

Report to: PLANNING COMMITTEE
Date of Meeting: 23 February 2022
Report from: Assistant Director of Housing and Built Environment

Application address: Car Park, Cornwallis Street, Hastings

Proposal: Erection of hotel with ancillary ground floor restaurant, car parking, landscaping and all associated works

Application No: HS/FA/21/00851

Recommendation: Grant Full Planning Permission

Ward: CASTLE 2018

Conservation Area: No

Listed Building: No

Applicant: Hastings Borough Council per Walsingham
Planning BOURNE HOUSE CORES END ROAD
BOURNE END, Buckinghamshire. SL8 5AR

Public Consultation

Site notice: Yes
Press advertisement: Yes - General Interest
Neighbour Letters: No
People objecting: 22
Petitions of objection received: 1
People in support: 3
Petitions of support received: 0
Neutral comments received: 0

Application status: Not delegated - Petition received
Petition received/more than 5 letters of objection received/Application by the Council on Council owned land.

1. Site and surrounding area

The site currently accommodates a 71-space surface level public car park (with 14 spaces privately allocated). Access is from the southeast of the site, off Cornwallis Street, directly within Hastings Town Centre. The site is bounded by residential properties to the northeast and east, Cornwallis Street to the southeast, with Priory Meadow Shopping Centre being located to the southwest.

While the site itself is generally flat, the surrounding area falls from north to south. As a result, Mann Street which runs along the site's western boundary is approximately 2m higher than the site's ground level. South Terrace, which runs along the southern boundary of the site, reduces from 2m at its junction with Mann Street to match the site level at Cornwallis Street.

Cornwallis Street is a two-way no-through road that principally serves the existing car park and the business premises in that location.

Policy HTC2 of the Hastings Development Management Plan 2015 allocates the site for housing development, with an indicative capacity of 10 dwellings.

Policy TC10 of the draft Local Plan (Regulation 18) identifies the site for a mixed use development, being either hotel or residential led (indicative capacity of 20 dwellings).

Constraints

The site is affected by the following constraints, or covered by the following designations:

- Area affected by surface water flooding
- Strategic Flood Risk Assessment (Climate Change) - 1-200 year chance
- Flood Zone 2 - Environment Agency
- Area susceptible to groundwater flooding
- Potentially Contaminated - constructed on extensive peat beds
- Green Zone (Great Crested Newts)

2. Proposed development

It is proposed to construct an 84-bedroom, 5-storey (at its maximum height) hotel with a ground floor restaurant which would be operated by Premier Inn. The development would create 3,131sqm of new floorspace, providing jobs for approximately 20 full time equivalent (FTE) employees. The restaurant would be located at ground floor level along with the hotel reception, back of house and staff rooms, and the hotel's refuse store and plant room. Hotel rooms would occupy the upper floors.

The building has been designed to step down from 5-storeys at its southern end to 3-storeys at its northern end, adjacent to the existing residential properties in Mann Street. Green roofs are provided on the building's 3rd and 4th floor roofs, together with an array of Solar Photovoltaic (PV) panels on the 3rd and 5th storey elements. A plant enclosure is also provided at roof level.

The proposed hotel would contain an on-site car park with 33 spaces, including 4 disabled car parking spaces and a minimum of 8 electric charging points. All delivery and servicing activity would be accommodated on-site. Covered and secure cycle storage is proposed opposite the main entrance, alongside the Cornwallis Street boundary.

Vehicular access into the site is to remain in the same location off Cornwallis Street to the southeast of the site. Pedestrian access will be relocated further up Cornwallis Street, closer to the junction with South Terrace and next to the hotel's main entrance.

The application is supported by the following documents:

- Planning Statement (Walsingham Planning, September 2021)
- Utility Statement (Jenks Associates, July 2021)
- Ventilation Statement (Jenks Associates, July 2021)
- Construction Environmental Management Plan (RGP, August 2021)
- Delivery and Servicing Management Plan (RGP, August 2021)
- Travel Plan (RGP, August 2021)
- Transport Statement (RGP, August 2021)
- Design and Access Statement (Brookes Architects, September 2021)
- Landscaping and Green Roof Maintenance Management Plan (Brookes Architects, November 2021)
- Heritage Assessment (Cotswold Archaeology, August 2021)
- Economic Impact Statement (Walsingham Planning, August 2021)
- Ecological Impact Assessment and accompanying Small Sites Metric (Ecology By Design, July 2021)
- Emissions Mitigation Assessment (Air Quality Consultants, August 2021)
- Phase I & II Geotechnical & Geo-Environmental Investigation Report (Land Science, January 2020)
- Land Stability Report (Simpson TWS, July 2021)
- Retaining Wall Appraisal (Simpson TWS, July 2021)
- Daylight and Sunlight Report (Anstey Horne, July 2021)
- Environmental Noise Assessment (Sharps Redmore, August 2021)
- Flood Risk, SUDS and Foul Drainage Assessment (Simpson TWS, August 2021)
- Energy Strategy Report (Jenks Associates, July 2021)
- Proposed Lighting Strategy (Ansell Lighting, September 2021)
- Proposed Solar PV Details
- BRUKL Output Document
- Proposed Heat Pump Details
- Statement of Community Involvement (Walsingham Planning, September 2021)
- Clarification on daylight and sunlight queries (Anstey Horne, January 2022)
- Clarification on Public Rights of Way (January 2022)

Relevant planning history

- HS/OA/99/00061 Demolition of existing workshops, garages, stores and development of five town houses on Mann Street frontage
GRANTED 9 July 1999
- HS/FA/96/00058 Change of use to car park (2 sites) creating 16 additional spaces
GRANTED 7 March 1996
- HS/FA/95/00237 Construction of new play facilities to include fencing
REFUSED 30 June 1995
- HS/FA/89/00405 Use of prospective vacant land as an extension of Cornwallis Street Car Park
GRANTED 19 June 1989
- HS/FA/76/00163 Formation of temporary car park
GRANTED 12 May 1976
- HS/OA/71/00007 Site for erection of builders merchants premises, including shops, offices, showroom and stores
REFUSED 11 January 1972

HS/OA/67/00232 Use of derelict site as part of Builder's Merchant premises comprising shops, offices, showrooms, stores and car parking as part of scheme to which OA/66/434 relates
GRANTED 11 April 1967

HS/OA/66/00434 Site for the erection of builders merchants premises including shops, offices, showrooms and stores
GRANTED 14 June 1966

HS/OA/62/00528 Proposed use of land as builders' Merchants produce, including shops, offices, showroom and stores.
GRANTED 20 July 1962

