a presumption in favour of the conservation of heritage assets and their settings.

The more important the asset, the greater the weight that will be given to the need to conserve it. As heritage assets are irreplaceable, any harm or loss will require clear and convincing justification. Development which sustains and enhances the significance of heritage assets and/or their setting will be encouraged.

As heritage assets are irreplaceable, any harm or loss will require clear and convincing justification. Development which sustains and enhances the significance of heritage assets and/or their setting will be encouraged. The Council will look for opportunities to enhance or better reveal the significance of the designated heritage assets, such as listed buildings and

Conservation Areas, in the town.

'Mayfield Farm' – a listed farmhouse is located to the south-west of the application site. Consideration therefore needs to be given to the impact of the topography, siting, scale, orientation, design, landscaping and materials of the new housing units on the setting of the farmhouse.

Part of the proposed development site comes quite close to the listed farmhouse; Plots 37/38 are close to the listed building and Plots 35/36 will be within the immediate setting. Because of the rising land, some of the new houses may pop up into views of the farmhouse. Careful consideration therefore needs to be given to how the new houses will sit as the backdrop to the farmhouse. In order to assess these factors, the detailed/reserved matters application should include information that clearly demonstrates the relationship between the new dwellings and the listed farmhouse, including before and after views of the farmhouse from the south, east and west showing the change to its context, plus site sections across the development site and the Mayfield Farm site to show how the topography, siting and scale of the new development affects the relationship with the farmhouse.

Layout changes will have to be possibly made when submitting the reserved matters application, taking into account the concerns raised in the above section of the report. Any changes to the layout should also consider re-orientating Plots 37/38 to align with the orientation of the farmhouse, i.e. angle them to the curve of the access road so that they face north-east.

The submitted proposal seeks the retention and enhancement of the existing tree and shrub planting buffer on the southern boundary of the development site (adjoining Mayfield Farm). This will be crucial to preserving the setting of Mayfield Farm. Detailed landscaping proposals will need to be submitted to demonstrate this.

Subject to the above, it is considered that an acceptable proposal that will not result in any harm to the setting of the listed building could be brought forward at reserved matters stage.

e) Impact on neighbouring residential amenities

Policy DM3 of the Hastings Development Management Plan states that in order to achieve a good living standard for future users of proposed development and its neighbours it should be demonstrated that amenity has been considered and appropriate solutions have been incorporated into schemes. This includes the use of the scale, form, height, mass, and density of any building or buildings, reduces or avoids any adverse impact on the amenity (privacy, over shadowing, loss of daylight) of neighbouring properties.

Due to the site's location within the urban area, and as with any such residential development on this site it is not considered that there would be any significant adverse impact on the residential amenities of existing dwellings in the locality. Concerns have been raised in respect of the impact to the area from the construction works should the consent be granted. Conditions will be imposed controlling building times and requiring a Construction Management Plan (CMP) to be submitted prior to commencement of works on site.

Due to the indicative position of the dwellings and the distance to the adjacent properties to the north on Watermill Drive (some 18m-20m from potential rear building lines of proposed dwellings to the rear building lines of existing dwellings); it is not considered there would be a any impact by way of overshadowing, loss of privacy, or loss of light to existing properties.

Thus, at a later reserved matters stage it is considered the development could be accommodated without a significant detrimental impact on residential amenities in compliance with DMP Policy DM3 a).

f) Future residential amenities

DCLG guidance, 'Technical housing standards - nationally described space standard' provides a minimum standard for internal floorspace that must be applied to new residential development.

This is an outline application and no such details have been provided or need to be considered at this stage.

The proposal includes indicative private rear gardens in excess of 10m. These are considered to be in accordance with the requirements of Policy DM3 of the Development Management Plan 2015 to secure an acceptable living environment for future residents.

g) Ecology

Policy EN3 of the Hastings Planning Strategy (2014) requires the town's biodiversity and geological resources to be protected and enhanced.

