

App.No: 141469 (RMT)	Decision Due Date: 29 January 2015	Ward: Sovereign
Officer: Leigh Palmer	Site visit date:	Type: Reserved Matters
Site Notice(s) Expiry date: 29 December 2014		
Neighbour Con Expiry: 30 March 2015		
Weekly list Expiry: 16 December 2014		
Press Notice(s): 23 December 2014		
Over 8/13 week reason: Deferral from Planning Committee and amendments sought		
Location: Sovereign Harbour, Eastbourne		
Proposal: Reserved matters (Access, Appearance, Landscaping, Layout and Scale) application relating to condition 1 of outline application Reference:131002 for the development of site 8 at Sovereign Harbour for up to 8 dwellings, open space and berth holder facilities and related discharge in respect of site 8 of the following conditions: condition1 (reserved matters), condition 4(within 2 years), condition 172(harbour wall maintenance) conditions 9 & 192 (restriction of residential units, condition 177 (estate road layout), condition 191(public spaces).		
Applicant: Port Morseby Homes Ltd.		
Recommendation: Approve the reserved Matters		

Executive Summary:-

This application was deferred from Planning Committee in February in order to seek revisions (amended drawings) to the design of the 'public open space' element within the scheme.

The agents for the application have submitted revised details for the area of 'public open space' and have also provided commentary on a number of other issues discussed at the February Planning Committee.

Revised Public Open Space:-Following the comments made at the earlier planning committee the area of public open space has been significantly remodelled and now proposes two tiers of hard surfacing separated/bounded by raised planters incorporating site appropriate planting.

As members will note there is a significant change of levels across the site from the front to the rear, as a result of this the level plaza design as graphically shown on the 'parameter plan' could not be delivered, notwithstanding this it is considered that the

scheme as currently proposed represents as close to the 'parameter plan' as is practicable.

Site Constraints:-The site constraints relate to the change of levels from Pacific Drive down to the harbour level (front to back of the site), there remains the desire that this area (including the harbourside) is accessible to all and as such any regrading of the sloping site/area would have to have regard to requirements of all users. In this regard this has resulted in the introduction of DDA compliant low rise steps and ramps. The scheme has been revised to increase the extent of hardstanding area/path adjacent to the harbourside and also the scheme has introduced a second area at a higher level than the harbourside walkway, this facilitates the access to the wider hard/soft landscape area.

This second footpath would facilitate direct access to the proposed landscaped area and maintain an elevated area to support the wider and longer range views of the harbour.

The two tiers of hard surfaced are to be delineated by planted areas following an 'organic' wave form.

Notwithstanding that the area of public open space does not wholly reflect the illustrative designs highlighted on the 'parameter plan', it remains acceptable in planning, landscape and townscape terms.

Other issues from planning committee:-

Refuse/recycling facilities:- The Councils waste contractor (Kier) have confirmed that they will collect/replace bins to/from the front garden area on collection day.

Off-site Construction Area:- The outline approval requires the submission and approval of a construction traffic management plan, notwithstanding this it is envisaged that the site compound and construction deliveries will be within the development site and thereby not compromising the free flow of traffic at and within the vicinity of the site.

Design of the Buildings:- The applicants consider that the design of the dwellings is entirely appropriate and are not proposing any changes.

Berth Holder Facility:- The area for the berth holder facility has been taken from existing facilities elsewhere with the harbour. It is considered that this is acceptable.

