

**Appendix 1 – Appeals Performance from 01.01.2016 to 31.08.2016**

Application reference	Address	Proposal	Officer Recommendation	Committee Decision / Date	Reasons for Refusal	Appeal Procedure	Appeal Decision / Date	Costs Decision	Inspector's Reasons
14/01833/FUL	21 Castle End Road Maxey Peterborough PE6 9EP	Demolition of existing garage and outbuilding and construction of three detached dwellings and garages	Approval	Refused 07.04.2015	<p>1. Proposal is out of keeping with the character of the Conservation Area – contrary to CS16, CS17, PP3, PP17, paragraphs 61 and 133 of the NPPF and the Maxey Conservation Area Appraisal.</p> <p>2. Plot 1 represents subdivision of the frontage which would harm the character of the Conservation Area – as above.</p> <p>3. Unacceptable loss of privacy and overbearing impact to neighbour amenity – contrary to PP3.</p> <p>4. Unsafe access – contrary to PP12.</p>	Written Representations	Allowed 11.01.2016	N/A	<ul style="list-style-type: none"> <li>- Development would be contrary to the Conservation Area Appraisal however the site already has a wide frontage compared to others in the street. As such, its subdivision would result in frontage plots of similar width to those surrounding. This would not be incongruous.</li> <li>- Similar development has occurred further south and the proposal wouldn't be unique or out of place.</li> <li>- Dwellings have a pleasing design with attention to detail.</li> <li>- The loss of the boundary wall and hedge would be limited and result in a similar appearance to other accesses in the street.</li> <li>- The proposal would not be harmful and would preserve the Conservation Area.</li> </ul>
14/01573/FUL	Land On The South West Side Of Northey Road Northey Place Peterborough	Change of use for one extended gypsy family for one static, one touring caravan and associated facilities block	Refusal	N/A	<p>1. Proposal would be highly visible and detract from the setting and significance of Flag Fen heritage asset.</p> <p>2. Groundworks and landscaping associated with development, would detrimentally affect buried archaeological remains.</p>	Written Representations	Dismissed 28.01.2016	N/A	<ul style="list-style-type: none"> <li>- Insufficient evidence that associated operational development could be done without unduly disturbing existing ground.</li> <li>- Development would be at odds with the landscape context within which the SAM is experienced. That harm could not be effectively mitigated.</li> <li>- The proposed development would result in material harm to the SAM which is of national importance and worthy of the highest levels of protection. Whilst benefit would result, this is not outweighed by the harm.</li> <li>- Proposal would not have an unacceptable loss of privacy for occupiers of any nearby property or overbearing impact.</li> <li>- There is no footway and the visibility splays would be within highway verge. This verge is narrow or non-existing along the street and it is unlikely that pedestrians would use them as a footway. Therefore the access would not be unsafe.</li> </ul>
15/00863/FUL	52 Huntly Grove Peterborough PE1 2QN	1 x dwelling	Refusal	N/A	<p>1. Overdevelopment resulting in cramped form of development, contrary to established character. Failure to preserve the setting of the Conservation Area – contrary to CS16, CS17, PP2 and PP17.</p> <p>2. Proposed balcony would result in loss of privacy to neighbours; development would provide</p>	Written Representations	Dismissed 01.02.2016	N/A	<ul style="list-style-type: none"> <li>- Limitations of the access, and inadequate space available for parking and manoeuvring of vehicles would not be in the interests of highway safety.</li> <li>- A dwelling on this very small site, positioned alongside the rear gardens of adjoining houses, would be incongruous with the established built form of the area.</li> <li>- The balcony would overlook the private</li> </ul>

