

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 5
11 JUNE 2013	PUBLIC REPORT

Cabinet Members responsible:	Cllr Hiller (Housing, Neighbourhoods and Planning)	
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TWELVE MONTH APPEAL PERFORMANCE

R E C O M M E N D A T I O N S	
FROM : Head of Planning, Transport and Engineering Services	Deadline date : April 2013
That the Committee notes past performance and outcomes.	

1. PURPOSE AND REASON FOR REPORT

- 1.1 It is useful for Committee to look at the Planning Service's performance at appeals and identify if there are any lessons to be learnt in terms of appeal outcomes. This will help inform future decisions and potentially reduce costs.
- 1.2 This report is for the Committee to consider under its terms of reference No. 2.6.1. of part 3, section 2, of the Constitution "To receive regular progress reports on all current planning enforcement matters, and lists of planning decisions taken by officers under delegated powers".

2. TIMESCALE.

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	n/a
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3. MAIN BODY OF REPORT

- 3.1 The number of appeals lodged has fallen this last 12 months from 37 to 33 compared to the previous twelve months. A total of 39 appeals have been determined which is 12 greater than the previous twelve months.

	2009/10	2010/11	2011/12	2012/13
Appeals Lodged	52	50	37	33
Method of Appeal				
a) Householder	5	20	11	7
b) Written Reps	42	29	24	21
c) Informal Hearing	2	1	2	4
d) Public Inquiry	3	0	0	1

	(01/04/09 – 31/03/10)	(01/04/10- 31/03/11)	(01/04/11- 31/03/12)	(01/04/12- 31/03/13)
Appeals Determined	56	61	28	39
Appeals Dismissed	41	38	14	26
Appeals Allowed	12	20	10	10
Split Decision	1	1	2	3
Appeals Withdrawn	2	2	2	0
Success Rate	73%	62%	50%	67%
Householder	3	20	11	8
Written Reps	47	37	16	26
Informal Hearing	2	0	1	5
Public Inquiry	4	4	0	0

3.2 In the last twelve months the Council's decision was upheld in 67% of the cases.

3.3 The table in **Appendix 1** gives a summary of the appeal outcomes in the last 12 months with a commentary where there is scope for service improvement.

5. IMPLICATIONS

5.1 Legal Implications

The proposed changes have been prepared and will be consulted on in accordance with guidance issued by national government. There are no legal implications.

5.2 Financial Implications

This report itself does not have any financial implications. However, in the event that the Council or appellant has acted unreasonably in terms of the planning decision or appeal, an award of costs may be made against or in favour of the Council.

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
1	11/01320/FUL - Land Opposite 3 Hurn Road, Werrington, Peterborough Use of land for one extended gypsy family comprising of 2 static caravans and 2 touring caravans	Delegated	Dismissed	The application was refused because of the appearance of the acoustic barrier needed to protect the caravans from the noise from the railway. The inspector concluded that the barriers by reason of their overall length and height would appear as incongruous features in the surrounding landscape. The inspector added that the proposed barriers would be particularly intrusive due to their artificial appearance, exacerbated by the need to have two. The inspector felt that it would take some years before the planting on the mounds matured sufficiently to screen the earth and fencing and even then, the planted mounds would appear rather alien to the relatively flat surrounding area.	No
2	11/01704/FUL - Land Opposite 3 Hurn Road Werrington Peterborough Use of land for one extended gypsy family composed of 2 static caravans and 1 touring caravan	Committee (T)	Allowed	The inspector concluded: 1 - that the appearance and character of the site would undoubtedly change. The inspector noted that the site is close to a small enclave of development including the railway line, housing, telecoms equipment and the A15 by-pass bridge and that the he did not consider that the development would unduly detract from the rural qualities of the surrounding area. 2 – that there would undoubtedly be increased activity and vehicle movement over and above that which currently occurs on this site, however the additional vehicle movements from one residential pitch are unlikely to be substantial or sufficient to be of detriment to the living conditions of nearby properties. 3 – that given the distances that would be retained between the existing properties and the residential area proposed there would be no unacceptable loss of privacy or overlooking Officer Commentary Cost were awarded because Committee added additional refusal reasons compared to an earlier refused scheme which was only refused on grounds of the impact of the appearance of an acoustic barrier	A claim of approx £31,000 has been made but only a part payment of £23,000 has been made. We are in dispute regarding further payment

