

**Appendix 1 – Appeals Performance from 01.04.23 – 30.06.23**

Application reference	Address	Proposal	Officer Recommendation	Committee Decision / Date	Reasons for Refusal	Appeal Procedure	Appeal Decision / Date	Costs Decision	Inspector's Reasons
22/01439/PRIOR	130 Eaglesthorpe  New England Peterborough PE1 3RT	Single storey rear extension  Maximum depth from original rear wall: 6m  Maximum height: 2.5m (to eaves: 2.5m)	yes	n/a	<p>Upon assessment of the plans submitted, the Local Planning Authority considers that the proposed development does not comply with the limitations and conditions set out under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and hereby consider that the proposal is not permitted development for the reasons stated below:</p> <ul style="list-style-type: none"> <li>- The rear wall or walls of a house are considered to be those which are directly opposite the front of the house. As the proposed extension would adjoin the south-east side elevation, the proposal description is considered inaccurate.</li> <li>- The existing dwellinghouse has a width of approximately 7.1 metres, while the proposed development would measure 6 metres in width. It would therefore have a width more than half the width of the existing dwellinghouse. This is contrary to Part 1, Class A.1(j)(iii) of the above Order.</li> </ul> <p>The application is therefore refused and planning permission is required for the proposed development.</p>	Written Reps	Dismissed 30.06.2023	n/a	The Inspector agreed that the extension was not permitted development for the reasons stated in the reasons for refusal.

22/01263/HHFUL	9 Westwood Park Road Peterborough PE3 6JL	Demolition of existing carport and construction of smaller carport	Refuse	n/a	<p>This proposal is not considered to be in accordance with local and national planning policy. This has been discussed with the applicant, and it has not been possible to identify solutions to the concerns as set out in this decision.</p> <p>The carport, by virtue of its siting, height and scale results in unacceptable visual harm the character and appearance of the application site and surrounding area. This is specifically in relation to its siting in close proximity to the site boundary along Westwood Park Road, and in its streetscene context within the Thorpe Road Special Character Area, as well as the its size and massing which combine to make this structure unacceptably dominant and an incongruous feature within the street scene and surrounding area. Overall, the proposed scheme would be a prominent and obtrusive feature and visually at odds within the surrounding locality and resulting in adverse visual harm to the special character area setting. Accordingly, the proposal is contrary to Policies LP16, LP19 and LP20 of the Peterborough Local Plan (2019).</p>	Written Representation	Allowed 27.06.2023	N/A	The inspector acknowledged that there was some minor conflict with one of the bullet largely points of policy LP20. However they considered the car port to have limited impact and that it would not undermine the special character area especially given that it would be screened by a hedge
22/01025/PRIOR	Grass Verge At West Lake Avenue Hampton Vale Peterborough	Installation of a 15m-high telecommunications monopole support antenna, 3 no. additional ancillary equipment cabinets and associated ancillary development hitherto	Refuse	n/a	<p>This proposal is not considered to be in accordance with local and national planning policy. This has been discussed with the applicant, and it has not been possible to identify solutions to the concerns as set out in this decision.</p> <p>The proposal, by virtue of its siting and appearance, would unacceptably impact upon the visual character and appearance of the surrounding street scene and area. The proposed development is to be</p>	Written reps	Dismissed 01.06.2023	n/a	<p>Whilst some colours may reduce the prominence of the proposed development to a limited degree, they would not successfully conceal its height, bulk, and incongruous presence in these suburban surrounding. the proposal would result in significant harm to the character and appearance of the immediate area, and limited harm in wider views.</p> <p>The evidence provided is not sufficient in detail for me to reasonably conclude that there are no more suitable sites for the installation. Consequently, the harm that the proposal</p>