Representations Received: Round 1 (original Scheme as reported to February Committee and attached below) and round 2 (post February Committee) 23 respondents:-

- Different from original master plan
- Master plan provided a relaxing and meaningful area
- Not visually attractive
- Use for/by dogs
- Health hazard for children
- Open space is a premium in the harbour
- Would provide more defensible space for flats

- Would have a negative impact upon the character and appearance of the harbour
- Would not create a pleasant meeting place for the public
- Potential conflict with users of the cycle paths, accidents are very likely to happen
- Would result in loss of harbour views
- Given variance from original concept feel that the aspirations of Sovereign Harbour are being lost with this piecemeal development
- The scheme presents a monolithic terrace to the PoS, this is sympathetic
- Beach option is the cheaper option
- Need to make the area attractive to residents and visitors
- We have a beach already we don't need another one so close
- Will become a wasteland very quickly
- Should be accessible for the disabled
- Will offer no improvement to the area
- Would be difficulty to keep clean (inc litter)
- Maintenance costs are likely to be high.

Representations Received (Round 3) to final draft of the Public Open Space 2 respondents:-

- Unclear as to the finishes of the harbour walkway, they need to be hard surfaced in order to allow wheel chair and buggy access
- There are no shelter or screening on the walkway both of which would enhance the appearance.

East Sussex County Council Highways:-

Vehicle and cycle parking are considered and access to the site are considered to be sufficient.

Boundary treatments and bin enclosures are to be handled by a further reserved matter application, however the informal details seen to date are acceptable.

Public access and details of the harbour wall is supported.

Sovereign Harbour Residents Association:-

- If supported then no further changes without referral to SRA
- Access from front of the properties direct onto Cycle path may cause a potential hazards to cyclists and pedestrians, this area if heavily trafficked at all periods of the day and not only rush hours
- Designs do not compliment the surroundings properties
- Brick facing would be more appropriate, render facades can deteriorate very quickly especially given the coastal location (see The Harbour Quay Apartments)

Recommendation:-

Members should be aware of the conditions attached to the outline planning permission; these comprise an extensive list and cover all construction issues, the design and appearance of the proposed buildings and the public open space.

Conditions as attached below relate only to issues not covered by the conditions at the outline stage.

Conditions:

Issues the reserved matters subject to the following conditions

1. Time limit
 2. In accordance with the approved plans
 3. No development shall commence before details of the boundary treatment (including privacy screens) for the building plots hereby approved are submitted to and approved in writing by the Local Planning Authority.
 4. Prior to its installation at the site details of the location, design and appearance of any external plant and machinery associated with the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site be retained as such thereafter.
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Appendix No 1

Committee Report February:-

The report from February is attached below for Members information.

Relevant Planning Policies:

National Planning Policy Framework

- 1. Building a strong, competitive economy
- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 8. Promoting healthy communities
- 10. Meeting the challenge of climate change, flooding and coastal change
- 11. Conserving and enhancing the natural environment
- 12. Conserving and enhancing the historic environment

Eastbourne Core Strategy Local Plan Policies 2013

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C14: Sovereign Harbour Neighbourhood Policy
- D1: Sustainable Development
- D5: Housing
- D8: Sustainable Travel
- D9: Natural Environment
- D10A: Design

Saved Borough Plan Policies 2007

- NE4: Sustainable Drainage Systems

NE7: Waste Minimisation Measures in Residential Areas
NE14: Source Protection Zone
NE16: Development within 250 Metres of a Former Landfill Site
NE17: Contaminated Land
NE22: Wildlife Habitats
NE27: Developed/Partly Developed Coast
NE28: Environmental Amenity
UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
UHT6: Tree Planting
UHT7: Landscaping
UHT8: Protection of Amenity Space
UHT10: Design of Public Areas
HO1: Residential Development Within the Existing Built-up Area
HO2: Predominantly Residential Areas
HO6: Infill Development
HO7: Redevelopment
HO20: Residential Amenity
BI7: Design Criteria
TR5: Contributions to the Cycle Network
TR6: Facilities for Cyclists
TR7: Provision for Pedestrians
TR8: Contributions to the Pedestrian Network
TR11: Car Parking
TR12: Car Parking for Those with Mobility Problems
LCF4: Outdoor Playing Space Contributions
LCF20: Community Facilities
LCF21: Retention of Community Facilities
US3: Infrastructure Services for Foul Sewage and Surface Water Disposal
US4: Flood Protection and Surface Water Disposal
US5: Tidal Flood Risk
US6: Integrity of Flood Defences

