

# Public Document Pack

## PLANNING

26 JULY 2023

Present: Councillors O'Callaghan (Chair), Roberts (Vice-Chair), Collins, Beaney, Beaver, Cannan, Edwards, Sinden, Williams and Webb

Officers: Eleanor Evans (Planning Services Manager), Surinder Atkar (Senior Solicitor), Paul Howson (Principal Planning Officer), Louise Fletcher (Planning Officer)

### 10. APOLOGIES FOR ABSENCE

Apologies received from Cllr Bacon (substituted by Cllr Webb)

### 11. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Cllr Beaver	5(a,b)	Personal – East Sussex County Councillor
Cllr Webb	5(a,b)	Personal – East Sussex County Councillor

### 12. MINUTES OF PREVIOUS MEETING 21/06/23

**RESOLVED** – that the minutes of the meetings held on 21<sup>st</sup> June 2023 be approved as a true record.

### 13. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

### 14. PLANNING APPLICATIONS

### 15. LAND ADJACENT, 777 THE RIDGE, (EAST OF HARROW LANE), ST LEONARDS-ON-SEA (HS/FA/23/00016)

Proposal	Erection of 71 dwellings together with access, open space, parking and landscaping
Application No	HS/FA/23/00016
Conservation Area	No
Listed Building	No
Public Consultation	Yes – 7 objections

## PLANNING

26 JULY 2023

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The Principal Planning Officer gave updates. Planning application HS/FA/22/00906 is now formally approved following completion of the legal agreement. It is noted that due to the work having commenced on site, some of the obligations secured by this development have already been provided. A further letter of objection has been received expanding on the concerns previously raised and the total number of households objecting remains the same.

Slides were shown of a location plan, block plan and an aerial photograph. The Principal Planning Officer explained the proposed housing mix would be 46 x 2 bed houses, 5 x 2 bed houses with Home Office, 18 x 3 bed houses, 2 x 4 bed houses. Slides were shown of the site layout and the new plots. Slides were shown of the existing and proposed street scene, photographs including the site entrance and views from and towards Harrow Lane. The Principal Planning Officer explained the site has an extant permission for 67 dwellings, so this application is to consider the additional 4 dwellings proposed by this application.

Councillors asked the Principal Planning Officer regarding the drainage layout. The Principal Planning Officer answered that the drainage layout has already been approved by the County Council and by Southern Water in the previous application.

Councillors debated.

Councillor Roberts proposed approval of the recommendation, seconded by Councillor Cannan.

### **RESOLVED (6 votes for, 4 against)**

**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:**

- **Commuted sum of £404,750 as a contribution toward affordable housing**
- **Provision and retention of the open space**
- **Contribution of £18,673 towards library provision**
- **Contribution of £1,704 towards improvements to the Public Rights of Way network in the surrounding area**
- **Contribution of £161,470 towards sustainable transport improvement measures on The Ridge**
- **Contribution of £5,000.00 towards setting up parking restrictions on Harrow Lane**
- **Travel Plan measures including:**
  - **£100 green travel voucher per unit redeemable towards public transport tickets and cycle equipment; a residents information pack providing details of bus timetables, local routes to reach local amenities with walking/cycle distance and times, Travel Plan coordinator contact, and mechanism to redeem travel voucher**
- **Section 278 Agreement for highway works off-site to include pedestrian crossing**

## PLANNING

26 JULY 2023

point to allow connectivity to A21 Sedlescombe Road North, and road markings to protect the proposed access junction (double yellow lines)

- Section 278 Agreement for highway works on-site for creation of the vehicular access

unless it has been conclusively shown that the development would not be viable and it would still be acceptable in planning terms without the identified development contributions. In the event that the Agreement is not completed or the viability issue is not resolved by 31 December 2023 that permission be refused on the grounds that the application does not comply with the relevant policies 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 carried out in accordance with the following approved plans:

6695/P/71/LBP; 6695/P/200/A; 6695/P/201/A; 6695/P/202/A; 6695/P/203/A; 6695/P/204/A; 6695/P/206/A; 6695/P/300/A; 6695/306/A; 6695/P/110/E; 6695/P/111/C; 6695/P/112/C; 6695/P/113/E; 6695/P/214/A; 6695/P/215/A; 6695/P/216/A; 6695/P/217/A; 6695/P/118/C; 6695/P/119/C; 6695/P/120/C; 6695/P/121/D; 6695/P/122/D; 6695/P/123/D; 6695/P/124/C; 6695/P/126/C; 6695/P/127/C; 6695/P/130/B; 6695/P/131/B; 6695/P/132/A; 6695/P/133/B; 6695/P/225/A; 6695/P/230/A; 6695/P/231/A; 6695/P/234/A; 6695/P/236/A; 6695/P/140/A; 6695/P/141/B; 6695/P/164/B; 6695/P/166/B; 6695/P/167/A; 6695/P/325; PLG/1725/22/A; 2020/5574/001/P7; 2020/5574/002/P7; 2020/5574/003/P4; P20970-HZL-00-DR-D-2204-S4-P1; P20970-HZL-00-DR-D-2205-S4-P1; P20970-HZL-00-DR-D-2220-S4-P4; P20970-HZL-00-DR-D-2221-S4-P2; P20970-HZL-00-DR-D 2219 S4-P1; P20970-HZL-00-DR-D-0252-S4-P1; P20970-HZL-00-DR-D-0253-S4-P1; and, P20970-HZL-00-DR-D-2243-S4-P1.