National and local policies

Hastings Local Plan – Planning Strategy 2014

Policy FA2 - Strategic Policy for Central Area
Policy FA3 - Strategy for Hastings Town Centre
Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way
Policy SC2 – Design and Access Statements
Policy SC3 – Promoting Sustainable and Green Design
Policy SC4 – Working Towards Zero Carbon Development
Policy SC7 – Flood Risk
Policy E2 – Skills and Access to Jobs
Policy E4 – Tourism and Visitors
Policy CI1 – Infrastructure and Development Contributions
Policy T3 – Sustainable Transport

Hastings Local Plan – Development Management Plan 2015

Policy LP1 - Considering planning applications
Policy LP2 – Overall Approach to Site Allocations
Policy DM1 - Design Principles
Policy DM3 - General Amenity
Policy DM4 - General Access
Policy DM5 - Ground Conditions
Policy DM6 – Pollution and Hazards
Policy SA1 – Hastings Town Centre Shopping Area
Policy HTC2 – Cornwallis Street Car Park

Revised Draft Local Plan (Regulation 18)

Strategic Policy 4 (SP4) – Business Development – Retail and Leisure Uses
Focus Area Policy 1 (FA1) – Hastings Central
Policy TC10 – Cornwallis Street Car Park

Other policies/guidance

National Design Guide
Air quality and emissions mitigation guidance for Sussex (2021)

National Planning Policy Framework (NPPF)

Paragraph 8 sets out the three overarching objectives of the planning system in order to achieve sustainable development. Those are: 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 (to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;); and environmental (to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy)

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.

Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development. For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 of the NPPF states that the development plan is the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Paragraph 47 of the NPPF sets out that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 120 of the NPPF states, amongst other things, that decisions should promote and support the development of under utilised land and buildings, especially if this would help meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Paragraph 123 of the NPPF states that Local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- e) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and

- f) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.

Paragraph 124 of the NPPF states that planning decisions should support development that makes efficient use of land.

Paragraph 130 of the NPPF requires that decisions should ensure developments:

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

in order to create an attractive, welcoming and distinctive places to live, work and visit.

- Optimise the potential of the site to accommodate an appropriate number and mix of development;
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 131 of the NPPF states that decisions should ensure new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments.

Paragraph 134 of the NPPF states that development that is not well designed should be refused but that significant weight should be given to development that reflects local design policies and government guidance on design and development of outstanding or innovative design which promotes high levels of sustainability and raises the standard of design in the area, provided they fit with the overall form and layout of their surroundings.

Paragraph 135 of the NPPF seeks to ensure that the quality of an approved development is not materially diminished between permission and completion through changes to the permitted scheme.

Paragraph 183 of the NPPF states that decisions should ensure a site is suitable for its proposed use having regard to ground conditions and risks arising from land instability and contamination.

Paragraph 184 of the NPPF sets out that where sites are affected by land stability or contamination, responsibility for securing a safe development rests with the developer and/or landowner.

Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as

well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

3. Consultation comments

Environment Agency – no objection

Refer to standing advice in relation to flood risk.

Southern Water – no objection subject to the imposition of a condition (Condition 20)

Require a condition relating to a detailed surface and foul water drainage strategy.

Sussex Police – no objection subject to the imposition of an informative (Informative 8)

Provide advice on Secured by Design measures, although these are mostly internal and outside the control of the planning system.

Natural England – no objection

Consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Nature Space – no objection

Consider there to be minimal impact on Great Crested Newts.

East Sussex County Council (SUDS) – no objection subject to the imposition of conditions (Conditions 20-23)

Note that the flood risk data has been updated, reducing the risk of flooding to the site. Conditions will secure a suitable surface water drainage strategy and ensure effective management and maintenance.

East Sussex County Council (Highways) – no objection subject to the imposition of conditions (Conditions 5-13)

Consider the proposed hotel use to be appropriate in this location, subject to the imposition of conditions to mitigate the loss of car parking.

East Sussex County Council (Archaeology) – no objection subject to the imposition of conditions (Conditions 18-19)

Require conditions relating to a Programme of Archaeological Works in accordance with an approved Written Scheme of Investigation, as well as Post Investigation Assessment.

East Sussex Building Control Partnership – no objection

No concern from a Building Regulations perspective

Hastings Borough Council (Licensing) – no objection subject to the imposition of an informative (Informative 3)

Note that a license will be required for the sale of alcohol in the bar and restaurant

Hastings Borough Council (Arboriculturalist) – **no objection subject to the imposition of conditions (Conditions 24-25)**

Require an updated soft landscaping plan to be submitted referring to specific tree types

Hastings Borough Council (Natural Environment and Resources Manager) - **no objection subject to the imposition of a condition (Condition 26)**

Require mitigation and compensation measures as set out in the submitted Ecological Impact Assessment to be implemented

Hastings Borough Council (Environmental Health) – **no objection subject to the imposition of conditions (Conditions 3, 14-17)**

Consider the development to be acceptable in principle subject to the imposition of conditions relating to noise and contamination

Hastings Borough Council (Planning Policy) – **no objection**

Note that the proposal is a departure from the Local Plan but consider the economic benefits outweigh the loss of the housing site given the minimal potential yield

4. Representations

In respect of this application 4 site notices were displayed at various points around the site, and an advert placed in the local paper. In response:

- 3 letters of support were received from 3 different people/organisations
- 21 letters of objection were received from 21 different people/organisations
- 1 valid petition of objection was received

The letters of support noted the following:

- Support for investment in this part of the town
- Benefits of job creation, safer neighbourhood, improved capacity of tourist accommodation
- Boost of economic activity

The letters of objection raised the following concerns:

- Loss of parking provision, particularly free overnight parking
- Do not need additional tourist accommodation or restaurants
- Noise impact on nearby residents
- Drainage can't cope with additional pressure, increased impact on flooding
- Loss of daylight and sunlight
- Loss of privacy and outlook
- Increase in traffic and impact on highway network
- Development does not accord with historic character of the area
- Proposed building is too high and imposing
- Inappropriate location for a hotel
- Impact of lighting on residential amenity
- Not energy efficient development

- Lack of management and maintenance of green roofs
- Lack of parking provision for hotel use
- There are existing empty buildings that could be utilised for the hotel
- Impact on residential amenity during construction
- Public Right of Way on the site that would be blocked/interfered with
- Impact on 23/25 Mann Street

The petition was signed by 35 people and raised the following concerns:

- Overbearing and overdevelopment on a small site
- Loss of natural light
- Overlooking, loss of privacy
- Increased flood risk
- Only a token, superficial contribution to green initiatives
- Building not in keeping with surroundings
- Loss of potential affordable housing
- Loss of local amenity space – car park used by church goers, disabled
- Impact on refuse collection – currently at capacity and will be lost
- Impact on residents paid parking
- Other more suitable sites
- Increase in traffic and impact on pedestrian safety

5. Determining issues

The proposed development is for an 84-bedroom hotel on a site that is currently allocated for housing in the adopted Local Plan. Therefore, any proposals for alternative uses on the site needs to be weighed against other relevant adopted policies of the Local Plan relating to matters including, (but not limited to), the economy, the impact on neighbouring residential amenities and the character and appearance of the area, together with any relevant emerging evidence which is being developed for the new Local Plan.