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					<p>substandard outdoor amenity space; principal rooms would have a reliance on artificial light; access via a narrow unlit passageway which would result in fear of crime – contrary to CS16, PP3 and PP4.</p> <p>3. Insufficient manoeuvring in site to detriment of highway safety – contrary to CS14 and PP12.</p> <p>4. Insufficient on-site parking – contrary to CS14 and PP12.</p>				spaces of neighbouring dwellings and result in unacceptable loss of privacy to occupiers.
14/02163/OUT	Rear Of 162-164 Crown Street New England Peterborough PE1 3HZ	2no semi-detached houses and 4no parking spaces	Refusal	N/A	<p>1. Inadequate area for the turning of vehicles would be provided, to the detriment of amenities of dwelling No.10 – contrary to CS14 and PP12.</p> <p>2. Increase in vehicle movements would have detrimental impact on amenities of neighbouring occupants – contrary to PP3.</p> <p>3. Unacceptable overbearing impact to neighbouring occupants – contrary to PP3.</p> <p>4. Harm to the visual amenity of the locality – contrary to PP2.</p>	Written Representations	Allowed 10.02.2016	N/A	<ul style="list-style-type: none"> <li>- The neighbouring gardens accommodate a range of outbuildings and semi-mature vegetation. The bottom of these gardens are not likely to be intensively use. As such, the proposal would not have an overbearing impact or result in unreasonable loss of privacy.</li> <li>- Additional vehicle movements generated by two extra properties would not lead to significant additional noise and disturbance.</li> <li>- Degree of manoeuvring within parking area is not unreasonable and the associated noise is not likely to be significant.</li> <li>- Parking in a more visually prominent position would not represent a visual intrusion.</li> </ul>
15/01289/HHFUL	3 The Nook Helpston Peterborough PE6 7DN	Timber garden shed - retrospective	Approve (appeal relates to a condition)	N/A	Condition: Notwithstanding the submitted information, the top 1m of the rear side elevation of the shed shall be painted dark green.	Written Representations	Allowed 31.03.2016	N/A	<ul style="list-style-type: none"> <li>- Without the condition, the appeal scheme preserves the character of the Conservation Area.</li> <li>- The painting of the top part of the shed would not materially change the outlook for occupiers of the neighbouring property.</li> <li>- The condition is therefore unnecessary.</li> </ul>
15/01244/FUL	89 Fengate Peterborough PE1 5BA	Change of use of office to dwellinghouse (resubmission)	Refusal	N/A	1. Unacceptable level of amenity for future occupants – contrary to PP4	Written Representations	Dismissed 07.04.2016	N/A	- Proposed rear windows and outdoor amenity area would be unacceptably dominated by the adjacent approved industrial development. Future occupants would not be afforded an acceptable amenity.
15/01765/HHFUL	9 Manor Road Sutton Peterborough PE5 7XG	Demolition of existing garage and erection of two storey side extension	Refusal	N/A	1. Unacceptable overshadowing to neighbouring dwelling to detriment of amenity – contrary to CS16 and PP3	Householder Fast-track	Allowed 21.04.2016	N/A	- Proposal would not be overbearing when viewed from neighbouring windows and, whilst some loss of light would occur, it would only be for a small part of the day.
15/01200/FUL	241 Park Road Peterborough PE1 2UT	Single storey extension to provide additional childcare spaces with restricted hours of operation	Refusal	Refused 13.10.2015	<p>1. Insufficient car parking resulting in danger to users of the public highway – contrary to CS14, PP12 and PP13</p> <p>2. Harm to character, appearance and visual amenity of area – contrary to CS16 and PP2</p>	Written Representations	Dismissed 29.04.2016	N/A	<ul style="list-style-type: none"> <li>- Proposal would represent a risk to highway safety which could not be overcome by conditions.</li> <li>- Proposal would be broadly in keeping with, and not cause significant harm to, the character and appearance of the locality.</li> </ul>