2. Prior to commencement of development above the slab level of any of the approved buildings, details including samples of the materials to be used in the construction of the external surfaces of the development 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.
3. Notwithstanding the submitted details, prior to commencement of development above the ground level slab of any new building, details of a scheme for hard surfacing across the site shall be submitted to, and

## PLANNING

26 JULY 2023

approved in writing by the Local Planning Authority. Those details shall include finished levels, pedestrian access and circulation areas, and details of materials for driveways. The development shall be carried out in accordance with the approved details.

4. The development hereby approved shall be carried out in accordance with the approved land contamination measures in the documents titled 'Combined Geotechnical and Quantitative Ground Contamination Risk Assessment' prepared by Ashdown Investigation Ltd and dated December 2020, and 'Ground Gas Risk Assessment' by Ashdown Investigation Ltd dated March 2021. Any variation to the measures contained therein shall be submitted to and approved in writing by the Local Planning Authority in advance of those works being undertaken. The recommendations and measures in the above mentioned documents shall be adhered to in full.
5. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development is resumed or continued.
6. The development shall be carried out in accordance with the ecological measures detailed in the report titled 'Ecological Enhancement, Management and Mitigation Plan' prepared by Greenspace Ecological Solutions and dated December 2020, and shall include hedgerow, shrub and species-rich grassland management, hedgerow planting, bat and bird boxes and hedgehog houses.
7. The development shall be carried out in accordance with the methodologies contained in Section 4: Sensitive Works Methodologies of the report titled 'Ecological Enhancement, Management and Mitigation Plan' by Greenspace Ecological Solutions dated December 2020, and those measures shall remain in place through the construction process.
8. No development shall take place until the protective fences to safeguard trees and hedges have been installed in full accordance with the Tree Protection Plan forming part of the report 'Arboricultural Impact Assessment and Method Statement, Revision A' by Greenspace Ecological Solutions dated December 2020. The trees and hedgerows identified as being retained by the report shall be protected in accordance with the protection measures detailed within the report for the duration of the construction period.

## PLANNING

26 JULY 2023

9. The development shall be carried out in accordance with the 'Construction Method Statement', Revision A, prepared by The Park Lane Group, dated March 2021.
10. With the exception of internal works to the buildings hereby approved, the development must be carried out within the following times: 08:00- 18:00 Monday to Friday, 08:00- 13:00 on Saturdays, and no working on Sundays or Public Holidays.
11. The underwater attenuation tanks shall be installed in accordance with the details approved under HS/CD/22/00879 and shall be so maintained in accordance with the approved details.
12. Prior to occupation of the development, evidence (including as built drawings and photographs) shall be submitted showing that the drainage system has been constructed as per the drainage designs approved under HS/CD/22/00879.
13. No part of the development hereby approved shall be occupied until the storage and collection points for refuse bins, and all cycle parking spaces shown on the approved plans have been installed in full. These shall be retained and be available for use as such at all times thereafter.
14. No external lighting shall be installed unless details have first been submitted to, and approved in writing by the Local Planning Authority. Those details shall include provisions for avoidance of 'light spill', and the external lighting shall be installed only in accordance with the approved details.
15. Details including acoustic specifications, of all fixed plant, machinery and equipment associated with air moving equipment (including fans, ducting and external openings), compressors generators or plant or equipment of a like kind, installed within the site, which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved by the Local Planning Authority before installation.
16. No part of the development shall be occupied until minimum visibility splays of 43 metres by 2.4 metres have been provided at the proposed site vehicular access onto Harrow Lane in accordance with drawings P20970-HZL-00-DR-D 2219 S4-P1 & 2020/5574/001 P7. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.
17. The measures detailed within the 'Travel Plan' by RGP, dated December 2020 shall be implemented from the first occupation of any part of the development and shall remain in place thereafter for a period of 5 years. The appointed Travel Plan Coordinator shall provide monitoring reports to

## PLANNING

26 JULY 2023

the Local Planning Authority after 1, 3, and 5 years to be audited by the Highway Authority.