Overall, it must be made clear that it is a matter of planning balance as to whether planning permission is granted using all aspects of policy and guidance. That is to say that even if all policy requirements have not been met, the overarching argument still applies as to whether the benefits of the scheme, outweigh the potential impacts of not meeting every policy requirement.

a) Principle

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 good access to public transport, shops, services and facilities and as such the development is considered acceptable in principle subject to other Local Plan policies.

b) Background

Policy HTC2 of the Development Management Plan 2015 allocates the site for a minimum of 10 residential dwellings. This means that the principle of the loss of a public car park has already been established through the Local Plan process

Policy TC10 of the emerging Local Plan (Regulation 18) identifies the site for a mixed use development, being either hotel or residential led, with an indicative capacity for 20 dwellings, should residential be brought forward on the site.

Taking the above into account, one of the key issues that needs to be considered in relation to the proposed development, is whether the principle of an alternative use to housing should be considered, given that the Council is currently unable to meet its targets for housing delivery.

However, it is important to note, that whilst the emerging Local Plan carries only minimal weight given its stage in the plan making process, its evidence base is up-to-date and provides for clear direction as to the direction plan making and development management decisions will take.

It is also important to note that in terms of strategic infrastructure such as the impact on the highway network, the relevant statutory consultees have already been consulted, both through the emerging Local Plan process and this application. No additional capacity (subject to highway improvements mentioned in this report) have been demonstrated as being required because of this development.

c) Impact on character and appearance of area

The site is located within an area of Hastings that transitions from predominantly residential use to the northeast of the site to predominantly mixed commercial use to the southwest.

Residential properties in the immediate area are mostly 2-3 storeys in height, with the same being said of the mixed use commercial spaces. The exception to this being the 5 storey Priors Meadow Shopping Centre to the south of the site. This is a large, covered shopping centre in the middle of Hastings Town Centre, complete with a multi-storey car park.

The new hotel is proposed to be 5 storeys in height adjacent to South Terrace, reducing to 3 storeys in height adjacent to the properties in Mann Street. This takes account of the sloping nature of the surrounding area and being of a similar scale to the existing buildings at each end. It is set in from the site boundaries, and following concerns raised during the application process, the southernmost corner adjacent to Cornwallis Street has been angled to properly address the junction as part of good design and to make it less dominant in the streetscene.

Whilst the design and use of materials (coloured render and buff facing brickwork) is similar to a typical style of Premier Inn development, attention has been paid to ensuring its appearance is more suited to the traditional types of dwellings in the surrounding area. Windows have been designed with a more vertical emphasis, with recessed sections of the building façade in an alternate colour breaking up the elevations. Parapet detailing is also to be included in the front elevation to reflect historic character. The use of render is prevalent in the surrounding area, and the main entrance to the front of the building provides for a clear focal point, representing good design.

It should be noted that in its current form as a car park, the site is mostly complete impermeable hardstanding, with only some vegetation growing through the concrete. This results in a space of little benefit in terms of its contribution to the character and appearance of the area.

Soft landscaping

As set out in section i) below, the site is almost hard landscaped in its entirety in its current form. Amended information was submitted during the application process to enhance the

soft landscaping provision as much as possible, resulting in a form of development that has a much softer appearance as viewed from the public realm. This is further enhanced by the provision of a green roof on the 3rd and 4th floors, which will enhance its appearance when viewed from higher vantage points around the site.

A robust Management and Maintenance Plan is secured by the imposition of condition 26, which will ensure that the green roof is managed and maintained in perpetuity, so as not cause harm to the character and appearance of the area later.

Overall, whilst the proposed development is significant in scale compared to the current situation, it is still considered to complement the surrounding area in terms of massing and building heights, taking reference from its historical character. The development therefore reaches a good standard of design that protects and enhances local character and shows an appreciation of the surrounding neighbourhoods historic context, scale, height, massing and materials. Policy DM1 of the Development Management Plan 2015 is therefore complied with.

Heritage and archaeology

The site is not located within a conservation area and there are no statutory listed buildings nearby or which would be impacted by the proposals.

This application is however, accompanied by a thorough desk-based archaeological assessment that places the proposed development within an archaeological and historic context. The desk – based archaeological assessment (DBA) concludes that there is potential for the site to contain palaeoenvironmental deposits, residual archaeological artefacts and buried archaeological remains of medieval, post-medieval and modern date.

It is therefore possible that should development commence, ground works undertaken would have the potential to expose buried archaeological/palaeoenvironmental deposits, artefacts and features. As such, it is proposed to impose a condition requiring a programme of archaeological works (Condition 18) to enable any archaeological deposits and features that would be disturbed by the proposed works, to be either preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss.

d) Layout

Access into the site will remain as existing, and a secure bin store is to be placed towards the northeast of the site. Delivery and service vehicles will be able to enter and leave the site in a forward gear and to get within a reasonable distance of the refuse store. Soft landscaping is incorporated within the external areas to ensure the appearance of the development is softened as much as possible, providing for a significant improvement to the current situation.

Within the building itself, the ground floor will house the new hotel lobby and restaurant, together with the relevant service areas. All upper storeys will be allocated to the hotel rooms, including 5% wheelchair accessible units allocated as four double bedrooms. 2 lifts are sited within the hotel.

Overall, it is considered that the site layout has been maximised to provide for adequate space for the storage of waste and means for its removal, together with sufficient space for servicing, ancillary structures and landscaping. Policy DM3 of the Development Management Plan 2015 is therefore complied with.

