

Appeal Decision

Site visit made on 2 June 2023

by S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 27th June 2023

Appeal Ref: APP/J0540/D/23/3318457

9 Westwood Park Road, Peterborough PE3 6JL

- 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 Otobo against the decision of Peterborough City Council.
 - The application Ref: 22/01263/HHFUL, dated 9 September 2022, was refused by notice dated 21 December 2022.
 - The development proposed is the demolition of an existing carport and the construction of a smaller carport.
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Decision

1. The appeal is allowed, and planning permission is granted for the demolition of an existing carport and the construction of a smaller carport at 9 Westwood Park Road, Peterborough PE3 6JL in accordance with the terms of the application ref 22/01263/HHFUL, dated 9 September 2022 and subject to the following conditions: -
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: proposed plans and elevations P102; proposed site and block plan P101 and location plan E001.
 - 3) The car port hereby approved shall not be brought into use until details of soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall relate to the boundary treatment between the car port and the road. The landscaping works shall be carried out in accordance with the approved details and with an agreed implementation programme. The completed scheme shall be retained thereafter.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

3. The appeal property is a detached, red brick dwelling in an arts and crafts style, set within an area characterised by dwellings in substantial plots, often screened from view by mature landscaping. It lies within an area designated in the Peterborough Local Plan 2019 (LP) as the Thorpe Road Special Character Area and which recognises the above characteristics and appearance.
4. The site is occupied by a three-bay carport. A retrospective application for its retention was dismissed on appeal in 2021¹. Its dimensions are approximately 10.2 metres by 6.2 metres, with its length sited along the western boundary and in front of the host property. Its roof has a height of some 4.6 metres. I agree with the conclusions of the Inspector with regard to the adverse impact which the existing building has upon the character and appearance of the area by reason of its size, bulk and location.
5. However, the current appeal proposal would reduce the size of the carport to some 6.2 metres by 5.7 metres and it would have a height of approximately 4.1 metres and with a lower eaves height of 1.375 metres.
6. Therefore, the proposed reconfigured carport would be smaller than the current development both in terms of its floor area and its height. Its brick wall facing the road would be no higher than the existing boundary fencing, and the roof, while still possibly visible from the road, would slope away from it, thus reducing its visual impact.
7. Furthermore, the proposed planting of a mature yew tree hedge would further reduce the building's impact and would contribute to the landscaped appearance of the area. It would augment the existing trees at this point.
8. Therefore, I conclude that the proposed development, in this instance, would not significantly harm the character and appearance of the area and would not conflict with LP policies LP16 and LP19 which require development to contribute positively to the character and appearance of the area and to preserve the specific character of the Thorpe Road Special Character Area. While I recognise some conflict with that part of policy LP20 of the LP which requires garages to be located behind the principal elevation of the host property and to its side, it would comply with that part which requires evergreen or deciduous planting to reinforce the landscape around the site.

Conditions

9. I have imposed the standard time condition and a condition to ensure the development is in accordance with the approved plans in the interests of certainty. In the interests of good design, it is necessary to impose a condition relating to landscaping. The main parties have been afforded an opportunity to comment upon it.

¹ APP/J0540/D//21/3276304

Conclusion

10. For the above reasons, I conclude that the appeal should be allowed.

S. Hartley

INSPECTOR