18. The development hereby permitted shall not be occupied until the construction of the access and off-site accessibility requirements have been completed in accordance with the approved technical details of the new access, pedestrian crossing point and associated lighting (S278) and details of a Traffic Regulation Order for the parking restrictions.
19. The development shall not be occupied until car parking areas have been provided in accordance with plan 6695/P/200/A and the proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls). The areas marked as 'allocated to a dwelling' and 'visitor' shall thereafter be retained for those purposes.
20. The scheme of soft landscaping for the site (PLG/1725/22/A) shall be implemented in full and not later than the first planting season following the first occupation of the development. If, within a period of 5 years from the date of planting, the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

### Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. In the interests of the visual amenity of the area.
3. In the interests of the visual amenity of the area.
4. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.
5. To protect those redeveloping the site and any future occupants from potential landfill gases and soil contamination.
6. To protect features of recognised nature conservation importance.
7. To protect features of recognised nature conservation importance.

## PLANNING

26 JULY 2023

8. In the interests of the visual amenity.
9. In the interests of the visual amenity.
10. In the interests of amenity.
11. To prevent increased risk of flooding.
12. To prevent increased risk of flooding.
13. In order to secure a well planned development.
14. In the interests of the visual amenity.
15. In the interests of the visual amenity.
16. In the interest of highway safety.
17. To encourage and promote sustainable transport.
18. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
19. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
20. In the interests of the visual amenity.

### Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.
3. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
4. This Authority's requirements associated with this development proposal will need to be secured through a Section 278 Legal Agreement between the applicant and East Sussex County Council. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

## PLANNING

26 JULY 2023

5. The applicant is advised to contact the Transport Development Control Team (01273 482254) to commence the process associated with the proposed Traffic Regulation Order. The applicant would be responsible for meeting all costs associated with this process which is a minimum of £5000. The applicant should note that the outcome of this process cannot be guaranteed as it is open to public objection.
6. In the event that roads are not offered for adoption, the Highway Authority would wish to see the roads within the site laid out and constructed to standards at, or at least close to, adoption standards.
7. The applicant should be made aware that the creation/alteration of this access will require the compliance with the Traffic Management Act 2004 and that the contractor will have to book road space with the East Sussex Highways Network Co-ordination team (0845 60 80 193)
8. In the event that any sewers are found within the site the applicant is advised to contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Telephone: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

### 15.1 29 Langham Road, Hastings, TN34 2JE (HS/FA/23/00119)

Proposal	Proposed two storey side extension and single storey rear extension
Application No	HS/FA/23/00119
Conservation Area	No
Listed Building	No
Public Consultation	Yes – 6 objections

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The Planning Officer showed slides of a location plan, block plan, aerial photograph. Slides were also shown of the front, rear and side elevations, rear and side boundaries. Slides were show of drawings showing the existing and proposed elevations and proposed floor plans were shown. The Planning Officer explained this is a revised application with the proposed extension being significantly reduced in size and the extension being set further from its boundaries. The extension will be set in from the side boundary by approximately 3.4 meters to 3.55 meters.



## PLANNING

26 JULY 2023

Councillors asked the Planning Officer regarding proposed distance to the boundary compared to the previous application. The Planning Officer answered there has been an increase of 2 metres further from the boundary.

Councillors asked for clarification on the position and number of chimneys. The Planning Officer explained there will still be two chimneys. One will be moved to the end of the proposed extension.

Councillors asked if the independent garage is to be removed. The Planning Officer confirmed the independent garage is to be removed.

Councillors debated.

Councillor Beaver proposed approval of the recommendation, seconded by Councillor Edwards.

### **RESOLVED (Unanimously)**

#### **Grant 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:  
  
P1003C, P1004D, P1007C and P1008A
3. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-  
  
08.00 - 18.00 Monday to Friday  
08.00 - 13.00 on Saturdays  
No working on Sundays or Public Holidays.
4. The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.
5. The existing Buxus Sempervirens (box hedging) located at points A to E on drawing No. P1008A shall be retained on site in perpetuity, if it dies, or is removed or becomes seriously damaged or diseased it shall be replaced in the next planting season with another of similar size and species.
6. The flat roof of the rear extension hereby approved shall not be used as a balcony, roof garden or similar amenity area at any time, and access to the roof shall be for purposes of maintenance only.

## PLANNING

26 JULY 2023

### 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. In the interests of the visual amenity of the area.
5. To ensure a satisfactory form of development in the interests of the character of the area.
6. To safeguard the amenity of adjoining and future residents.

### 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 reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.

More details on the district licensing scheme can be found at [www.naturespaceuk.com](http://www.naturespaceuk.com)

Contact details: [info@naturespaceuk.com](mailto:info@naturespaceuk.com)

4. If during development and excavations any suspicions become evident or are aroused as to the potential or presence for any contaminated land, then works should immediately cease and a contaminated land assessment / ground investigation report be carried out which should then be submitted to and approved in writing by the Local Planning Authority prior to the work, associated with the permission hereby granted, commencing.

## **PLANNING**

**26 JULY 2023**

5. The applicant is advised that if the proposed patio to the rear of the dwelling house is to be any higher than 0.3m from ground level then planning permission will be required to be obtained prior to these works being carried out.

### **16. PLANNING APPEALS AND DELEGATED DECISIONS**

The Committee noted the report.

(The Chair declared the meeting closed at. 6.35 pm)

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