



Appeal Decision

Site visit made on 09 February 2021

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2021

Appeal Ref: APP/J0540/D/20/3258400

25A Eye Road, Peterborough, Cambs PE1 4SA

- 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 A Haydari against the decision of Peterborough City Council.
 - The application Ref 20/00692/HHFUL, dated 29 May 2020, was refused by notice dated 22 July 2020.
 - The development proposed is described as "side, rear extension and internal alterations".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of neighbouring residents at No. 25 Eye Road.

Reasons for the Recommendation

3. The appeal site is located on the residential Eye Road and comprises a single storey detached dwelling. While the houses along the road do not share a precise linear building line, the appeal property is set notably further back than the others. The existing side wall of the building runs directly along the boundary with No.23 and the rear portion of the proposed extension would be set in from the boundary with that dwelling sufficiently to prevent any undue impact on the living conditions experienced within that dwelling.
4. No.25 has an L-shaped floor plan to the rear which was in the process of being extended at the time of my site visit. The extension retains the L-shaped arrangement and contains a rear facing window and a side facing window which faces into the garden in the direction of the appeal site. Although the appeal proposal would be single storey it would add significant additional bulk. The resulting roofscape would comprise three different ridge heights, two of which would be notably higher than the existing.
5. The footprint of the property would extend much closer to the boundary with No. 25 with only a minimal separation from the shared boundary being retained. Whilst the existing fencing would screen much of the side wall the roof would tower above the fence in close proximity. Although the pitch would taper away from the boundary the mass and scale of the roof would still be clearly evident. As a result of the position of the dwelling the front gable of the proposed side extension would also be directly in sight of rear and side facing windows of No. 25, in close proximity.

6. Having viewed the proposed arrangement from the rear of both properties I find that the height, scale and mass of the extension would restrict the outlook from the ground floor windows to the rear of No.25 and create an oppressive structure that would have an overbearing impact. That impact would also be felt from the rear garden of No. 25, particularly the section immediately to the rear of the dwelling where residents are most likely to sit out and enjoy the external environment. While the appellant has suggested a condition to prevent installation of openings in the elevation along the boundary that would not overcome the physical impact of the proposal or mitigate for the loss of outlook. Overall, the impact would be significantly detrimental to the living conditions experienced by any occupiers of No.25.
7. I have been provided with a copy of an extant planning permission at the site¹ for a similar development. However, the side extension approved by that permission is set further back from the boundary with the main bulk of the proposal screened by the outbuilding to the rear of No. 25. Thus, the impact is not comparable to the current proposal which would extend considerably closer to the rear elevation of the neighbouring dwelling and to the garden area immediately to the rear of the house.
8. In making my assessment I have taken account of the position of windows within the neighbouring extension which was under construction at the time of my visit. The appellant contends that the Council should have been aware of the relationship with No.25a when it decided to grant planning permission for the extension at No.25. However, at that stage, the approved extension relating to No.25 was set further to the rear as described above. It was not unreasonable for the extension at No.25 to be considered and planned in that context. In any event, the difficulty with regard to the appeal proposal stems from the unusual location of the property, set to the rear of adjacent dwellings. Even without the current extension to No.25 the proposal would have had an overbearing impact and unacceptable effect on the outlook from rear windows and from the rear garden on account of its scale and proximity to the boundary.
9. For the reasons given above I find that the development would have a significant adverse effect on the living conditions of neighbouring residents at No. 25 Eye Road with particular regard to outlook. Accordingly, it would fail to accord with Policy LP17 of the Peterborough Local Plan 2016 – 2036, adopted 24 July 2019 which requires that new development should not have an unacceptable impact on the amenity of existing occupiers.
10. In view of the above I conclude that the appeal should be dismissed.

C Preston

INSPECTOR

¹ Reference 18/01837/HHFUL