



Appeal Decision

Site visit made on 3 May 2023

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2023

Appeal Ref: APP/J0540/W/22/3310494

Honeysuckle Lodge, Suttons Lane, Deeping Gate PE6 9AA

- 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 & Mrs Mumby against the decision of Peterborough City Council.
 - The application Ref 22/00964/FUL, dated 4 July 2022, was refused by notice dated 13 September 2022.
 - The development proposed is described as “the extension to and conversion of garage/store and office over into a two-bed dwelling”.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues for the appeal are:
 - i) The effect of the proposed development on the character and appearance of the area; and
 - ii) The effect of the proposed development upon the living conditions of future occupiers of the dwelling and the occupiers of Honeysuckle Lodge.

Reasons

3. Honeysuckle Lodge is a two-storey detached dwelling set back from the road with a one and a half storey detached outbuilding to the front of the site.
4. The appeal site is located within the village envelope of Deeping St James with open fields to the southern side of Suttons Lane. At my site visit I observed variations in the design and scale of dwellings in the surrounding area. Those fronting Suttons Lane are generally characterised by being set back from the roadside in spacious plots, albeit of varying size.

Character and appearance

5. Tandem or backland development is an established characteristic of the area known as Deepings Gate. There are a number of backland developments between Suttons Lane and Riverside, on the south bank of the River Welland. There is frontage development along Suttons Lane and in-depth development behind it served by a series of narrow driveways running from Suttons Lane.
6. Dwelling types vary in the locality with no consistent architectural design or palette of materials within the streetscene. Single storey dwellings are present

in the surrounding area; however, they generally sit in between dwellings on Deepings Gate and Suttons Lane. I noted the single storey dwellings further along Suttons Lane, referred to by the appellants, and whilst these dwellings have smaller gardens than the surrounding houses, they still benefit from well-proportioned external areas and are set back from the highway. In the immediate vicinity of the site dwellings have their principal elevation fronting Suttons Lane. I also observed near to the appeal site that whilst some dwellings had front extensions or domestic ancillary buildings forward of their front elevation, the frontages were of an open and spacious character. The absence of substantial stand-alone buildings to the front of dwellings along this part of the lane contributes to the character and appearance of the locality.

7. The existing garage sits forward of the host dwelling. Its length, height and position to the front of the plot results in a prominent building within the streetscene. However, given the positioning of the building close to the front of the existing dwelling it reads as an ancillary building to Honeysuckle Lodge. The materials of construction for the proposed dwelling would assimilate with the existing garage building. The existing structure includes dormer windows, as do other dwellings in the vicinity of the site, and as such the inclusion of additional dormer windows into the design would not be out of character with the immediate suburban context of the site.
8. The proposed dwelling would include a projection that would significantly increase the footprint of the building and as it would extend across the majority of the site frontage would create a sense of enclosure to the site frontage. Owing to the height and footprint of the extension, and the inclusion of dormer windows to the roof slope which fronts the public highway the proposed dwelling would be highly visible from the public realm. Given the edge of settlement location of the appeal site the proposed development would be highly visible within the open landscape to the south of the appeal site, and when approaching from the west of Suttons Lane. For these reasons, I consider the proposed development would have a materially greater impact upon the visual amenities of the streetscene than the existing building. The incongruity of such would have a negative effect on the surrounding character and appearance of the area.
9. Whilst plot sizes vary in the locality, the extent of outside space for the proposed dwelling would be restricted due to its footprint, orientation, and the size of the plot. The siting of the proposed dwelling to the front of the site, adjacent to the highway, would therefore appear cramped and contrived within the plot. Consequently, the proposed development would appear at odds with the prevailing character of the surrounding area. On this basis, I do not agree with the appellants that the proposed development is of an appropriate size and scale given the context of the site.
10. The appellants state the existing fencing along the private drive would be removed resulting in a more open appearance to the site when compared to the existing fencing. This could be secured by condition if I were to allow the appeal. However, I do not consider the proposed change in boundary treatment would be sufficient to overcome the harm to the character and appearance of the area I have identified above.
11. Further to the above, I conclude that the proposed development would have a harmful effect on the character and appearance of the area. The appeal

scheme would therefore be contrary to policy LP16 of the Peterborough Local Plan (LP) which requires all development proposals to respect the context of the site and surrounding area and to positively contribute to the character and local distinctiveness of the area. The proposal would also be in conflict with the National Planning Policy Framework (the Framework) which seeks to ensure development is sensitive to the characteristics of the local area.