Policy HN8 of the Development Management Plan states that development should result in no net loss of biodiversity or designated green space as defined on the Policies Map.

The application is supported by a Phase 1 Ecology Report prepared by Urban Edge Environmental Consultancy. This identified that some protected species could be present on site and recommended undertaking further survey work to find out.

This further survey work was carried out and findings submitted in the Protected Species Survey. The Survey concludes that the Great Crested Newts, roosting bats and hazel dormouse were not considered to present a constraint to development.

However, a high level of bat activity was recorded along the eastern boundary tree line. The removal of some of the tree line here to facilitate the provision of the townhouses and the new footpath is therefore likely to displace the foraging and community bats. Mitigation methods will therefore be required to reduce and offset these impacts on a proportionate basis. This includes ensuring that the right species are planted as part of the landscape strategy to provide additional food sources or roosting opportunities for bats, along with the installation of bat boxes at the site. No detailed proposals for mitigation and enhancement have been provided at this outline stage. However, these can be dealt via the imposition of a suitable planning condition.

The survey findings also indicate that a low population of common lizard and a good population of slow worm were present. The report recommends the translocation of reptiles from the construction zone to a suitable receptor site prior to site preparation and commencement of work, to avoid the risk of killing/injuring the reptiles. It is suggested that a planning condition (Condition No.23) be attached to any consent to ensure that this translocation exercise is undertaken prior to the commencement of any works. An ecological assessment report which outlines how wildlife will be protected during and after the development should also be required to be submitted.

The Council's Environment and Natural Resources Manager originally raised an objection as it was considered that the information and proposals provided were insufficient to assess the impacts on biodiversity and to inform appropriate mitigation, compensation and enhancement in line with local and national planning policies. A Biodiversity Net Gain was subsequently submitted which identified that there will be a 68% loss of biodiversity on site which will require off site compensation to meet policy compliance.

The Council's Environment and Natural Resources Manager has recommended that the nearest site that would benefit from biodiversity management in line with net gain off-site compensation is the Local Nature Reserves at Churchwood and Pondswood. Net gain guidance indicates that biodiversity management and compensation be calculated over a 30-year period. It is estimated that compensation for the biodiversity loss at Mayfield is identified as a one off compensation of £30,000 which in line with the DEFRA metric is £1,000 annually for the next 30 years.

A financial contribution of £30, 000 can be agreed by a S106 agreement.

Subject to the recommendations within the submitted reports and the financial contribution as discussed above, it is considered that the development would comply with Hastings Planning Strategy 2014 Policy HN8 and is acceptable in terms of impact on biodiversity and ecology.

h) Trees

Policy EN3 of the Hastings Local Plan – Planning Strategy 2014, advises that development should seek to protect nature conservation and improve biodiversity.

The site is constrained by an area Tree Preservation Order (TPO) 37 comprising of a mix of individual trees and woodlands. A Tree Report and implications assessment carried out by PJC consultancy has been submitted with the application.

A total of five category B trees, six category C trees, six category C groups and one category U group are proposed to be removed to facilitate the proposed development.

T1 - Oak (Category - C1)
G2 - Mixed (Category - C1)
T7 - Oak (Category - B1)
T8 - Oak (Category - B1)
T10 - Oak (Category - B1)
G11 - Mixed (Category -C1)
G12 - Mixed (Category -C1)
T17 - Willow (Category -C1)
G19 - Holly (Category -C2)
T20 - Holly (Category -C2)
G21 - Ash (Category -U)
T22 - Ash (Category -C1)
T23 - Willow (Category -B1)
G33 - Mixed (Category -C2)

G35 - Oak (Category -C2)

T36 - Oak (Category -B2)

T37 - Oak (Category -C2)

T38 - Oak (Category -C2)

No high value trees (Category A) are proposed to be lost as a result of the development.

The areas of woodland that have been identified as having the best amenity value have been preserved, including the boundary to the west of the site and the woodland bordering Bodiam Drive on the south east corner of the site.

