

23/01377/FUL

53 Commercial End

Swaffham Bulbeck

Cambridge

CB25 0ND

Single storey garage in rear garden (part retrospective)

To view all of the public access documents relating to this application please use the following web address:

<https://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S5UOYUGGI0300>

TITLE: 23/01377/FUL

Committee: Planning Committee

Date: 1 May 2024

Author: Planning Officer

Report No: Y162

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Site Address: 53 Commercial End Swaffham Bulbeck Cambridge CB25 0ND

Proposal: Single storey garage in rear garden (part retrospective)

Applicant: Mr James Askham

Parish: Swaffham Bulbeck

Ward: Bottisham

Ward Councillor/s: Charlotte Cane
John Trapp

Date Received: 8 February 2024

Expiry Date: 4 April 2024

1.0 RECOMMENDATION

1.1 Members are recommended to APPROVE the application subject to the recommended conditions summarised below: The conditions can be read in full on the attached appendix 1.

- 1 Approved Plans
- 2 Materials
- 3 Incidental Use

2.0 SUMMARY OF APPLICATION

2.1 The application seeks planning permission for a single storey garage in the rear garden. The proposal is part retrospective as it is partially constructed but is not complete.

2.2 The application has been called into Planning Committee by Cllr Trapp as the Parish Council object to the application (see full comments below in the responses from consultees section of this report, paragraph 5.0)

2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

3.1 None relevant

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is a pair of early C19 1½ storey cottages, now amalgamated as one, within the Commercial End conservation area. It is within the development envelope. The dwelling is situated on a corner plot with Mill Lane to the south and Commercial End to the east. The proposed garage sits along the southern boundary of the site adjacent to Mill Lane.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Parish - 8 March 2024

'The Parish Council have significant concerns over this application, mainly that the construction does not appear to be consistent with the application, therefore wish to object. The Parish Council also wish that should the planning officer be minded to approve that the application be called to the planning committee.'

Ward Councillors - No Comments Received although the application was called-in by Councillor Trapp.

Conservation Officer - 27 February 2024

'The application site is a pair of early C19 1½ storey cottages, now amalgamated as one, within the Commercial End conservation area. It is one of many such houses in the village, which date from the planned development of Commercial End as an agricultural processing and distribution centre by Thomas Bowyer in the early C19.

The garage has been built along the south-western site boundary, parallel to Mill Lane, and although it is visible in oblique views from the main street, it is of a generally appropriate scale for an outbuilding, and the finishing materials proposed will be compatible with its surroundings. Overall, the scheme is not considered to have an adverse impact on the character of the wider conservation area.

Recommendation: no objection.'

ECDC Trees Team - 14 March 2024

'This application involved the pre-emptive removal of several evergreen trees via the submission of a section 211 notification but as the site photos indicate that a replacement deciduous species boundary hedge has been planted with will be in keeping with the area there are no tree related objections to this application.'

Enforcement Section - No Comments Received

Local Highways Authority - 29 February 2024

'Upon reviewing the plans and information submitted as part of this application, I have no objections as none of the proposals include any changes that will materially impact the public highway.'

5.2 A site notice was displayed near the site on 16 February 2024 and a press advert was published in the Cambridge Evening News on 22 February 2024.

5.3 Neighbours – 8 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

There are three responses in support of the proposal. The comments are summarised below:

- When completed and finished with the proposed materials, I expect the new garage to result in further improvement of the site's appearance.
- The proposed structure seems in scale with other garages in Mill Lane
- No objection to the size and space of the new building and welcome the use of reclaimed local clay pantiles for the roof.
- Could the wall of the new building running parallel to Mill Lane be rendered and painted white to match the house and the road-facing walls of the Old Thatch at 43 Commercial End as the old wall in this location did?

