

App.No: 130664 (PPP)	Decision Due Date: 16 November 2013	Ward: Old Town
Officer: Toby Balcikonis	Site visit date: 16 October 2013	Type: Planning Permission
Site Notice(s) Expiry date: N/A		
Neigh. Con Expiry: 25/10/2013		
Weekly list Expiry: 25/10/2013		
Press Notice(s): N/A		
Over 8/13 week reason: To align with Planning Committee schedule.		
Location: 5 Wessex Place, Eastbourne		
Proposal: Demolition of garage on adjacent land and erection of side extension		
Applicant: Mr L Botting		
Recommendation: Refuse planning permission		

Relevant Planning Policies:

Eastbourne Core Strategy Local Plan 2013 Policies

B1 - Spatial Development Strategy and Distribution
B2 - Creating Sustainable Neighbourhoods
C4 - Old Town Neighbourhood Policy
D5 - Housing High Value Neighbourhoods
D10A - Design

Saved Borough Plan Policies 2007

UHT1: Design of New Development
UHT4: Visual Amenity
HO20: Residential Amenity
BI6: Business and Industry in Residential and Tourist Areas

Site Description:

The application site is located in a service road which runs behind the shops fronting Victoria Drive (near the junction with Eldon Road). The road has a one way arrangement, due to its narrowness and function of servicing the shops, with access from Victoria Drive and the exit to Central Avenue.

The buildings in Wessex Place are made up of a variety of stores and garages, which were constructed to service the shops in Victoria Drive and nearby residential properties.

The application unit is a single storey building with a pitched roof, with its current use as storage of materials in conjunction with the existing business at 5 Wessex Place whose current premises gradually expanding with additions to the original building since the permission was granted for Change of Use from Class A1 (retail) to Class B1 (offices) for building contractor with ancillary storage, (including associated works to make building and site fit this purpose).

Currently the site comprises of 2 storey building for use as offices and stores, with an outside secure yard for use for storing and parking works vehicles and housing materials. The next door storage facility current separated by an access alley way between the units is used for further storage of building materials in conjunction with the main business.

Relevant Planning History:

EB/2002/0635 - Change of use from Class A1 (retail) to Class B1 (offices) for building contractor with ancillary storage. Alterations to building fenestration. erection of conservatory. demolition of existing garage and reduction of ground levels to form car parking
Approved - 2003-01-16

EB/2004/0463 - Erection of a single storey storage building.
Refused - 2004-09-08

EB/2004/0462 - Erection of single storey and first floor extensions to increase office accommodation.
Approved Conditionally - 2004-09-08

EB/2006/0156 - Single storey extension at rear to provide a store.
Approved - conditional - 2006-04-24

EB/2008/0568 - Provision of a first floor flat-roofed side extension to provide additional office space.
Approved - conditionally - 2008-09-25

Proposed development:

The applicant seeks permission to demolish the existing garage (1.5 metres from the main business premises) on adjacent land to the North of their business premises currently used for the storage of materials in conjunction with their builders business. A side extension comprising of two storeys is proposed in place of the existing single storey garage / storage unit.

The existing unit (to be replaced) measuring 3.8 metres wide, 2.5 metres to the apex of the roof and just over 15 metres in length. Opening onto Wessex Place and whose front elevation is in line with the adjacent building (owned by the applicant) and whose rear elevation comes to within 8 metres of the bordering properties to the rear (West) of the site situated on The Crescent (numbers 10 and 12).

The proposed unit would seek to infill the majority of the plot and come to within a metre of the boundary shared with the properties on The Crescent where a single storey

element of the proposed extension would sit adjoined to the rear of the two storey 5.3 metre high element.

The overall footprint of the the proposed side extension measures 5.2 metres wide x 5.3 metres high x 25 metres in length, increasing the storage capacity of the existing building (currently 58sqm) to over 220sqm.

The applicant proposes to build the extension in materials in keeping with the main business premises which consist of brick walls, tiles for the roof, and glazed in uPVC windows with a uPVC roller shutter proposed for the entrance to the proposed addition.

Glazing in the new extension is proposed to consist of a multiglazed opening 1.2 metres wide x 1.1 metre high centralised on the rear elevation at first floor level beneath the rear approximately 5 metres from the rear boundary shared with 10 The Crescent.

4 units of glazing will be installed to the North flank elevation at first floor level with an outlook over the exit by road to Wessex Place and a group of garages. 3 units of glazing are proposed for the front elevation (facing out on to Wessex Place and the rear of the properties along Victoria Drive).

