

Appendix 1 – Appeals Performance from 01.10.22 – 31.12.22

| Application reference | Address | Proposal | Officer Recommendation | Committee Decision / Date | Reasons for Refusal | Appeal Procedure | Appeal Decision / Date | Costs Decision | Inspector's Reasons |
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| 21/01331/PRIOR | Bretton Way Bretton Peterborough | Proposed 20.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works | Refuse | 06.01.22 | Insufficient information has been submitted to demonstrate that the siting of the proposal would not result in undue impact or harm to adjacent Council owned trees located within the shelterbelt which are of key amenity value to the surrounding area. It is therefore considered that the proposal poses an unacceptable danger to the health of these trees which are of key amenity value to the site and surrounding area and whose loss would result in harm to the character, appearance and visual amenity of the locality. According, the proposal is contrary to Policy LP29 of the Peterborough Local Plan (2019). | Written Reps | Allowed 24.10.22 | n/a | <p>The inspector considered that due to the extensive nature of the tree belt, any harm or damage would be relatively minor and outweighed by the need for 5G equipment</p> <p>They also considered that the onus is on LPAs to suggest evidence other available sites when they are minded to refuse on the grounds that more preferable sites are available</p> <p>Furthermore they concluded that conditions, other than those in the GPDO could not be imposed</p> |
| 21/01393/ADV | Former Fifth Avenue Night Club Laxton Square City Road Peterborough | Two digital 75 inch LCD display screen, one on each side of the hub unit | Refuse | 07.01.22 | The proposed advertisements, by virtue of their siting, size, design and illumination, would result in harm to the setting of the adjacent building of local historic importance (former Fifth Avenue nightclub), the setting of the nearby Grade II Listed Building, and the character, appearance and visual amenity of the streetscene. The advertisements would appear unduly obtrusive and dominant features, contributing to the unnecessary proliferation of advertisements within the locality. The harm arising to 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. Therefore, the advertisements are considered to be contrary to Policies LP16 and LP19 of | Written Reps | Dismissed 09.12.22 | n/a | <p>The inspector considered that overtly modern, vibrant digital displays, would appear incongruous in the historic surroundings. This harm would be exacerbated by the size of the advertisements and would not be mitigated by existing street furniture.</p> |

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| | | | | | the Peterborough Local Plan (2019) and paragraphs 197, 199 and 202 of the National Planning Policy Framework (2021). | | | | |
| 21/01371/FUL | Path To The Front Of 15 Midgate Peterborough | Two digital 75 inch LCD display screen, one on each side of the hub unit | Refuse | 23.12.22 | The proposed street hub, by virtue of its siting, size and design, would result in harm to the character, appearance and visual amenity of the streetscene and the character and appearance of the nearby City Centre and Park Conservation Areas. The development would appear an unduly obtrusive and dominant feature, contributing to the unnecessary proliferation of street furniture 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 hub and its features. Therefore, the development considered to be 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 Reps | 09.12.22 Allowed | n/a | The inspector considered the advert to be sufficiently distant from the conservation area, and amongst modern development to not harm its setting |
| 21/01397/ADV | Path To The Front Of 15 Midgate Peterborough | Two digital 75 inch LCD display screen, one on each side of the hub unit | Refuse | 23.12.22 | The proposed advertisements, by virtue of their siting, size, design and illumination, would result in harm to the character, appearance and visual amenity of the streetscene and the character and appearance of the nearby City Centre and Park Conservation Areas. 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. | Written Reps | 09.12.22 Allowed | n/a | The inspector considered the advert to be sufficiently distant from the conservation area, and amongst modern development to not harm its setting |

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| | | | | | Therefore, the advertisements are considered to be 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). | | | | |
| 21/00477/FUL | 17 Crowland Road Eye Peterborough PE6 7TP | Proposed workshop, store and replacement hobbies classic car garage | Approve | 18.01.22 | n/a - the appeal was against a condition | Written Reps | Dismissed 11.11.22 | n/a | The inspector considered that the condition, restricting the permission to a specified use (window tint business) within the wider E use class was reasonable and justified as whilst the specific use would not adversely affect neighbour's amenity via noise, disturbance etc, other industrial/commercial uses within the same use class would potentially be detrimental |
| 21/01800/FUL | 68 Helpston Road Glington Peterborough PE6 7JT | Construction of a single storey dwelling and change of use of former commercial buildings to domestic use only. | Refusal | 25.02.23 | <p>The proposed development, by virtue of the principle of development, is not acceptable. The proposal results in a loss of an existing employment site. Compliance with Policy LP4 has not been demonstrated, through marketing of the unit and through demonstrating why it is no longer appropriate or viable to continue, to show that the loss of an employment site can be supported and thus the proposal would result, without acceptable justification, the loss of a local employment site. Accordingly, the proposal is contrary to Policy LP4 of the Peterborough Local Plan (2019).</p> <p>The proposal, by virtue of layout, would unacceptably impact upon the layout character of the surrounding area. This is specifically in relation to the scale and size of the red-lined area, which if approved, would result in a residential curtilage that does not respect the development pattern of the surrounding area which is unacceptable. Helpston Road and Chestnut Close are served by regular development patterns,</p> | Written Reps | Dismissed 07.10.22 | n/a | <p>The inspector agreed that the appellant hadn't demonstrated that the loss of the employment use was justified contrary to LP4.</p> <p>However they did not agree that the use would adversely affect the character of the area as the proposal would largely make use of existing buildings.</p> |