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3	11/00776/FUL - 47 Burghley Road Peterborough Change of use from residential and increase of ground floor area to beauty salon including new shop front and disabled access	Delegated	Dismissed	The site is not located within any of the 'shopping centres' that have been identified by the City Council. The inspector concluded that the proposal would draw customers away from the existing centres and that it would cause material harm to the vitality and viability of these centres.	No
4	11/01245/FUL - Freestanding Barn Elms Farm Great North Road Wittering Conversion to 3 bedroom dwelling with separate garden area and car parking	Delegated	Dismissed	The inspector concluded that the proposal would be harmful to the special architectural and historic interest of the building and its relationship with those surrounding and it would not provide acceptable living conditions for its occupiers.	No
5	11/01246/LBC - Freestanding Barn Elms Farm Great North Road Wittering Conversion to 3 bedroom dwelling with separate garden area and car parking	Delegated	Dismissed	The inspector concluded that the proposal would be harmful to the special architectural and historic interest of the building and its relationship with those surrounding and it would not provide acceptable living conditions for its occupiers.	No

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6	11/00439/WCPP - 41 Exeter Road Millfield Peterborough Variation of condition C3 (number of pupils and hours) of planning application 04/01418/FUL - Continued use of day room as Madrassa	Delegated	Dismissed	<p>The inspector concluded that the existing condition is necessary and meets all the other requirements in Circular 11/95. If the condition was varied the use would be harmful to the living conditions of the neighbouring residents. Specifically the variation of condition would more than double the number of children that could be at site at any one time. This would mean that in the 15 minute change over period there could be up to 50 children arriving or departing from the site and many parents and carers. The inspector stated that this would be likely to generate a level of noise and disturbance on a regular basis.</p> <p>Further the inspector considered that the use would be an over intensification of the permitted use that would not be consistent with a residential area such as this</p>	No
7	11/01560/FUL - Spring Forward 93 Eastfield Road Eastfield Peterborough Extension and Installation of new shop window and change of use of shop from A1 to A5 hot food take away - Resubmission	Delegated	Dismissed	<p>The inspector accepted the assertion of the police that these uses frequently result in noise and disturbance late at night as a result of disputes between customers often under the influence of alcohol. The inspector concluded that the proposal would exacerbate the problem of anti social behaviour already evident in the area. The inspector added that in the absence of parking the proposal would mean that many of the customers would arrive on foot and this would increase the likelihood of harmful noise, disturbance and litter.</p>	No
8	11/01588/FUL - Bahar Food Store 64 - 66 Dogsthorpe Road Peterborough Extension and alterations to shop front, construction of canopy and installation of roller shutters (retrospective)	Delegated	Dismissed	<p>The inspector stated that the canopy is a bulky heavy structure which is prominent in the street scene. The inspector felt that because of its bulk it caused a significant break in views along the street. The inspector concluded that steel shutters can create a perception that an area has a high risk of crime which is not the case here and this combined with the forward position of the shutters and their width would create a prominent and hostile frontage when the shutters are down.</p>	No

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9	12/00836/FUL - Ghousia Foods Ltd Shop At 281 Lincoln Road Peterborough Construction of detached store room and chiller unit - Revised application	Delegated	Allowed	<p>Given its positioning (front area of 1 St Martin's Street closest to the appeal building was used for parking, the main outdoor area associated with the same property extends some distance to the rear, and the gap of 5 metres between the side wall of the subject building to the kitchen window) the inspector considered that the size and scale of the storage shed does not cause undue harm to the neighbours living conditions.</p> <p>Further the inspector concluded that when rendered and painted, as indicated in the application form, it would not appear out of place or any more disruptive in the streetscene than the existing walls of the commercial property extending to the corner of St Martin's Street.</p>	No
10	11/01966/FUL - 1315 Lincoln Road Peterborough Conversion of detached dwelling to three two-bed flats including two storey front extension and single storey rear extension and demolition of garage	Delegated	Dismissed	<p>The inspector concluded that there could be a conflict between vehicles and pedestrians particularly young children because of a car parked in a parking space would obstruct visibility. Further the inspector concluded that the proposal would not provide a convenient area of private garden or outdoor amenity space with reasonable privacy. The inspector added that the outlook for occupiers of the flat with the lounge and kitchen facing the flank wall of No 1317 would be poor because they would be close to that blank wall.</p>	No