Tree protection measures have been included within the submitted report in accordance with BS5837: 2012.

However, the proposed layout also includes the provision of hardstanding areas within the root protection areas (G9, T18 and T30 as shown on the Tree Constraints Plan). An engineered solution to enable installation of hard standing within root protection areas whilst avoiding root damage needs to be implemented. The engineered solution is outlined in this report; however, a detailed specification should be included in the arboricultural method statement to be provided at the reserved matters phase of planning.

Some pruning works are also proposed for the trees to be retained; these details should also be provided at the reserved matters stage.

Whilst the amount of tree loss is regrettable; a layout offering significant scope for replanting could mitigate the loss of the trees. This will be secured by soft landscaping condition. None of the trees to be lost are mature trees of significantly high quality, and the benefits of providing much needed housing on this allocated site outweigh the loss of the trees, subject to appropriate replanting and other recommended mitigation measures contained in the Arboricultural Report. The Council's Arboricultural Officer raises no objection to the development, subject to the imposition of conditions.

i) Air quality and emissions

The proposed development falls within checklist 1 and checklist 2 of the 'Air Quality and Emission Mitigation Guidance for Sussex' 2020 produced by Sussex Air Quality Partnership. As such an Air Quality Assessment and an Emissions Mitigation Assessment Air Quality assessment will be required to be submitted. Environmental Health has been consulted and have commented that such an assessment will be acceptable to be submitted at detailed design stage. Subject to the imposition of a condition requiring this assessment, no objection is raised (See Condition no. 38). Similarly, a report on any lighting scheme is required to be submitted, in order to ensure there is no adverse effect in terms of spill light that occurs outside the area that is intended to be lit within the residential development (see condition 33).

i) Highway safety/parking and transport implications

The site is to be accessed from Bodiam Drive to the east. The junction from this road is already constructed to adoptable standards and currently serves the Robsack Centre, a community facility. The main issues to be considered in highway terms therefore relate to:

- 1) Access by all users
- 2) Highway impact

Matters relating to internal provision such as parking, servicing and road layout are to be dealt with by reserved matters.

The Highway Authority has commented that the junction is an adopted highway and is technically acceptable in terms of its construction, driver sightlines and radii. The access road has a width of 5.8m which is appropriate for 2-way flow of vehicles. Tie in details show the extension of this road from the existing construction. This is considered to be acceptable.

However, in the original comments, concerns were raised by the Highway Authority regarding the following:

- 1) Access points for plots 13-17 (two car parking spaces for each dwelling)
- 2) Swept path plan for refuse truck 11.97m length
- 3) DDA compliance conformation of the ramped footway section to the north of the site.

Subsequent to the receipt of these comments, amendments have been made to the scheme. The amended scheme and additional information as discussed below were adequate and appropriate to remove the Highway Authority's concerns.

The dwellings served from Bodiam Drive are now smaller units with parking requirements of a single space per 2 bed dwelling plus 2 spaces for visitors off street. This arrangement is considered acceptable by the Highway Authority and it is also noted that the driver sightlines of 43m can be achieved. The banked verge section in terms of maintenance of the sightlines should be included within a landscaping scheme as part of the reserved matters application. A condition can be imposed to ensure that the sightlines are always available. Visibility for pedestrians from each private driveway of 2m x 2m can also be secured by condition by requiring frontages to be open plan for the first 2m of private driveway (not including the footway).

The swept path plan for the internal access road demonstrates that the largest refuge truck is able to negotiate the proposed estate.

The ramped section is conformed to be at a gradient 1:15 which is considered to be acceptable by the Highway Authority.

In respect of pedestrian access, two footpaths are proposed to connect the site to Bodiam Drive, one of which will be close to an existing bus stop on Bodiam Drive.