Living conditions

12. The proposed dwelling would be sited within close proximity to the front elevation of the existing dwelling, Honeysuckle Lodge. The appellants indicates that a boundary between the proposed dwelling and Honeysuckle Lodge would be constructed using a 1.8m closed boarded timber fence. A condition could ensure the installation of this boundary treatment to prevent overlooking from ground floor windows. The submitted plans indicate that the garage doors would remain to create shutters. Notwithstanding this, I consider that the relationship between windows of Honeysuckle Lodge and the proposed dwelling would be oblique, and that there would not be a significant degree of overlooking between the two properties such that it would be detrimental to their living conditions.
13. I concur with the appellants that it is not uncommon for there to be a degree of overlooking of neighbouring parking areas from adjoining properties. The Council has not raised this in their reason for refusal and I agree that in this regard there would not be an unacceptable or harmful level of overlooking from Honeysuckle Lodge to the parking area of the proposed dwelling.
14. The dormer windows within the existing element of the garage building are positioned such that they would have an oblique relationship to Honeysuckle Lodge and there would be limited visibility of this dwelling. Accordingly, I do not consider that the future occupiers of the proposed dwelling would overlook Honeysuckle Lodge and as such would not harm the privacy of the occupiers of this dwelling.
15. The appellants state that the garden of the proposed dwelling would not be overlooked. I concur with this view on the basis that the garden area to the proposed dwelling is set to the south of the proposed extension to the building and would therefore be screened from overlooking by virtue of the built development.
16. Further to the above, I conclude that the proposal would provide acceptable living conditions for the future occupiers of the proposed dwelling with particular regard to privacy. I therefore find no conflict with Policy LP17 of the LP, which requires proposals to be designed and located to ensure the needs of future occupiers are provided for, including adequate privacy. The proposal would also accord with the Framework which requires that development provides a high standard of amenity for existing and future users.

Other Matters

17. The site lies outside of Deeping Gate Conservation Area (CA). Given the separation distance and the presence of existing built development between the appeal site and the CA boundary the proposed building is not publicly visible from the CA and the proposed development would not be harmful to its setting. The Council's Conservation Officer also considers that there would be

no harm caused to the CA. Based on my assessment of the proposal and my observations from my site visit, I see no reason to disagree with these conclusions.

18. The appellants seek to draw comparisons to several examples of recent developments in the locality¹, some of which they state are small and constrained plots. Some of the developments referred to relate to decisions made before the adoption of the current development plan and Framework. I agree that some of the developments have led to infill development resulting in a compact pattern of development nearby, however, many are not visible within the streetscene as the appeal proposal would be. Nevertheless, the existence of other developments is not a sufficient reason to overcome the harm I have identified. Based on the limited evidence before me I am not satisfied that the proposals referred to are directly comparable with the appeal proposal as they have different characteristics and site context. In any case, I have reached my own conclusions on the proposal, based on the evidence before me.
19. The Council considers the access and parking arrangements to be acceptable and confirms that no further detail is required. Based on the plans submitted, and observed from my site visit, I am satisfied that the arrangements for the existing and proposed dwellings would be acceptable. However, the absence of harm on these matters is not sufficient to outweigh the harm identified above.
20. Details of refuse, recycling, drainage, external lighting and landscaping could be conditioned if I were to allow the appeal. However, this does not change my position on the main issues.

Planning Balance

21. I have had regard to the appellants statement of case, including that the proposal is of an appropriate design and that the layout would provide the occupants with the opportunity to develop their new home, and through ill health allow them to retain their residence in the area. I have limited evidence before me to demonstrate that the health concerns raised by the appellants could not have been met through different options. Whilst I sympathise with the position the family finds itself in, there is no over-riding reason to allow the creation of a dwelling to address the appellants' family member's personal circumstances. As such, this does not amount to a material consideration of sufficient magnitude to outweigh the primacy of, and conflict found with, the development plan.
22. The appellants state that the storage container on site would be removed to facilitate the proposed development. I do not know the circumstances of the positioning of the storage container, and it does not form part of the description of development. I therefore give this limited weight in the determination of the appeal and its removal does not outweigh the harm I have identified.
23. The appellants referred to the benefits of the scheme including environmental benefits arising from the construction and subsequent occupation of the dwelling, and the provision of retirement housing for which they state there is a

¹ APP/J0540/A/11/2153619, 06/01501/FUL, 14/01463/FUL and 06/01081/FUL

need. The provision of an additional dwelling would have social and economic benefits supporting local services and facilities in an accessible location and would make a small contribution towards the Council's housing land supply. Although limited details have been provided, the provision of new planting, energy and water efficiency measures could be secured by condition and would have environmental benefits which I attribute limited weight in favour of the appeal.

24. Even allowing for the various personal and public benefits identified above, I do not consider that collectively they outweigh the harm I have identified in respect of character and appearance.

Conclusion

25. I have identified that the proposal would have a harmful effect on the character and appearance of the area in conflict with policies of the development plan and the Framework. Although the proposal may comply with other policies, it would conflict with the development plan as a whole. There are no material considerations which indicate a decision other than in accordance with the development plan and therefore I conclude that the appeal should be dismissed.

R Gee

INSPECTOR