

<b>App.No:</b> 150322 (PPP)	<b>Decision Due Date:</b> 6 July 2015	<b>Ward:</b> Old Town
<b>Officer:</b> Jane Sabin	<b>Site visit date:</b> 29 May 2015	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 6 June 2015		
<b>Neighbour Con Expiry:</b> 6 June 2015		
<b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> Number of objections received		
<b>Location:</b> Land to the rear of 81 Milton Road, Shortdean Place, Eastbourne		
<b>Proposal:</b> Provision of additional garage (to double garage approved under permission EB/1983/0388), lowering of dwarf boundary wall and re-landscaping of adjacent open area.		
<b>Applicant:</b>	Mr K Wilson	
<b>Recommendation:</b> Approve		

#### **Executive summary:**

The provision of one additional garage in conjunction with the extant permission for a double garage, together with minor alterations to the landscaped area to the side would have no adverse impact on visual or residential amenity, or highway safety, and complies with the Council's approved policies.

#### **Relevant Planning Policies:**

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C4: Old Town Neighbourhood Policy

D5: Housing

D10A: Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development

UHT2: Height of Buildings

UHT4: Visual Amenity

HO20: Residential Amenity

NE14: Source Protection Zones

#### **Site Description:**

The application is located immediately to the rear of 81 Milton Road on the north side of Shortdean Place. It shares a boundary with the garage at the rear of 81 Milton Road, and a further boundary with the bottom half of the rear garden of 83 Milton Road. It is

principally rectangular in shape, with one corner curving to follow the turning head in the highway, and has a maximum width and depth of approximately 14m by 8m. The ground slopes gently from west to east, from Milton Road towards the flats in Shortdean Place.

The site is currently partially laid to concrete (formed from the base of a previously approved double garage which has not been completed) and an area of unmade ground at the curved end largely covered in weeds. A dwarf boundary wall of brick approximately 600mm high encloses part of the curved area.

**Relevant Planning History:**

EB/1983/0388 Erection of a detached double domestic garage. Approved, conditionally 27 September 1983

**Proposed development:**

It is proposed to construct a third garage attached to the two garages already approved (although not yet built, the 1983 permission remains extant, since the foundations and floors have been constructed, and therefore constitutes commencement). The resultant block of three brick garages would be located to the rear of the site (to line up with the existing garage at the rear of 81 Milton Road) and would be 8m wide and 5.75m deep, under a flat roof with a finished height varying between 2.5m and 2.75m.

It is also proposed to reduce the height of the dwarf wall, and lay the remaining area behind it to lawn. The submitted plan also indicates a planted screen along the boundary with 83 Milton Road, although no details have been submitted of what this might be.

**Consultations:**

Neighbour Representations:

Nine objections have been received from residents of Shortdean Place and Milton Road, and cover the following points:

- Although it will improve the entrance to Shortdean Place, it is believed it is the first stage in trying to build more houses in the close, which the applicant has been trying to do for some years
- The applicant already has three garages in Shortdean Place which are falling down, and these should be rebuilt rather than let them become an eyesore
- History of leaving derelict cars and caravans in the quadrants to annoy residents
- Loss of on street parking, the road gets very busy at school times, and there is limited parking for residents as it is
- Overdevelopment
- Use of the garages as a builders store
- Unlikely to maintain the property
- Impact on adjoining property (subsidence) and damage to party fence and nearby shed; little attempt has been made to keep the corner free from invasive weeds over many years, and financial assistance has provided towards the upkeep of the party fence
- Impact on adjoining property from extent of rear wall adjacent to the boundary in terms of overshadowing of the garden (2ft lower than the application site), dominating impact, destruction of a rowan tree; a side exit door is wholly unnecessary and is too close to the rear garden fence and would feel like loss of privacy

## **Appraisal:**

The main issues to take into account in determining this application are the impacts of the proposal on visual and residential amenity.

### Visual amenity:

The proposed garage would be similar in appearance to those adjacent and opposite the site, i.e. constructed of brick under flat roofs with up and over doors. The dwarf wall is in poor condition, and the area behind it barely maintained. Overall, it is considered that the scheme would improve the current appearance of the site, and the entrance to Shortdean Place.

### Residential amenity:

Impacts on residential amenity can be from physical impacts, or from noise and disturbance generated by a use.

The location of the garages – two of which can be constructed without further consent – is a sufficient distance from adjoining dwellings not to have an impact on the amenities of residents. The development would result in limited shadowing of the end of the adjacent garden, however it is not considered that it would be to such a degree that would justify withholding consent.

The extant permission for two garages is conditioned to restrict the use for the garaging of private motor vehicles only and for no other purpose. It is considered that this would be an appropriate and necessary condition for the current proposal, as any use for commercial purposes is likely to result in an adverse impact on residential amenity.

### Impacts on trees:

One of the objectors is concerned that the development would destroy her tree, although it appears to be sufficient distance from the boundary to maintain an adequate root protection area. The height of the garages would have no impact on the health of the tree in terms of lack of light, as the canopy is above the roof of the proposed garages; the applicant has the right to cut back any overhang encroaching on his site. The tree is not of a sufficient size or quality to warrant the protection of a tree preservation order.

### Impacts on highway network or access:

The proposal would displace two on-street parking spaces. This is not considered to be a serious impact on parking resources in the area.

### Other matters:

The applicant has responded to the objections raised, and has set out a brief history, which goes back many years, relating to the current minimal maintenance of the application site. He considers that the current proposal offers a part solution to a long-running situation, and addresses issues of visual amenity, parking and highways. He adds that there is plenty of parking in Shortdean Place, as not all residents have cars, and that the provision of garages, and specifically the dropped kerbs, will result in the provision of a passing bay at the entrance to the close, which will aid traffic flow and vehicle/pedestrian conflict during the school run.

**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.

**Conclusion:**

It is considered that the provision of one additional garage in conjunction with the extant permission for a double garage, together with minor alterations to the landscaped area to the side would have no adverse impact on visual or residential amenity, or highway safety, and therefore complies with local and national policies.

**Recommendation:** Approve, subject to the following conditions

**Conditions:**

1. Commencement within 3 years
2. Development in accordance with the approved plans
3. Submission of brick samples
4. Painting of garage doors
5. Completion of landscaping before occupation of garages
6. Use by domestic vehicles only
7. Limit on hours of building work

**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**.