
Appeal Decision

Site visit made on 3 March 2023

by S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 21st March 2023

Appeal Ref: APP/J0540/D/22/3310217
1 Thorpe Avenue, Peterborough PE3 6LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr. U. Azam against the decision of Peterborough City Council.
 - The application Ref: 22/00212/HHFUL, dated 17 February 2022, was refused by notice dated 15 August 2022.
 - The development proposed is the erection of a single and two storey extensions to the dwelling and a detached garage block.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The local planning authority (LPA) requested that the appeal proposal should be assessed from No. 188 Thorpe Road and requests were made to the occupiers for access. It was not possible to obtain such permission from the occupants, though I was able to fully assess the relationship of the dwelling to the appeal proposal from the appeal site itself.

The Main Issues

3. The main issues are the effect of the development upon (i) the character and appearance of the area including whether it preserves or enhances the character or appearance of the Longthorpe Conservation Area (CA) and the Grade II Registered Parkland to Thorpe Hall (RP) in terms of their settings and (ii) the living conditions of the occupiers of No. 188 Thorpe Road in respect of privacy.

Reasons

Character and appearance including designated heritage assets

4. The immediate area is characterised by large, detached dwellings in substantial grounds in a sylvan setting. While the dwellings are of different designs, they are mainly two storey, built with brick or render in muted tones of brown or red/brown, with pitched roofs of various shapes, all of which adds positively to the character and appearance of the area. While there are buildings in the

- immediate area with white or light-coloured rendered walls, they are not the predominant type or which define the character and appearance of the area.
5. The appeal property is a substantial, detached, two-storey, brick built, dwelling with large, landscaped grounds, dating from the early to the mid-twentieth century and situated at the junction of Thorpe Avenue and Thorpe Road. It adjoins the CA, though is not within it. The part of the CA nearest to it includes the large open area comprising the RP of Thorpe Hall, which itself is a Grade II listed building.
 6. The appeal property also falls within the Thorpe Road Special Character Area (SCA) as defined in the Peterborough Local Plan 2019 (LP) and designated to acknowledge and protect its strong landscape character, architectural quality and development pattern characterised by *'large, detached family dwellings set back behind established building lines in large and typically spacious landscaped gardens'*. The policy states, amongst other things, that *'incremental changes in the size and appearance of existing buildings will not be permitted if it harms their character or that of the Area. Alterations should be sympathetic to the original style, and of an appropriate scale to maintain their character'*. It adds that *'any new development must where possible enhance the character and appearance of the Area. It must respect the scale, massing, depth, materials and spacing of established properties'*. I consider that new development includes extensions.
 7. The proposed development is for extensive extensions and alterations which would double the size of the dwelling and would increase its height. The alterations would give it a completely different appearance, including changing the current exterior surface of buff coloured brick with white render.
 8. The proposed increase in its scale, height, mass and external materials would appear as an incongruous addition which would stand out from, as opposed to assimilating with, the adjacent dwellings. Consequently, it would have a significantly adverse impact upon the character and appearance of the area, as defined in the SCA. While the appeal building is in its own landscaped setting, it is still visible from the public domain and especially during winter months.
 9. On my site visit, I was able to note that a significant characteristic of the adjoining CA and the RP is their open, rural appearance, contrasting with the suburban character and appearance of the appeal site in its arcadian setting, with the two character areas demarcated by Thorpe Road. Areas to either side appear as two separate and distinct character areas. While the proposed development would bring the appeal dwelling closer to the CA and RP, it would not be closer to them than adjoining properties and which are visible from them. Views into the CA and RP from the appeal site, and from them to the appeal proposal, would, by the distances involved and by the existing pattern of development, have no significantly adverse effect upon the setting of the CA or the RP.
 10. The appellant has referred to an ultra-modern replacement building approved at 260 Thorpe Road incorporating light coloured, curved external walls and varied mono-pitch roof structures and which it is considered affects the setting

of the CA appropriately. However, I am not aware of the circumstances relating to its approval. In any event, I have determined the appeal upon its individual merits. In addition, the property does not appear to be within the SCA.

11. Thorpe Hall itself, which is a listed building, is sufficiently far away from the appeal property such that the proposed development would not adversely affect its setting. In other words, the setting of Thorpe Hall would be preserved.
12. Overall, I conclude that the proposed development would have an adverse effect upon the character and appearance of the area, though not that of the setting of the CA or the RP. It would conflict with LP policies LP16, LP19 and LP20 which require development to add positively to local distinctiveness, respecting the Special Character Area. For the same reasons it would conflict with chapter 12 of the National Planning Policy Framework 2021 (the Framework) which requires good design in sympathy with the local environment.

Privacy

13. The proposed extensions would create a first floor balcony in line with the bathroom window of No. 188 Thorpe Road and within a distance from it described variously as 2 to 4 metres. While the proposed balcony does not directly face the bathroom window but is at a ninety degree angle to it, it would not give full privacy if persons on the balcony were to lean forward slightly, despite the high boundary hedge but which does allow views through it.
14. Therefore, I conclude that the proposed extension would not accord with policy LP17 of the LP which aims to ensure that development does not result in a loss of privacy for the occupiers of any nearby property, or with paragraph 130 of the Framework which requires a high standard of amenity for existing and future users.

Other Matters

15. The appellant has referred to the need, as expressed in the LP paragraph 6.4.4 for '*large, top of the range houses which will enable business leaders to live locally*'. However, paragraph 6.4.6 adds that '*large existing houses in generous plots, including older properties and those in Conservation Areas, will also help to meet this particular need. The policy therefore seeks to prevent their loss*'.
16. While the need for '*high end housing*' is recognised, this is not of sufficient weight in itself to outweigh the harm I have identified in respect of my conclusion on the main issues.

Conclusion

17. For the reasons outlined above, I conclude that the appeal should be dismissed.

S. Hartley

INSPECTOR