Secured by design

Sussex Police have reviewed the application and raise no objection to the proposals, subject to the inclusion of some crime prevention methods within the building itself (for example, door types, access control and CCTV). Whilst these are outside of planning control, the applicant is advised through the imposition of Informative 8 that these measures should be implemented in the interests of community safety.

e) Loss of existing use

The site is currently formed of a complete hard standing car parking area. Given that the site is allocated for residential development in the adopted Local Plan (Policy HTC1 of the Hastings Development Management Plan 2015), the principle of the loss of public parking has already been accepted through the Local Plan process. Furthermore, the site is also allocated for an alternative use in the emerging Local Plan. Whilst in its current form, the emerging Local Plan only holds minimum weight, again, it has been accepted that the principle of an alternative use to car parking has already been established.

f) Proposed commercial use

As noted above, the application site is currently allocated in the adopted Local Plan for residential development. Therefore, the proposal for an alternative use represents a departure from adopted Policy, and therefore it needs to be determined whether there are material considerations that indicate that the Local Plan should not be followed.

In this respect, a key theme running through the Planning Strategy (Objective 7 and Policy E4) is the need to support and provide for the local tourism sector. This includes encouraging the provision of new visitor accommodation to help support growth and development of the tourism industry locally. The explanatory text for Policy E4 identifies a deficit in good quality tourist accommodation. The proposed development would therefore support this policy aim.

Furthermore, Policies FA2(a) and FA3(e) of the Hastings Planning Strategy are highly relevant to this proposal and the continuing need to support the role and function, the regeneration, and the vitality of Hastings Town Centre. The proposed location of this development; within the Town Centre, is within excellent walking proximity to Hastings's railway station. It is also close to main arterial routes and tourist generators.

Additionally, whilst only of limited planning weight, the site is proposed as either a hotel or residential-led development in the Regulation 18 draft new Local Plan. This is reflective of the on-going need to support the regeneration of Hastings Town Centre and that a flexible approach is required considering the changes to high street retailing and town centres nationally.

The proposal is also well aligned to the regeneration projects for the Town in relation to the proposals set out in the Town Deal and Town Investment Plan. Again, aimed at promoting a thriving economy and providing a step change in the town centre, supporting the aims set out in the Local Plan.

Specifically, as set out in the Economic Statement submitted with the application, it has been identified that the proposed development will deliver the following economic benefits:

- Construction expenditure of around £6.4 million;
- 50 FTE construction jobs over the build period;
- The direct and indirect creation of 31 net additional FTE jobs locally and in the wider area during the operational phase;
- Support for around 46,603 new overnight visitors per year;
- Visitor expenditure of around £2.1 million in the local economy

Whilst the loss of a potential housing site is regrettable, housing land supply research for the emerging new Local Plan strongly suggests that the potential 10 residential units which this site could yield can be met elsewhere in the Town Centre. The adopted Plan already provides for this in Policy FA3(m) which provides for mixed use developments including residential.

Added to this, and in effect, ahead of the emerging Local Plan there is now the potential for increasing windfall yields due to the changes in the Permitted Development Rights which now facilitate a greater range of changes of use between town centre uses including, to residential, under Planning Use Class E.

Therefore, whilst the site is allocated for housing in the current Local Plan and the Council are currently unable to demonstrate a 5-year housing land supply, significant weight should be given to the positive contribution of this proposal to the policy objectives in the Local Plan for Town Centre regeneration, the economy and tourism. Therefore, no objection is raised to the proposed hotel development on this site in these circumstances, subject to compliance with other planning policies.

g) Impact on neighbouring residential amenities

Whilst there are no buildings on the application site, neighbouring properties have outlook directly towards it. Its height and positioning within the site also mean that issues such as privacy, loss of light and overshadowing, need to be carefully considered.

The application is supported by a detailed Sunlight and Daylight Assessment prepared by professionally qualified 'right to light' specialists, which considered in detail the impact on neighbouring properties in accordance with the BRE Report 209, Site Layout Planning for Daylight and Sunlight: A guide to good practice (second edition, 2011).

Overall, the results of the technical review demonstrate that the proposed development relates well to neighbouring properties and amenity spaces, with a very high degree of adherence to the BRE Guidelines recorded. Where a test is failed (detailed below), this still falls within the elements of flexibility as set out in the BRE document.

Specifically:

Daylight

- 239 out of 254 (94%) windows will achieve BRE compliance. In terms of daylight distribution, 144 out of 150 (96%) will meet the strict application of the BRE Guidelines.
- 25 Mann Street records strict compliance with the advisory levels of the BRE Guidelines. The properties that record alterations beyond these suggested levels are numbers 16, 17, 18, 20 & 26 Mann Street, 10 & 14 South Terrace and 20 St Andrew's Square. Whilst there are isolated windows and rooms in these properties that will experience changes beyond the recommended values, this is largely a product of the current site which is vacant of any structure. The BRE recognise such unusual situations and advocate a flexible

application of the guidelines.

Sunlight

- 99% of rooms assessed will achieve BRE compliance.
- 4 out of 5 (80%) of neighbouring amenity spaces tested will either meet or exceed the recommendations of the BRE. There is 1 space which will record alterations within 10% of the suggested permissible 20% former value, which is the rear garden at 20 Mann Street. Drawings 301-01-02 within Appendix F of the submitted Sunlight and Daylight report show the technical overshadowing results and identify that this particular space, located to the west of the proposed development, will go from being 40% well-lit to 28% in the proposed condition. The height and extent of the 20 Mann Street building itself does present some challenges in terms of ensuring that direct sunlight reaches the ground. The basis of the overshadowing assessment considers the amount of available sunlight on 21st March, the BRE's suggested test date. That said, if one were to look at the sunlight potential during the summer months (when the spaces are also more likely to be used and enjoyed), it is likely that the results would be even more positive, given the sun's higher positioning.

25 Mann Street will not experience any daylight or sunlight alterations beyond the advisory thresholds set out by the BRE.

26 Mann Street, located adjacent to number 25, includes a 2 storey projection to its rear, and whilst 1 bedroom window at first floor level will experience a reduction of light, the location of this window at first floor level, being directly adjacent to the rear elevation of the original house, means that is already obscured in part. The submitted daylight and sunlight report advises that this unique situation means that a reduction in light is unavoidable. It is important to note however, that according to the relevant guidance, bedrooms do not carry the same expectation for natural light when compared to main living rooms.

In addition, the upper storeys above the third floor have been set back a notable distance (approximately 18m) from the site boundary with 25 Mann Street to reduce the overbearing impact on their amenity area. The hotel will also be set back approximately 16.5m from the houses on the other side of Mann Street and approximately 18.5m from the rear of the houses off St Andrew's Square, reducing the impact of any overlooking or loss of privacy from the proposed development.

Overall, therefore, whilst it is noted that there will be some loss of natural light to the closest properties, this is unavoidable due to the site as it currently exists being vacant of any structure. However, it is considered that given the BRE guidelines advocate a flexible approach in these situations. Taking account of the fact that the windows affected do not serve main living areas, it is considered that on balance, in light of the overall scheme being proposed, this will not cause unacceptable harm to the amenities of neighbouring residential amenities to warrant refusal of consent on this point alone.