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11	11/01761/HHFUL - 15 Kirby Walk Netherton Peterborough Single storey side, double storey side and front porch	Delegated	Split Decision Dismissed the double storey side extension. Allowed single storey side and front porch.	<p>The inspector concluded that the proposed two storey side extension would unacceptably dominate the existing dwelling. In particular, the large expanse of roof would appear as a bulky addition. The inspector added that the proposed extension would be out of proportion with and unbalance the appearance of the existing dwelling within the streetscene and that the symmetry with the dwelling opposite would be lost.</p> <p>With regards to the single storey side and front porch the Council has not raised concern. The inspector concluded that as these two extensions could be constructed independently from the proposed two storey extension that it is reasonable to issue a split decision.</p> <p>NB A revised application for the development is on the agenda for this meeting.</p>	No
12	11/01547/FUL - 83 - 85 Cromwell Road Peterborough Change of use to hand car wash and valeting facility Extension to the rear of the garage to create a store and office above (Retrospective)	Delegated	Dismissed	<p>The inspector accepted that this facility would bring benefits in terms of employment and provision of services and found no reason, subject to conditions, to reject the scheme on amenity grounds. Notwithstanding the inspector stated that:</p> <ul style="list-style-type: none"> • there would be poor visibility from the proposed access • the applicant had not demonstrated that vehicles could circulate freely within the site. <p>The inspector added that these shortcomings would lead to a point of conflict at the site access particularly in relation to cycle traffic. The inspector concluded that there are sound reasons to reject the scheme based on the need to reduce accidents.</p>	No

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13	12/01052/HHFUL - 84 Wisbech Road Thorney Peterborough Extension to the rear of the garage to create a store and office above (Retrospective)	Delegated	Dismissed	The inspector states that the development <ul style="list-style-type: none"> • has resulted in the further incremental erosion of this open character • appears as a harmful intrusion within the Conservation Area were openness represents one of its defining characteristics • the extension with a much increased volume and footprint swamps the host building Further the inspector states that the stark appearance of the development, with its timber finish and flat roof allied to its scale, has resulted in an incongruous relationship with the listed building to the detriment of its setting.	No
14	11/00774/OUT - 124-126 Gladstone Street Peterborough Demolition of existing Public House and construction of 7 x 1 bed flats	Delegated	Dismissed	The Inspector was not convinced that the site could accommodate seven residential units without harming the character and appearance of the area. Specifically: <ul style="list-style-type: none"> • the indicative layout and elevations would not be in character with the linear two-storey properties in the street • the frontage buildings would stand out as taller in the street and the single storey building would create a cumbersome tight arrangement at the rear • much of the remaining garden area is shown as being laid out for parking which would completely erode the open character of the long gardens • the layout indicated would be a cramped and unsatisfactory arrangement 	No

