



Appeal Decision

Site visit made on 2 March 2021

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2021

Appeal Ref: APP/J0540/D/20/3264314

21 The Village Orton Longueville, Peterborough PE2 7DP

- 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 R Smith against the decision of Peterborough City Council.
 - The application Ref 20/01182/HHFUL, dated 9 September 2020, was refused by notice dated 25 November 2020.
 - The development proposed is change to route of access lane to use second existing lane. Remove large part of current access lane. Landscaping of general area. Construction of a new garage and conversion of existing garage to annex including small extension.
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Decision

1. The appeal is allowed and planning permission is granted for change to route of access lane to use second existing lane. Remove large part of current access lane. Landscaping of general area. Construction of a new garage and conversion of existing garage to annex including small extension at 21 The Village, Orton Longueville, Peterborough PE2 7DP in accordance with the terms of the application ref:20/01182/HHFUL dated 9 September 2020 subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area with particular regard to the setting of Orton Longueville Conservation Area (CA)

Reasons

3. The appeal site is a two-storey detached house faced in rough cast render on a brick plinth said to date from the early C20 in a good-sized plot facing, but set back from, the village green. The front driveway of the property is within the CA although the house and the proposed extensions are outside it. The appeal property has been extended to the side and the rear¹. Planning permission has also been granted for a new dwelling within the side garden, but this dwelling has not been constructed².
4. The appeal site is surrounded by a wide variety of modern and more traditional dwellings largely with enclosed frontages and well landscaped boundaries that contrast with the more open aspect of the village green.

¹ granted under planning permission ref:18/00559/HHFUL

² planning permission ref:20/00480/FUL

5. I observed during my site visit that the significance of the CA is in part derived from the open aspect provided by the village green and mature trees within it. Views towards the village green, its trees and development to its edge are positive townscape elements.
6. The appeal property has an attractive symmetry due to its proportions and architectural detailing. As a prominent part of the view from the village green the appeal property contributes to the setting of the CA.
7. The existing garage is an extension to the appeal property, to the side and set back considerably from the front elevation and constructed in brick. The eaves line of the garage is higher than average and the extended brickwork above the garage door is out of scale with the well-proportioned front elevation of the main house.
8. The change of the building to an annex would include a new forward projecting single storey flat roofed extension set in from the edge of the existing building and down from the eaves line. I consider that the small forward extension would have limited visibility from the village green, would improve the existing garage elevation and consequently, would preserve the character and appearance of the CA.
9. The introduction of landscaping and the alterations to the driveway would increase the amount of intervening landscaping between the garage extension and the road frontage. I agree with the appellant that the removal of the driveway would stop the eye being naturally drawn to that area. In addition, planting and enclosure would positively contribute to the significance of the CA and provide a setting for the extension.
10. The proposed double garage would replace an existing low fence and a small shed. The garage would be marginally set back from the front elevation of the house. The height and set back would break up the elevation and, in the context of the variety of house types adjacent to it, would not appear out of character with its surroundings. Further, even with the introduction of the garage to the side, due to the scale and form and the symmetrical appearance of the well-proportioned and detailed front elevation, the house would retain its prominence in views within the CA.
11. The approved dwelling on the adjacent plot will not be a prominent element of the views from the village green because of the limited width of the gated entrance, the narrow viewing angle due to the siting of the terraced properties along the village frontage and its considerable set back in its plot.
12. Although the proposed garage would be more prominent than the approved dwelling and there would be a greater amount of built development overall, I am satisfied that the proposed garage would not contribute to a 'cluttering effect' or result in the approved dwelling appearing 'shoehorned' into its plot. Rather, the new dwelling as a result of the positioning of the garage would simply be less visible from the village green.
13. Overall, I conclude that the development would sit comfortably in its surroundings and respect the variety of design and siting of dwellings within and adjacent to the CA. Accordingly, there would be no harm to the significance of the CA, and the development would meet the statutory test of preserving the character of this part of the CA. Further, the scheme would

meet the requirements of Policies LP16 and LP19 of the Peterborough Local Plan 2016 to 2036 (adopted July 2019) where it seeks to ensure that development would respect, enhance or reinforce the local character and distinctiveness of the area and ensure that development responds appropriately to the local patterns and form of development.

14. The CA is a designated heritage asset as defined in the National Planning Policy Framework (The Framework). Paragraph 193 states that great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. For the reasons set out above, I consider that the design of the extensions and landscape alterations when taken together would preserve the character of the CA. There would be no harm to its character or appearance and, even when attaching great weight to the importance of the heritage asset, I find the details of the development to be acceptable. Consequently, I consider that the scheme complies with the requirements of the Framework.

Other Matters

15. I note the reference to a fallback position. Clearly there is a possibility that development which would extend the side elevation of the existing dwelling could be undertaken under permitted development. However, given my conclusion on the main issue I have not found it necessary to consider this matter further.

Conditions

16. As well as the standard implementation condition it is necessary to refer to the approved drawings in the interests of certainty. A condition to secure the maintenance of the turning and parking area is required to ensure safe and suitable access to the site can be achieved for all users. I have also imposed a condition relating to materials in the interests of safeguarding the character and appearance of the CA. The landscaping condition is required to protect the special character of the CA.
17. I have had regard to the Parish Council's representation which raised concern over the access. However, this has not been raised as a reason for refusal by the Council and I have no technical evidence before me to reach a contrary conclusion.

Conclusion

18. I have considered the matters before me and for the reasons given above, I conclude that the appeal should be allowed.

Diane Cragg

INSPECTOR

Schedule of conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Proposed Site Plan and Proposed Ground Floor Plan (Drawing number P001, received 30.09.2020)
 - Existing Elevations (Drawing number E002, received 30.09.2020)
 - Proposed Elevations (Drawing number P002, received 30.09.2020)
 - Existing Site Plan and Existing Floor Plan (Drawing number E001, received 30.09.2020)
 - Location Plan and Block Plan (Drawing number E003, received 30.09.2020)
3. The materials to be used to the single storey annex extension and single storey garage extension, hereby permitted, shall accord with the details specified on the drawing 'Proposed Elevations' (Drawing number P002, received 30.09.2020). Such materials shall be maintained and retained thereafter.
4. Prior to the first occupation of the extensions hereby permitted, the area shown for the purposes of parking, turning and access on the drawing 'Proposed Site Plan' (Drawing number P001, received 30.09.2020) shall be provided. Such provision shall thereafter be retained for this purpose and not put to any other use.
5. The soft landscaping details, as shown on the drawing 'Proposed Site Plan' (Drawing number P001, received 30.09.2020) shall be carried out within the first available planting season following first occupation of the single storey annex extension hereby permitted.

Any trees, shrubs or hedges forming part of the approved landscaping scheme that die, are removed or become diseased within five years of the implementation of the landscaping scheme, shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.