



Appeal Decision

Site visit made on 11 July 2022

by J Downs BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th August 2022

Appeal Ref: APP/J0540/D/22/3296624

27 Maffit Road, Ailsworth PE5 7AG

- 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 M Ireson against the decision of Peterborough City Council.
 - The application Ref 21/00791/HHFUL, dated 18 May 2021, was refused by notice dated 10 February 2022.
 - The development is described as "Proposed new rear extensions and garage extension to the front of the dwelling".
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The above description of development does not make reference to the porch shown on the submitted drawings, although this is clearly referenced in the Council's reasons for refusal. For the avoidance of doubt, I have considered this appeal on the basis of the works shown on proposed plans 417-03D and proposed elevations 417-04B.

Main Issues

3. The main issues are:
 - the effect on the living conditions at the host dwelling with respect to natural light and the effect on the living conditions at 29 Maffit Road with respect to privacy, light and outlook; and
 - the effect on the character and appearance of the surrounding area with particular reference to the Ailsworth Conservation Area (CA).

Reasons

Living Conditions

4. The appeal site contains a large, detached dwelling within a substantial garden. It is set back from Maffit Road, as are the neighbouring properties which are in similarly generous plots. The neighbouring property at 29 Maffit Road is set away from the boundary with No 27.
5. The proposed rear extension would include two windows at first floor level on the side elevation that would face towards No 29. The window to bedroom 4 would be the only window serving that room. This would result in direct overlooking from No 27 to No 29 onto the patio area. This additional overlooking would cause a substantial loss of privacy for the neighbouring

residents. Furthermore, the obvious presence of the windows would also cause a sense of having a less secluded environment. While I acknowledge that there are existing windows in the side elevation of No 29, these are either looking onto the currently blank side elevation and garage roof, are serving a bathroom and are obscure glazed, or are serving a hall.

6. The proposed two-storey rear extension would be set away from the boundary with No 29 by the width of the existing garage and side path. While it would be to the south of No 29 and would be of considerable height and depth, the distance from the boundary and otherwise spaciousness of the plots is such that the extension would not be unduly over-dominant or overbearing to occupiers of No 29. Overshadowing would be limited, particularly during the summer months when the sun would be at its highest and from the evidence I have would not affect the sunlight or general daylight reaching the rooms in that part of No 29. I have also been provided with copies of the approved plans for a further extension at No 29. Given the position of that extension and the landscaping along the boundary between the properties, I am satisfied that there would be an acceptable relationship between that and the proposed two storey rear extension in terms of the effect upon light and outlook.
7. The proposed garage would be in very close proximity to the window serving what would become the kitchen of No 27. While I acknowledge this is shown as forming part of an open plan living space with two other openings, one of which would be a large expanse of glazing, it would be a long room. From the evidence provided, in my judgement the amount of natural light reaching the kitchen area would be limited. Peterborough Local Plan July 2019 (PLP) Policy LP17 refers to the need for development proposals to be designed to ensure the needs of future occupiers are provided for and specifies that this should include adequate natural light. The level of light that would reach the kitchen window due to the height and position of the proposed garage would not provide an acceptable standard of accommodation.
8. The proposal would not be harmful to the living conditions of No 29 with respect to light and outlook. However, in relation overall to this main issue, the proposal would have a harmful effect upon the living conditions within the dwelling at the appeal site with respect to light and also for the residents of No 29 with respect to privacy. There would be an unacceptable impact on the amenity of existing occupiers of a nearby property and the proposal would not ensure that the needs of future occupiers of the host property would be met, contrary to PLP Policy LP17.

Character and Appearance

9. The site is located within the CA where s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. No 27 is a modern detached property set back from the road and in an expansive plot, similar to the majority of dwellings on this side of Maffit Road. The gardens are generally well landscaped, giving the single track Maffit Road a clearly rural character that provides the transition from the surrounding rural landscape to the older, and more developed central area of the village.
10. No 27 has a two-storey front gable projection, with the front door set back in the main elevation. The proposed porch would overlap slightly with the gable projection, giving it an awkward relationship with the host property. This would

be exacerbated by the differing roof pitches on the porch and the prominent gable feature which would result in the porch appearing as a poorly related addition. This would not preserve the appearance of the CA and would result in less than substantial harm.

11. During my site visit, I noted substantial garages to the front of properties are a characteristic of a number of the dwellings along Maffit Road and some are in particularly prominent positions. The double garage proposed in this case would be set back from the front boundary of the property and screened to an extent by the landscaping to the front of the property that is shown to be retained. The front garage would be angled to account for the assumed boundary line of the properties, however due to the set back, overall size of the front garden and landscaping, this would have a neutral impact on, and would therefore preserve, the character and appearance of the CA.
12. In relation to this main issue, I conclude that the proposed porch extension would not respect the details of the existing building. This would be contrary to PLP Policy LP16, the Design and Development in Selected Villages Supplementary Planning Document, and Ailsworth Neighbourhood Plan December 2017 Policy AH1. It would not respect the CA contrary to PLP Policy LP19 and the requirements of Section 16 of the National Planning Policy Framework.

Other Matters

13. I do not dispute that the house may be in need of refurbishment, and I note that the appellant had sought to engage with the neighbouring occupiers. The dwelling is within an acknowledged residential area and there is no objection to the principle of an extension to the dwelling. However these are all neutral factors in the determination of this appeal. As the appeal is being dismissed, it is not necessary for me to consider the suggested condition regarding the precise siting of the garage.
14. I acknowledge that there appears to have been substantial extensions to the neighbouring properties. I have assessed the appeal on the basis of the relationship of the properties as it exists today, except where I have identified the presence of an extant planning permission above.
15. Reference has also been made to planning permissions granted in the wider area. I have been provided with details of some of those and I noted some under construction as I carried out my site visit. However the circumstances of each appeal are specific to those individual sites and their relationship with the neighbouring properties. I have assessed this appeal on its own merits.
16. There are public benefits arising from the proposal including the ongoing maintenance of the dwelling, the economic benefits of development and the removal of the unsightly concrete ramp. However these public benefits have limited weight and are therefore insufficient public benefits to outweigh the less than substantial harm to the CA as a designated heritage asset.

Conclusion

17. For the reasons given above, having considered the development plan as a whole along with all other relevant material considerations, the appeal is dismissed.

J Downs

INSPECTOR