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15	11/01363/OUT - 44 Ashcroft Gardens Eastfield Peterborough The construction of two additional two bedroom properties each with parking space and garden. Access made off Reeves Way	Committee	Dismissed	<p>The inspector stated that the dwellings would be very close to the side boundary with the access to the front which would result in a much more cramped appearance. The Inspector argued that the proposal would fail to respect the prevailing and consistent grain of development in the area.</p> <p>In addition the inspector considered that the back gardens of the proposed dwellings would be only about 7 metres deep and thus the outlook from the upper floor windows would intrude significantly on the privacy of the garden at 42 Reeves Way. The inspector also added that the side elevation of one of the dwellings would be only about 10m from the rear facing windows off 44 Ashcroft Gardens and thus the proposal would be rather overbearing in the context of the generally well spaced character of nearby development. The inspector attached significant weight to the Council's POIS strategy and states that it would be wrong to allow the appeal in the absence of a completed planning obligation.</p>	No
16	12/00082/FUL - 94 Norman Road Eastfield Peterborough Conversion of dwelling into two dwellings consisting of:- one three-bed dwelling, one two bed dwelling with two storey and first floor extensions	Delegated	Dismissed	<p>The inspector concluded that the proposed side extension would have a materially detrimental effect on the character and appearance of the host dwelling and the street scene. Specifically the proposed extension would extend almost to the shared boundary with No. 92 and that this would result in the appeal property appearing squeezed on its plot.</p>	No

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17	<p>12/00595/FUL - Vine Farm Barnack Road Bainton Stamford Sub-division of existing property to create 2 dwellings; 1. Main House, part of rear outbuildings, garden and parking area and access onto Bainton Rd; 2. The Barn, Annexe and part of rear outbuildings garden and parking area and access onto Ufford Rd, dividing the garden using wooden fencing</p>	Delegated	Split Decision Dismissed the appeal insofar as it relates to provision of separate parking areas and the associated fence. Allowed insofar as it related to division of the existing property to form 2 dwelling, the provision of separate gardens and alterations to outbuilding	<p>The inspector considered the separation of the parking areas with fencing would appear contrived and that this element of the proposed works would cause significant harm to the setting of the Farmhouse and the Barn.</p> <p>The inspector considered that the outhouse has little if any architectural or historic importance. The inspector added that the alterations have no effect on its external appearance, and cause no harm to its character or the setting of the principal listed buildings.</p> <p>The inspector stated that the two houses would be of a size and degree of separation that they could contain the residential uses without causing significant harm to the robust character of the buildings or their surroundings.</p> <p>The inspector stated that the doorway was a relatively recent introduction to provide communication between the two parts of the building when the ancillary accommodation was formed. The inspector added that its blocking up would restore the arrangement of what must have clearly been physically separate spaces and accordingly considered that the restoration of the original plan should be seen as a modest enhancement.</p> <p>The inspector concluded that the proposed development, excluding the provision of separate parking areas would effectively ensure the continued use and maintenance of these historic buildings which in his view should be regarded as a public benefit rather than a purely private benefit as argued by the Council. The proposals apart from the provision of separate parking areas would preserve the character and appearance of the Bainton Conservation Area.</p>	No

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18	12/00297/FUL - Land To Rear Of 37 And 39 Lincoln Road Glington Peterborough Construction of 1 x 2 bed bungalow	Delegated	Dismissed	The inspector considered that the proposed dwelling would occupy an uncharacteristically small plot in comparison to the majority of nearby dwellings and that this would give an impression of a cramped overdevelopment of the site area. Further the widening of the access would create an incongruous visual relationship. The inspector added that the increased use of the access would result in additional comings and goings that would interfere with the quiet enjoyment, the occupiers of nearby dwellings, would reasonably expect from their homes	No
19	12/00028/FUL - 51 Park Road Peterborough Re build garden wall (Part retrospective)	Committee	Dismissed	The inspector considered that the proposal would lead to substantial harm to the character and appearance of the Park Conservation Area which is not necessary to achieve substantial public benefits that outweigh that harm or loss. The inspector added that the retention of the wall with the gap allowing vehicular access without adequate visibility splays would cause harm to highway safety, because pedestrians, particularly young children, could not be properly seen by drivers. NB Enforcement action is pending. A proper wall design has been agreed and it is anticipated that the wall will be built correctly soon.	No