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| | | | | | where dwellings are sited to the front of their serving highway, and are served by regular sized gardens that are proportionate to neighbouring properties. The size and scale of the retained commercial outbuilding for a domestic use for the dwelling proposed is inappropriately large and not of a domestic scale. It is out of keeping with the scale of the dwelling proposed, and would be harmful to the established character and layout pattern of residential development in the surrounding area. The red line curtilage, and retained outbuilding would be incongruous and out-of-keeping to this established development pattern, which is not acceptable. Accordingly, the proposal is contrary to Policy LP16 of the Peterborough Local Plan (2019) and Policy GNP3 of the Ginton Neighbourhood Plan (2021). | | | | |
| 22/00252/HHFUL | 2 Exeter Road Millfield Peterborough PE1 3QN | First Floor Rear Extension - Retrospective | Refusal | 06.05.2022 | The first floor rear extension, by virtue of its design, siting and scale, represents an unduly dominant and obtrusive feature, creating unacceptable overbearing impact to the adjacent first floor primary habitable room serving No.4 Exeter Road to the west and reducing outlook for the occupants of this room. This results in unacceptable harm to the amenities of occupants of that neighbouring dwelling. Accordingly, the development is contrary to Policy LP17 of the Peterborough Local Plan (2019). | Householder appeals service | Allowed 03.11.2022 | n/a | - The extension was most visible from No 4's rear facing bedroom window when stood closest to the window. Its visibility reduced the greater the distance from the window, as the view narrowed. When looking out of the middle of this window, the prominence of the extension did not feel overbearing. - Owing to the degree of separation between the window and extension, the limited size and projection of it, its hipped roof design, together with the large size of the existing window opening itself. Consequently, I do not find the presence of the new extension to create an unacceptable tunnelling effect; or to adversely affect the outlook from this window towards No.4's rear garden. |

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| 21/00697/FUL | Land Off Peterborough Road, Wansford, Peterborough | Erection of a two storey detached dwelling, together with associated works on vacant plot within existing Wansford Mews development | Refusal | 15.10.2021 | <p>The proposal by virtue of existing constraints, would fail to provide an acceptable level of amenity for future occupiers. This is specifically in relation to noise and the size of usable outdoor amenity space. Daytime noise levels within the proposed garden would exceed World Health Organisation (WHO) recommendations, resulting in serious annoyance to future occupiers. This would further exacerbate the poor quality and quantum of space which would be dominated by the substantially overbearing and dominance acoustic treatment to the site boundaries.</p> <p>In addition, the proposed dwelling would be served by a mechanical heat ventilation system with sealed-shut windows, thereby meaning that future occupiers would not be able to open their windows, resulting in an enclosing effect to the detriment of the amenity of future occupiers. Without such measures, the internal noise levels within the property would also exceed WHO guidelines, affording an unacceptable place in which to reside.</p> <p>Accordingly, the proposal would provide future occupants with a poor quality of amenity, contrary to Policy LP17 of the Peterborough Local Plan (2019).</p> | Written Representation | Dismissed 01.12.2022 | n/a | The Inspector agreed that the proposed development would be contrary to the development plan in relation to the provision of suitable living conditions for future occupiers with regards to noise. It would conflict with the development plan as a whole, and there are no material considerations that indicate that a decision should be taken other than in accordance with the development plan. |
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| 21/01392/ADV | Path To The Front Of 3 Hereward Cross, Broadway, Peterborough PE1 1TA | Two digital 75 inch LCD display screen, one on each side of the hub unit | Refusal | N/A | The proposed advertisements, by virtue of their siting, size, design and illumination, would result in harm to the character of the adjacent Park and City Centre Conservation Areas 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. Therefore, the advertisements are considered to be 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 | Allowed 22.12.2022 | n/a | <ul style="list-style-type: none"> - Only the Advert has been allowed on appeal. The FUL application for the hub was not regarded and did not form part of this appeal. The hub has not been installed yet. - The advert is considered acceptable as it is in a high street modern location. The advert would not impact the adjacent conservation area and is in context with the surroundings. The advert would not impact amenity of the area. - The presence of these heritage assets does not prevent the display of well-sited signs of suitable size and design, particularly in mainly commercial areas. - Broadway is busy, but it is also a wide street and has an open nature as a result. The proposed advertisements would be illuminated, have a changing display and contribute to an already busy streetscene. However, existing signage on commercial buildings and the presence of street furniture, including other illuminated advertisements, means that they would not stand alone, nor appear unduly prominent. Any impact would also be partially mitigated and softened, to an extent, by existing mature trees |
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