There are two responses objecting to the proposal. The comments are summarised below:

- It does not look like it will be for the purpose of a garage.
- The building is a lot higher than any other outbuilding and is not in keeping with the property to which it belongs. The size of the new structure is not in keeping with the cottages that it is associated with or the general appearance of the area. The height is nearly twice that of the existing garage.
- Why Part Retrospective? I assume that a planning application may have been refused whereas with the building partly completed the chances of refusal may be reduced or altered rather than declined.
- The building is not replacing any existing double garage, in fact the original double garage is still in place.
- Why would you have two large windows in a garage? Why would you place 6" of insulation in the floor of a garage and why would the floor height of the garage entrance be 8-10" above ground level.

- I believe that this will be a workshop and not for DIY but for a commercial purpose which would create excessive noise.

6.0 THE PLANNING POLICY CONTEXT

6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)

GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 11	Conservation Areas

6.2 Swaffham Bulbeck Neighbourhood Plan 2023

Policy SWB 1	Swaffham Bulbeck development envelope
Policy SWB 4	Swaffham Bulbeck built environment character
Policy SWB 12	Delivering sustainable design

6.3 Supplementary Planning Documents

Design Guide
Climate Change SPD

6.4 National Planning Policy Framework (December 2023)

- 2 Achieving sustainable development
- 4 Decision-making
- 12 Achieving well-designed and beautiful places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 16 Conserving & enhancing the historic environment

6.5 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 The main considerations in the determination of this application are visual amenity and impact on the heritage assets, residential amenity and climate change.

7.2 Visual Amenity and Impact on the Heritage Assets:

7.2.1 53 Commercial End is situated in the Swaffham Bulbeck Conservation Area.

7.2.2 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area.

- 7.2.3 Policy ENV 11 of the ECLP states that development within a Conservation Area should be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area.
- 7.2.4 Policy ENV 1 of the ECLP states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV 2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area.
- 7.2.5 Policy SWB 4 (Swaffham Bulbeck built environment character) states that a designed approach should be taken for all proposals and applicants should be guided by the local Swaffham Bulbeck context (including the built form, building heights, existing low densities, building materials etc) as described in the plan and in the accompanying Landscape Character Assessment. Development proposals in or in the setting of the Conservation Area will be expected to conserve or enhance the quality of the street scene and be in keeping with, or complement, existing historic buildings.
- 7.2.6 The application seeks planning permission for the erection of a single storey garage in the rear garden of 53 Commercial End. The application has been described as part retrospective as the building has been started but has not yet been completed. While the part retrospective nature of the application is not material to the consideration of the merits of the proposal, it is understood that the application is part retrospective due to a miscommunication/misunderstanding between the applicant and Building Control and the applicant thought the proposal was permitted development.
- 7.2.7 The proposed garage would be situated approximately 1 metre from the southern boundary of the site. The proposed garage would be approximately 4.3 metres (14.10ft) in height, 4 metres (13.1ft) in width and 8 metres (26.2ft) in depth. It is proposed that the garage would be finished in black feather edge timber boarding and reclaimed clay pantiles to match the roof of the main dwelling.
- 7.2.8 There has been concern raised in local consultation responses in respect of the scale of the garage (however, it should also be noted that there has been support in respect of this element too). The concern is that the building is a lot higher than any other outbuilding and is not in keeping with the main dwelling or the general appearance of the area and that the height is nearly twice that of the existing garage.
- 7.2.9 The Design Guide SPD states that garages should ideally be positioned to the side or rear of a dwelling and therefore the proposed garage complies with that guidance. It goes on to say that outbuildings should be of the minimum size necessary and that the building should take account of the location in which it is to be set. This will affect its design, size, location, and finishing materials. It should not compete in any way, with the host dwelling.
- 7.2.10 When viewed from Commercial End, it is considered that the proposed garage would not be a prominent feature in the street scene and when approaching along

Mill Lane from the west, the garage is not visible until relatively close to it. In respect of scale, the Local Planning Authority (LPA) would expect a garage to be a minimum 3 metres (9.8ft) in width and 6 metres (19.6ft) in depth internally so as to be large enough to accommodate a car. Although this garage does exceed those measurements, it does not do so excessively. When looking at the plans provided, the footprint of the garage is considered to be proportionate to the scale of the plot and to the scale of the main dwelling. The garage is also subservient in height to the main dwelling. However, it is considered that the height of the garage contributes to the quality of the design as the roof pitch gives the garage a traditional appearance. If the height was lower, it would slacken the pitch resulting in a less attractive design. It should also be noted that existing garage at the site (not the partially completed garage subject of this application) is very small, in poor condition and it is unlikely to be able to house a car.