Supplementary Planning Documents

Sovereign Harbour SPD 2013

Sustainable Building Design SPD 2013

Site Description:

The application site (Site 8 at the Outline Planning Application stage) is located at the northern edge of the North Harbour off Pacific Drive, within an area of mixed residential development. The site overlooks the Harbour and has extensive views across the water to the south west. It is currently undeveloped although accessible and used as a pedestrian connection between the existing Harbour walkways, for dog walking and general amenity. The plot falls gently from Pacific Drive to the Harbour side.

The planning brief for the site identifies residential development that will complete the Harbour edge and create a new public open space. There is an existing spur into the site from Pacific Drive for vehicle access which also provides access to a pumping station

adjacent to the site. A cycle route runs alongside the site along the Pacific Drive pavement, and there are bus stops on either side of Pacific Drive next to the access road into the site. Pedestrian walkways along the north western and south eastern sides of the North Harbour link into the site and there is a combined stepped and ramped access at the head of Hobart Quay adjacent to the site boundary which links into the access road. The site is accessible and has the potential to contribute to the recreational and amenity uses within the Harbour.

The site sits in an area of mixed residential development with larger scale buildings alongside the Harbour. To the south west a string of large scale detached properties sit along the Harbour edge with private moorings. Along Hobart Quay on the north western side the properties are mainly three storey houses, and along the south eastern side are larger scale apartment blocks of between three and five storeys and with pitched roofs that give them greater presence. To the north east of the site, on the other side of Pacific Drive, the scale is more domestic with predominantly two storey detached and semi-detached houses arranged around a cul-de-sac road layout. Adjacent to the northern boundary, next to the access road there is a pumping station which is an open topped brick enclosure approximately 1500mm high.

Relevant Planning History:

Extensive planning history for Sovereign Harbour with the most relevant to this particular proposal is the Planning Brief and the outline planning permission:-

Sovereign Harbour SPD 2013

131002 Outline planning permission for the development of sites 1, 4, 5, 6, 7 and 8 at Sovereign Harbour, Eastbourne: Site 1 - up to 72 dwellings and access Site 4 - Commercial and employment uses (A1-A5 3,200sqm)(B1, C1 and D13,600sqm) Granted subject to the S106 agreement on 2nd December 2014

Proposed development:

Proposed Development:

The development of Site 8 is for the provision of up to 8 dwellings, with a public open space overlooking the harbour and provision for potential future berth holder facilities. Within this submission the applicants also seek to discharge a number of conditions (requiring further details) that were attached to the outline permission.

The scheme proposes 4 pairs of semi-detached dwellings comprising the following accommodation:-

Lower Ground Floor: Undercroft car parking (2 spaces) , bin enclosure and utility room.

Ground Floor: Main pedestrian entrance from Pacific Drive, en-suite bedroom No 2, kitchen and day room.

First Floor: en-suite bedroom No3, study and main living room

Second Floor: Bedroom No 1 with dressing room and roof terrace

The dwellings are mirrored pairs (external appearance identical). When viewed from Pacific Drive the main façade is two storey with the upper storeys recessed from this main elevation.

The height of the Pacific Drive façade is approximately 7m and comprises the main entrance to each dwelling with the main external treatment being formed by rendered and contrasting feature brickwork/weatherboarding.

The height of the dwellings on the rear elevation is higher than the Pacific Drive elevation given additional storeys and also due to the change in levels. The maximum height to the top of building is approximately 11m and the height to the terrace level is some 8.3m.

All of the units are to have the same accommodation and is accessed via an extension of the existing access to the site adjacent to the pumping station.

The application plot follows the planning brief and the outline consent and is split into two part; one comprising the residential element of the development and the other forming an area of public open space. The split between the two plots is 50/50 to accord with the outline consent.