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20	11/01383/FUL - 171 Mayors Walk West Town Peterborough Construction of a detached two bed dwelling – Resubmission	Committee (T)	Dismissed	<p>The inspector concluded due to the shallowness of the remaining plot of no. 171 and as the development stands markedly forward of the building line that it would cause harm to the character and appearance of the area.</p> <p>The inspector added that the development would be harmful to the living conditions of the occupants of both 169 and 171 Mayor's Walk due to the effect on outlook and sunlight. It would also provide a somewhat unsatisfactory amenity space for the occupants of the dwelling.</p> <p>The inspector was not satisfied that the proposal would be consistent with the environmental and social elements of the definition of sustainable development because of its effect on the character of the area and living conditions. The inspector added that the NPPF stresses the importance of good design, not just in terms of visual appearance but in terms of making places better for people.</p>	No
21	11/01892/HHFUL - 62 Lincoln Road Northborough Peterborough Construction of two storey rear and side extension and single storey front extension	Delegated	Dismissed	<p>The inspector concluded that the proposal would have an unacceptably harmful effect on the character and appearance of the host dwelling, neighbouring properties and the surrounding area. Specifically that the proposed extension would result in an unbalanced window arrangement with a clumsy expanse of blank wall to the side of the smaller first floor window and that the proposed front extension would appear unacceptably clumsy and incongruous in the row.</p>	No

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22	12/00681/HHFUL - 98 Middleton Bretton Peterborough Construction of new garage and front porch	Delegated	Dismissed	The inspector found no harm as a consequence of the proposed porch. Notwithstanding the inspector concluded that there would be material harm to the character and appearance of the area as a result of the proposed garage and fencing. The inspector considered that the size, scale and proportions of the proposed garage and its proximity to the footway mean that it would be seen as a bulky and unduly intrusive feature in the street scene. The inspector added that there would be material harm to the green and open character and appearance of this part of the estate as a consequence of the proposed garage and, to some extent the enclosure of land behind.	No
23	12/00423/HHFUL - 5 Werrington Park Avenue Werrington Peterborough Construction of two storey rear extension and first floor side extension	Delegated	Allowed	The proposal would not result in a development out of character with the original house nor with the rest of the area. The inspector was of the view that the extension would preserve the character of the Werrington Conservation Area.	No

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24	11/01801/ADV - 45 Thorpe Road Peterborough The proposed is a permanent signage which will advertise the nearby offices and related business	Delegated	Allowed	The inspector did not accept that this form of signage would be inappropriate on the forecourt of the premises and on the basis of the other signage in the area it would not be too large. The inspector added that the proposed signage would be of appropriate size and style and would not be harmful to visual amenity.	No
25	11/01254/FUL - 62 Park Road Peterborough Change of use of a first floor office unit to create a studio apartment. Including the replacement of external fire escape doors with glazed units to match existing windows	Delegated	Allowed	The inspector concluded that whilst the standard of daylight would be less than satisfactory, the proposed residential unit would provide an acceptable overall standard of amenity. The inspector considered that the generous amount of accommodation and the floor to ceiling height relieves the living space from any sense of oppressiveness and that the internal layout of accommodation and decoration could help address the daylight issue.	No
26	12/00137/HHFUL - 21 Suttons Lane Deeping Gate Peterborough Dining/porch extension single storey (revised)	Delegated	Dismissed	The inspector concluded that the proposed extension would have a materially detrimental effect on the character and appearance of the host dwelling and, owing to its prominent position, to the street scene of Suttons Lane. Specifically the proposed extension would appear as an incongruous and poorly proportioned addition to the dwelling.	No

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27	11/01925/OUT - Long Meadow Farm Glinton Road Milking Nook Peterborough Proposed demolition of existing building, erection of permanent agricultural dwelling and reinstatement of access	Delegated	Allowed	The inspector considered that as this is a relocated profitable unit, that as a significant amount of investment has taken place at the farm and as the company is well established that he could justify exception to the requirement of PP7 © which requires such a unit to have been in operation for 3 years. In this case the main building has been in operation for almost 2 years.	No
28	11/01785/FUL - 222 Thorpe Road Peterborough Construction of one 'prestige' five-bed dwelling and replacement garage	Delegated	Allowed	The inspector concluded that the proposal would not have any unacceptably harmful effects on the character and appearance of the surrounding area. In addition the inspector considered that the proposal would not have any unacceptably harmful effects on the living conditions of the occupiers of nos.220 and 222 Thorpe Road by reason of increased noise arising from vehicles accessing the proposed dwelling. The inspector was not persuaded that the infrastructure contributions offered by the applicant were necessary in order to make the development acceptable in planning terms or that they were so directly related to the development that they satisfy the second part of the National Planning Policy Framework test	No