Glint and glare

Whilst the inclusion of energy reducing technologies such as solar panels is welcomed, consideration has to be given to the impact of these on neighbouring residential amenities in terms of potential glare as a result.

The Council's Energy Development Manager has reviewed the proposal and raises no concern with the scheme, noting that glare will not affect nearby properties given the siting of

the solar panels, and the positioning of the building itself.

Noise and dust

The application is supported by a Construction Environmental Management Plan, which sets out measures to control noise and dust on site during the construction process, as well as controls on vibration that could cause harm to neighbouring residential amenities.

Environmental Health officers have reviewed this report and are satisfied with the measures proposed, clarifying that the report has been undertaken in accordance with British Standards. Subject to securing a timetable for construction and restricting hours that construction can take place (Condition 3), it is considered that neighbouring residential amenities can be sufficiently protected during the construction phase. Policy DM3 of the Development Management Plan 2015 is therefore complied with in this respect.

h) Ecology

The application is supported by an Ecological Impact Assessment, which notes that the site only includes a small area (142sqm) of ruderal/ephemeral vegetation between gaps in the concrete. The remainder of the site is existing hardstanding.

Following the Phase 1 Survey, it is concluded that no protected or priority species are present or potentially present within the site. Neither is there likely to be an impact on closest sites of nature conservation importance, given the distance and built-up nature of the immediate area.

In terms of Great Crested Newts specifically, the development falls within the green impact risk zone for Great Crested Newts. In the green impact zone, there is moderate habitat and a low likelihood of Great Crested Newt presence.

In this case, the closest pond to the application site is located 450m north, and there is little connectivity between the development and the pond due to buildings and hardstanding.

Taking this into account, Great Crested Newts and other protected species are not present on site, and therefore, there will be no impact on this protected species. Policy EN3 of the Hastings Planning Strategy 2014 is therefore complied with.

Biodiversity Net Gain

It is noted that whilst the Environment Act 2021 is now in force, there remains no requirement in planning law for a 10% biodiversity net gain and as such, this has not been formally assessed as part of the application. However, an assessment has been carried out by the applicant, which demonstrates a 34% net gain (which is clearly over and above future requirements) following the implementation of proposals in the Landscaping and Green Roof Maintenance and Management Plan.

Mandatory biodiversity net gain, as set out in the Environment Act, will only be required in planning applications in England once the Town & Country Planning Act (TCPA) is amended which is likely to occur in 2023.

i) Trees and soft landscaping

The site is hard landscaped in its entirety in its current form. However, as with all new development, it is important to ensure opportunities are maximised for additional soft

landscaping, both in terms of biodiversity net gain, and to soften the appearance of the new development.

The application is accompanied by a Landscaping and Green Roof Maintenance and Management Plan, which includes a Soft Landscaping Plan at Appendix A.

The Soft Landscaping Plan has been amended during the application process to intensify the level of planting proposed, particularly in terms of softening the appearance of the proposed car parking area. Whilst this is now considered acceptable, it is proposed to secure an updated landscaping plan by the imposition of a condition (Condition 24) to ensure that the most appropriate tree species are provided, together with details of planting pits/soil type.

j) Air quality and emissions

The proposed development falls within Checklist 1 and Checklist 2 of the 'Air Quality and Emission Mitigation Guidance for Sussex' 2019 produced by Sussex Air Quality Partnership. As such an Emissions Mitigation Assessment has been submitted. Environmental Health has been consulted and has raised no objection to the application.

The imposition of Condition 26 will ensure that the mitigation measures set out in the assessment are fully adhered to

Lighting

The application is supported by a proposed lighting strategy, which demonstrates that spill light will be avoided. Subject to the imposition of Condition 26 to ensure that these measures are fully implemented, no objection is raised in this regard. Policy DM6 of the Development Management Plan 2015 is therefore complied with.

k) Highway safety/parking

The site currently operates as a surface-level car park owned by Hastings Borough Council, providing short-stay parking for the general public on a pay and display basis.

There are a total of 71 car parking spaces (57 for pay & display use and 14 season ticket bays), with a single point for vehicular access / egress on Cornwallis Street.

The proposed hotel would contain an on-site car park with 33 spaces, including 4 disabled car parking spaces, and all delivery and servicing activity would be accommodated on-site.

Accessibility

The site is located directly within Hastings Town Centre, and therefore a large number of facilities and services, including Hastings Railway Station, are in easy walking distance. Bus stops are within 250m and the National Cycle Network is located south of the site.

The site's close proximity to key facilities and amenities would therefore enable hotel guests to arrive at the site by public transport and / or undertake a proportion of trips during their stay using sustainable modes. The accessible location of the site also facilitates hotel staff making journeys by sustainable modes, particularly since the majority of staff at Premier Inn sites are employed from within the local area.

However, a new crossing point on South Terrace is required to improve pedestrian safety

and connectivity. This will be located between Mann Street and Devonshire Road and is to be secured through a Section 106 Agreement as part of this consent, should planning permission be granted.

Site access

Access to the hotel is to remain as per the existing arrangements, with the exception of an alternative pedestrian access point from Cornwallis Street, in lieu of the existing footpath leading into the site on the southwest side of the access.

The Highway Authority is satisfied that the access arrangements are acceptable to accommodate all vehicular entry and exit, including deliveries and servicing. However further details are required regarding the alteration of the access to remove the existing footway, together with the separate pedestrian access. This is secured by the Section 106 Agreement which will be attached to this consent, should permission be granted.

Car parking

The existing car parking area currently comprises 71 parking spaces to serve visitors of the Town Centre. Using adopted guidance prepared by East Sussex County Council in relation to commercial development, a total of 84 parking spaces would typically be required to serve a hotel development as applied for, as well as additional spaces for staff parking.

However, it is accepted that some types of hotels operate differently and that this can impact on the parking demands the hotel generates. It is also acknowledged that the local characteristics and accessibility of the site can also impact significantly on how visitors travel to and from the hotel.

The application proposes 33 spaces to serve the hotel, a significantly lower number than what would typically be required. The Highway Authority have assessed the submitted Transport Assessment in detail and have concluded that the proposed 33 parking spaces are sufficient to accommodate all parking from the hotel during the day, although there may be up to 28 cars being displaced to local car parks overnight. Occupancy data submitted has confirmed that there is significant spare capacity to accommodate this overspill in the immediate area, should it be required.