In respect of cycle access - the site is located within an estate with design speeds of 30mph and benefits from traffic calming features in Bodiam Drive, which allows a suitable environment for cyclists wishing to cycle. A route to connect to the permissible cycleway/bridleway served off Crowhurst Road is present, with a dedicated signalised crossing over Queensway, linking towards the Coombe Valley Way and further on to Buckholt Lane, Bexhill where a further employment site has planning consent. This route is for the vast majority traffic free, other than a short section on Crowhurst Road.

Regular bus services are available in this location and provide a service to Hastings and Ore (20,22C,23B) and stops are reached within 200m; slightly further on Church Wood Drive, the 98 service can be reached 450m from the site. This service connects Conquest Hospital, Hailsham, Bexhill and Eastbourne.

In terms of accessibility, the site has travel choices available aside from the private car for longer journeys; and has employment and schools within short walking distance.

The impact of this development on the Highway is likely to result in approximately 19 trips in each peak period (0800-0900 and 1700-1800hrs). The total impact in vehicle terms is 170-180 trips between 0700 and 1900hrs. This level of traffic is unlikely to have an impact on the existing highway network in terms of safety or capacity.

Police crash records have been interrogated and it is confirmed that there have been no recorded crashes in the past 36 months in the vicinity of the site.

The scale of this development being up to 38 units is below the 50 unit threshold requiring a travel plan statement.

It is noted that the Road Safety Audit was submitted on the basis of the original submission. The scheme has been revised to provide 2 bedroomed dwellings fronting Bodiam Drive instead of the originally proposed three bedroomed dwellings. The proposed dwelling now provides 1 parking space per dwelling instead of the originally proposed 2 parking spaces per dwelling. Furthermore, the Road Safety Audit does not provide any conclusions in respect of the safety implications to Bodiam Drive via the proposed extension of the existing access (serving the Robsack Children's Centre). A Road Safety Audit will therefore be required to be submitted with the reserved matters application. Subject to such a condition (Condition No. 32), no objection can be raised.

On the basis of the above the application is considered to be acceptable in respect of highway matters.

k) 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.

l) Affordable housing and other contributions

Policy H3 of the Hastings Planning Strategy 2014 requires developments of this size to provide 40% affordable housing on site, unless a submitted viability report demonstrates that this will not be appropriate.

The application site proposes up to 38 new dwellings and proposes to provide 40% affordable housing. This will need to be agreed through a S106 legal agreement.

East Sussex Highways and Contributions Team have also highlighted the following financial contributions are required to support the application:-

Library - £263 per dwelling (To help accommodate additional demand on services from new residents)

Policy CI3 requires developers to design housing environments in which children have space

to play informally and safely and where they have priority over vehicles, and where such spaces contribute to the provision of open space. Developer contributions will be sought to improve existing equipped play provision in proximity to the proposed development. Where no good neighbourhood playgrounds exist within 600 metres or a 15-20 minute walking distance, new play facilities will be required.

In some neighbourhoods where it is not appropriate or viable to provide further equipped play areas, developers may be required to enhance community green spaces as an alternative. In this instance, the Council's Parks and Open Spaces team was consulted and contributions towards the improvement/upgrading of play areas at Beckley Close, Kensington Close and Etchingham Drive are sought. Calculations have been done as below for the provision of 38 dwellings and an approximate amount of £22,000 has been calculated towards the off-site play area improvement contribution.

"38 dwellings x 15sq.m. = 570sq.m. divided by 3 = 190sq.m. for fixed play provision

A LAP occupies 400sq.m. including buffer zones

Estimated cost to construct and maintain a LAP is £44k

190sq.m. is approx. half the size of a LAP thus request proportionate sum of £22k off site contribution"

It should be noted that the amount of this contribution will need to be calculated on the basis of the number of dwellings proposed at the reserved matters stage. This contribution will also need to be agreed via a S106 legal agreement.