- 7.2.11 As the site is within the Swaffham Bulbeck Conservation Area, the Council's Conservation Officer has been consulted. The Conservation Officer has commented that although the garage is visible in oblique views from the main street, it is of a generally appropriate scale for an outbuilding, and the finishing materials proposed will be compatible with its surroundings. He has concluded that overall, the scheme is not considered to have an adverse impact on the character of the wider conservation area.
- 7.2.12 While each application must be considered on its own merits, there has been comments made that the building is a lot higher than any other outbuilding and is not in keeping with the main dwelling or the general appearance of the area. There is a garage at 54 Commercial End (also a cottage) which is set back in the site but visible from the street scene. According to the officer report for this application (18/01157/FUL) that garage is 3.78 metres (12.4ft) to the ridge, 3.7 metres (12.1ft) in width and 8.85 metres (29.0ft) in depth. These measurements are very similar to the proposed garage. Further to this, the materials are timber boarding and a pantile roof. That garage also has fenestration; a window and four rooflights. It is therefore considered that the proposed garage does not exceed the height of every other outbuilding and would not be out of keeping with the character and appearance of the area.
- 7.2.13 The Parish Council have stated that they have significant concerns over this application, mainly that the construction does not appear to be consistent with the application. However, it is not clear whether this relates to the building itself or the use. The use will be discussed in the 'other matters' section of this report. However, officers have visited the site and taken measurements and are content that the plans are consistent with the building at the site.
- 7.2.14 It is considered that the proposal would have a neutral impact and would not result in harm to the character of the Conservation Area, and this has also been concluded by the Council's Conservation Officer. It is considered that it would reasonable and necessary to condition the use of the materials proposed to ensure a high-quality finish. The proposal is therefore considered to comply with Policies ENV 1, ENV 2 and ENV 11 of the East Cambridgeshire Local Plan, 2015 (as amended) and Policy SWB 4 of the Swaffham Bulbeck Neighbourhood Plan.

7.3 Residential Amenity

- 7.3.1 Policy ENV 2 of the ECLP states that new development will be expected to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.
- 7.3.2 The proposed garage is set away from the boundary with the immediately adjacent property, Chesterton House. It is considered that given this, the proposal would not result in an overshadowing or overbearing impact to the neighbouring dwelling.
- 7.3.3 The garage doors are on the elevation facing towards Chesterton House, however, the proposed windows are all on the elevation of the garage which faces into the garden of the application site. It is therefore considered that the proposal would not result in any significant adverse overlooking impacts.
- 7.3.4 There has been concern raised that this will be a workshop for a commercial purpose which would create excessive noise. This is not what has been proposed. If the garage were to be used for a commercial purpose, this would be a change of use which would require planning permission in its own right. The use of the garage for domestic purposes is not considered likely to result in any unacceptable level of noise. Therefore, it is considered that the proposal would not result in excessive noise detrimental to the amenity of neighbouring occupiers.
- 7.3.5 It is considered that the proposal would not result in a significant adverse impact to the amenity of neighbouring occupiers and is therefore considered to comply with Policy ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended).