Taking the above into account, as well as the highly accessible location of the hotel (which will in turn minimise the reliance on the private car), the Highway Authority are accepting of the level of parking proposed. This is however, subject to sufficient management measures to be implemented by the hotel to ensure that guests are directed to the most appropriate public car parks once the hotel car park has reached full occupancy, as well as refunding the costs of overnight parking tickets for future hotel guests (Informative 4).

Cycle parking

Secure and covered cycle parking spaces will be provided within a bike store for 6 cycles, in line with East Sussex County Council parking standards (1 long term space per 10 staff and 1 short term space per 20 beds).

Trip generation

The application is accompanied by survey data that seeks to establish the likely trip generation of the proposed hotel. This data has been analysed by the Highway Authority, taken together with their own survey information, who agree with the conclusion that the

likely level of traffic generated by the new development is likely to be lower than that currently associated with the car park. Therefore, there will not be an increased impact on the operation of the surrounding highway or local junction capacity.

Travel Plan

The submitted Travel Plan intends to encourage sustainable travel for staff as well as hotel guests, which is considered acceptable.

Taking all the above into account, it is acknowledged that the proposed development will result in the loss of a parking area currently in public use and would also create an additional parking demand in the surrounding area. However, the submitted information and the proposed parking strategy demonstrates that any overspill parking is only likely to occur overnight and this can be sufficiently accommodated in the nearby area. With this in mind, it is considered that the development will not have an unacceptable impact on the existing parking pressures in the area.

The Travel Plan, accessible Town Centre location, and improvements to pedestrian links will also help to promote sustainable travel, reducing reliance on the private car.

It is therefore considered that the proposed access and parking arrangements are acceptable, ensuring safe access into and within the site as well as promoting and enhancing sustainable travel. Policy DM4 of the Development Management Plan 2015 is therefore complied with.

Connectivity

Vehicular access into the site would remain in the same location off Cornwallis Street to the southeast of the site, albeit developed to create a stronger and more welcoming entrance. Pedestrian access will be relocated further up Cornwallis Street, closer to the junction with South Terrace and next to the hotel's main entrance. This will improve pedestrian safety by keeping vehicles and pedestrians separated, whilst also allowing for a more prominent entrance area viewable from South Terrace.

In terms of Public Rights of Way (PRoW), concern has been raised that the development will interrupt an existing route through the site. Confirmation has however, been received from East Sussex County Council that no PRoW exists on the site, and therefore no action needs to be taken in this respect.

Overall, the application is acceptable and will not cause harm to highway safety and the Highway Authority have no objection to the application subject to the imposition of conditions, informatives and S106 Legal agreement requirements noted above.

I) Environmental Impact Assessment

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

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

Impact Assessment) Regulations 2017.

m) Flood risk and drainage

Surface water

The application is supported by a Flood Risk, SUDS (sustainable drainage) and Foul Drainage Assessment, which incorporate a surface water drainage strategy for the site. This strategy incorporates the following measures to address flood risk:

- Green roofs
- permeable paved parking bays
- geocellular storage tank for the conveyance, treatment, storage, and attenuation of runoff.

Southern Water have also confirmed that the existing combined sewer in Cornwallis Street has sufficient capacity to accommodate the proposed surface water discharge from the development, and the Lead Local Flood Authority raise no objections to the development, subject to the imposition of conditions requiring a detailed Surface Water Drainage Strategy and Management and Maintenance Plan (Conditions 20-23).

Foul water

A foul water drainage scheme has been developed for the site, which shows the development to discharge to the existing 300mm diameter combined sewer located in Cornwallis Street via the construction of a new manhole.

The connection will be shared with the surface water connection to ensure no unnecessary excavation of the highway is required with flows kept separate up to the site boundary. Southern Water will however, require a formal application for a connection to the public sewer to be made by the applicant or developer (Informative 7).

Flood risk

The application site is in Flood Zone 2, and therefore suitable mitigation measures need to be incorporated into the design of the development to ensure that there is not an increased risk of flooding to the site or any neighbouring properties. These measures include the raising of floor levels and an approved excavation strategy, should a tidal flooding event occur.

The Environment Agency have been consulted on the application and raise no objection to the development.

Taking the above into account, subject to the mitigation measures as set out in the submitted reports, together with the imposition of conditions 20-23 relating to flood risk and drainage, it is considered that the development can be occupied and operated safely, and that there will be no increase in the level of flood risk to the site or neighbouring sites. Therefore, the development can be considered acceptable in terms of flood risk and in accordance with Policy SC7 of the Hastings Planning Strategy 2014.

n) Sustainable construction

As part of this development, the applicant has sought to follow the “Be Lean, Be Clean, Be Green” energy hierarchy. This includes reducing the buildings energy demand through energy efficient techniques, exploring the possibility of using decentralised energy systems,

and including renewable energy technologies on site. In this respect, the following measures have been proposed:

- Installation of an air source heat pump system to provide the space heating and cooling for the bedroom areas to ensure overheating is avoided.
- CO₂ refrigerant based air source heat pump providing preheat of the hot water reducing the load and consumption of gas and energy for water heating.
- A 15 KW Photovoltaic array to provide on-site energy generation.
- Orientation of the building so that most of the guest bedroom windows face east and west, minimising solar gains and reducing the requirements for cooling.
- Installation of 8 electric vehicle charging points within the parking area.

As a result of the above measures, it has been demonstrated that there will be a 35.5% reduction in CO₂ emissions and a 50% reduction in onsite energy consumption when compared to the baseline scenario. Policy SC3 and Policy SC4 of the Hastings Planning Strategy 2014 are therefore complied with.

o) Other matters

Concern has been raised by objectors regarding the following:

- Negative impact on house prices
- Impact on local businesses in terms of businesses competing
- Longevity of Premier Inn at this site

Whilst these concerns are noted, they are not material planning considerations and cannot therefore be considered as part of this application.

In addition, it has been argued that there are better uses for the site. Whilst these views are appreciated, it is the position of the Planning Committee to determine the application before them, and not alternative suggested uses other than what the site is allocated for. As such, this also cannot be a material consideration in the determination of this planning application.

Potential need for a substation

It is not yet clear whether a new substation will be required to serve the development. Should this be the case, the site of the substation will be outside the red line to which this application relates, and a new, full planning application will be required to be submitted.

6. Community Involvement

Concern has been raised within the local community that no public consultation has taken place regarding the scheme, prior to its submission. Councillors are advised that this is not a mandatory requirement, and the application itself has been subject to the statutory consultation procedures required through planning legislation. The applicant did however, seek to engage with the Local Authority prior to the finalisation of the scheme, taking advantage of the Council's pre-application advice service.

