

Appendix 1 – Appeals Performance from 01.10.23 – 31.12.23

Application reference	Address	Proposal	Officer Recommendation	Committee Decision / Date	Reasons for Refusal	Appeal Procedure	Appeal Decision / Date	Costs Decision	Inspector's Reasons
22/01074/CLE	14 Rectory Lane Ginton Peterborough PE6 7LR	Use of dwelling by no more than six residents living together as a single household where care is provided (Class C3(b))	Refusal	no	The LPA considered the development was not fall within C3(b) dwellinghouse where care is provided.	Written Representations	Dismissed	no	The Inspector agreed that due to the nature of the occupation of the former dwellinghouse that is did not fall within Use class 3C(B) of the Use classes order.
21/01695/FUL	Cedar House Sommer Close Thorney	Proposed building contractors yard and building	Refusal	no	Intrusion of a non-agricultural use into the open countryside contrary to policy Loss of Grade 2 agricultural land Impact of sensitive area of land in terms of character and setting. Land with flood zone 3 and no justification provided.	Written Reps	Dismissed	no	development would conflict with PLP policies LP2, LP4 and LP11 which, amongst other things, seek to direct employment development to existing settlements, business parks or allocations In terms of flood risk, the fallback does not mean the sequential approach does not need to be adopted in this case. the fallback does not mean the sequential approach does not need to be adopted in this case. weight I have given to conflict with BMVAL policy is tempered to an extent by the scale and nature of the site and the potential fallback
23/00145/HHFUL	10 Allotment Lane Castor Peterborough PE5 7AS	Replacement of original gazebo including render finish to side elevation of mono pitch building - retrospective	Refusal	No	The proposal would be out of character and detract from the Castor Conservation Area and listed buildings in close proximity to the site	Fast Track Appeal	Split Decision	no	The rendering and colouring of the north-west facing elevation to the existing side extension. This development is severable from the remainder of the scheme as it is physically and functionally independent. It is acceptable as it complies with planning policies. The gazebo would not preserve or enhance the character or appearance of the CA.

22/01287/FUL	264 And 266 Oundle Road Woodston Peterborough PE2 9QA	Demolition of two existing garages and construction of two new detached two storey dwellings on land to the rear of 264 and 266 Oundle Road			<p>The proposal would unacceptably and harmfully detract from the character and appearance of the area.</p> <p>The proposal would constitute an adverse highway safety hazard.</p> <p>Have an unacceptably adverse impact on the amenity of the occupiers</p> <p>would not provide satisfactory living conditions for future occupiers</p>	Written Representations	Dismissed	no	The proposal would result in significant harm and development plan conflict with respect to the effect on the character and appearance of the area, the living conditions of the occupiers of neighbouring properties and highway and pedestrian safety
22/00813/FUL	39 Crowland Road Eye Peterborough PE6 7TP	Erection of a single storey dwelling	Refused	no	<p>not been demonstrated as being essential to warrant such an intrusion and as such is considered to be wholly contrary to the vision, objectives, development strategy</p> <p>would be unacceptable due to its backland location and proposed siting to the rear of 39 Crowland Road</p> <p>in light of their absence it is considered that it has not been demonstrated that there will be no adverse noise impact on future occupiers of the proposed development</p> <p>Insufficient information has been provided regarding the parking arrangements</p> <p>The proposal would be unacceptable due to the lack of a PEA and insufficient information being provided regarding potential protected species and their habitats on site</p>	Written Representations	Dismissed	no	The proposal would conflict with the Council's spatial strategy and would result in significant harm and development plan conflict with respect to the effect on protected species and the living conditions of future occupiers. I am satisfied the proposal would provide adequate car parking arrangements and would not have an unduly harmful effect on highway safety, the living conditions of existing occupiers of 39 Crowland Road, or the character and appearance of the area. However, this does not outweigh the identified harm and development plan conflict. I therefore find that the proposal would be contrary to the development plan, taken as a whole.
22/01114/PRIOR	Communication Station Site 042771 Bretton Way Bretton Peterborough	Proposed 5G telecoms installation: H3G 20m street pole with additional equipment cabinets	Refused	no	The proposal, by virtue of its siting, height and appearance would unacceptably impact upon highway safety on Bretton Way	Written Representations	Allowed	no	<p>the siting and appearance of the proposal would not have an unacceptably harmful effect on highway safety.</p> <p>Allowed subject to conditions</p>

22/01450/PRIOR	Verge At Burghley Road Peterborough	Proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets.	refused	no	the proposal due to its siting and appearance would result in unacceptable harm to the visual character, appearance and amenity of the surrounding area	Written Representations	Dismissed	no	the siting and appearance of the proposed development would cause harm to the character and appearance of the surrounding area, and would not preserve or enhance the character or appearance of the Park CA. Given suitable alternatives have not been properly explored, this harm is not
23/00633/HHFUL	Cherry Tree House 13 Castle End Road Maxey Peterborough PE6 9EP	Demolish and replace an Annex and garage to be used in conjunction with the existing domestic dwelling, with the addition of the link extension.	refused	no	It is ultimately self-contained and entirely capable of meeting all the day to day needs of occupants, without having a have a direct physical or functional relationship with the existing dwelling itself	Fast Track Appeal	Allowed	no	the proposal would provide an acceptable form of ancillary accommodation with respect to the provisions of the development plan that apply to residential annexes

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