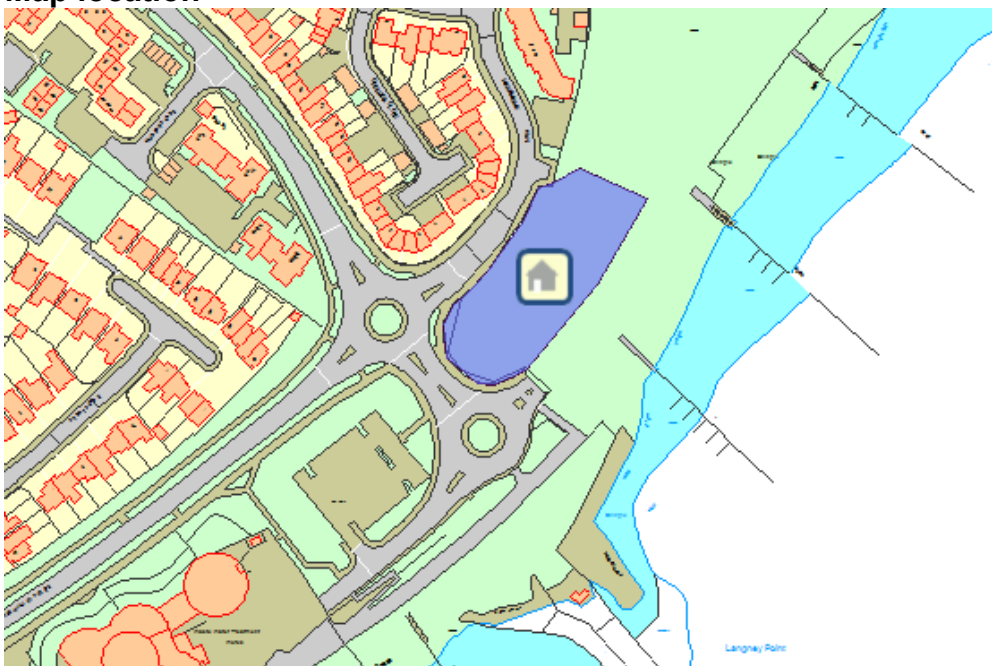


App.No: 190933	Decision Due Date: 3 February 2020	Ward: Sovereign
Officer: Anna Clare	Site visit date: 9 March 2020	Type: Planning Permission
Site Notice(s) Expiry date: 12 January 2020		
Neighbour Con Expiry: 12 January 2020		
Press Notice(s): n/a		
Over 8/13 week reason: n/a		
Location: Site 1 off Martinique Way, Martinique Way, Eastbourne		
Proposal: Installation of Clear glazed balustrades to beach side terraces of 1- 10 White Point.		
Applicant: Marlborough Homes Southern Ltd		
Recommendation: To delegate to the Head of Planning to grant planning permission subject to conditions, following a decision on 190932. If 190932 is not decided within 3 months (as per the recommendation) or is refused then to refer the application back to planning committee for determination.		
Contact Officer(s):	Name: Anna Clare Post title: Specialist Advisor Planning E-mail: anna.clare@eastbourne.gov.uk Telephone number: 01323 4150000	

Map location



1 Executive Summary

- 1.1 This application relates to 10 units (5 pairs of semi-detached properties) located between Martinique Way and the Sea from the Southern Water treatment Works to the west to the Martello Tower to the East adjacent the Harbour.
- 1.2 As part of the original design each of the units had an area of decking on the seaward side of the property. This application proposes the erection of the of glass balustrades to delineate the edge of the decking and provide an element of defensible space.
- 1.3 This means of enclosure if provided in a uniform manner across all 10 units would give consistency to the design and would give rise to limited impact upon the host properties in particular and the wider street scene in general.
- 1.4 Application is recommended for approval subject to conditions.

