

Appendix 1 – Appeals Performance from XX.XX.2022 – XX.XX.2022

APPENDIX 1

Application reference	Address	Proposal	Officer Recommendation	Committee Decision / Date	Reasons for Refusal	Appeal Procedure	Appeal Decision / Date	Costs Decision	Inspector's Reasons
21/01532/HHFUL	3 Church View The Village Orton Longueville Peterborough PE2 7DW	Demolition of existing outbuilding and erection of single storey outbuilding	Refusal	N/A	1. The proposed development by virtue of its siting, long length, scale, and mass would result in unacceptable harm to the residential amenity of No.2 Trienna, by means of being unacceptably overbearing. As such, the proposed outbuilding would be contrary to Policy LP17 of the Peterborough Local Plan (2019).	Householder Appeals Service	Allowed 24/06/2022	N/A	- The proposed outbuilding is within limits of PD. - any additional enclosing effect upon the garden of No.2 Trienna of as suggested by the Council would be both nominal and incidental to the outlook from the dwelling. - the proposal would neither be overbearing nor have any measurable effect upon the living conditions of the neighbouring users, and taking all matters raised into account, I conclude there is no conflict with policy LP17 of the Peterborough Local Plan (2019)
20/01458/HHFUL	Plum Tree Farm North Bank Thorney	Proposed first floor extension to existing barn, to form annex for residential accommodation	Refusal	N/A	1. The proposal, by reason of the extension and external alterations to the barn, would be out of keeping with the functional appearance of the outbuilding, adding a substantial extension which would introduce domestic elements which do not respond to the character and appearance of the building. The proposal is therefore contrary to policies LP16 and LP34 of the Peterborough Local Plan.	Written Reps	Dismissed 13.05.22	N/A	- The first floor extension would result in prominent and overtly domestic addition to the rural surroundings that would be harmful to the character and appearance of the surrounding area. - In the absence of any surveys, cannot conclude that the proposal would not adversely affect protected species, specifically bats and nesting birds.
21/00281/FUL	10A Wainman Road Orton Longueville Peterborough PE2 7BU	Change of use of land for car storage purposes; erection of building for car preparation purposes; erection of photography booth building with turntable; construction of hard surfacing and associated parking areas;	refusal	N/A	1. The proposal, by way of its siting, design and appearance, would unacceptably impact upon the character and appearance of the site and the surrounding area. This is specifically relating to the development on an undeveloped parcel of landscaping land, which contributes to the natural separation between existing commercial units, as well as between units and the surrounding public highway.	Written Representations	Dismissed 23/05/22	N/A	- The inspector concluded that whilst development of the site for commercial purposes would be acceptable in principle, the layout, and in particular the lack of any scope/space for landscaping would harm the character of the area – the green buffer between the industrial estate and the public realm.

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		erection of weld-mesh fencing; and stopping up of footway			<p>This landscaping is a key element of the planned nature of the Development Corporation industrial estate, and a feature across the city separating the built form and parkway system. The loss of any part of this landscaping would erode the verdancy of the locality and limit the contributions of the established landscaping, pulling the industrial estate and public highways closer together. The harm would be exacerbated by virtue of the proposed hard form of development which would abut the public footpath, with no opportunity for mitigating landscaping to soften its hard and harsh appearance. Accordingly, the proposal is contrary to Policy LP16 of the Peterborough Local Plan (2019).</p> <p>2. The application is not accompanied by a unilateral undertaking or other such legal agreement to ensure that the site is not served by car transporters. The application or adjacent site, nor the public highway, are capable of safely accommodating the access, parking, turning and loading/unloading of such vehicles without it posing an unacceptable danger to the safety of other users. As such, without an agreement to prevent the use of such vehicles, the proposal poses an unacceptable risk to the safety of the</p>				
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					public highway network, contrary to Policy LP13 of the Peterborough Local Plan (2019).				
21/01395/ADV	Path To The Front of Magistrates Court Bridge Street Peterborough PE1 1ED	Proposed installation of new BT Street Hub and associated display of advertisement to both sides of the unit.	Refusal	N/A	1. The proposal would result in harm to the setting of the adjacent Listed and Locally Listed Buildings and the character of the City Centre Conservation Area and streetscene. The advertisements would appear unduly obtrusive and dominant features, contributing to the unnecessary proliferation of advertisements within the locality. The harm arising to designated heritage assets should be afforded great weight and would not be outweighed by the limited public benefit of the advertisements and their associated telecom hubs. contrary to Policies LP16 and LP19 of the Peterborough Local Plan (2019) and paragraphs 197, 199 and 202 of the National Planning Policy Framework (2021).	Written representation	Dismissed 24.06.22		<ul style="list-style-type: none"> - The proposal would result in two large illuminated display screens in a prominent position capable of being seen by users of the immediate area and southern end of Broadway, with the dynamic nature of the presentation contrasting with the relatively calm character of this public realm. The effect of the proposal would be to extend the sense of 'modern High Street' found to the north of the site into an area where advertisements are not prevalent and commercial activity is less intense. - The proposal would insert a modestly-sized but conspicuously uncharacteristic feature in an otherwise tranquil area of the commercial centre of Peterborough which would affect the experience and character and appearance of the surrounding area, and the proposal would neither preserve or enhance the City Centre Conservation Area and would harm the significance of the Listed Building. - The proposal would conflict with Policy LP19 of the Peterborough Local Plan (2019) and the public benefits from improved digital connectivity would not outweigh the harms caused.
22/00020/HHFUL	259 Eastern Avenue Dogsthorpe Peterborough PE1 4QA	Proposed single storey front and two storey side extensions	Refusal	N/A	The proposed application of external render would be unacceptable harm to the character, appearance and visual amenity of the surrounding area and is contrary to Policy LP16 of the Peterborough Local Plan (2019).	Householder appeals service	Dismissed 24.06.2022	N/A	<ul style="list-style-type: none"> - 259 Eastern Avenue sits within an extensive area of predominantly semidetached twentieth-century housing which have a notable consistency as to appearance and relationship with the street with a very limited palette of materials. - the asymmetric application of render to one of the building pair would conspicuously undermine the austere