The main pedestrian access is to the front of each property facing Pacific Drive with a secondary access to the rear. Vehicle access is to the rear of the residential element of the plot with undercroft parking (2 spaces per dwelling). This undercroft provides access to the each homeowners bin/refuse enclosure, refuse collection will be taken from the front of the property in Pacific Drive.

There is also a parking court for a further 8 surface parking spaces.

The area of Public Open Space has been designed to reflect the characteristics of the a 'beach' with more intensive planting along the junction with/to the residential part of the plot. In addition there is an element of hard surface footpath providing pedestrian access along the harbourside; the scheme also proposes public benches and litter bins.

Adjacent to the proposed public open space is the proposed location for a berth holder facility.

Consultations:

Internal:

Specialist Advisor (Planning Policy): It is considered that this application is in accordance with policy and is consistent with the Sovereign Harbour SPD. Therefore there are no planning policy objections to this application.

The Vision for Sovereign Harbour in the Core Strategy is: 'Sovereign Harbour will increase its levels of sustainability through the delivery of community infrastructure and employment development, ensuring that a holistic view is taken of development across the remaining sites'.

The application is considered to be in accordance with Core Strategy Policy C14.

Core Strategy Policy C14: Sovereign Harbour Neighbourhood Policy is supported by the Sovereign Harbour Supplementary Planning Document (SPD), which provides additional guidance on the uses considered to be appropriate for each of the remaining development opportunity sites, including details of the size, scale and form of development. The SPD was developed through a working group consisting of councillors, officers and the Sovereign Harbour Residents Association, and involved a significant amount of community involvement. It was adopted in February 2013.

The SPD identifies that Site 8 could accommodate a maximum of 8 homes, ranging in height from between two storeys fronting Pacific Drive and up to four storeys adjacent to the waterfront.

The SPD requires that 50% of the site should remain public open space, and that this should include a new harbour walkway linked to existing walkways, and an allowance for the future provision of berth holder's facilities. The scheme is in accordance with the SPD.

Vehicle access to the site was established at outline permission stage as being off Pacific Drive. The Design and Access Statement confirms that a 15m gap has been provided between the neighbouring pumping station and the nearest residential property.

External:

Southern Water No objections

Environment Agency No objections, access is maintained to the harbour. (officers comment that the wall will be maintained by Premier Marinas)

Sovereign Harbour Residents Association No response received

Highways ESCC No response received

Neighbour Representations:

As part of the consultation regime for this application site notices were posted at the site and 220 individual householder letters were distributed. As a result of the publicity on this application 17 Objections/comments/responses have been received and cover the following points:

- Not in keeping with the area*
- Finish is bland and should include brick and render*
- Not much open space between properties*
- Should introduce parking and speed controls in the area especially opposite Vancouver Way*
- Far too high, 4 storeys is too much*
- Out of keeping as all of the properties in the locality are brick and pitched roofs*
- Overshadowing*
- Possible access pedestrian safety issues if access is direct onto Pacific Drive*
- Conflict with Cycle Path to the front of the site*
- Area is prone to flooding, adequate drainage needs to be incorporated into the scheme*
- This plot was part of the wider flood defences.*
- Construction times should be controlled in the interest of residential amenity*

- Give rise to potential overlooking issues from the front windows and terrace
- Dominating development
- look directly into neighbouring bedrooms and thereby resulting in loss of privacy
- looks like a municipal office block from the rear, a carbuncle of glass.
- Height of buildings may impact upon the efficiency of existing solar panels on nearby dwelling houses

Appraisal:

Principle of development:

The application site is located within the Sovereign Harbour neighbourhood, as identified in the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013). The principle of the development of up to 8 dwellings on Site 8 has been agreed through the outline planning permission for Sovereign Harbour (planning ref: 131002 referred to above in the Planning History Section).

