



# Appeal Decision

Site visit made on 23 April 2024

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

**an Inspector appointed by the Secretary of State**

**Decision date: 2 May 2024**

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**Appeal Ref: APP/J0540/W/23/3329099**

**111 Park Road, Peterborough PE1 2TR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Eastfield Guesthouse Ltd against the decision of Peterborough City Council.
  - The application Ref is 23/00882/FUL.
  - The development proposed is described as rear ground floor annex extension to existing hotel to provide 2 additional rooms.
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## Decision

1. The appeal is allowed and planning permission is granted for rear ground floor annex extension to existing hotel to provide 2 additional rooms at 111 Park Road, Peterborough PE1 2TR in accordance with the terms of the application, Ref 23/00882/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

## Preliminary Matters

2. The appeal site is situated within the Park Conservation Area (CA). I have therefore born in mind the statutory requirements placed upon decision-makers by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 (the Act).
3. Since the submission of the appeal a revised National Planning Policy Framework (the Framework) was published in December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

## Main Issues

4. The main issues are:
  - i) the effect of the proposal on the character and appearance of the surrounding area, with particular regard to whether it would preserve or enhance the character or appearance of the Park CA; and
  - ii) the effect of the proposed development upon the living conditions of existing and future occupiers, with particular regard to amenity space.

## Reasons

### *Character and appearance*

5. The existing property is set back from the public highway behind a low wall and an area of hardstanding. The appeal site lies to the rear of the three-storey building and would be positioned on an area of land currently laid to grass, enclosed by close-boarded fencing and a relatively high wall. The existing hotel has previously been extended and altered. The appeal site lies within a relatively dense urban area where I observed a number of structures to the rear of buildings.
6. The appeal site lies within the Park CA. This is a relatively large conservation area that covers a predominantly residential area, although I also observed a number of commercial uses, shops, parks and churches. The significance of the CA stems from its layout as a model housing area, including public parks with tree planting common throughout the CA, contributing to its special character. The Council considers the existing property to be a locally listed building, and therefore a non-designated heritage asset, which contributes positively to the CA. I have no reason to disagree with that view.
7. The proposed building would be subordinate to the host property. The proposal incorporates a pitched roof that would be reflective of existing built form, particularly the existing single storey rear addition. Furthermore, the proposed external finish would be in-keeping with the existing property. Given the limited scale and design of the proposal the development would not harmfully detract from the existing property.
8. The proposal would occupy much of the currently undeveloped space to the rear of the host property. However, owing to its siting to the rear of the existing building the proposal would not be visible from Park Road. It would also be obscured from view on St. Mark's Road by existing built form. As such the proposal would preserve the character and appearance of the CA.
9. For the reasons stated above, I conclude that the proposed development would not have a harmful effect upon the character and appearance of the surrounding area, and would preserve the character or appearance of the Park CA. Accordingly, the proposal accords with Policy LP16 of the Peterborough Local Plan 2019 (LP) as the building form, including size, scale, massing, density, details and materials would be in-keeping with its surroundings and would make efficient use of land. The proposal would accord with the Framework insofar as it seeks to ensure design is high-quality and is sympathetic to local character.

### *Living Conditions*

10. Local Plan Policy LP17 states that new development should not result in an unacceptable impact on the amenity of existing occupiers through the loss of amenity space. It goes on to state that proposals should be designed to ensure the needs of future occupiers are provided for, including communal amenity space in the case of apartments/flats. The policy does not include any space standards and is not explicit on the need for amenity space for hotel accommodation. I therefore afford limited weight to the conflict with this policy in the determination of this appeal.

11. The proposed development would occupy the majority of the appeal site. However, there would remain some external space around the building that could be used for amenity purposes, including seating. In addition, just a short walk from the site I observed areas of publicly accessible green open space.
12. For the reasons stated, the proposed development would not have a harmful impact upon the living conditions of existing and future occupiers, with particular regard to amenity space. I therefore find no conflict with Policy LP17 of the LP in this regard. The proposal would accord with the Framework insofar as it seeks to create places with a high standard of amenity for existing and future users.

### **Other Matters**

13. The proposed development would be partially within the root protection area of a Cedar and Cherry tree, positioned on neighbouring land. Both incursions are minor. I am satisfied that, subject to the imposition of a condition for compliance with the Arboricultural Method Statement & Tree Protection detail, contained in the Arboricultural Impact Assessment <sup>1</sup> (AIA), that the appeal site would be capable of accommodating the development without causing material harm to these trees.
14. It is asserted that the development would result in the loss of view from adjacent properties. However, a change of view from a private window is not in itself regarded as a material planning consideration. Nevertheless, I am satisfied that due to the proposed single storey height and the limited scale of development that the proposal would not be harmful to the outlook of the occupiers of neighbouring properties.
15. Further to concerns regarding insufficient parking this matter was considered by the Council and did not form part of their reason for refusal. The local highway authority do not raise an objection noting the site's urban location, being well-served by public transport and the availability of nearby public parking. Based on the evidence before me and observations from my site visit, I have no reason to reach a different view.
16. An additional two bedrooms is unlikely to result in a material increase in noise and disturbance to the detriment of the living conditions of existing occupiers.

### **Conditions**

17. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans and AIA. This is necessary in the interest of certainty. A condition requiring the external facing materials to match the existing building is necessary in order to preserve the character and appearance of the area.

### **Conclusion**

18. The appeal is allowed.

*R. Gee* INSPECTOR

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<sup>1</sup> BS5837:2012 -Trees in relation to design, demolition and construction. AIA, AMS & TPP in relation to trees at 109-111 Park Road, Peterborough prepared by East Midlands Tree Surveys Ltd date: 10/07/2023

### **Schedule of Conditions**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 507SD02 Site Location Plan, 507SK01 Rev F Proposed Floor Plans, 507SK02 Rev B Proposed Elevations, 507SK03 Rev B Proposed Site Plan, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan and Tree Constraints Plan.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

**\*\*\*End of Schedule\*\*\***