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29	11/01779/FUL - 222 Thorpe Road Peterborough Proposed construction of 1 five-bed and 1 six-bed 'prestige' dwellings and replacement garage to existing dwelling	Delegated	Dismissed	Despite the fact that the proposed development would not be readily visible from publically accessible areas the Inspector was satisfied that when viewed from surrounding properties and from within the site the visual effect would be sufficient to cause significant harm to the character and appearance of the surroundings contrary to Policy CS16 of the Peterborough Core Strategy. Given the degree of separation between the existing houses and the proposed access drive the inspector considered that the nuisance caused would not be sufficient to justify a refusal of planning permission.	No
30	12/00078/FUL - 1A Peterborough Road Crowland Peterborough Change of use of former barn to a 2 bedroomed dwelling (retrospective)	Delegated	Dismissed	Prior to its conversion the building was in use as a workshop and for storage and not in agricultural use. The inspector concluded that the proposed dwelling is contrary to paragraph 55 of the National Planning Policy Framework that advises that isolated new homes in the countryside should be avoided unless there are special circumstances. The inspector stated that there were no special circumstances in this case. The inspector added that the sustainable aspects of the development were insufficient to overcome the isolated location of the dwelling. The inspector also stated that contributions for infrastructure improvements to be secured by a section106 agreement, other than in relation to waste management and bereavement services fail the tests in the Framework.	No

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31	11/01808/FUL - 9 Exeter Road Millfield Peterborough Change of use from residential to mixed use as a residential and teaching establishment for Arabic and Religious instruction on weekdays only - Retrospective	Committee	Dismissed	<p>The inspector concluded that the proposed change of use could have a harmful effect on the living conditions of occupiers of neighbouring properties generated from the mixed use of the property. Specifically that there could be considerable activity caused by a number of children and their parents arriving and leaving the premises on a daily basis during the week leading to a high level of noise and disturbance than would be expected from a residential property.</p> <p>The inspector added that the use would adversely impact on the free flow of traffic and highway safety. Specifically the use of the site for holding regular teaching classes could put extra demand for parking spaces which could in turn put pressure on the free flow of traffic in Exeter Road. Combined with the traffic generated by the nearby school in Dogsthorpe Road and the Madrassa further along Exeter Road the inspector considered the mixed use could be harmful to highway safety.</p>	No

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32	12/00609/HHFUL - 12 Main Road Etton Peterborough Proposed single storey side and rear extensions with additional living space in roof	Committee (T)	Allowed	<p>The inspector concluded that the extensions have been sensitively designed and would blend in satisfactorily with the host property. The inspector accepted that the building's character would inevitably change, but this would not be harmful and the proposal would represent a sympathetic addition that would satisfy the design objectives of Policy CS16.</p> <p>Due to its sympathetic design, and in view of the separation distance, the inspector considered that the proposal would not impact unfavourably on the setting of the listed Corner Cottage and at the same time would preserve the character and appearance of the Conservation Area.</p> <p>Finally the inspector stated that the proposal would not appear overbearing nor in any other way materially harm the living conditions presently enjoyed by the occupiers of No 14.</p>	No
33	12/00918/HHFUL - 3 Hundreds Road Crowland Peterborough Replace existing conservatory with traditional sun lounge, side and rear extensions to existing single garage comprising oil tank and garden store adjacent to side of existing garage and rear extension to create shower room, gym and games room	Delegated	Allowed	<p>The inspector concluded that the proposed extensions reflect the modern design of the current farmhouse and would not be significantly more visible in the landscape than the existing structures. On that basis the inspector stated that they would maintain the essential open nature of the area with its isolated Victorian and modern farmsteads, and would not be harmful to the character or appearance of the general countryside around Crowland.</p>	No

