
Appeal Decision

Site visit made on 17 December 2021

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2022

Appeal Ref: APP/J0540/D/21/3283098

13 Isham Road, West Town, Peterborough PE3 9DX

- 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 Mrs S Rashid against the decision of Peterborough City Council.
 - The application Ref 21/01022/HHFUL, dated 15 June 2021, was refused by notice dated 19 August 2021.
 - The development proposed is the erection of a 2-storey side and rear extension, single storey rear extension and alterations to existing dropped kerb.
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Decision

1. The appeal is dismissed insofar as it relates to the erection of a 2-storey side and rear extension, single storey rear extension.
2. The appeal is allowed and planning permission is granted for alterations to existing dropped kerb at 13 Isham Road, West Town, Peterborough PE3 9DX in accordance with the terms of the application Ref 21/01022/HHFUL, dated 15 June 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) That part of the development hereby permitted shall be carried out in accordance with the following approved plans: Refs 201192-04 and 201192-05 Rev B.
 - 3) The pedestrian visibility splays shall be provided in accordance with the details shown on drawing number 201192-05 Rev B and kept free of any obstruction over 600mm in height above ground level.

Procedural matter

3. At the site visit, I visited the property at 12 Isham Road and carried out an unaccompanied viewing of the site with the consent of the occupier of this adjacent dwelling.

Main issues

4. The Council raises no objection to the proposed alterations to the existing dropped kerb. From the submitted evidence, I have no reason to disagree with that finding. Therefore, the main issues are the effect of the proposed extensions on the character and appearance of the local area; and the living conditions of the occupiers of 12 Isham Road with particular regard to visual impact and those of 131 Charlotte Way with reference to privacy.

Reasons

Character and appearance

5. The proposal is to enlarge and alter the appeal property, which is a mainly 2-storey detached dwelling that lies within a predominantly residential area. No 13 occupies a good-sized corner plot along Isham Road along which buildings are generally 2-storey although there is mix of designs and sizes. Consequently, there is some variety in the existing built form within the street scene and the area to which No 13 belongs.
6. The Officer's report records that planning permission was recently granted for a scheme that is described in a similar way to that of the proposal before me, to which the appellant has also referred. However, full details and plans of the approved scheme have not been provided. While I have taken this decision into account, I have been unable to fully compare it with the appeal scheme, which, in any event, has been assessed on its own merits.
7. The new ground floor rear extension would extend across almost the full width of the plot and therefore exceed the width of the main 2-storey house. This element of the appeal scheme would also project outwards from the main rear wall for a considerable depth into the back garden of No 13. The proposed 2-storey element would also be a sizeable addition, extending almost the full depth of the host building and then well beyond it to wrap around a rear corner. Together, these extensions would elongate the built form of No 13, significantly enlarge its footprint and noticeably add to its size and mass.
8. Given their considerable scale and depth, the new extensions would be disproportionate additions to the host building even taking into account the built form and site coverage of the existing single storey side and rear projections that would be subsumed into the enlarged house or removed beforehand. The main outcome would be that the side and rear façades of the main dwelling would be overwhelmed. In other words, new built form that would be much wider and far longer than the main 2-storey house would be so large that the intrinsic character of the dwelling would be spoiled. The proposed 2-storey wrap around feature at the side and rear of the dwelling would also set the completed dwelling clearly apart from other buildings in the local area that generally have not been extended in this way.
9. In reaching this opinion, I have taken into account the proposed use of materials to match the existing building. I also acknowledge that the full extent of the proposal would not be readily evident from public vantage points given the position of the new extensions at the side and back of the main house. While only partly visible in the local street scene, these extensions would nonetheless form part of the characteristics of the area as experienced and appreciated from nearby houses and gardens. When viewed from the adjacent properties, the proposed extensions would draw the eye as overly large additions with an uncharacteristic 2-storey wrap around element.
10. I appreciate that the Council has only referred to the 2-storey side and rear extension in the first reason for refusal, which relates to the effect of the proposal on the character and appearance of the local area. The Officer's report and the background emails provided give further detail about this concern. However, from my inspection of the plans the 2-storey and single

storey extensions are inextricably linked and planning permission is sought for the development as a whole. I have assessed the proposal on that basis.

11. On the first main issue, I conclude that the proposed extensions would cause significant harm to the character and appearance of the local area. As such, this part of the appeal scheme conflicts with Policy LP16 of the Peterborough Local Plan 2016 to 2036 (LP). LP Policy LP16 expects development proposals to positively contribute to the character and local distinctiveness of the area, amongst other things. It is also at odds with the National Planning Policy Framework (the Framework), which aims to ensure that developments add to the overall quality of the area and are sympathetic to local character.

Living conditions

12. The new 2-storey flank wall would be close to and parallel with the external area at the front and just to one side of No 12 that I saw is used mainly for open storage. Views of the new wall from here would be direct and at close range. It would appear much taller and appear far more substantial in built form than the existing single storey garage. Due to its considerable scale, height and depth along the common boundary between No 12 and the site, I consider that the overly imposing presence of the proposal would result in an intrusive and overbearing aspect for the occupiers of No 12 when seen from their front and side garden.
13. The increased rearward projection of the dwelling, as proposed to be enlarged, and the removal of some vegetation in the back garden would lead to a greater level of overlooking of the terraced properties beyond the rear of the site, the closest of which is 131 Charlotte Way. However, in my experience, overlooking of this type is a common characteristic of the relationship between residential properties that back onto each other. Coupled with the reasonable separation distance between the rear of the new rear elevation of No 13 and No 131 (and other dwellings in the same terrace), the additional overlooking possible and the perception of being overlooked in neighbouring back gardens would not be so great as to have an appreciable effect on the living conditions of others. ^[1]_[SEP]
14. Notwithstanding my favourable finding in relation to privacy, I conclude on the second main issue that the proposed extensions would cause significant harm to the living conditions of the occupiers of No 12 in respect of visual impact. As such, this part of the appeal scheme is contrary to LP Policy LP17 insofar as it aims to safeguard residential amenity. It would also conflict with the Framework, which states that developments should create places with a high standard of amenity for existing and future users.
15. Once complete, the proposal would provide additional living accommodation for the appellant and her family. It would make efficient use of the space available within the plot. I note that the current occupiers of No 12 raise no objection. Any future purchaser of this adjacent property would be aware of the proposal. However, these considerations do not outweigh the harm that I have identified and are insufficient reasons to permit unacceptable development.

The dropped kerb

16. An extension is proposed to the existing vehicle crossover to provide a wider access to the hard surface area at the front of No 13 from Isham Road for off street parking. Part of the grass verge and a hedgerow would also be removed

to enable vehicle access. This element of the appeal scheme complies with the policies of the Council that aim to ensure adequate off-road parking and promote safety. From my inspection of the plans, it is clearly severable to the proposed extensions, which are objectionable. Therefore, I am able to issue a split decision that grants planning permission solely for it.

Conditions

17. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. Pedestrian visibility splays should be provided as shown on the layout drawing in line with the recommendation of the Local Highway Authority. A condition to this effect is imposed in the interests of highway safety with reference made to the approved drawing for certainty.

Conclusion

18. Overall, for the reasons set out above, I conclude that the appeal should be dismissed in part and allowed in part.

Gary Deane

INSPECTOR