					<p>sited forward of the Hampton Vale Primary School and opposite a large area of public open space. There is no doubt this part of West Lake Avenue is a hub and focal point of the area. At 15m in height the monopole would be significantly taller than the other vertical infrastructure in the surrounding area, i.e. street lamps and school, with it extending approximately 7.4m higher than the tallest structure existing. The monopole would therefore appear unacceptably tall and its appearance visually harmful to its surrounding context. It would appear disproportionately prominent in the street and in combination with the other surrounding street furniture result in a cluttered appearance in the local hub, detracting from the openness which currently characterises the street. Accordingly, the proposal due to its siting and appearance would result in unacceptable harm to the visual character, appearance and amenity of the surrounding area, contrary to Policy LP16 of the Peterborough Local Plan (2019) and fails.</p>				would cause to the character and appearance of the area is not outweighed by the need for it to be sited as proposed.
22/00892/HHFUL	91 Swallows Road Peterborough PE1 4EX	Erection of single and two storey extensions	Refused	n/a	<p>The proposal, by virtue of its scale and siting, would unacceptably impact upon the character and appearance of the site and surrounding area. The proposal would lead to the infilling of the visual gap which forms an important aspect of the distinctive historical development pattern found within the street character, and result in a terracing effect which would erode the overall character of the site and surrounding area. This would result in unacceptable irreversible harm to the character, appearance and visual amenity of the locality and is</p>	Written Reps	Appeal Dismissed 21.06.2023	n/a	<p>The Inspector noted where side extensions have occurred it has resulted in a continuous frontage which adversely affects the character and appearance of the area. The appeal proposal would replicate the adverse terracing effect and further intensify.</p>

					therefore contrary to Policy LP16 of the Peterborough Local Plan (2019).				
22/00831/FUL	52 Priory Road West Town Peterborough PE3 9ED	Change of use of residential outbuilding to self contained studio	Refused	n/a	The proposed self contained studio, by virtue of its design, window orientation, unclear extent of proposed amenity space and close proximity to No. 52 Priory Road would result in unacceptable overlooking and loss of privacy to the occupiers of both properties . The front facing windows within the proposal would permit views into the rear-facing habitable rooms of No.52 Priory Road, and their respective amenity spaces and vice versa at a distance that would result in an unacceptable loss of privacy for the existing and future occupants. Accordingly, the proposal would result in unacceptable harm to the amenities of occupants of the site, contrary to Policy LP17 of the Peterborough Local Plan (2019).	Written representation	Dismissed 10.05.2023	n/a	The proposal would provide a unit of relatively inexpensive accommodation which would have social and economic benefits for the city. However, the scheme would not provide acceptable levels of privacy for existing occupiers of the main house or the occupiers of the studio, and this tips the planning balance firmly against the proposal.  Having regard to the above the appeal should be dismissed.
22/01032/FUL	6 Peacock Way Bretton Peterborough PE3 9AA	Erection of two storey 3-bed residential dwelling with associated landscaping	Refused	n/a	The proposed development will result in the surrounding area being lopsided and unbalanced when viewed in the immediate context of the site. The proposal would not respect the verdant and low-density character of Peacock Way and the proposal would increase the density of the area, introducing built development in a parcel of land which would result in an adverse level of impact on the site and surrounding area. Further, the proposal would be contrary to the established character of the area by placing a dwelling on a plot which serves as one of the bookends of the wider site. The proposed development would also extend beyond the building line of Nos. 6 and 8 Peacock Way which would result in the proposal being unduly prominent in the street scene. As	Written representation	Dismissed 07.06.2023	n/a	The inspector agreed that the proposed dwelling would be unduly prominent and would harm the character and appearance of the area.