The principle of residential development on this site is accepted and the illustrative plan at the outline stage approved the redevelopment of the site as paired villas set out in four blocks with public open space to the rear (facing the harbour). This principle has been followed through to this reserved matter application.

The buildings will be located on the north eastern part of the site fronting onto Pacific Drive, with the public open space fronting onto the Harbour.

This reserved matter application addresses all of the constraints from the outline application stage; in the main these relate to the residential/open space proportion split, the overall height of the dwellings, the and the means of access thereto and the delivery of public access to the harbour side.

There are no planning concerns/issues with the residential redevelopment of the site.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

The redevelopment of this site for residential purposes has been a long held aspiration and this principle has been followed through the SPD and also the granting of the outline planning. Set against this background it is considered that the principle of residential redevelopment has been established, notwithstanding this it is important to assess whether there are any specific design issues that may give rise to impacts upon the residential amenity.

The height of the dwellings accord with the parameters of the outline planning permission, in this regard there should not be any substantive overshadowing/overbearing impacts upon the occupiers of the adjacent/nearby properties. Issues if overlooking can be mitigated with appropriate conditions.

The Pacific Drive elevation is principally two storey height with study and bedroom windows facing the street. It is considered that the highway (Pacific Drive) affords sufficient protection to the occupiers of the dwellings opposite the development site. The scheme does include terraces however the terrace to the front of the dwelling is of a size/depth that would only be likely to be used for maintenance purposes and as such it

does not impact upon the amenities of the occupiers of dwellings opposite to the site in terms of direct overlooking. On the rear elevation further terraces are proposed, these are considered to be acceptable in principle and are a common design feature for properties that overlook the harbour. Where there is the potential for a degree of overlooking the scheme promotes privacy screens, the precise details of these are controllable via planning condition.

It is accepted that the scheme promotes greater height to the rear of the properties facing the harbour, this greater height includes large elements of glazing and also a terrace/amenity area/balcony to the ground/first & second floor levels. It is accepted that the scale of the development accords with the parameter plans as set out at the Outline Planning stage, however these plans did not include terraces.

It is considered that the degree of overlooking from the terraces is not sufficient to substantiate a reason for refusal. The degree of overlooking is mitigated by the distance to the properties in Hobart Quay and that these properties face the development site and hence suffer a degree of overlooking from public vantage points. In addition the properties within Long Beach View have themselves balconies and given the disposition and distances involved it is considered that there should not be any substantive material loss amenity through direct overlooking.

Given the longstanding aspiration for the development of this site and also the grant of outline planning permission the issues over the loss view/outlook have previously been considered/evaluated. Notwithstanding this it is considered that the dwellings maintain a degree of separation between the pairs and thereby affording extensive glimpses through/to the harbour beyond.

The scheme delivers the Public Open Space that was a requirement from the outline planning stage and also maintains the footpath access to and around the harbour wall, these features help to maintain the character and appearance of the site and surrounding area.

Design/Layout Issues:

The residential dwellings propose an external form that is reflective of and influenced by a 1930 aesthetic. This has manifested itself in the inclusion of large areas of render and glazing under flat roofs with ironwork balustrades.

The residential properties are mirrored pairs of semi-detached dwelling and propose principally 2 storey facing Pacific Drive and 4 storey on the harbour side.

On the Pacific Drive elevation the 3rd and 4th storey are recessed from the principle elevation and are viewed as subservient additions to the dwellings when viewed from Pacific Drive, conversely the harbour side elevation seeks to maximise the benefits of the short and longer range views of the harbour as well as maximising the ability for solar gain by large areas of glazing over four storeys.

The mirrored pairs of dwellings create a strong street frontage with the gaps between giving views across the Harbour. The layout creates internal living areas and external private amenity space overlooking the Harbour with a south west aspect. These will

provide a high level of surveillance and sense of security to the open space. The change in level across the site to meet flood protection requirements also means the external amenity spaces will be raised above the Harbour level, creating a clear threshold and privacy for the occupiers of the new dwellings.