Subject to such an agreement, no objection is raised to the proposal on the basis of Policies H3, CI3 and GH2.

m) Sustainable construction and climate change

The development provides the opportunity to incorporate various renewable energy sources within the fabric design, which will be encouraged and explored through the Building Regulation process. However, it has not been demonstrated how this compliance will be achieved in accordance with the hierarchy of Policy SC4 of the Hastings Planning Strategy, or whether the specific measures indicated in Policy SC3 of the same plan have been provided. Green and sustainable design information is therefore requested by condition (Condition 34).

Matters of flood risk and biodiversity enhancement have been fully considered, and vehicle charging points are required by condition 35.

n) Flood risk and drainage

Policy SC7 of the Hastings Local Plan – Planning Strategy (2014), states that the Council will support development proposals that avoid areas of current or future flood risk, and those that do not increase the risk of flooding elsewhere.

The application is accompanied by a Flood Risk Assessment that advises of minimal risks by the virtue of the site being located in Flood Zone 1. A small area of the site towards its southern end is affected by surface water flooding. However, the accompanying SUDS Drainage Report notes that there will be no detrimental off site impacts as far as flooding is concerned, as surface water will be stored in an underground supportive storage tank before being discharged into the public sewers (controlled discharge). This tank will be sized to accommodate the 1 in 100 year storm event with an additional 40% allowance for climate

change. The discharge rate will be limited to equal the site's greenfield run off rate. The County Council Flood Risk Management Team have reviewed the proposal and advise that there are no objections to the proposal, subject to conditions to secure functionality of the proposed drainage systems.

Furthermore, it is proposed to discharge surface water runoff into the public surface water sewer in Bodiam Drive at a rate of 5 l/s. However, no evidence has been provided that Southern Water has agreed to the principle of this discharge. Therefore, any reserved matters submission that seeks to fix the development layout should be supported by evidence that Southern Water agrees to the discharge rate,

Southern Water confirm that they can provide foul and surface water sewage disposal to service the proposed development, and that there is no objection to the development subject to a detailed design of the drainage system being secured by condition.

Overall, it is considered that the site is capable of accommodating the level of development proposed, without increasing the risk of flooding, subject to detailed drainage design. Policy SC7 of the Hastings Planning Strategy is therefore complied with.

o) Other site constraints

Archaeology

Policy EN1 of the Hastings Planning Strategy and Policy HN4 of the Development Management Plan requires an Archaeological Assessment to be submitted if the application site is located or the proposed development affects sites of archaeological interests or archaeological or potential.

The submitted Archaeological Desk Based Assessment concludes that the site has an overall moderate to high possibility of having significant archaeological remains from prehistory through to the Post medieval period. This could range from in-situ Mesolithic flintworking sites, prehistoric to medieval field systems, and later agricultural activity, to Roman ironworking activity, all of which are present in the immediate surrounding landscape.

The proposed new housing development will involve significant groundworks in the form of excavation of house foundations, roads and drainage. These groundworks will damage or destroy any surviving below ground archaeological remains on the site.

There has been no direct archaeological or geotechnical investigation of the site, and the current vegetation cover has prevented a walkover of the site. The vegetation cover means that a geophysical survey of the site will currently be impossible, although the vegetation will need to be cleared prior to any archaeological investigation.

In light of these potential impacts to archaeological interest, the site will need to be subject to a programme of archaeological works and subsequently, a written scheme of investigation. This will ensure that any archaeological deposits or features that could be disturbed by the development to either preserved in situ or adequately recorded in advance of their loss (Conditions 25 and 26).

Subject to these conditions, Policy EN1 of the Hastings Planning Strategy and policy HN4 of the Development Management Plan is therefore complied with.

Land contamination

The site lies within a 250mm buffer zone of a historic landfill site (Wilting Farm). A preliminary risk assessment has therefore been undertaken to evaluate plausible pollutant linkages and the findings are set out in the Desk Study Contamination Report submitted with this application. It finds that the overall risk of harm to end users is moderate to low and so recommends further assessment to allow a more robust assessment.