					such the proposal would encourage built development of a size and scale that would result in an adverse impact on the character and layout of the site and surrounding area contrary to Policy LP16 of the Peterborough Local Plan (2019).				
22/00270/OUT	Land R/o 1113 - 1121 Bourges Boulevard  Millfield  Peterborough  PE1 2AT	Outline application for one single storey dwelling with all matters reserved	refused	n/a	It is not considered that this proposed backland garden site, could acceptably accommodate a single storey dwelling, without resulting in a form of development, which would appear visually uncharacteristic and harmful to the layout pattern and character of development in the surrounding area. The proposal is therefore contrary to policy LP16 of the Peterborough Local Plan (DPD) 2019.	Written Representation	Dismissed  25.05.2023	n/a	The proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework that would outweigh that conflict.
22/00046/FUL	Land Adjacent To 33 Eye Road  Dogsthorpe  Peterborough  PE1 4SA	Demolition of garage and outbuildings and erection of a 2 bedroom bungalow	Refused	n/a	The proposal, by virtue of its siting and backland nature, would unacceptably impact upon the amenity of surrounding neighbouring properties. This is particularly in relation to No. 33 Eye Road, where traffic generated by the proposal would be passing close to the front door, windows, and the rear garden to No. 33 Eye Road, this, along with the impact of noise and disturbance from manoeuvring of vehicles, engines starting, closing doors, taking place immediately adjacent to rear gardens of residential properties would result in unacceptable level of harm upon the amenity of existing residents. The use and enjoyment of the private gardens would be harmed as a result of the noise and disturbance and the proposal would unacceptably impact upon the amenity of surrounding neighbours.	Written Representation	Dismissed  04.04.2023	n/a	The inspector considered that due to the large front and rear gardens of the surrounding sites and the loss of trees on site that the impact would have a negative impact on the surrounding area and appear at odds; conflicting policies LP16 and LP29.  The living conditions to No.33 would not result in harm that would outweigh the private benefit however when considering the future occupier amenity, the inspector found that the unsuitable boundary treatments to protect the application site from privacy concerns and overlooking from nearby properties.  The inspector found that there would not be a harmful effect on pedestrian, cyclists and drivers using Eye Road, therefore permission would be in accordance with LP13.

				<p>The proposed bungalow lies close to the rear of dwellings fronting Sherborne Road which would have first floor windows looking directly into the rear garden of the proposed bungalow from a distance less than 5m in places. In addition to this the proposed bungalow would be close to properties on Sherborne Road which would have first-floor habitable windows approximately 14m from habitable windows of the proposed bungalow. The proximity and relationship of the proposed bungalow with existing dwellings would result in an unacceptable level of amenity for existing residents and future occupiers of the proposed dwelling by way of overlooking and loss of privacy.</p> <p>The proposal is therefore considered contrary to Policy LP17 of the Peterborough Local Plan (2019).</p> <p>The backland nature of the proposal would unacceptably impact upon the character and appearance of the surrounding area. The proposed bungalow would result in a cramped layout, at odds with the surrounding built form due to the long driveway and relationship of the proposed dwelling to existing gardens and residential properties. This would result in unacceptable harm to the character, appearance and visual amenity of the surrounding area, and is therefore contrary to Policy LP16 of the Peterborough Local Plan (2019).</p> <p>Insufficient information has been provided by the applicant to demonstrate that the proposal meets the requirements of Policy LP13 of the Peterborough Local Plan (2019). The proposal gives rise to</p>				
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					serious concerns regarding road user safety.  Insufficient information has been provided to demonstrate that the proposed development would not have an adverse impact on trees, as such, the proposal does not accord with Policy LP29 of the Peterborough Local Plan (2019).				
21/01674/FUL	Marcus House English Street Millfield Peterborough	Erection of extensions and alterations to existing building to form a four and two storey building, including a change of use to form 23x self-contained 'aparthotel' (sui generis use) including associated works to form 20x parking spaces, cycle parking and bin storage	Refused	n/a	By reason of size, scale and massing of the proposed works, this would result in a building which would be markedly out of keeping with the established pattern of development, scale and character of the area. Given the juxtaposition of the building within the street scene, these works would unnaturally draw the eye, and the unacceptably adverse overbearing impact on the neighbouring properties would be visually prominent. As such, the proposal is contrary to Policy LP16 of the Peterborough Local Plan, Paragraphs 130 and 134 of the NPPF (2021) and Paragraphs 41-43 of the National Design Guide (2021).  Further to the intensification of the vehicle access serving the application site, it has not been demonstrated that the site would be capable of accommodating the proposed use, and whether future occupiers could enter and leave the site without causing an adverse highway safety hazard to pedestrians and other highway users. As such, the proposal is contrary to Policy LP13 of the Peterborough Local Plan (2019).  By reason of size, scale, massing and juxtaposition, the proposal would result in unacceptably adverse levels of overlooking to the primary amenity space serving No's 842 and 896 Bourges Boulevard, and it would	Written reps	Dismissed 30.06.2023	n/a	The inspector considered that even taking into account the amendments to the scheme (loss of dormers) the addition of new stories and other external works would still result in a dominance on this corner plot. Its overall scale, height and form would not sit comfortably sited between more modest scale dwellings, where it would appear an abrupt and imposing building that would draw the eye.  The Inspector found no harm to existing or future occupiers amenity, subject to the inclusion of appropriate internal privacy measures on the affected windows. Neither did the Inspector find any harm to highway safety, with plenty of off street parking provision noted during the site visit.

