
Appeal Decision

Site visit made on 2 November 2021

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 November 2021

Appeal Ref: APP/J0540/D/21/3277583

2 Hornbeam Road, Hampton Hargate, Peterborough PE7 8FY

- 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 David Irudayam against the decision of Peterborough City Council.
 - The application Ref 20/01391/HHFUL, dated 19 October 2020, was refused by notice dated 20 April 2021.
 - The development proposed is removal of existing garage, replace with two storey side extension and single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of the neighbouring properties at No. 4 Hornbeam Road and Nos. 125 and 127 Hargate Way with particular regard to overshadowing and outlook.

Reasons

3. The appeal property is a two storey detached dwelling with a detached garage to the side. The proposal would entail the construction of a part two storey/part single storey side extension that would project out from the north-west corner of the property and a single storey rear extension with a mono-pitched roof that would extend across the full width of the house in a staggered form. The part two storey side extension would be set-in from the front elevation of the house and would be stepped down below the ridge of the main house with a gabled pitched roof.
4. The adjacent two storey detached property at No. 4 Hornbeam Road (No. 4), to the south west of the appeal site, has a small raised paved area leading out to an enclosed garden area at the rear. The proposed single storey rear extension would be set in from and project about 5.8m along the common shared boundary with No. 4. It would be separated from the rooms and garden at the rear of the adjacent property by a high close boarded fence and pedestrian accessway running between the properties.

5. The adjacent unextended property at No. 4 currently has largely uninterrupted views from the rooms and patio area at the rear over the open garden areas at the rear of the appeal site and the neighbouring properties. The proposed rear extension would result in a long single storey projection running parallel with the common shared boundary and the small patio/sitting out area at the rear of No. 4.
6. Given the overall scale, siting and design of the proposed single storey rear extension and the separation distance between the properties, I consider that the proposed rear extension would introduce a dominant and enclosing structure in close proximity to the common shared boundary and the small patio area at the rear of No. 4. This, in my view, would dominate the views to cause an overbearing effect and an unacceptable loss of outlook for the occupiers of No. 4.
7. The proposed two storey side extension would be located adjacent to the three storey terraced properties at Nos. 125 and 127 Hargate Way (Nos. 125 and 127) to the north west of the site. The proposed side extension would be set back from the common shared side boundary and would be separated from the windows and small enclosed gardens at the rear of the adjacent properties by a high timber fence and pedestrian accessway running between the properties and a large timber structure at the rear of No. 127.
8. Whilst the large timber structure would limit views from the rooms and garden at the rear of No. 127, the adjacent unextended property at No. 125 currently has largely uninterrupted views from the rooms and small garden area at the rear over the appeal site and the surroundings, that provide space and light between the properties.
9. Given the overall scale, siting and design of the proposed two storey side extension, separation distance between the properties and the orientation of the buildings together with the modest size of the garden/sitting out areas at the rear of Nos. 125 and 127, I consider that the proposed two storey side extension would impact on the views and available light currently enjoyed by the occupiers of the neighbouring properties. The occupants of Nos. 125 and 127 would use the garden areas to carry out leisure and household activities when relaxing and sitting out, particularly during the summer months.
10. The proposed two storey side extension would introduce a dominant and enclosing structure that would restrict the outlook and create overshadowing at different parts of the day to the small garden area at the rear of No. 125 and to a more limited extent the rear of No. 127. I therefore consider that the proposal would result in a poor quality living environment and an unacceptable change in the living conditions for the occupiers of the neighbouring properties.
11. Consequently, I conclude that the proposed development would result in an unacceptable impact on the living conditions of the occupiers of the neighbouring properties at No. 4 Hornbeam Road and Nos. 125 and 127 Hargate Way with particular regard to overshadowing and outlook. It would be contrary to the overall aims of Policy LP17 of the Peterborough Local Plan 2019. This policy, amongst other things, seeks to ensure that development proposals do not result in an unacceptable impact on the amenity of existing occupiers of any nearby properties in terms of overshadowing and overbearing impacts.

Conclusion

12. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR