
Appeal Decision

Site visit made on 30 August 2016

by Jonathan Price BA(Hons) DipTP MRTPI DMS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 September 2016

Appeal Ref: APP/J0540/W/16/3150576
202 Thorpe Road, Peterborough PE3 6LB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Ms A McDonald against the decision of Peterborough City Council.
 - The application Ref 15/02218/OUT, dated 31 December 2015, was refused by notice dated 1 March 2016.
 - The development proposed is erection of detached 2/3 bedroom bungalow with associated car parking and amenity space.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made in outline, with all detailed matters reserved. I have dealt with the appeal on that basis, treating the layout plan, which shows the access to and approximate position of the bungalow, as illustrative.

Main Issue

3. The effect on the character and appearance of the area.

Reasons

4. The bungalow proposed would be in the rear part of the back garden of a large detached house which forms part of frontage residential development facing open parkland. This property is within a part of the residential suburbs of Peterborough characterised by low-density, large detached houses set in spacious, well-landscaped gardens. There is housing of a similar nature along Thorpe Road, Thorpe Avenue and Westwood Park Road which form one of three Special Character Areas (SCAs) identified in the Council's planning policies map as providing particularly high environmental quality.
 5. The Council's two reasons for refusal seem to both relate to the same concerns. These are that the sub-division of this garden to provide an additional dwelling would have a harmful effect on the low-density built character of this residential area.
 6. Paragraph 53 of the National Planning Policy Framework states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would harm the local area. Policy SA19 of the Council's Site
-

Allocations Development Plan Document¹ (SADPD) has applied this advice to the SCAs and states that there should be no sub-division of gardens if this adversely affects the character of the area, amenity space and/or loss of trees or boundary hedges.

7. I accept the case made by the appellant that a bungalow could be comfortably accommodated within the space available, and provide both it and the host dwelling adequate garden space, without being visible from the road or resulting in the loss of any trees. However, the proposal would nonetheless alter the character of this area by introducing a dwelling in the SCA which comprises large, well-vegetated back gardens otherwise free from such forms of backland development.
8. The appellant considers the removal of the side garage to No 202, to create a gated access to the plot to the rear, would open up views of the trees beyond and lead to a visual enhancement to this area. However, this benefit would provide very little support to the appeal and would be strongly outweighed by the adverse effect of a new dwelling on the character of this area.
9. The bungalow proposed would result in a nature of housing development that would be significantly out-of-keeping with the predominant form of development in the SCA, characterised by a low density of mainly large detached houses set in generous and verdant plots. This proposal would lead to a harmful erosion of this character and, in this case, if allowed would establish a clear precedent which would make any future proposals to develop large back gardens for housing in this area difficult for the Council to resist.
10. The appellant has referred to other addresses in Thorpe Road and West Park Road where sub-division has taken place, but not provided further evidence that any of these are either within the SCA or of a similar backland nature to this proposal. I am not persuaded these examples provide strong precedents in support of what is proposed.
11. This proposal would conflict with the aims of Core Strategy² Policy CS16, which include seeking to achieve an attractive environment throughout Peterborough by new development responding appropriately to the site's particular character and to its surroundings. There would be no wider public benefit derived that would provide clear justification to outweigh the harm caused to the SCA, and so this proposal would further conflict with Planning Policies Development Plan Document³ Policy PP17. The proposal would be contrary to SADPD Policy SA19 which requires any new development to enhance the character and appearance of the SCAs and which resists the sub-division of gardens where there would be an adverse effect in this regard.

Conclusion

12. For the reasons given, having taken into consideration all other matters raised, I conclude that this appeal should be dismissed.

Jonathan Price

INSPECTOR

¹ Peterborough Site Allocations Development Plan Document – adopted 18 April 2012

² Peterborough Core Strategy Development Plan Document – adopted 23 February 2011.

³ Peterborough Planning Policies Development Plan Document – adopted 5 December 2012.