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		from 9:30AM - 4:30PM (resubmission)			3.Harm to neighbour amenity – contrary to CS16 and PP3				- Proposal would not visually harm neighbour amenity however noise disturbance would result in unacceptable harm.
15/01582/ADV	52 Bridge Street Peterborough PE1 1DT	1 x illuminated fascia sign and 1 x illuminated hanging sign	Split Decision Approve fascia Refuse hanging	N/A	1.Scale of sign would be inconsistent feature within streetscene, to detriment of Conservation Area – contrary to CS16, PP2 and Peterborough Shop Front design Guide.	Written Representations	Allowed 04.05.2016	N/A	- Bearing in mind the variety of handing signs in the vicinity of the site, the appeal signage would not harm the amenity of the area or the Conservation Area.
15/00658/FUL	Land At Central Square Stanground Peterborough	Construction of A1 class shop	Refusal	N/A	2.Potential conflict between vehicles and pedestrians owing to the proposed new access. Failure to demonstrate that the proposed layout would be safe for large service vehicles – contrary to CS14 and PP12	Written Representations	Dismissed 09.05.2016	N/A	- Proposed pedestrian access relocation would result in conflict between pedestrians and vehicles manoeuvring. - Proposed new access would not be dangerous subject to the provision of the suggested signing and lining.
15/01129/FUL	Cranford Drive Boiler House Hartwell Court Westwood Peterborough	Erection of HMO providing 6 bed sitting rooms with shared kitchen and dining facilities	Approval	Refused 13.10.15	1.Unacceptable vulnerability to and fear of crime owing to the intensity of the use of the site – contrary to CS16	Written Representations	Allowed 14.06.2016	Allowed against Council	- Committee have given little weight to the information presented by the Appellant, professional officers and the consultation response received from the Police. The expressed fear was a vague and generalised assertion, unsupported by objective analysis and not supported evidentially.
15/01078/CLP	351 Fulbridge Road Peterborough PE4 6SJ	Erection of an outbuilding	Refusal	N/A	1.Proposed development is not permitted development as: building is of size and scale which is not subordinate to the host dwellinghouse; the Applicant has failed to provide evidence that the building is reasonably required for purposes incidental; or that it would remain for that purpose.	Written Representations	Dismissed 17.06.2016	Not allowed either for or against Council	- Space proposed seems very extensive and insufficient evidence has been provided to show that such extensive floorspace is required.
16/00323/HHFUL	131 Eye Road Dogsthorpe Peterborough PE1 4SG	Two storey side extension with integral garage	Refusal	N/A	2.Excessively wide, unbalanced and incongruous resultant development which harms the character of the surrounding area – contrary to CS16 and PP2	Householder Fast-track	Dismissed 30.06.2016	N/A	- Proposal would dominate and unbalance the existing house and semi-detached pairing to the detriment of their character and appearance. This would cause material harm to the character and appearance of the wider area.
15/01916/FUL	24 Chain Close Peterborough PE1 4EY	Demolition of existing garage and erection of one bed bungalow	Refusal	N/A	1.Contrived development which would not respect the general layout and character of the locality – contrary to CS16 and PP2 2.Inadequate access to detriment of highway safety – contrary to PP12 3.Overbearing impact to neighbours – contrary to CS16 and PP3 4.Noise and disturbance to neighbours – contrary to Cs16 and PP3	Written Representations	Dismissed 22.07.2016	N/A	- Proposal would result in a contrived form of development, at odds with the general character of the area. - Siting and depth of the proposal would result in unacceptable sense of enclosure to neighbouring garden and be overbearing. - Unacceptable noise and disturbance would result to neighbouring occupants. - Pragmatic approach to highway standards is needed. As the site is at the end of a cul-de-sac there are no other pedestrian linkages to the surrounding network. Only a small number of pedestrians are likely to use the footpath and vehicle speeds would be low.

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									As such, there is adequate visibility.
15/01009/FUL	19 Leofric Square Fengate Peterborough PE1 5TU	Use of office within unit for taxi business	Refusal	N/A	1.All of proposed parking is allocated to proposed taxi use, leaving nothing for the existing use. Proposal would result in unsafe parking and a highway safety danger – contrary to CS14, CS16, PP12 and PP13	Written Representations	Dismissed 03.08.2016	N/A	- On basis of the site visit undertaken, there is competition for existing parking spaces. There is potential for considerable traffic/parking generated by the taxi business which cannot be accommodated safely. Cannot secure by condition that taxis do not visit the site as unenforceable.
16/00322/FUL	131 Eye Road Dogsthorpe Peterborough PE1 4SG	Erection of a detached two storey three bedroom dwelling with associated car parking and alterations to vehicular access	Refusal	N/A	1.Cramped form of development out of keeping with character and context of area – contrary to CS16 and PP2 2.No arboricultural assessment provided to demonstrate that no harm would result to trees/ecology – contrary to PP16 3.Access would involve tree loss which would adversely affect the area of the locality - contrary to CS16 and PP2 4.Harm to amenity of occupants of host dwelling – contrary to CS16 and PP3 5.Insufficient space to accommodate turning area resulting in harm to highway safety – contrary to PP12 6.Insufficient parking – contrary to PP12 and PP13	Written Representations	Dismissed 17.08.2016	N/A	- Even though satisfied that the proposed access would not have an adverse impact on the streetscene, through overdevelopment of the site, and potential impact on adjacent trees, unacceptable harm to the character and appearance of the area would result. - No details of the works to the existing dwelling have been provided and as such, unsure if these would be adequate to maintain satisfactory living conditions. - No visitor parking is provided on site and it is highly probably that the proposal would regularly generate demand for on-street parking. This would significantly increase the instances for hazardous parking which would be detrimental to highway safety.
15/00941/OUT	90 Guntons Road Newborough Peterborough PE6 7RT	Erection of 2 x dwellings	Refusal	N/A	1.Applicant has failed to demonstrate, by way of a Sequential Test, that there are no more sequentially preferable sites available for the proposed development – contrary to NPPF, CS22 and the Flood and Water Management SPD (Chapter 4)	Written Representations	Dismissed 30.08.2016	N/A	- A Sequential Test has now been submitted which is accepted by the Council. However, the Exceptions Test is failed as the benefit arising from the development would be solely for the Applicant's family, and not the community.