



Appeal Decision

Site Visit made on 14 December 2020

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2020

Appeal Ref: APP/J0540/W/20/3257785

**Land to Rear 1113-1121 Bourges Boulevard, Millfield, Peterborough
PE1 2AT**

- 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 Mr T Mahmood against the decision of Peterborough City Council.
 - The application Ref 20/00462/OUT, dated 31 March 2020, was refused by notice dated 26 May 2020.
 - The development proposed is an outline application for a dwelling on land to rear 1113-1121 Bourges Boulevard.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is submitted in outline form with all matters reserved for later consideration. Therefore, whilst plans have been submitted suggesting how a dwelling could be accommodated on the site, including amended drawings to which the appellant refers, these have been provided for indicative purposes only.

Main Issues

3. The main issues are the effect of the proposed development on (i) the character and appearance of the area and (ii) the living conditions of the occupiers of the adjacent dwellings.

Reasons

Character and appearance

4. The appeal site is located behind a row of terraced dwellings, with the access to it being via a narrow private road leading to the rear of these properties. The existing development in the area is arranged in a linear fashion facing towards Bourges Boulevard, with only single storey outbuildings being found to the rear of the properties.
5. The proposed dwelling would sit in a backland position which would not be in keeping with the prevailing pattern of settlement in the area. As a result, it would form an incongruous and alien feature in its relationship to its surroundings and in particular in its positioning in relation to the existing

dwellings. This would cause significant harm to the character and appearance of the area.

6. The Council refers to a further concern that a dwelling would appear to be cramped and be an overdevelopment. However, taking this consideration in isolation, I am satisfied that based on the size of the site and the indicative plans, a dwelling could be accommodated which would not appear as cramped or overdeveloped per se. This does not however overcome the significant harm I have identified arising from the positioning of the appeal site.
7. For these reasons, I conclude that the proposed development would not accord with Policy LP16 of the Peterborough Local Plan 2019 (LP), where it seeks to protect character and appearance.

Living conditions

8. The indicative plan submitted suggests that a two-storey dwelling could be constructed on the part of the appeal site closest to 1113, 1115 and 1117 Bourges Boulevard. All of these properties have long rear gardens, although it appears that Nos. 1113 and 1115 do not currently utilise the full garden length which the plans suggest their properties have.
9. Irrespective of this however, due to the generous separation distances between the appeal site and the nearest dwellings, a new dwelling could be incorporated onto the appeal site in a manner that would not cause harm through a loss of light or outlook.
10. The Council also considers that the use of an oriel window and set back window would be contrived. This would be a matter for reserved matters stage, but the design solutions suggested do not appear inherently unreasonable.
11. Therefore, I conclude that there would not be harm to the living conditions of the occupiers of the adjacent dwellings and therefore no conflict with Policies LP16 and LP17 of the LP, where they seek to safeguard living conditions.

Other Matters

12. The appellant draws attention to the fact that the proposal would provide off-street parking however this would not overcome the harm I have identified. That fly-tipping may be a problem at the appeal site also does not justify the proposal and, in any event, this could be addressed by means other than permitting a new dwelling.

Conclusion

13. Although I find that there would be no harm to living conditions, there would be significant harm to the character and appearance of the area and a subsequent conflict with the development plan. Therefore, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR