

Application Ref: 19/00881/HHFUL

Proposal: Proposed two storey side and first floor rear extension and a single storey rear extension

Site: 120 Padholme Road, Eastfield, Peterborough, PE1 5EN

Applicant: Mr M Hussain

Agent: Mr Iqbal

Referred by: Head of Planning and Construction

Reason: In the interests of an open and transparent decision making process

Site visit: 11.06.2019

Case officer: Mr Chris Mohtram

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Recommendation: **REFUSE**

1 Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The application site comprises a two storey residential dwelling forming the eastern side of a pair of semi-detached dwellings set slightly back from the highway. The dwelling appears Victorian in age with a distinctive red brick façade albeit it is not a dwelling of particular architectural detailing. Its fenestration has undergone changes over the years, lacking original detailing.

The rear garden is considered small in scale in relation to the host property and shares boundaries with a number of residential properties on the flank and rear. Demarcation of the rear boundary is provided by boundary fencing while the front boundary, fronting the public highway, is formed by a low brick wall.

Proposal

The application seeks planning permission for the construction of a two storey side extension, and both single and two storey extensions to the rear.

The two storey side element, at ground floor level, would consist of an open ended passage way structure with a new shower room beyond which links to the proposed rear extensions. At first floor level there would be an additional bedroom and bathroom. It would measure 8.5 metres height to ridge, 7.7 metres depth and 2.8 metres width.

The first floor rear element would also consist of an additional bedroom and would measure 6.8 metres height to ridge, 3.5 metres depth and 3.6 metres width.

The single storey ground floor element would contain a kitchen and living room and measures 3.5 metres height to ridge, 7.6 metres width and 6 metres depth.

2 Relevant Planning History (relating to No.122 Padholme Road, adjacent)

Reference	Proposal	Decision	Date
15/01388/FUL	External wall insulation	Refused	13/11/2015

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

Peterborough Local Plan 2016 to 2036

LP13 - Transport

a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

a) Amenity of Existing Occupiers- Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

b) Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

4 Consultations/Representations

PCC Conservation Officer (22.07.19)

Objection - No.122 Padholme Road is detailed interwar building situated in a prominent location which contributes positively to the street scene. The building is considered to be an interesting historical building.

The street has a various building types, detached, semi-detached and terraced row. All of which have a distinct style. No.122 is an individually designed detached building whose positive character responds well with the varied building types and designs on the street.

There is a concern that the proposals would create a terracing effect which would transform the detached and semi-detached clearly distinct buildings in to a terraced row. There is no in principle objection to terraced rows, as they are a feature of the street scene, however there is a concern regarding the creation of terraced rows incorporating clearly distinct buildings that do not appear as a natural terrace.

The existing terrace rows are proportional and repetitive in terms of design creating a holistic (if now varied) appearance. If the proposals could create this impression, then the impact of the terracing upon the positive N0.122 would be reduced. However, it is unlikely that such a design is possible due to the existing variation in design of the two buildings.

Local Residents/Interested Parties

Initial consultations: 9
Total number of responses: 0
Total number of objections: 0
Total number in support: 0

No representations received from neighbouring properties.

5 Assessment of the planning issues

The main considerations are:

- Design and impact to the character and appearance of the site and the surrounding area
- Neighbour amenity
- Parking and highway implications
- Other Matters

a) Design and impact to the character and appearance of the site and the surrounding area

In line with Policy LP16, development proposals are expected to contribute positively to the character and distinctiveness of the area and sense of place. For instance, and where appropriate, proposals will be required to demonstrate that they respond to patterns of development, including spaces between buildings as well as existing natural or historic features which contribute positively to the local character and distinctiveness.

It is considered that the proposed two storey side extension would appear as a dominant feature within the streetscene which would erode and harm the character of the adjacent property of No.122 to the east by leading to the creation of a terracing affect. When viewed from the streetscene, the proposed two story side extension due to its scale, width and siting within the plot with a limited setback from the principal elevation, would create an over dominant feature that wholly erodes the gap between the application site and No.122. This gap is an important feature in ensuring that No.122 maintains its detached appearance in the streetscene, respecting the traditional hierarchy of the Victorian streetscape.

No.122 is considered to be of a unique design within the locality, with architectural detailing which reflects its prominent position within the street scene. Much of the historic character and hierarchy of buildings along Padholme Road has been eroded over time and No.122 represents one of the remaining buildings of stature and historic importance. This is a position that has been established by the Local Planning Authority previously, in refusal of an application to externally insulate No.122 under application reference 15/01388/FUL. In determining this application, Members agreed with the view of Officers that the architectural features of this dwelling and its prominence within the streetscene should be retained. It is also a position that is reinforced through the comments of the Council's Conservation Officer who has expressed concern regarding the creation of terraced rows incorporating clearly distinct buildings that do not appear as a natural terrace.

