



Appeal Decision

Site visit made on 5 March 2024

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2024

Appeal Ref: APP/J0540/D/23/3333457

Chestnut House, North Side, Thorney, Peterborough PE6 0RL

- 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 Carl Simon against the decision of Peterborough City Council.
 - The application Ref is 23/00623/HHFUL.
 - The development proposed is to construct an extension to form a swimming pool, changing room, pool lounge area on the ground floor. Create master bedroom with external balcony and en-suite on the first floor and a games room in the roof space. Convert the existing house loft into a bedroom with en-suite. Create a new bay window to the lounge. Extend the size of the entrance porch, convert the existing garage into a store room. Create a new garage building. Re-landscape the front of the house to create better access to garage. Fit new heat pump air heating system to the new extension with solar panels to the south side of roof of the existing craft workshop, using the swimming pool as a heat sink for unused energy created.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. This has not raised any new matters which are determinative to the outcome of this appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal site and surrounding area.

Reasons

4. The appeal site comprises a detached two storey dwelling and its associated curtilage. The existing dwelling is finished in red brick and of traditional design. The main part of the dwelling is largely symmetrical in form, albeit features a large double garage side extension. Notable features include a central 2-storey projecting gable, brick chimney stack, stone quoins, headers and sills, and modestly sized dormers and other windows with a vertical emphasis.
5. The existing dwelling sits somewhat centrally within the site, set back from the road behind a large driveway. The plot is spacious with extensive front, side and rear garden areas. The frontage is largely open, with wrought iron fencing along the front boundary and limited tree and shrub planting within the front garden area.

6. Dwellings can be found sporadically along this stretch of North Side (B1040), including other large, detached houses and bungalows in generously sized plots. There is also a small collection of terraced dwellings to the south of the appeal site. The surrounding area is otherwise predominantly rural in character, with agricultural fields extending in all directions. Adjacent to the appeal site are several agricultural buildings. The landscape is flat, with only low-lying vegetation along the west side of the road, providing a significant sense of space and openness. Long distance views can be achieved across the open countryside in this direction.
7. The proposal would include a large two storey 'L' shaped extension, with accommodation in the roof space. The footprint of the extension would be comparable in size to that of the existing dwelling. It would project across a side garden area and feature a large front facing glazed gable with a ridge height greater than that of the main house. This would extend forward of the existing front elevation by a considerable distance. The size of the extension, its dominant design and prominent siting would considerably unbalance the front elevation of the house. It would detract from the prevailing building hierarchy and the sense of space and openness in this area.
8. I recognise that the proposed link between the existing house and side extension is marginally set back from the existing front elevation, with a different finish and lower roof height. This assists in breaking up its mass and provides a degree of separation between the main dwelling and pool extension. However, this is insufficient to overcome the harmful effects described above, when taken as a whole. Likewise, the extensive use of glazing in east and west facing elevations would not adequately mitigate concerns in respect of the size and siting of the proposed side extension.
9. At second floor, the proposal would include installation of large dormer windows at either end of the front and rear roof slopes. These would be disproportionately sized compared to the existing dormer windows and other window openings in the front and rear elevations and would fail to respect the alignment of existing windows below. They would thus be poorly related to the rest of the house and give it an ungainly top-heavy appearance.
10. The proposed extension and dormers would be somewhat contemporary in design, with extensive areas of glazing, simple forms and use of white render in places. The stone detailing found on the existing dwelling would not be replicated. This contemporary approach would be a notable departure from the existing. While contemporary and traditional designs are not inherently inimical, in this case the proposed extensions would fail to integrate with the host dwelling successfully or sympathetically, for the reasons set out above.
11. The proposal also includes the provision of a large, elongated garage, with accommodation in the roof space, on the opposite side of the plot. When viewed from the front, this would counterbalance the proposed extension to some limited extent. However, it would sit forward of the existing front elevation, with a gable facing the road. A modestly sized window would be fitted at ground and first floor in this elevation. Nevertheless, given the overall size of the garage, the gable would still feature a considerable expanse of blank brickwork. Additionally, the expansive garage door would dominate the north elevation. It would thus be an unduly dominant feature viewed from the road.