2 Relevant Planning Policies

2.1 Revised National Planning Policy Framework 2019

12. Achieving well-designed places

2.2 Eastbourne Core Strategy 2013

C14 Sovereign Harbour Neighbourhood Policy
D10a Design

2.3 Eastbourne Borough Plan Saved Policies 2007

UHT1 Design of New Development
UHT4 Visual Amenity
UHT7 Landscaping

3 Site Description

- 3.1 The site is that previously referred to as 'Site 1 Sovereign Harbour'. Situated between Martinique Way and the Sea from the Southern Water treatment Works to the west to the Martello Tower to the East adjacent the Harbour. The site was previously granted planning permission for 72 dwellings, consisting of a row of 10 (5 x pairs of semi-detached properties) houses, and 62 flats contained in two blocks to the west of the site.
- 3.2 The 10 dwellings themselves have been completed at the site and are now referred to as White Point, however landscaping works are outstanding. During construction it became evident that the dwellings themselves varied significantly from the approved plans, and landscaping works had been undertaken outside of the approved drawings and plot boundaries varied significantly from that approved. An application for a variation of the original consent is currently under consideration to remedy the breach of planning control.

4 Relevant Planning History

4.1 151056

Application for approval of reserved matters (Access, Appearance, Landscaping, Layout and Scale) following outline approval(Ref: 131002) for the development of Site 1, Sovereign Harbour for 72 Residential Units, consisting of 62 Apartments over two blocks and 10 houses.

Reserved Matters

Approved Conditionally

17/05/2016

4.2 131002

Outline Planning permission for the development of sites 1, 4, 5, 6, 7 and 8 at Sovereign Harbour.

Outline (all matters reserved)

Approved conditionally

02/12/2014

4.3 The variation of condition to remedy the breach of planning control is being considered under application 190932.

4.4 There is a further application (Ref: 200101) under consideration in relation to works carried out at Plot 1 to remedy breaches of planning control including installation of swimming pool, additional fences, extended decking and planting.

5 Proposed development

5.1 The application proposes the erection of balustrading to the beach side terraces of the dwelling houses. The balustrading is proposed 1.1m in total height atop the retaining walls.

6 Consultations

6.1 None.

7 Neighbour Representations

7.1 1 and 4 White Point have written in support of the application for privacy and security reasons.

8 Appraisal

8.1 Design

8.1.1 Balustrading was resisted at the original design stage as the concept of the development was beach houses that flowed onto the shingle landscaping. However much of this concept has been lost by the variations from the original design. The purchasers want more security and it is considered that failure to approve a balustrade will probably lead to individual householder placing inappropriate 'temporary' barriers which are not fixed to get around the requirement for planning permission.

- 8.1.2 Therefore the glazed balustrading is considered to be the best way of providing some additional security and privacy to the occupants in a uniform manner. A condition requiring all to be undertaken at one time and maintained is considered appropriate to ensure uniformity.

9 Human Rights Implications

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10 Recommendation

- 10.1 As a technicality this permission cannot be determined until such time as the variations under 190932 have been decided as technically the houses/decking do not have planning permission therefore permission could not be granted for balustrading to unauthorised decking/properties. Therefore the recommendation is to delegate to the Head of Planning to grant planning permission subject to the conditions below, following a decision on 190932. If 190932 is not decided within 3 months (as per the recommendation) or is refused then to refer the application back to planning committee for determination.

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission.

Reason: To comply with Sections 91 and 92 of the Town and County Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved drawings no. BIR4832_10A.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development approved shall only be constructed in its entirety as a single development, therefore all properties must be installed with the balustrade and maintained in their entirety as such thereafter. If replaced, replacement must match the approved design unless agreed otherwise. Openings in the balustrade shall be in the side elevations only.

Reason: to ensure the properties maintain a uniform appearance.

4. Notwithstanding the approved drawings, this consent relates solely to the erection of balustrading the decking areas and for no other development shown on the approved drawings.

Reason: For clarity and in the interested of proper planning.

5. For clarity the height of the balustrading approved shall be including retaining wall for each property a height of 1.1m in total height above the level of the decking.

Reason: To ensure uniformity and given the difference in levels between the properties.

11 Appeal

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.