
Appeal Decision

Site visit made on 11 December 2019

by Matthew Woodward BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th January 2020

Appeal Ref: APP/J0540/W/18/3211889

5 Helpston Road, Glinton PE6 7JT

- 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 and Mrs P Bointon against the decision of Peterborough City Council.
 - The application Ref 18/01252/FUL, dated 10 July 2018, was refused by notice dated 30 August 2018.
 - The development proposed is the erection of bungalow.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of bungalow at 5 Helpston Road, Glinton PE6 7JT in accordance with the terms of the application, Ref 18/01252/FUL, dated 10 July 2018, subject to the conditions in the attached Schedule.

Procedural Matter

2. The appellant has confirmed as part of this appeal that the site area is in fact 0.15 hectares as opposed to the measurement of 0.53 hectares given on the planning application form.
3. The submitted plans are not consistent with each other. It appears that, during the course of the planning application, details of the proposed access arrangements were altered, with submitted revisions to the 'block plan' and 'access drive alterations' plans. In contrast, the 'location plan' does not appear to have been altered to reflect the amendments made to the other plans. However, it is clear that the Council made their decision based on the altered access arrangements shown on the other plans. Accordingly, I have considered the appeal on this basis.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site comprises an irregular shaped parcel of amenity/garden space which lies to the rear of, and is used in connection with, 5 Helpston Road. No 5 lies amidst a run of detached bungalows with a similar design, and like many other properties nearby, has a spacious rear garden.

6. When walking along Helpston Road I observed a linear form of development with the appeal site being largely screened from the road by the built form associated with existing properties. However, when I stood on the appeal site I saw a few properties nearby which were located some distance generally to the rear of other houses which fronted the main streets.
7. In addition to this, the appellant has provided me with a plan showing the location of several other 'backland' housing plots. However, many of them were barely visible from the street. Along with the observations I made on site, this leads me to conclude that the outward visible qualities of the area give the street a somewhat linear and uniform appearance, but this is in contrast with the more irregular and incoherent pattern of development, with several examples locally of dwellings positioned to the rear of street facing houses, contributing to a varied suburban character.
8. Due to the single-storey nature of the proposed dwelling, and its position generally behind No's 5 and 7, there would be only fleeting glimpses of it from the street. It would be similar in overall scale, design and form to the understated bungalows nearby. As such, it would not be prominent or have a negative impact on the appearance of the street-scene.
9. In terms of character, the proposed dwelling would lie close to other properties which are also positioned away from the main streets. Moreover, the proposal would include an area for the parking and manoeuvring of vehicles. The layout of the dwelling would ensure that the garden associated with No 5 would be a similar size to neighbouring rear gardens, whilst ensuring an adequate area of garden space for future occupiers of the proposed dwelling. The overall size of the plot within which the appeal dwelling would sit would be comparable with neighbouring plot sizes. As such, the proposal would not be out of kilter with the varied pattern of housing in the area and would not harm its prevailing character.
10. The Council contends that, unlike the appeal proposal, many of the developments referred to by the appellant are accessed by tracks or cul-de-sacs rather than single access roads. Be that as it may, the access proposed would appear relatively inconspicuous from the street and, due to the limited visibility of the development overall, and the rather uncoordinated arrangement of several properties in the local area relative to the main streets, the development would ensure that the character and appearance of the area was preserved.
11. Therefore, I conclude that the development would not harm the character and appearance of the area. It would accord with Policy CS16 of the Peterborough Core Strategy Development Plan Document 2011, Policy PP2 of the Peterborough Planning Policies Development Plan Document 2012 and Policy Glin 12 of the Peterborough Design and Development in Selected Villages Supplementary Planning Document 2011 which require, amongst other matters, that new development responds appropriately to the character of the site, adjoining properties and the surrounding area, and that new buildings are designed sympathetically having regard to neighbouring buildings and the village environment.

