



# East Cambridgeshire District Council

## **Minutes of a Meeting of the Planning Committee Held at The Lighthouse Auditorium, 13 Lynn Road, Ely, CB7 4EG at 2:00pm on Wednesday 1 May 2024**

### **Present:**

Cllr Chika Akinwale  
Cllr Keith Horgan  
Cllr Lavinia Edwards  
Cllr Martin Goodearl  
Cllr Katherin Holtzmann  
Cllr Bill Hunt  
Cllr John Trapp  
Cllr Christine Whelan  
Cllr Gareth Wilson  
Cllr Julia Huffer  
Cllr James Lay

### **Officers:**

Rachael Forbes – Planning Officer  
David Morren – Interim Planning Manager  
Dan Smith – Planning Team Leader  
Angela Tyrrell – Senior Legal Assistant  
Jane Webb – Senior Democratic Services Officer

### **In attendance:**

Melanie Wright – Communications Officer

### **83. Apologies and substitutions**

Apologies for absence were received from Cllr Ambrose Smith, Cllr Christine Whelan, and Cllr David Brown.

Cllrs Huffer and Horgan were in attendance as substitutes.

### **84. Declarations of interest**

No declarations of interest were made.

### **85. Previous Minutes**

The Committee received the Minutes of the meetings held on 6 March 2024 and 3 April.

It was resolved unanimously:

- That the Minutes of the Planning Meeting held on 6 March 2024 be confirmed as a correct record and be signed by the Chair.
- Following the removal of Cllr Akinwale from the 'present attendee list,' that both the Public Minutes and Exempt Minutes of the Planning Meeting held on 6 March 2024 be confirmed as a correct record and be signed by the Chair.

## 86. Chair's announcements

The Chair made the following announcement:

- A consultation was currently being conducted on further changes to the Planning System. East Cambridgeshire District Council had made a representation, and an update would be received in the next few months.

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## 87. 23/01377/FUL - 53 Commercial End Swaffham Bulbeck

Rachael Forbes, Planning Officer, presented a report (Y162, previously circulated) recommending approval for a single storey garage in rear garden (part retrospective).

Members were shown slides of the location, plans, and photos. The Planning Officer highlighted the update sheet that had been circulated during the week, which contained a statement received from Swaffham Bulbeck Parish Council.

The main considerations of the application were deemed to be:

- **Visual Amenity and Impact on the Heritage Asset** – The proposed garage would be situated approximately 1m from the southern boundary of the site and be approximately 4.3m (14.10ft) in height, 4m (13.1ft) in width and 8m (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. In respect of outbuildings, 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. 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 close to it. 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 and is subservient in height to the main dwelling. 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 were lower, it would slacken the pitch

resulting in a less attractive design. The Conservation Officer has commented that although the garage is visible in oblique views from the main street, it is of an 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. 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. While it was not initially clear whether this referred to the use or the building itself, the Parish Council have submitted comments following the publishing of the agenda which query the use, and that the height of the building is higher than it should be and can be seen above the roof line. However, officers have visited the site and taken measurements and are content that the plans are consistent with the building at the site. 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 be reasonable and necessary to condition the use of the material 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.

- **Residential Amenity** - 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. 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. 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 require 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.
- **Part Retrospective** - There has been concern raised as to why the proposal is part retrospective. 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.

- **Use** - The building has been referred to as a garage in the proposal description but in other documents has been referred to as a studio/workshop. Both are uses incidental to the dwelling. 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. Concern has been raised as to why in a garage there would 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.
- **Continued** - The proposal is considered to meet the aims and objectives of the Climate Change SPD and Policy SWB 12 of the Swaffham Bulbeck Neighbourhood Plan. The Trees Officer has no objections to the application. 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.
- **Planning Balance** – 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.
- **Summary and Recommendation** – It is considered that the proposed garage would not result in harm to the character and appearance of the Conservation Area. 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 planning considerations and is therefore recommended for approval.

The Chair drew Members attention to the Planning Update Sheet circulated earlier that contained a statement received from Swaffham Bulbeck Parish Council.

In response to a question from Members, the Planning Officer explained that:

- 51 and 53 Commercial End were already one site prior to submission of the application. The applicant had chosen to use number 53 as the address.
- The agreed materials used would be timber boarding and clay pantiles.
- The recommended condition stated that the dwelling remained incidental, but a condition could be added to ensure that the garage could not be let separate to the dwelling.
- Either kitchen or bathroom facilities would be allowed but not both.

Cllr Huffer proposed the Officer’s recommendation for approval, including a condition stating that the garage cannot be sold or let separately to the main dwelling. Cllr Akinwale seconded Cllr Huffer’s proposal.

It was resolved (with 9 votes in favour, 0 votes against and 1 abstention):

- i) That the planning application ref 23/01377/FUL be APPROVED subject to the conditions as detailed in Appendix 1 of the Officer’s report with delegated authority granted to the Planning Manager to include an additional condition stating that the garage cannot be sold or let separately to the main dwelling.

**88. Planning performance report – March 2024**

David Morren, Interim Planning Manager, presented reports (Y163 previously circulated) summarising the performance of the Planning Department in March 2024.

It was resolved unanimously:

That the Planning Performance Reports for March 2024 be noted.

The meeting concluded at 2:30pm

Chair.....

Date.....