The proposed dwellings have significant floorspace, some 207sqm GIA (2,228sqft) over four floors excluding the external terraces. Whilst this size of property is not common in the locality it does drive a scale of development that in and of itself helps to create a landmark development that along with the public open space would create a destination and a local 'way marking' development.

It is accepted that the design and appearance of the dwellings are different in their form and design from the properties that adjoin and abut the site, it is acknowledged that this form of design reflects buildings in other parts of the wider parts of Sovereign Harbour area, given this it is considered that the design/appearance of the dwellings is not objectionable in principle. It is considered that the form of the dwellings in providing a contrasting architectural style/aesthetic adds to the range of the properties available within Sovereign Harbour. It is considered therefore that resisting this application on design/appearance of the proposed buildings could not be substantiated.

A key element of the design plan and also the outline application was the recognition that this site could/should deliver an element of public open space. Within this scheme the applicants are proposing to create an element of public open space with 'beach' feel/appearance. The design, siting and layout of this public open space will afford deliver an element of high-quality public realm that given its aspect is likely to benefit from direct afternoon sunlight and also uninterrupted views across the harbour. The scheme also delivers a public pedestrian walkway adjacent to the harbour.

It is considered that the design and layout issues of the scheme are considered to be acceptable.

Impacts on highway network or access:

Access for vehicles uses the existing roadway with a restricted access into the public open space. Parking for the houses also takes advantage of the change in level across the site with cars tucked beneath the dwellings (undercroft) and screened from the Harbour.

The parking requirement for the residential dwellings, based on 2 allocated spaces for each dwelling is 16 spaces, the scheme delivers this amount of parking, also a number of in curtilage visitor spaces are also proposed. It is considered that the parking density and the arrangement is acceptable.

Cycle parking is provided with the scheme to meet current standards.

The scheme proposes low front garden walls, this would address any concerns over potential conflict between access to/from the properties and other users of the cyclepath.

Sustainable development implications:

The scheme would utilize modern construction techniques/materials and would meet building regulations. It is considered therefore that the scheme would deliver a sustainable

form of development that would not give rise to significant construction waste and provide a highly energy efficient dwelling.

Other matters :

The timing and the delivery of the community centre:

Regarding the provision of the community centre, the SPD states 'The facility must be built as a priority in the phasing of the overall development of the Harbour and should therefore be provided prior to commencement of development of any of the remaining residential development sites.'

Members will be aware that the negotiations on the section 106 at the Outline Planning stage removed all triggers so that the development of the community centre could be developed out from any other site. This reserved matter application does not necessarily mean that development will start on site (Site 8) prior to the commencement of the community centre.

Members are advised that this issue is not determinative in the assessment of this application and should not be pursued through to a reason for refusal.

Members are advised that issues relating to highway safety/cycle path were determined and evaluated at the Outline Planning Application stage. It is clear that the parameter plans indicated pedestrian access directly onto Pacific Drive. Given that the specific design issues within the scheme have addressed this issue a refusal based on this issue could not be substantiated and should not be pursued through to a refusal.

Members are advised that the principle of residential development at this site has been accepted and a refusal based on the principle/density of the development could not be substantiated and should not be pursued through to a refusal.

Human Rights Implications:

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.

Recommendation:

Members should be aware of the conditions attached to the outline planning permission; these comprise an extensive list and cover all construction issues, the design and appearance of the proposed buildings and the public open space.

Conditions as attached below relate only to issues not covered by the conditions at the outline stage.

Conditions:

Issues the reserved matters subject to the following conditions

5. *Time limit*
6. *In accordance with the approved plans*
7. *No development shall commence before details of the boundary treatment (including privacy screens) for the building plots hereby approved are submitted to and approved in writing by the Local Planning Authority.*
8. *Prior to its installation at the site details of the location, design and appearance of any external plant and machinery associated with the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site be retained as such thereafter.*

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.***