Consultations:

Neighbour Representations:

Letters were sent to neighbouring residents, and objections have been received covering the following points:

14 The Crescent:

- Window on the rear elevation overlooking neighbouring properties.
- Ground floor extension built up to boundary line

8, 10, 12 & 14 The Crescent:

- Garden overlooked by rear window
- Waterlogged gardens with increased development
- Threat of overshadowing on to garden
- Use of gardens interrupted by noise and disturbance from application site
- Vans going to and from property day and night
- Security spot lights going on and off, causing disturbance
- Vans from application site creating congestion
- Blocking of alleged communal passageway to access rear of The Crescent

Appraisal:

In seeking to appraise this application, the main issues to consider relate to:-

- Residential amenity for adjoining occupiers
- Impacts upon the wider residential area
- Design and Appearance
- Employment Issues

Residential amenity for adjoining occupiers

Policy BI6 of the Borough Plan Saved Policies governing small scale extensions to existing businesses in residential areas will be permitted where it can be demonstrated that it will not be detrimental to local residential amenity.

In terms of the affect that the proposed extension has on residential amenity, one source of concern is the proposed window to rear elevation at first floor level. The outlook that this vantage point will result in a loss of privacy to the adjoining adjacent residents of The Crescent, and is considered unacceptable unless the unit were to be fitted with obscured glass to negate this (this could be controlled via planning condition).

The windows on the flank and front elevations are considered to be acceptable however.

It was also noted in an objection that the new building will lead to overshadowing of some of the gardens on The Crescent reducing the ability to dry through direct sunlight. It is considered that due to the orientation of the plot and the closest building to the adjacent residential boundary will be single storey and it is considered that there would be little impact in terms of overshadowing to the adjacent gardens.

Impacts upon the wider residential area

USE: The applicant has stated that the size of the business in terms of staff and turnover has reached a level whereby they would not be looking to increase the business much further, but that the current facilities do not provide the business with sufficient storage for its needs, having to resort to using offsite lock-up / garages. In terms of accessibility and storage, it makes sense for them to be housed in a central location.

It is accepted that the site has been operating as a building company with ancillary storage for a significant period of time, however it is considered that for the use to expand in the nature proposed by this application is wholly inappropriate for this backland location.

Notwithstanding the applicants points above it is considered that the expanded business is likely to increase the amount of site activity, noise and disturbance including a potential increase in vehicle movements and parking at and within the vicinity of the site. All of these issues are considered to be material to the determination of this application and supportable at appeal.

Members will note that in 2004 a planning permission for a single storey storage unit was refused permission on the grounds of intensification of usage, overturned on appeal. At this time, the land to the rear of the adjacent storage facility was proposed for development. The current proposal seeks to construct the similar single storey module close the shared boundary with The Crescent dwellings, and further increase the use of onsite storage.

DRAINAGE: To the rear of the existing unit is currently an unused area filled with vegetation including grass and trees. The proposal would see the majority of this area developed on, which is felt will affect natural drainage of rain water in close proximity to the site. It has been remarked by one neighbour that drainage of their property has worsened with increased development on and around the application site, although this cannot be quantified.

It is felt however, that if the extension were to be built, that a scheme for adequate drainage of rainwater be devised before development commenced to ensure there was no adverse effects caused to the adjacent properties as a direct result of the decrease in onsite permeable drainage surfaces, and vegetation.

Design and Appearance

The development in terms of visual amenity and design when assessed in isolation is considered appropriate in terms of its relationship with the host building in terms of scale, and the proposed use of matching materials will help ensure that the new extension would harmonise with the existing business premises.

Employment Issues

Members will note that where possible decisions are made favourably where there is the potential to create/retain employment opportunities. However in this instance it is considered that the on and off site impacts of this proposal outweigh the employment issues.

Members are reminded Policy BI6 of the Borough Plan Saved Policies governing small scale extensions to existing businesses in residential areas will be permitted only where it can be demonstrated that it will not be detrimental to local residential amenity.

Proposed Human Rights and Equality & Diversity Issues:

It is considered that the proposed glazed unit to the rear elevation contains an element of overlooking on to the bordering properties (and in particular the gardens) of the adjacent properties on The Crescent, and to offset this would propose that the unit be obscure glazed.

The increasing intensity of the site as a whole being used in conjunction with the main business is having an impact on the adjacent neighbour's ability to enjoy their property without undue disturbance, and is of concern.

Conclusion:

The proposed development would result in an undesirable intensification of an ancillary use, which would not be compatible with the surrounding residential properties, to the detriment of the amenities of the residents by reason of noise, disturbance and congestion. The proposal would therefore conflict with policies BI6 and HO20 of the Eastbourne Borough Plan saved Policies.

Recommendation: It is recommended to refuse the application.

Reason for refusal:

The proposed development would result in an undesirable intensification of an ancillary use, which would not be compatible with the surrounding residential properties, to the detriment of the amenities of the residents by reason of noise, disturbance and congestion. The proposal would therefore conflict with policies BI6 and HO20 of the Eastbourne Borough Plan saved Policies.

Informatives

For the avoidance of doubt, the following plans hereby recommended for refusal submitted on 12 September 2013 are:

Drawing Number WES/002 – Proposed Floor Layout

Drawing Number WES/003 – Existing and Proposed Elevations

Appeal: Should the applicant appeal the decision the appropriate followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**