12. The appellant indicates the proposed dormers and garage could be amended or removed. However, no amended plans are before me. Moreover, the appeal process should not be used to evolve a scheme. It is important that what is considered by the Inspector at appeal is essentially the same scheme that was considered by the Council and interested parties at the application stage.
13. Overall, these elements of the proposed development would appear disproportionate and out of keeping with the host dwelling. Given the openness of the site and surrounding area, the extended dwelling would be a prominent feature in the local landscape. This would have a deleterious effect on the character and appearance of the appeal site and that of the surrounding area.
14. I recognise that the appeal site is generously sized and thus could likely accommodate a large extension(s) to the host dwelling, the principle of which is not disputed. However, this does not in itself demonstrate that the appeal proposal before me is acceptable with respect to this main issue.
15. My attention has been drawn to planning permission recently granted¹ for a development with a similarly designed window facing onto the road at an existing bungalow to the north of the appeal site. The full details of that case and the circumstances leading to the decision are not before me. In any event, each case must be considered on its individual merits, and this does not lead me to a different conclusion in respect of this matter.
16. The appellant also refers to historic maps that show there was previously a more consistent building line, with some development at the front of the site in line with the adjoining farm buildings and other properties along the B1040. However, the sporadic and varied nature of existing development along the road does not provide a clear or consistent building line, and therefore this is no longer a prevailing characteristic of the area. Ultimately, this does not justify the harm to the character and appearance of the existing appeal site and the wider area described above.
17. The Council found that the enlarged front porch, installation of the bay window, alterations to the driveway, and installation of the heat pump and solar panels would be acceptable. There is no compelling reason before me to come to a different conclusion with regard to these elements of the proposal.
18. Nevertheless, I conclude that the proposal taken as a whole would have an unduly harmful effect on the character and appearance of the appeal site and surrounding area. It would therefore be contrary to Policy LP16 of the Peterborough Local Plan 2016 to 2036 Adopted 24 July 2019 (the Local Plan). This policy, among other provisions, seeks to ensure development proposals positively contribute to the character and local distinctiveness of the area, responding appropriately to local patterns of development and building forms, including size, scale, massing, density, details and materials.
19. Policy LP2 of the Local Plan sets out the Council's spatial strategy. It seeks to bring houses, jobs and services closer together in settlements that already offer the best range of services and facilities. The appeal proposal relates to the extension of an existing dwelling. I have thus not identified any direct conflict with this policy. Notably, while Policy LP2 of the Local Plan was referred to in the Council's Officer's Report, it did not feature in the reason for refusal.

¹ Council Ref 23/00295/FUL

Other Matters

20. The proposal would use zero and low carbon solutions, including some on site energy generation, PV panels and heat pumps. This could provide some environmental benefits. However, the extent to which these would provide an enhancement in terms of energy use and efficiency over and above the existing use of the site, rather than simply mitigate the effects of the proposed development, is not clear from the evidence.
21. The appellant contends that there is a need for prestigious houses to be developed in the area. Addressing such needs would be a modest benefit of the proposal. However, no evidence to substantiate the level of need is before me. It is also not clear that the proposal would provide a significantly greater contribution towards such a need compared to the existing dwelling.
22. Measures such as the use of locally resourced materials, good insulation, and technology to limit water usage would help to mitigate harmful effects of the development. These are thus a neutral consideration in the planning balance.
23. I recognise that the provision of a swimming pool and games room may assist the appellant in maintaining their health and wellbeing. However, planning is concerned with land use in the public interest such that purely private benefits carry only limited weight in the planning balance. There is no evidence to indicate the proposal would provide any wider public benefit in this regard.
24. The existing pond to the rear may encourage wildlife, and the site has a large vegetable plot that provides a local source of food. However, these appear to be unrelated to the proposal and thus would not be benefits of the scheme.
25. Policy LP1 of the Local Plan, The Planning Practice Guidance and the National Planning Policy Framework encourage local planning authorities to take a positive approach and work proactively with applicants. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system. While I acknowledge the appellant's frustrations with the level of engagement offered by the Council before and during the application process, this cannot lead me to a different conclusion on the main issue.
26. The application did not receive adverse comments from neighbours, Thorney Parish Council or other consultees. However, local support or a lack of comments against the application does not in itself indicate that the proposal is acceptable with regard to the main issue.
27. Other than where set out above, I have not identified conflict with any other relevant parts of the development plan or national policy and guidance. However, the absence of harm or development plan conflict with respect to other relevant matters weighs neither for nor against the proposal.
28. The Council contend that there would be privacy issues for future and current occupiers of the appeal site due to the exposed nature of the proposed swimming pool in views from the public pathway adjacent. The Council consider that this would not accord with Policy LP17 of the Local Plan. However, this did not feature as a reason for refusal. Moreover, it is likely such concerns could otherwise be overcome using planning conditions. As I am dismissing the appeal for other reasons, this matter has not been decisive, and I have thus not considered it further.

Conclusion

29. The proposed development conflicts with the development plan, taken as a whole. I have found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal is dismissed.

Ryan Cowley

INSPECTOR