
Appeal Decision

Site visit made on 29 September 2023

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

an Inspector appointed by the Secretary of State

Decision date: 4 October 2023

Appeal Ref: APP/J0540/D/23/3324431

10 Allotment Lane, Castor, Peterborough PE5 7AS

- 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 K. White against the decision of Peterborough City Council.
 - The application Ref: 23/00145/HHFUL, dated 10 February 2023, was refused by notice dated 4 April 2023.
 - The development proposed is the replacement of the original Gazebo including the rendered finish to the side elevation of the monopitch building.
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Decision

1. The appeal is dismissed in so far as it relates to the Gazebo. The appeal is allowed in so far as it relates to the existing extension and for the rendering of its external wall and its painting in an off-white colour at 10, Allotment Lane, Castor, Peterborough PE5 7AS in accordance with the terms of the application ref 23/00145/HHFUL, dated 10 February 2023 and the following conditions: -

- i. The development hereby permitted shall begin no later than three years from the date of this decision.
- ii. The development hereby permitted shall be carried out in accordance with the following approved plans:

04-KW-23(block plan);
03-KW-23(location plan) and
02-KW-23 (proposed plans and elevations),

so far as they are relevant to that part of the development hereby permitted.

Procedural Matter

2. The appeal is made partly retrospectively for development which has mainly been constructed.

Main Issues

3. The main issues are i) whether the proposal would preserve or enhance the character or appearance of the Castor Conservation Area (1969) (CA) and ii) whether the proposal would preserve the setting of the listed buildings in the vicinity, particularly No.12 Allotment Lane, the Cabin and Manor House Farm.

Reasons

Effect upon the CA

4. The CA is mainly a residential area and is characterised by a mix of dwelling ages and styles with some dating from the early nineteenth century while others are of a more modern age. However, there are some common features, including the use of brick or render and the predominance of double pitched roofs.
5. The appeal property is an end of terrace dwelling and has a brick façade and a double pitched roof. It has a single storey side extension with a monopitch roof. There is a high hedge on its front boundary with Allotment Lane and which encloses its front garden. Its brick appearance and simple façade add positively and distinctively to the character and appearance of the CA, though the northwest facing elevation, with a mixture of different colours of brick, does not.
6. The proposed development includes the rendering of this northwest facing, single storey elevation, plus a replacement Gazebo which abuts it and projects in front of the main elevation of the host property. I have no details of the design or extent of the original Gazebo and I have determined the appeal on the basis of its current appearance and the submitted plans.
7. The Gazebo has an asymmetrical, pitched roof which differs from that of the existing side extension roof as well as that of the main dwelling. The result is a jumble of different roof lines with different angles, and its design and form adversely affect the visual appearance of the dwelling and the CA.
8. On my site visit, I was able to see that the existing high hedge to the front of the dwelling mitigates to some extent the mismatching of the roof lines, but the adverse visual effect is still visible from the public domain over the top of the hedge in places.
9. Moreover, I cannot be certain that the high hedge would always remain. I have considered whether it would be reasonable to impose a condition requiring the retention of the hedge, but it might perish through old age or disease, in which case it would take some time for a replacement hedge to have the same effect. In any case, the discordant effect of the different roof lines is apparent with the hedging as it is and represents poor design. Therefore, I do not consider that it would be prudent to try to mitigate the effect of poor design upon the CA in this way.
10. I have taken into account the appellant's assertion that the rear amenity space of the dwelling is limited and which, therefore, has led to the Gazebo being constructed to the side and front of the dwelling. However, I do not consider that any such limitation outweighs the harm which I have identified.
11. The appellant has also included an old photograph from a different age showing a former stone built, single storey, double pitched building on the side of the dwelling and which extended in front of the main elevation. However, its design and appearance differ significantly to what now exists or is proposed, and, for these reasons, I afford it only limited weight in the determination of the appeal.

12. One part of the appeal proposal is for the rendering and colouring in off-white of the north-west facing elevation to the existing single storey side extension. On my site visit, I was able to see that the elevation includes a mixture of brickwork which does not assimilate well. I was also able to observe that white rendering is a fairly common form of construction in the immediate area. The local planning authority (LPA) raises no objection to this part of the appeal proposal, and I have no reason to disagree.
13. However, while this element of the appeal proposal would enhance the CA and would align with the following policies, the appeal proposal, when taken as a whole, in the context of paragraph 196 of the National Planning Policy Framework 2023 (the Framework), would cause less than substantial harm to the CA. While the rendering of the wall of the existing extension can be said to lead to a public gain, given its visual appearance when seen from the public domain, I find that this would not outweigh the less than substantial harm to the appearance of the CA.
14. For the above reasons, I conclude that the proposed development would not accord with policies LP16 and LP19 of the Peterborough Local Plan 2019, policy CLU4 of the Castor Neighbourhood Plan 2017-2036 (NP) or with chapter 16 of the Framework, all of which aim to protect or enhance heritage assets.

Settings of listed buildings

15. There are several listed buildings (LB) within the vicinity of the appeal proposal. No 12, Allotment Lane is Grade II listed and is next to the appeal property but is separated by a side lane. It is a thatched cottage, sited within its amenity area and surrounded by stone walling and hedging which gives it a self-contained setting, unaffected by the appeal proposal.
16. The Cabin is a Grade II LB and is located next to No 12 Allotment Lane and therefore next but one to the appeal building. It is a two storey, white rendered property set abutting Allotment Lane. It is located sufficiently far removed from the appeal building such that the appeal proposal would not adversely affect its setting.
17. Manor House Farm is a Grade II building set within substantial, landscaped grounds and is directly opposite the appeal property. Its surrounding grounds afford it a self-contained setting which would not be adversely affected by the appeal proposal.
18. Therefore, I conclude that the appeal proposal would preserve the settings of LB's and as such would accord with the above policies.

Conclusion

19. The appeal proposal includes two main elements. One is for the rendering and colouring of the north-west facing elevation to the existing side extension. This development is severable from the remainder of the scheme as it is physically and functionally independent. It is acceptable as it complies with planning policies. Therefore, I shall issue a split decision in this case and allow the rendering of the wall.
20. In respect of the Gazebo, I have concluded that while it would not adversely affect the settings of the LBs in the immediate vicinity, it would not preserve or

enhance the character or appearance of the CA. Therefore, I dismiss the appeal in respect of the Gazebo.

S. Hartley

INSPECTOR