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									<p>simplicity of the original dwelling and its pair. This would interrupt the even visual flow along the adjoining frontages by drawing attention to the obtrusively different texture and colour of the subject dwelling.</p> <ul style="list-style-type: none"> - the proposal conflicts with Policy LP16 of the Peterborough Local Plan (2019) and consequently, the proposal would not accord with the development plan taken as a whole.
21/01747/ADV	Land Opposite Aldi Superstore Whittlesey Road Peterborough PE2 8EZ	Installation of internally illuminated freestanding LED Digital Display	Refusal	N/A	<p>1. Unacceptable harm to the character, appearance and visual amenity to the streetscene, and be contrary to Policy LP16 of the Peterborough Local Plan (2019).</p> <p>2. Unduly prominent and overbearing feature to the rear gardens of neighbouring dwellings to the north. The structures would harm the enjoyment of the garden areas such that the amenities of occupants would be unacceptably harmed. Accordingly, the advertisement is contrary to Policy LP17 of the Peterborough Local Plan (2019).</p>	Commercial Appeals Service	Dismissed 01.04.2022	N/A	<ul style="list-style-type: none"> - The appellant refers to the commentary in the Guidance which suggests that in an industrial or commercial area of a major city (where there are large buildings and main highways) such an advertisement may not adversely affect the visual amenity of the neighbourhood of the site. This area is not reflective of that description although other types of areas may be able to accommodate such provisions without harm. - The proposed sign, given its height and surface area, would be substantially more prominent and imposing than the adverts associated with these buildings and uses. Although the vegetation and trees would help to screen it when approaching from the south, when approaching from the north, it would not be integrated into the street scene. It would be unacceptably dominant and overly prominent. It would dominate its surroundings and it would be out of keeping in this particular context. It would detract from the character and appearance of this area. - The Council have raised concerns with regard to the impact of the advert on the neighbouring residential properties. It would be close to the end of their long gardens. Despite the intervening vegetation, it would be clearly evident given its height and size. It would be imposing for those residents, in some views, particularly when in their rear gardens on an evening when some shading may also occur. I am not satisfied

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									<p>however that it would result in unacceptable harm to the amenities of those residents although it would not be a positive feature.</p> <ul style="list-style-type: none"> - Conditions could be imposed that would control the advert display and ensure that its brightness and operation would not significantly increase its impact. It would not represent signage that would increase advertising clutter as it would be entirely distinct in character from the advertisements in the vicinity given its combined scale and height, although this weighs substantially against it. I acknowledge that it may offer commercial benefits that provide weight in its favour. Overall, the matters put forward in support of it are not sufficient to outweigh the harm that would result to the amenity of the area. It would be contrary to Policy LP16 of the Peterborough Local Plan (2019) as it would fail to respect the context of the site and surrounding area.
21/01609/HHFUL	44 Redbridge, Werrington	Garage conversion and first floor extension	Refusal	N/A	The proposed garage conversion and first floor extension; by virtue of its siting and height adjacent to the boundary, would result in an unacceptable overbearing and overshadowing impact to the rear garden of 5 Tarrant. The proposal would therefore result in unacceptable harm to the residential amenities of the neighbouring occupants and is contrary to Policy LP17 of the Peterborough Local Plan (2019).	Written Reps	Dismissed 01.04.22	N/A	<ul style="list-style-type: none"> - The increase in the height of the link building to first floor level would create a greater level of enclosure which would be overbearing and reduce the outlook from neighbouring properties. - The proposal would unacceptably harm the living conditions of the residents of 5 Tarrant with regard to loss of outlook.