Subject to conditions (Condition No. 36) requiring such works to be undertaken prior to the implementation of any work on site, no objection is raised under Policy DM5 of the Development Management Plan 2015.

6. Conclusion

The site is located within a sustainable location with easy and frequent access to services and as such the principle of residential development is acceptable. As the Council cannot demonstrate a 5 year housing supply at this time, the tilted balance of NPPF paragraph 11d) is engaged.

This is an allocated site under Policy GH2 - Mayfield E, Bodiam Drive and the proposed development accords with the key provisions of this policy (subject to the resolution of the issues raised within the report above).

Considering the above discussion the proposed development is considered to be sustainable development in accordance with the NPPF. It will provide for much needed residential accommodation and secure benefits such as affordable housing and improvements to local play facilities and rights of way. The proposed accesses to the site is considered acceptable.

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.

7. Recommendation

A) 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 for the entire redevelopment site covered under HS/OA/20/00180 to secure:

- **40% Affordable Housing**
- **Financial contribution of £263 per dwelling – Towards library Contributions**
- **Financial payment of £30000 – One off compensation for Biodiversity Loss**
- **Play Area Improvement Contribution based on the number of dwellings proposed as a part of reserved matters application towards the improvement/upgrading of play areas at Beckley Close, Kensington Close and Etchingham Drive.**

In the event that the Agreement is not completed by 28 May 2021 that permission be

refused on the grounds that the application does not comply with the provisions of paragraphs 106 and 108 of the National Planning Policy Framework, Policies H3 and EN3 of the Hastings Planning Strategy 2014 and Policies CI1, GH2 and HN8 of the Hastings Development Management Plan 2015 and relevant policies of the Hastings Planning Strategy 2011-2028, unless an extension of time has been agreed in writing by the Planning Services Manager.

B) Subject to the above

Grant Outline Planning Permission subject to the following conditions:

1. Approval of the details of the layout, scale and external appearance of the building(s) and the soft and hard landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the layout, scale, external appearance of any buildings to be erected and the soft and hard landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
5. The development hereby permitted shall be carried out in, in terms of access only, in accordance with the following approved plans:

100P6, 101P5, 102P5, 103P5, 110P10 & 115P7

6. The details required by Condition 1 shall include full details of all boundary walls and/or fences which shall be erected prior to the occupation of the houses which they serve.
7. No development shall take place until details of the layout of the new accesses onto Bodiam Drive and specification for the construction of the access which shall include details of gradients and safeguarding of visibility sightlines, have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the use hereby permitted shall not commence until the construction of the accesses have been completed in accordance with the specification set out on Form HT407 which is attached to and forms part of this permission.
8. The accesses onto Bodiam Drive shall not be used until visibility splays of 2m by 43m are provided in both directions and maintained thereafter.
9. The dwellings at Plots fronting Bodiam Drive shall not be occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular accesses onto Bodiam Drive in accordance

with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 600mm.

10. The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).
11. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the plans approved at the reserved matters stage and the turning space shall thereafter be retained for that use and shall not be used for any other purpose.
12. Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.
13. The new estate road[s] shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to [its/their] subsequent adoption as [a] publicly maintained highway
14. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Construction Management Plan shall be implemented and adhered to in full throughout the entire construction period. The Construction Management Plan shall provide details as appropriate but not be restricted to the following matters,
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and egress and routeing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.
15. (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water