The Applicant contends that two storey side extensions, similar in design and scale to the current proposal, are commonplace within Padholme Road and therefore the position of Officers is incompatible with decisions reached within the locality. This is noted, and it is acknowledged that other properties within the locality have been extended by virtue of two storey side extensions. However, none of these examples are similar in context to that of the current proposal insofar as they do not result in harm to a building considered of unique importance within the streetscene. Accordingly, whilst Officers accept that in itself, a two storey side extension would not appear incongruous within the streetscene, it is the harm through terracing impact and the erosion of the special setting of No.122 Padholme Road that is of concern and fails to accord with the Council's adopted policies.

With regards to the proposed single and two storey rear extensions, it is considered that due to siting, scale and design, these would have limited impact upon the appearance of the dwelling and wider locality. However, this positive aspect does not override the detrimental impact created by the prominent two storey side element and its close relationship with No.122.

In light of the above, it is considered that the proposal would result in an unacceptable impact upon the character and appearance of the site and surrounding area, and is therefore contrary to Policy LP16 of the Peterborough Local Plan (2019).

b) Neighbour amenity

The proposed extensions are not considered to result in significant undue impact upon neighbouring amenity.

The nearest neighbour that would be affected by the proposal is to the west (No.118 Padholme Road). The proposed first floor rear element would be set approximately 2.5 metres from the shared boundary and this distance is considered sufficient so as to prevent an undue level of overbearing or overshadowing impact.

It is noted that the proposed single storey rear extension would result in a 6 metre projection along the shared boundary which would be clearly visible to neighbouring occupants. However it would be of overall limited height (3.5 metres to ridge) and its hipped roof would assist in reducing its overall mass and bulk. It is considered that, on balance, this would not lead to an undue degree of harm to the neighbouring property through overbearing or overshadowing impact. Furthermore, it should be noted that in the event that this element were proposed alone (i.e. without the first floor and two storey extensions), it would fall within the tolerances of 'permitted development' subject to prior approval. As no objections from neighbouring residents have been received, prior approval would not be required and on this basis, Officers do not consider that a reason for refusal could be sustained on this basis.

To the east sit Nos.122 Padholme Road and 229 Star Road. The proposed two storey side extension would have limited impact towards No.122, with only a small projection beyond the neighbouring rear elevation that would not give rise to significant overbearing or overshadowing. No side facing windows are proposed and views from the proposed rear window (to serve a bedroom) would not result in an unacceptable loss of privacy for occupants of No.229 as it would serve a bathroom and therefore obscure glazing and non-opening could be secured by condition. Furthermore, the proposed rear extensions would be set a sufficient distance from the shared boundaries to the west so as to prevent undue overlooking and overshadowing impact.

To the rear, the proposed first floor extension would be set approximately 10.5 metres from the shared boundary with No.227 Star Road. This would result in the potential for some overlooking to the garden area however Officers do not consider that an unacceptable loss of privacy would result to those neighbouring occupants.

Given the above the proposal is not considered to result in unacceptable impact upon the amenities of neighbouring occupants, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

c) Parking and highway implications

At present, the application site benefits from 2no. on-site parking spaces which accords with the Council's adopted minimum parking standards. The proposal would alter this existing parking layout but would still retain 2no. parking spaces - 1no. underneath the proposed two storey side extension and 1no. to the front of the site parallel with the public highway. Whilst not formally consulted, it is noted that the parallel parking bay proposed would normally be resisted by the Local Highway Authority (LHA) due to the angle at which vehicles would exit onto the public highway however this parking arrangement could result at any time, and as a result of development that could be undertaken through the exercising of 'permitted development' rights. Accordingly, Officers do not consider that this could be sustained as a reason for refusal.

On this basis, it is considered that the proposal is in accordance with Policy LP13 of the Peterborough Local Plan (2019).

d) Other Matters

- Equality Act 2010

In line with the Public Sector Equality Duty the council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

- Human Rights Act 1998

In line with the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with a Convention right, as per the European Convention on Human Rights. The human rights impact have been considered, with particular reference to Article 1 of the First Protocol (Protection of property), Article 8 (Right to respect for private and family life) and Article 14 (Prohibition of discrimination) of the Convention.

The Human Rights Act 1998 does not impair the right of the state to make decisions and enforce laws as deemed necessary in the public interest. The recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.

6 Conclusions

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reason given below. It is not considered that there are sufficient public benefits that outweigh the harm to the character and appearance of the surrounding area that have been identified.

7 Recommendation

The case officer recommends that Planning Permission is **REFUSED** for the following reason:

- R 1 The proposed two storey side extension, by virtue of its size, scale, siting and form, would result in the loss of the existing gap between the application property and No.122 Padholme Road to the west. The resultant form of the dwelling, and the terracing impact that would result, would appear unduly dominant and obtrusive, incongruous with the established character of the surrounding area. The proposal would erode the setting and significance of No.122 Padholme Road which is of unique prominence and stature within the streetscene, causing unacceptable harm to the character, appearance and visual amenity of the locality. The proposal is therefore considered to be contrary to Policy LP16 of the Peterborough Local Plan (2019).

Copies to Councillors: Iqbal Azher. Hemraj Samantha and Qayyum Shabina Asad

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