



Appeal Decision

Site visit made on 7 February 2023

by Emma Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 February 2023

Appeal Ref: APP/V0510/W/22/3301476

Plot 1, Land south of 1A Gazeley Road, Ashley Newmarket, Suffolk CB8 9EF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Simpson against the decision of East Cambridgeshire District Council.
 - The application Ref 22/00109/FUL, dated 26 January 2022, was refused by notice dated 23 March 2022.
 - The development proposed is described as 'Proposed double garage with facing brick walls and slated roof to match new villa'.
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Decision

1. The appeal is allowed and planning permission is granted for a proposed double garage with facing brick walls and slated roof to match new villa at Plot 1, Land south of 1A Gazeley Road, Ashley Newmarket, Suffolk CB8 9EF in accordance with the terms of the application, Ref 22/00109/FUL, dated 26 January 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: unnumbered Location Plan, Site Plan, Garage Floor Plan, Roof Plan, Sections and Elevations.
 - 3) The materials used in the external surfaces of the garage hereby permitted shall match those used in the existing building.

Preliminary Matter

2. I have used the description of the proposal from the planning application form as I am obliged to do. However, I have omitted reference to the previous planning application which is not an act of development.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The host dwelling is a recently constructed 2 storey property which occupies a prominent corner plot at the junction of Gazeley Road and Dalham Road. The residential properties adjoining the appeal site in Gazeley Road comprise a

linear form of development fronting the road and the open countryside beyond. The dwellings in the row are set back a similar distance from the highway, which creates a pleasant sense of uniformity.

5. The appeal property differs from the existing pattern of the surrounding development in that it is orientated so that it fronts neither Gazeley Road or Dalham Road. In contrast the front elevation faces towards the side boundary of 1A Gazeley Road (No 1A). As such, the proposed garage, whilst it would be sited to the front of the dwelling, would not be between it and the highway but located adjacent to the side and front boundaries of the site between the main dwelling and No 1A.
6. Moreover, due to its position on the plot the side elevation of the appeal property projects a significant distance beyond the front elevations of the dwellings in Gazeley Road. The proposed garage, which is smaller in scale than the existing dwelling, would be set a similar distance from the highway as the host dwelling. As a consequence, the siting of the proposed garage would be such that it would be closer to the highway than the adjoining properties in Gazeley Road. However, this in itself does not make it unacceptable. Indeed, in views along Gazeley Road towards the appeal site, the garage would be seen against the backdrop of the main house, between it and the boundary fence to the side of No 1A. This arrangement, together with its scale and hipped roof design mean the garage would not be an unduly prominent feature in the street scene. Furthermore, the proposed garage would be seen in the context of the existing residential development and would therefore not detract from the rural character of the surrounding open countryside.
7. For the reasons set out above, I conclude that the proposed development would not have a harmful effect on the character and appearance of the area. Accordingly, I find no conflict with Policy ENV2 of the East Cambridgeshire Local Plan 2015 in so far as it seeks development to be of a high design quality which has regard to local context including the character, appearance and quality of an area.
8. I note that the Council's Design Guide Supplementary Planning Document 2012 (SPD) sets out that garages should ideally be positioned to the side and rear of the dwelling, however for the reasons set out above I find the siting of the garage would not give rise to harm in this case. As such the proposal would not conflict with advice in the SPD.

Other Matters

9. Whilst I note third party comments regarding the extent of the existing development at the site, the Council has not raised concerns regarding the overdevelopment of the site, and I have no reason to disagree. Furthermore, whilst the garage would be seen from the adjoining properties, the outlook from the first floor windows towards the wider landscape would not be meaningfully affected.
10. An interested party has stated that the garage appears to be sited over a private access across the appeal site. The appeal submissions indicate that the path was omitted from the scheme as it was no longer required to access the adjoining properties, nonetheless this is a civil matter that falls outside of the planning regime.

11. Even if the property does not benefit from permitted development rights and as such there is no fallback position in relation to the proposed development, given my findings on the main issue, this is not determinative to my decision.
12. I note the Council's comment that the need for the garage has not been justified by the appellant, however there is no policy requirement to demonstrate a need for the proposed development.

Conditions

13. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty, as well as a condition to require the materials to be used to match those in the main dwelling.
14. I note that the highway authority has suggested conditions regarding gates and visibility at the access to the site, however the proposal is for a garage at the property. Moreover, the Council indicate that the access remains unchanged in relation to the previous planning approval at the site and is therefore not for consideration as part of the appeal proposal. As such these conditions are not necessary.

Conclusion

15. For the reasons given above, the appeal is allowed, subject to conditions.

Emma Worley

INSPECTOR