Other Matters

12. Occupants of neighbouring properties have raised concerns regarding the effect of the appeal proposal upon their living conditions, with particular regard to loss of light, outlook and privacy. Given the siting, orientation and height of the proposed dwelling in relation to surrounding houses, and its single-storey form, I do not consider that the appeal proposal would result in a loss of light to, or outlook from, neighbouring properties. There is adequate spacing between the appeal property and houses nearby and privacy would not be unacceptably compromised. This aligns with the Council's overall conclusion, as they raise no objection to the proposal with regards to the impact on the living conditions of nearby occupants.
13. I have been informed by third parties that surrounding rear gardens attract a range of wildlife. However, on my site visit I saw little evidence of trees or vegetation within the appeal site which would likely be attractive to wildlife, nor would the development directly affect nearby trees or vegetation. Furthermore, I have no substantive evidence before me, nor does the Council suggest that, the development would unacceptably affect local areas of biodiversity value. Whilst it is alleged that large trees have been removed from the appeal site, the Council's tree officer confirms that the area is not subject to a Tree Preservation Order. Consequently, I afford this matter only limited weight against the proposal which is insufficient to alter my overall conclusion.
14. Concerns have been raised that the proposed driveway, turning and parking area would increase the opportunities for criminal activity which could affect a neighbour and their property. However, in the absence of any objective analysis to support this contention, and considering that an argument could be construed to suggest that the proposed dwelling may in fact increase general overlooking of the appeal site thus deterring criminal activity, it is a matter which attracts only limited weight against, insufficient to outweigh my overall conclusion.
15. I note other concerns raised regarding house prices, perceived lack of justification for the proposed dwelling, and concerns relating to the alterations proposed to No 5. As regards house prices, the planning system does not address financial or other losses from a particular development. I have not been made aware of any local planning policy requirement to demonstrate a 'need' for the size of the dwelling proposed, thus the number of bedrooms and overall form of the proposed dwelling would contribute towards the local housing mix. Finally, in noting the lack of objection from the Council, it has not been explained to me how the replacement of the side door in No 5 with a window would affect the living conditions for future occupiers of this property. Consequently, I only attribute limited weight to these considerations and they are insufficient for me to find the proposal unacceptable.
16. It is argued that the proposal would create a precedent for similar development proposals on adjacent garden areas. However, each planning proposal should be determined on its own merits and it is on this basis that I have made my decision in this case.
17. The Council have informed me that the appellant altered the proposal during the application process in order to ensure the proposed access was segregated from the existing neighbouring access. The Council's officer report confirms that this would ensure adequate visibility could be achieved along the street. I

have no reason to take a different view and find the development would not adversely affect highway safety.

Conditions

18. The Council have not provided me with a list of suggested conditions in the event I was minded to allow the appeal. However, I have used the Council's officer report along with the consultee and third-party responses to the planning application, and considered them against the relevant guidance contained within the Planning Practice Guidance (the PPG), in order to decide on the necessity and appropriateness of any planning conditions.
19. I have imposed a planning condition requiring compliance with the submitted plans, excluding the location plan as set out in the 'procedural matters' section of my decision, needed to give certainty about what is permitted. I have also imposed a time-limit condition by which the development must be commenced in accordance with statutory requirements. The submitted plans suggest that many of the proposed materials are 'to be agreed' and, as such, I have imposed a planning condition requiring details of the materials to be used in the construction of the development to be submitted prior to the erection of the dwelling, in the interests of the visual amenity of the locality. Given the scale of the proposal, and as there is scope in other legislation to address matters such as noise during construction, I see no need for a noise condition relating to construction.

Conclusion

20. Subject to the following conditions, the appeal is allowed.

Matthew Woodward

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1949/06 Rev A, 1949/01 Rev C (Block Plan only), 1949/04 Rev B, 1949/02 Rev C.
- 3) No works involving the erection of the dwelling hereby approved shall take place until details of all external facing materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

End of Schedule