- disposal/management have been submitted to and approved in writing by the Local Planning Authority.
- (ii) Development shall then be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed. and
- (iii) No occupation of any of the dwellings or flats approved as a part of this development 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.
16. Detailed surface water drainage drawings and calculations shall be submitted to and approved in writing by the Local Planning Authority. These shall include the following:
- Surface water runoff from the proposed development shall be limited to a rate agreed to by Southern Water for rainfall events including those with a 1 in 100 (plus climate change) annual probability of occurrence. Evidence of this (in the form hydraulic calculations) shall be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features. Written confirmation from Southern Water of the agreed discharge rate shall be submitted with the drainage details calculations.
 - The details of the outfall of the proposed attenuation structure(s) and how it connects into the sewer shall be submitted as part of a detailed design including cross sections and invert levels.
 - Details of the measures proposed to manage exceedance flows shall be submitted to the Local Planning Authority.
17. Evidence that Southern Water agrees to the proposed surface water discharge rate should be submitted and approved in relation to a reserved matters application required by Conditions 1 and 2.
18. A maintenance and management plan for the entire drainage system shall be submitted to the Local Planning Authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The maintenance and management plan shall cover the following:
- This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains .
 - Evidence of these responsibility arrangements at the site, during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. This may take the form of a standalone

document or incorporated into the Construction Management Plan for the development.

These details shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter remain in place for the lifetime of the development.

19. Details of measures to manage flood risk, both on and off the site, during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.
20. Prior to occupation of the development, evidence (including photographs) shall be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.
21. No development shall take place until the measures outlined in the submitted ecological statements and reports have been fully implemented 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. The submitted reports are:
 - Preliminary Ecological Appraisal Report Dated December 2018
 - Protected Species Survey Report Dated December 2018
22. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan for biodiversity (CEMP: Biodiversity) has be submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following;
 - a) Risk assessment of potentially damaging construction activities .
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved

details and phasing agreed, unless otherwise agreed in writing by the Local Planning Authority.

23. No site preparation or any other commencement of works shall take place on site until the translocation of reptiles from the construction zone to a suitable receptor site is undertaken. Prior to commencement of development and site preparation, details of the proposed translocation, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with these approved details.
24. The development shall not commence until:
 - a) a biodiversity gain plan has been submitted to the Local Planning Authority, and
 - b) the Local Planning Authority has approved the plan.
25. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
26. No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under Condition 25.
27. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development. New soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme.
28. Upon completion of the approved soft landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority, and within whatever planting season is agreed.
29. No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times.
30. No development shall take place until temporary protective fences to

safeguard the trees and/or hedges to be retained on the site have been erected in accordance with the current BSI 5837 standards and to the satisfaction of the Local Planning Authority. 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.

31. All arboricultural measures and/or works shall be carried out in accordance with the details contained in the arboricultural documents (titled Arboricultural Survey and Arboricultural Impact Assessment prepared by PJC Consultancy and Dated 7th March 2019 and 16th January 2020 respectively) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.
32. Before development commences, a Road Safety Audit shall be submitted to and approved in writing by the Local Planning Authority. The Road Safety Audit should be submitted as part of the reserved matters application relating to 'Layout'. The Road Safety audit should be amended, if there are subsequent revisions to the proposed layout.
33. The landscape details submitted pursuant to condition (1) above, shall include full details of the hard landscape works including 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 (e.g refuse areas, lighting etc); proposed and existing functional services above and below ground (e.g drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc). All hard-landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority.
34. All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
35. Prior to the commencement of works above ground, details of appropriate climate change mitigation and adaptation measures as required by Policy SC3 and in accordance with the hierarchy of Policy SC4 of the Hastings Planning Strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
36. Each individual dwelling hereby approved shall not be occupied until a minimum of one electric vehicle charging point has been installed at each of the houses hereby approved which have dedicated 'on plot' parking. The electric vehicle charging point shall thereafter be retained for that purpose.
37. A detailed site investigation for the presence of contaminants, methane and carbon dioxide in soil shall be submitted to and approved by the Local Planning Authority prior to the commencement of construction works on site. Details of the investigation shall be approved by the Local Planning Authority prior to investigative works commencing. 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. 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.

38. An Air Quality Impact Assessment and Emissions Mitigation Assessment shall be submitted with the reserved matters application.

Development shall be carried out in accordance with the details approved in the Emissions and Mitigation Assessment and no occupation of any dwellings approved shall occur until those works have been completed.

