



Appeal Decision

Site visit made on 11 February 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th March 2025

Appeal Ref: APP/J0540/D/24/3349057

Part Panks Farm 100 Speechley Drove, Newborough Fen, Peterborough PE6 7RR

- 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 Mr J Hill against the decision of Peterborough City Council.
 - The application reference is 24/00124/HHFUL.
 - The development is a building within curtilage of dwelling for use as annexe.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It was evident at the site visit that the building is already *in situ*. I have dealt with the appeal on the basis that planning permission is being sought retrospectively for the erection of the building. I have deleted the words 'retention of' from the description of development in the banner heading as this does not constitute an act of development.

Main Issues

3. The main issues are:
 - whether the development is in a suitable location, having regard to the settlement hierarchy and accessibility of services.
 - the effect of the development on the character and appearance of the area.

Reasons

Accessibility of services

4. The site is outside any village envelope, where Policy LP2 of the Peterborough Local Plan (PLP), which sets out the settlement hierarchy, states that residential development is contrary to its vision, objectives, strategy and policies. The only exceptions are for affordable housing or development that accords with PLP Policy LP11, neither of which the development comprises.
5. The proposal is for a new detached annex outside a village envelope. As such, it is not a type of housing that PLP Policy LP8 allows in such locations, but one which Policy LP34 treats as a new dwelling for the purposes of Policies LP2 and LP11 and managing the impacts of intensification.

6. The site is over a mile from the nearest village of Newborough, along roads with no footway or public transport. The fact that the annexe is being occupied for purposes ancillary to the main dwelling does not alter the fact that it increases the number of residents with poor access to facilities and services, and reliant on the private car. This represents a harm contrary to PLP Policy LP2.

Character and appearance

7. The site comprises a residential annexe, farmhouse and part of a yard, through which access to a wider group of buildings is gained. Speechley Drove is a long, straight, narrow and mostly undeveloped road accessing large rectangular arable fields, both characteristic of the surrounding flat Fenland landscape.
8. The annexe is single-storey, shiplap timber-clad and stained black with a plain concrete tile roof. It has four pairs of French windows facing Speechley Drove, two to an informal gravel parking area and two to a patio enclosed by a wooden fence of about a metre in height, also stained black. The two-storey farmhouse is of modest footprint and in red brick with a hipped concrete pantile roof.
9. The buildings in the wider group appear agricultural, with corrugated metal or mineral fibre roofs and walls atop brick base walls, albeit some are used for other commercial purposes. There is no physical distinction between the parts of the yard within and outside the boundary of the appeal site.
10. A larger group of buildings, including a terrace of houses, a large, detached house and further similar farm buildings, lies about a hundred metres to the south, but is more obscured by trees than the appeal site.
11. Other farm groups around Newborough contain timber buildings in relationships like that of the annexe to its group. Those that complement character tend to be agricultural in appearance, whether so used or not. To that extent, the siting with respect to the farm group and main materials of the annexe are not out of keeping with the area and it therefore complies with the design criteria of PLP Policy LP16.
12. PLP Policy LP34 sets criteria for the acceptability of residential annexes. Whilst some are or could be met with a suitably worded condition, the intensification, and additional activity it entails, harm the character of this mostly undeveloped road and the area through which it runs, failing the criterion relating to that harm.
13. Whilst its height is subservient to the farmhouse, the annexe would roughly double its total floor area, significantly intensifying residential use. Thus, its overall scale is not subservient and, as it is also detached, it appears similar to a new dwelling and capable of sub-division, contrary to a further criterion of PLP Policy LP34.

Other Matters

14. The development allows a degree of care for a disabled person whose mobility issues are becoming more complex with age. Having regard to the Public Sector Equality Duty, I recognise both that this could minimise disadvantage due to age and disabilities and that there is a need to take account of disabilities.
15. Whilst the provision of accessible accommodation proximate to care is a benefit to which I attach weight, I have no evidence that the development is the only means of effecting that benefit. Indeed, the remoteness of the site from facilities and services could disadvantage a person with mobility issues.

16. The appellant states that simple changes could be made to the building to bring it within the definition of a caravan, refers to appeal decisions granting certificates of lawfulness for their siting within the curtilage of a dwellinghouse, and argues that this constitutes a 'fall back' position to which significant weight should be attached.
17. However, even if such changes could bring the building within the definition of a caravan, it is also unclear whether it is currently located within the curtilage of a dwellinghouse. As such, I can only attach limited weight to this.

Conclusion

18. Whilst the building does not harm the appearance of the area, the intensification it represents harms its character. Its occupants have poor access to facilities and services, making them reliant on the private car and bringing the development into conflict with the development plan as a whole.
19. Whilst I have taken account of the benefit of providing accommodation proximate to care and accessible to a disabled person, this does not justify the harm. As such, material considerations do not indicate otherwise than to determine the appeal in accordance with the development.
20. For the reasons outlined above, I conclude that the appeal should be dismissed.

S Simms

INSPECTOR