					<p>result in unacceptable adverse levels of overlooking and loss of privacy to habitable windows serving No. 900 Bourges Boulevard. In addition to this, the proposal would unacceptably and harmfully diminish the outlook serving primary habitable rooms to 1 English Street, which would force future occupiers to draw their blinds or curtains for the majority of the day to be afforded any privacy, placing an undue reliance on artificial light. As such, the proposal is contrary to Policy LP17(a) of the Peterborough Local Plan (2019).</p> <p>Notwithstanding the frequent turnover of guests associated with the development proposed, a number of ground floor units would be afforded poor outlook and poor levels of privacy due to primary habitable windows facing directly onto Bourges Boulevard, English Street and on-site circulation areas, with little to no defensive space. This would force future occupiers to draw their blinds or curtains for the majority of the day to be afforded any privacy, placing an undue reliance on artificial light. This unacceptably harmful impact would be exacerbated through the poor levels of natural light and outlook to a number of units, including Units 5, 6 and 13. As such, satisfactory amenity for future occupiers would not be provided, and the proposal is contrary to Policy LP17(b) of the Peterborough Local Plan (2019).</p>				
20/01275/FUL	<p>Buffingham Kennels Waterworks Lane Glington</p>	Proposed continuation of use of land and siting of mobile home in connection with and use of land,	Refused	n/a	As a temporary planning permission has already been granted for the development, the residential caravan element must be considered as a permanent dwelling within the open countryside. Insufficient evidence has been	Hearing	Allowed 03.05.2023	n/a	The appeal the LPA's decision to refuse the planning application was dealt with concurrently with an appeal against an enforcement Notice requiring the land to be cleared as the business case was not proven.



	Peterborough PE6 7LP	kennels and associated fencing as licensed establishment for breeding dogs and erection of additional timber kennel, as well as formation of vehicle access and associated car parking			<p>provided to demonstrate that: the enterprise has been planned on a sound financial basis; the need relates to a full-time worker; and the functional need cannot be fulfilled by an existing dwelling, or the conversion of an existing building in the area, or any other existing accommodation in the area which is suitable and available by the worker concerned. As such, the proposal is unacceptable in principle and contrary to Policy LP11, Part D (m, n and o) of the Peterborough Local Plan (2019).</p> <p>Waterworks Lane is an unlit, single track lane subject to the national speed limit, and serves a number of businesses and a water treatment facility. It has not been demonstrated that the proposed parking area to serve the development would provide satisfactory space to allow vehicles to enter and leave in a forward gear, which could result in vehicles undertaking unsafe manoeuvres within the public highway, or parking in unsafe locations within the public highway. As such, the proposed development would constitute a highway safety hazard, and is contrary to Policy LP13 of the Peterborough Local Plan (2019).</p> <p>To facilitate the proposed vehicle access this would remove a large section of hedgerow along a rural lane, which is characterised by an established and mature hedgerow. This vehicle access would diminish the rural nature and character of the lane, and this unacceptable harm would be exacerbated through the proposed area of car parking within an agricultural field, which in itself and without satisfactory justification constitutes an unacceptable</p>			<p>To some extent the Inspector was supportive of the Council's position, but took the view that the business now on the site was 'materially' a new enterprise established in 2020, which had the potential to be profitable enough to sustain a fulltime worker. The Inspector therefore decided to granted planning permission for the business for a further three years so that it could demonstrate that it could fulfil the requirements of the policy.</p> <p>However, it should also be noted that the Inspector upheld the enforcement Notice which runs with the land. Effectively, if the occupier of the land is not able to demonstrate that the business can support a fulltime worker than a subsequent application will be refused and the Enforcement Notice will come into effect.</p> <p>The onus is squarely with the occupier of the land to ensure they keep proper financial records that can be verified independently and that they can demonstrate accordance with planning policy LP11 or they will be required to vacate the land or risk criminal sanctions.</p>
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					encroachment into the open countryside, to the detriment of the character and appearance of the immediate locality. As such, the proposed parking area would be contrary to Policy LP16 and LP27 of the Peterborough Local Plan (2019).				