Reasons:

1. The application is in outline only.
2. The application is in outline only.
3. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990.
4. This condition is imposed in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990.
5. For the avoidance of doubt and in the interests of proper planning.
6. In order to secure a well planned development and protect visual and residential amenities of the area.
7. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway
8. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway
9. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway
10. To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

11. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
12. To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding.
13. In the interest of highway safety and for this benefit and convenience of the public at large.
14. In the interests of highway safety and the amenities of the area.
15. In order to secure a well-planned development that functions properly and in order to prevent increased risk of flooding.
16. To prevent increased risk of flooding.
17. To prevent increased risk of flooding.
18. To prevent increased risk of flooding.
19. To prevent increased risk of flooding.
20. To prevent increased risk of flooding.
21. To protect features of recognised nature conservation importance.
22. To protect features of recognised nature conservation importance.
23. To avoid the risk of killing/injuring the reptiles.
24. In accordance with the requirements of the Environment Act 2020 and in order to preserve and enhance priority and protected species.
25. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.
26. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.
27. To secure a well-planned development that functions well and in order to protect the visual amenities of the locality.
28. In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.
29. To secure a well-planned development that functions well and in order to protect the visual amenities of the locality.
30. In the interests of the health of the trees and the visual amenity of the area.
31. To protect trees identified as having a high visual amenity value and contribute towards the features of recognised nature conservation importance.

32. In order to ensure that the development is capable of functioning in a manner that has regard to the safety of vehicular and pedestrian users, including less able bodied people.
33. In the interests of the visual amenity of the area.
34. To secure a well planned development that functions well and in order to protect the visual amenities of the locality.
35. To ensure the development complies with Policy SC3 of the Hastings Planning Strategy 2014.
36. To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with policies contained in the NPPF.
37. To protect those redeveloping the site, future occupants and neighbouring sites and occupants from potential landfill gases and soil contamination.
38. To ensure that the level of airborne pollutants caused by the proposed development does not exceed statutory guidelines, unless appropriate mitigation measures are agreed as required by Policy DM6 of the Development Management Plan 2015.

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.
3. The applicant is advised that they must ensure the proposed works, hereby approved, do not contravene laws protecting wildlife including the Countryside and Wildlife Act 1981. Where the applicant is in doubt they should contact Natural England on wildlife@naturalengland.org.uk Telephone 020 802 61089 or Environment and Natural Resources on parks@hastings.gov.uk Telephone 01424 451107 prior to commencement of any works.
4. No site clearance or tree or hedge removal shall be carried out on site between the 1st March and 31st July inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.
5. Nothing in this permission shall be construed as giving approval to the details shown on the plans accompanying the application hereby approved. Such plans have been treated as being indicative only.
6. Concerns are raised in respect of the design and layout of the proposed development. These are discussed in the associated report and should be taken into consideration when submitting the Reserved Matters application.
7. Part of the proposed development site comes quite close to the listed

farmhouse; Plots 37/38 are close to the listed building and Plots 35/36 will be within the immediate setting. Because of the rising land, some of the new houses may pop up into views of the farmhouse. Careful consideration therefore needs to be given to how the new houses will sit as the backdrop to the farmhouse. In order to assess these factors, the detailed/reserved matters application should include information that clearly demonstrates the relationship between the new dwellings and the listed farmhouse, including before and after views of the farmhouse from the south, east and west showing the change to its context, plus site sections across the development site and the Mayfield Farm site to show how the topography, siting and scale of the new development affects the relationship with the farmhouse.

8. All trees produced abroad but purchased for transplanting shall spend at least one full growing season on a UK nursery and be subjected to a pest and disease control programme. Evidence of this control programme, together with an audit trail of when imported trees were needed and their origin and how long they have been in the nursery will be supplied to the Local Planning Authority prior to the commencement of any tree planting.

Officer to Contact

Ishita Sheth, Telephone 01424 783329

Background Papers

Application No: HS/OA/20/00180 including all letters and documents