7. Conclusion

It is a matter of planning balance as to whether planning permission is granted using all aspects of policy and guidance. That is to say that even if all policy requirements have not been met, the overarching argument still applies as to whether the benefits of the scheme, outweigh the potential impacts of not meeting every policy requirement.

Therefore, whilst the site is allocated for housing in the current Local Plan and that the Council are currently unable to demonstrate a 5-year housing land supply, significant weight should be given to the positive contribution of this proposal to the policy objectives in the Local Plan for the town centre regeneration, the economy and tourism. The contents of this report have demonstrated that there are undoubtedly significant economic benefits to the proposed development, and it will not have an undue impact on the character and appearance of the area or neighbouring residential amenities. The proposal is therefore considered to be in accordance 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.

8. 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 to secure:

- **A Section 278 Agreement for off site highway improvements including**
 - **The proposed alteration of the existing access serving the site with dropped kerbs and tactile paving provided either side.**
 - **The provision of a separate pedestrian access into the site to link with the footway on the north side of Cornwallis Street.**
 - **The provision of a new pedestrian crossing to the west of the site on South Terrace.**
- **A Travel Plan Audit fee of £6000**

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/infrastructure.

In the event that the Agreement is not completed by 19 July 2022, that the application be refused on the grounds that it does not comply with the relevant policies (policies H3 and CI1) of the Hastings Local Plan, The Hastings Planning Strategy 2011-2028 or the Hastings Local Plan, Development Management Plan unless an extension of time has been agreed in writing by the Planning Services Manager in consultation with the Chair and Vice Chair of the Planning Committee.

B) Subject to the above Grant Full Planning Permission subject to the following conditions

Grant Full Planning Permission 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:

5112-BAL-ZZ-00-DR-A-07-4001 (Site location plan)
5112-BAL-ZZ-00-DR-A-07-4002 Rev A (Existing site plan)
5112-BAL-ZZ-00drA-07- 4003 Rev B (Proposed block plan)
5112-BAL-ZZ-00-DR-A-07-4010 Rev A (Proposed site plan)
5112-BAL-ZZ-00-DR-A-07-4011 Rev A (Proposed ground floor plan)
5112-BAL-ZZ-01-DR-A-07-4012 Rev A (Proposed first floor plan)
5112-BAL-ZZ-02-DR-A-07-4013 Rev A (Proposed second floor plan)
5112-BAL-ZZ-03-DR-A-07-4014 Rev A (Proposed third floor plan)
5112-BAL-ZZ-04-DR-A-07-4015 Rev A (Proposed fourth floor plan)
5112-BAL-ZZ-05-DR-A-07-4016 Rev A (Proposed roof plan)
5112-BAL-ZZ-XX-DR-A-07-4020 Rev A (Proposed elevations, front and rear)
5112-BAL-ZZ-XX-DR-A-07-4021 Rev A (Proposed elevations, side)
5112-BAL-ZZ-XX-DR-A-07-4030 Rev A (Existing and proposed sections)
5112-BAL-ZZ-XX-DR-A-07-4040 Rev A (Proposed area schedules)
5112-BAL-ZZ-XX-DR-A-07-4050 Rev A (Proposed 3D views)
41701-JASSOC-PB-00-DR-ME-0001 P04 (Ground floor initial services proposals)
41701-JASSOC-PB-01-DR-ME-0002 P03 (First floor initial service proposals)
41701-JASSOC-PB-02-DR-ME-0003 P03 (Second floor initial services proposals)
41701-JASSOC-PB-03-DR-ME-0004 P04 (Third floor initial services proposals)
41701-JASSOC-PB-04-DR-ME-0005 P01 (Fourth floor initial services proposals)
41701-JASSOC-PB-RF-DR-ME-0006 P03 (Roof floor initial services proposals)
7767 (PV layout)

3. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday
08.00 - 13.00 on Saturdays
No working on Sundays or Public Holidays.

Deliveries to, and waste collection from, the premises during normal operational procedures should only be undertaken between the hours of 08:00 - 19:00 on all days.

4. The restaurant element of the premises shall not be used except between the following hours:-

Monday to Friday: 05.30 - 23.00
Saturday and Sunday: 06.00 - 23.00

Drinks will be allowed to be served to residents of the hotel outside of these hours.

The hotel will be open 24 hours a day, 7 days a week.

5. Prior to the occupation of the development hereby approved, the vehicular access serving the development must be reconstructed in accordance with the approved drawing.
6. The development shall not be occupied until parking areas have been provided in accordance with the approved plans/details which have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.
7. The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).
8. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved details which have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
9. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans which have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and the turning space shall thereafter be retained for that use and shall not be used for any other purpose.
10. Development shall take place in accordance with the measures set out in the submitted Construction Environmental Management Plan (RGP, August 2021) unless the scheme(s), or programme(s) of measures contained within is otherwise first varied, by way of prior written approval from the Local Planning Authority. This must be implemented and adhered to in full throughout the entire construction period.
11. Prior to the commencement of any part of the development, a further indicative programme for carrying out the works set out in the approved Construction Environmental Management Plan (RGP, August 2021), together with details of the main site operator must be submitted to and approved in writing by the Local Planning Authority.
12. Prior to the commencement of any part of the development, should a tower crane be required for construction, a swept path analysis and further details must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.
13. The submitted Travel Plan shall be in operation on occupation of development and thereafter. The appointed Travel Plan Coordinator shall provide monitoring reports to the Local Planning Authority after 1, 3 and 5

years to be audited by the Highway Authority.

14. Development shall take place in accordance with the measures set out in the submitted Phase I and II Geotechnical & Geo-Environmental Investigation Report (Land Science, January 2020) unless the scheme(s), or programme(s) of measures contained within is otherwise first varied, by way of prior written approval from the Local Planning Authority. This is specifically relevant to the recommendation for further ground investigation to determine piled foundation parameters and for further gas monitoring and any gas protection options required. This should be undertaken and properly assess the risks to end user groups and should be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.
15. Prior to the commencement of remediation works, a further Site Investigation Report detailing all investigation works and sampling on site together with the results analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to and approved in writing by the Local Planning Authority.

Any approved remediation works, shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

16. All development shall be stopped immediately in the event that contamination not previously identified is found to be present on the development site and details of the contamination shall be reported immediately in writing to the Local Planning Authority.