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21/00295/OUT	170 Fulbridge Road Peterborough PE4 6SP	Outline application for the erection of one detached single storey dwelling house including access (with all other matters reserved)	Refusal	N/A	<p>R 1 The proposed development would result in the subdivision of the curtilage of a large, 5-bed prestigious dwelling. Given the size and juxtaposition of the proposed plot, it is not considered the proposal would form a prestigious dwelling, and no evidence has been provided demonstrating that the host dwelling has been marketed at a realistic price for an appropriate period without genuine interest in its purchase and occupation as a dwelling. As such, the proposal is contrary to Policy LP9 of the Peterborough Local Plan (2019)</p> <p>R 2 The proposed development would result in the subdivision of plot serving a prestigious dwelling, leaving it with a 15-metre-deep back garden, and it would introduce a detached dwelling within a back land location, which is contrary to the established character and pattern of development of the area. This unacceptably adverse harmful impact would be exacerbated as it would introduce a 50-metre long, private vehicle access to the immediate side of a prestige dwelling, which would form an out of keeping and incongruous feature that would unnaturally draw the eye, and would detract from the</p>	Written Reps	Dismissed 30.5.22	N/A	<ul style="list-style-type: none"> - The appeal proposal would involve the construction of a dwelling set back more than 50 metres into the site, a considerable distance from the rear of the host property. The dwelling would fail to front Footbridge Road and owing to its significant setback, would be remote from the otherwise consistent arrangement of dwellings here. It would also fail to front Witham Way and owing to the vehicle access being from Footbridge Road and the position of intervening gardens and driveways of the adjacent dwellings, would be unlikely to be viewed as part of the street scene here either. As such it would appear as an incongruous and ad hoc form of development that would be at odds with the prevailing pattern of development. - the proposed development would be harmful to the character and appearance of the area. The proposal would therefore conflict with Policy LP16 and Policy LP19 of the Peterborough Local Plan (2019) (the PLP) which, in summary seek to ensure that development is of a high quality that respects and contributes positively to the local character and distinctiveness of the area, amongst other considerations. Similarly, there would also be conflict with Framework paragraph 130 which seeks to ensure new developments are visually attractive, sympathetic to local character and establish a strong sense of place - Notwithstanding that the application was submitted in outline form the proposed dwelling would be some 50 metres from Footbridge Road. It seems highly likely that the substantial length and narrow width of the access could create day-to-day difficulties for future occupants. The proposed dwelling is likely to generate a
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				<p>character of the immediate area to an unacceptably harmful degree. As such, the proposal would be contrary to Policies LP16 and LP19 of the Peterborough Local Plan (2019) and Paragraphs 127(b), (c), (d) and 130 of the NPPF (2019)</p> <p>R 3 The proposed dwelling would be positioned more than 50 metres from Footbridge Road; therefore, the proposed dwelling would not accord with the maximum drag distances for bins associated with a residential dwelling. As such, the proposal would be contrary to Policy LP16 of the Peterborough Local Plan (2019) and the Cambridgeshire County Council RECAP Waste Management Design Guide Supplementary Planning Document (2012)</p> <p>R 4 Given the length and juxtaposition of the proposed vehicle access, this would generate pedestrian and vehicle movements unrelated to the host dwelling, which could result in unacceptably adverse level of noise and disturbance to the occupiers of No. 170 Footbridge Road, as well as a loss of privacy to the ground floor side facing openings which serve a kitchen dining area. Further, given the juxtaposition of the proposed vehicle access,</p>					<p>demand for vehicular access by larger vehicles including refuse, delivery, and emergency vehicles. Access for such vehicles would be difficult and would in turn likely lead to the prolonged waiting of vehicles in the highway or blocking accesses, creating difficulties for nearby residents.</p> <ul style="list-style-type: none"> - it is likely that the future occupants would be required to carry their refuse or drag their bins a considerable distance along the length of the access to reach the highway, which would be an additional inconvenience. - The proposal would cause harm to the living conditions of existing and future occupiers of the host property and No 46 Witham Way. This would result in conflict with Policy LP17 - very little has been supplied to establish that the proposed dwelling would meet the general definition of 'prestigious' [and] no marketing evidence has been provided and the proposal would not meet criterion b). Although I appreciate the current owners do not intend to move, there is nothing before me to indicate that No 170 would remain within the definition of a prestigious home if the appeal was allowed
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					<p>through the manoeuvring and speed of vehicles, this would result in an unacceptable</p> <p>levels of noise and disturbance to the primary amenity space serving No. 168 Footbridge</p> <p>Road and 46 Witham Way, to an unacceptably harmful degree. The proposal would</p> <p>unacceptably harm the amenity of these residents, and is therefore contrary to Policy</p> <p>LP17 of the Peterborough Local Plan (2019)</p>				
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