7.4 Climate Change

- 7.4.1 Local Plan Policy ENV4 states: *'All proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable'* and *'Applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction.'* The adopted Climate Change SPD encourages all development to include sustainability measures within their proposal.
- 7.4.2 Policy SWB 12 of the Swaffham Bulbeck Neighbourhood Plan states that all proposals must be accompanied by a sustainability statement. While this has not been submitted, it is considered that due to the scale of the proposal, many of the points that the statement is expected to cover such as minimising water usage and waste management would not be relevant. The most relevant point in the policy is how the choice of building materials is appropriate. The proposal sets out that the pantiles will be reclaimed as will the timber barn doors.
- 7.4.3 The proposal complies with the relevant part of Policy SWB 12 as it incorporates the use of reclaimed materials. In respect of Policy ENV 4, this would be sufficient to meet the aims and objectives of the policy. It is considered that given the scale of the development proposed and the use of the building, incidental to the main dwelling that the proposal would not be contrary to the aims and objectives of these policies.

7.5 Other Matters

- 7.5.1 The Trees Officer has confirmed that the application involved the pre-emptive removal of several evergreen trees via the submission of a section 211 notification but as a replacement deciduous species boundary hedge has been planted with will be in keeping with the area. Therefore, there are no tree related objections to this application.
- 7.5.2 The Local Highway Authority have raised no objections to the proposal as none of the proposals include any changes that will materially impact the public highway.
- 7.5.3 Comments have been received as to why the application is part retrospective with the suggestion that this is because a planning application may have been refused whereas with the building partly completed the chances of refusal may be reduced or altered rather than declined. It is understood that there was a miscommunication/misunderstanding and the applicant thought the proposal was permitted development. Notwithstanding the reason that the application is part retrospective, this does not form a material consideration in the planning application. The application is assessed in the same way as any other and if it is unacceptable, it would have been recommended for refusal.
- 7.5.4 The description of the proposal is for a garage but it is noted that in other documents, the building is referred to as a studio/workshop. If the outbuilding was built and used as a garage, no change of use would be required to use it as a studio/workshop as they are all incidental uses to the main dwelling. Therefore, the LPA would not object to the building being used incidentally to the dwelling and if it was not to be used in this manner, then a change of use may be required. Notwithstanding this, it is considered that it would be reasonable to impose a condition that the building is only to be used incidental to the host dwelling
- 7.5.5 Concern has been raised regarding the use of the outbuilding and why in a garage there would there be two large windows, insulation in the floor and the floor height of the entrance be above ground level. Given their variety of potential domestic uses, garages routinely incorporate windows. In respect of the floor height, there is a brick plinth under the space where the doors will be so it may be that the land will be built up to this height if a car is to be stored in the garage.
- 7.5.6 A time limit condition is not necessary as development has already commenced.

7.6 Planning Balance

- 7.6.1 The proposal seeks planning permission for a garage in the rear garden of 53 Commercial End. While there has been some local objection to the application, there has also been local support. It is considered that the proposed garage would not result in harm to the character and appearance of the Conservation Area and this is also the view of the Council's Conservation Officer. The garage would not cause any harm in respect of highway safety or residential amenity. It is considered that the proposal complies with all other material planning considerations and is therefore recommended for approval.

8 APPENDICES

8.1 Appendix 1 – recommended conditions

Background Documents

23/01377/FUL

National Planning Policy Framework -
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -
<http://www.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

Appendix 1: recommended conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
Elevations		05.02.2024
Location Plan		05.02.2024
Block Plan		05.02.2024
Roof and floor plans		05.02.2024
Materials Schedule		18.04.2024

- 1 Reason: To define the scope and extent of this permission.
- 2 The materials to be used in the construction of the external surfaces of the development shall be either:
 - a. In accordance with the materials schedule; or,
 - b. Submitted to and approved in writing by the Local Planning Authority prior to their use in the construction of the development.

All works shall be carried out in accordance with the approved details.

- 2 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area, in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015.
- 3 The outbuilding hereby approved shall be used for purposes incidental to the residential use of the main dwelling, known as 53 Commercial End, Swaffham Bulbeck, CB25 0ND.
- 3 Reason: In the interests of defining the planning permission and protecting the future usage of the building in line with Policies Growth 5 and ENV2 of the East Cambridgeshire Local Plan, 2015 (as amended).