Development shall not re-start on site until the following details have been submitted to, and approved in writing by, the Local Planning Authority: -

- a) a scheme outlining a site investigation and risk assessments designed to assess the nature and extent of any contamination on the site.
- b) a written report of the findings which includes, a description of the extent, scale and nature of contamination, an assessment of all potential risks to known receptors, an update of the conceptual site model (devised in the desktop study), identification of all pollutant linkages and unless otherwise agreed in writing by the Local Planning Authority and identified as unnecessary in the written report, an appraisal of remediation options and proposal of the preferred option(s) identified as appropriate for the type of contamination found on site and (unless otherwise first agreed in writing by the Local Planning Authority)
- c) a detailed remediation scheme designed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and a verification plan outlining details of the data to be collected in order to demonstrate the completion of the remediation works and any arrangements for the continued monitoring of identified pollutant linkages;

and before any part of the development is occupied or used (unless

otherwise first agreed in writing by the Local Planning Authority) a verification report demonstrating the effectiveness of the remediation works carried out and a completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to, and approved in writing by, the Local Planning Authority.

The above site works, details and certification submitted shall be in accordance with the approved scheme and undertaken by a competent person in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

17. The development hereby approved shall not be occupied until details of all roof plant and its enclosure, together with a further BS4142 assessment in relation to noise have been submitted to and approved in writing by the Local Planning Authority. This assessment should include any mitigation measures required so that any potential noise outbreak does not exceed the minimum background noise level between the hours of 07:00-23:00 and be at least -5db relative to the minimum background noise level between the hours of 23:00-07:00. The development shall therefore be implemented in accordance with the approved details and maintained thereafter.
18. Prior to the commencement of any part of the development, the applicant is required to secure 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.
19. 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 18 above.
20. (i) Prior to the commencement of any part of the development, a detailed foul and surface water drainage strategy/system shall be submitted in support to and approved in writing by the Local Planning Authority. The surface water drainage strategy/system shall incorporate the following:
 - a) Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to 9.3 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence.
 - b) The details of the outfall of the proposed drainage system and how it connects into the sewer shall be submitted as part of a detailed design including cross sections and invert levels.
 - c) The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.

d) The detailed design of the surface water drainage features (underground tank) shall be informed by findings of groundwater monitoring between autumn and spring at the location of the proposed tank. The design should leave at least 1m unsaturated zone between the base of the drainage structures and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system should be provided as part of this submission.

(ii) Development shall then be carried out in accordance with the details approved under (i) and no occupation of the development hereby approved shall occur until those works have been completed.

And

(iii) No occupation of any of the development 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.

21. Prior to the commencement of any part of the development, a Maintenance and Management Plan for the entire drainage system shall be submitted to the Local Planning Authority to ensure the designed system takes into account design standards of those responsible for maintenance. The Management and Maintenance Plan shall cover the following:
- a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.
 - b) Evidence of how these responsibility arrangements will remain in place throughout the lifetime of 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.

22. Prior to the commencement of any part of the development, details of measures to manage flood risk, both on and off the site during the construction phase must be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
23. Prior to occupation of the development evidence (including photographs) should be submitted to and approved in writing by the Local Planning Authority, showing that the drainage system has been constructed as per the final agreed detailed drainage designs approved pursuant to Condition 20 of this consent.
24. No development shall take place above ground until there has been submitted to and approved in writing by the Local Planning Authority a revised Scheme of Soft Landscaping, which shall identify of all existing trees and hedgerows on the land and include 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. Details shall also include any earthworks proposed, their form, associated land levels, planting pits and soil type, and relationship to the wider landscape.

In this case, tree species within the car parking area should consist solely of London plane, and tree species within areas where space is restricted should consist solely of Turkish hazel.

25. All planting seeding or turfing comprised in the approved Soft Landscaping Scheme shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives prior written consent to any variation.
26. Where relevant, no development shall take place until the measures outlined in the following 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:
- Ecological Impact Assessment and accompanying Small Sites Metric (Ecology By Design, July 2021)
 - Emissions Mitigation Assessment (Air Quality Consultants, August 2021)
 - Proposed Lighting Strategy (Ansell Lighting, September 2021)
 - Landscaping and Green Roof Maintenance Management Plan (Brookes Architects, November 2021)

Subject to additional information required by Conditions 20-23 this will also include the Flood Risk, SUDS and Foul Drainage Assessment (Simpson TWS, August 2021)

27. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
28. Prior to occupation of the development hereby approved, details must be submitted to and approved in writing by the Local Planning Authority with regard to the provision of Electric Vehicle Charging Points. As a minimum, this should include:
- At least 8 Electric Vehicle Charging Points within the boundary of the car

parking area

The Electric Vehicle Charging Points shall thereafter be retained for that purpose.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To safeguard the amenity of adjoining and future residents.
4. To safeguard the amenity of adjoining and future residents.
5. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
6. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
7. 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.
8. In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.
9. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
10. In the interests of highway safety and the amenities of the area.
11. In the interests of highway safety and the amenities of the area.
12. In the interests of highway safety and the amenities of the area.
13. In order that the development site/use hereby permitted maximises its accessibility by non-car modes and to meet the objectives of sustainable development.
14. To protect those redeveloping the site, future occupants and neighbouring sites and occupants from potential landfill gases and soil contamination.
15. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
16. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled

waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17. To safeguard the amenity of adjoining and future residents.
18. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.
19. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.
20. In order to secure a well-planned development that functions properly and in order to prevent increased risk of flooding.
21. In order to secure a well-planned development that functions properly and in order to prevent increased risk of flooding.
22. In order to secure a well-planned development that functions properly and in order to prevent increased risk of flooding.
23. In order to secure a well-planned development that functions properly and in order to prevent increased risk of flooding.
24. To secure a well-planned development that functions well and in order to protect the visual amenities of the locality.
25. In the interests of the visual amenity.
26. To protect features of recognised nature conservation importance.
27. To ensure a satisfactory form of development in the interests of the character and amenity of the area.
28. To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with policies contained in the NPPF.

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 a separate licence will be required for the sale of alcohol for consumption in the bar and in the restaurant.

4. The applicant is reminded that sufficient management measures must be put in place by the hotel to ensure that guests are directed to the most appropriate public car parks once the hotel car park has reached full occupancy. Also, to encourage responsible parking the hotel should refund visitors the cost of the overnight parking ticket.
 5. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
 6. The applicant is advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.
 7. A formal application for connection to the public foul sewerage system is required in order to service this development. Please read the New Connections Services Charging Arrangements documents which are published at <https://beta.southernwater.co.uk/infrastructure-charges>
 8. The applicant is reminded to implement measures as set out in Sussex Police's consultation response to ensure a safe and well planned development that addresses the principles of Secured by Design.
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Officer to Contact

Mrs S Wood, Telephone 01424 783329

Background Papers

Application No: HS/FA/21/00851 including all letters and documents