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34	<p>12/01102/FUL - Store Adjacent To 29 Hankey Street Peterborough</p> <p>Change of use to storage of shop goods with proposed alterations including reposition of entrance, installation of roller shutter, increased wall height, addition of roof, rendering and painting of elevations - Resubmission</p>	Committee	Dismissed	<p>The inspector stated that the proposal would not have an adverse impact upon highway safety or on street parking congestion and that the use of the occupiers of No. 29 would not be harmed through noise and disturbance.</p> <p>Notwithstanding the design was however considered to be unacceptable within this primarily residential area, that it would both impact on the outlook from nearby properties and have a harmful effect on the character and appearance of the area.</p>	No
35	<p>12/00209/FUL - Land To The Rear Of 55-57 Cromwell Road Peterborough</p> <p>Construction of a single 2 bedroom dwelling</p>	Delegated	Dismissed	<p>The inspector concluded that the proposed dwelling would amount to the inappropriate development of residential garden land that would result in material harm to the character and appearance of the surrounding area. The inspector added, given the generous size of the proposed dwelling that the garden space would not be adequate to serve the needs of the occupiers. Further the inspector shared the Council's concern that the area of garden remaining to serve no. 57 would be unacceptably small and this would further increase the pressure on the limited public open space in the area.</p> <p>The inspector noted that both of the existing dwellings would be deprived of in-curtilage parking provision and the applicant has not demonstrated that the surrounding roads would have the capacity to accommodate more vehicles such that the inspector considered the proposal to be detrimental to highway safety.</p>	No

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36	11/01584/FUL - Land South Of A47 And East Of Great North Road Wansford Peterborough One extended gypsy family consisting of access, parking, two caravans and two communal facility blocks	Delegated	Dismissed	The inspector concluded that the proposal would cause unacceptable harm to the landscape of the Nene Valley. The inspector added that only moderate weight could be given to the need for Gypsy and Travellers sites in the district and that the applicants personal circumstances were not compelling such that they could be of limited weight.	No
37	12/00792/TRE - 41 Werrington Park Avenue Werrington Peterborough Fell T4 Horse Chestnut, T5 Lime, T6 Horse Chestnut (listed as a Lime), T7 Lime - TPO 2.1986	Delegated	Split Decision Dismissed in respect of T4 Horse Chestnut and T5 and T7 both Limes and allowed in respect of T6 Horse Chestnut	The inspector states that the trees as a group provide a significant contribution to the amenity of the local area. The inspector added that there are no compelling reasons why three of the trees should be removed. Notwithstanding the inspector concluded that T6 Horse Chestnut is being suppressed by the other trees, that it is not an outstanding tree and that its removal will reduce shading to the garden. A replacement tree is required to be planted within the garden area	No
38	12/00737/WCPP - 3 High Street Maxey Peterborough Removal of C4 of planning permission 02/01260/FUL to allow residential annex to be used as a separate one-bed dwelling	Delegated	Allowed	The inspector concluded that the degree of harm to the conservation area would be limited due to the separation of the curtilages and the garden arrangements and that due to the use of a shared driveway and the proximity of the buildings such changes would not be discernible from the general street scene The inspector added that there would be no significant impact upon the amenities of the occupiers of the existing dwelling or the proposed dwelling and that there would be no significant impact upon highway and pedestrian safety.	No

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
39	12/00252/FUL - Coneygree Lodge Coneygree Road Stanground Peterborough Conversion of existing redundant Care Home to 2 x 1 bed flats and 9 x 2 bed maisonettes, and construction of 3 x 2 storey 3 bed dwellings	Delegated	Dismissed	<p>The inspector found that the visibility from the proposed vehicular access would be adversely obstructed by a bus shelter and that the poor visibility would be further compounded were there to be a bus parked at the bus stop.</p> <p>In addition the Inspector stated that there was insufficient evidence regarding infrastructure capacity in relation to the proposal in order to enable full consideration to be given to whether the submitted planning obligation would meet the tests in paragraph 204 of the National Planning Policy Framework.</p>	No

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