
Appeal Decision

Site visit made on 10 May 2022

by Edwin Maund BA (Hons) MSc Dip UP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 May 2022

Appeal Ref: APP/J0540/W/21/3281733

10A Wainman Road Orton Longueville Peterborough PE2 7BU

- 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 A Hanif, One Stop Car Sales against the decision of Peterborough City Council.
 - The application Ref 21/00281/FUL, dated 25 February 2021, was refused by notice dated 17 June 2021.
 - The development proposed is change of use of land to car storage, erection of car preparation and photography booth and associated fencing and surfacing.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr A Hanif against Peterborough City Council, this application is the subject of a separate Decision.

Preliminary Matters

3. I have taken the description of development from the Council decision notice as this concisely describes the proposed development and have considered the appeal on this basis.
4. The Applicant provided a Unilateral Undertaking following the decision by the Council. The Council have confirmed that they are content with this undertaking, as it is in a similar format to that already agreed with them, for the existing business operating on the site adjacent to the appeal site and do not therefore wish to defend the second reason for refusal.

Main Issue

5. In light of the Council not pursuing the second reason for refusal I consider the main issue in this case to be the effect of the proposed development on the character and appearance of the area.

Reasons

6. The appeal site falls within the Woodston General Employment Area (GEA) and currently has the appearance of an overgrown, unmanaged planting area, with a mixture of rough grass and mixed trees. This is in sharp contrast to the

- adjacent sites which are occupied by two industrial buildings and the car sales/storage area the appeal site is proposed to extend.
7. Despite this unmanaged appearance, the appeal site provides an area of green space adjacent to the buildings and car storage/sales area within the industrial estate, this supplements the shelter belt and formal landscaping which is located to the southern side of the adjacent buildings and as such makes a modest but positive contribution to the character and appearance of the area.
 8. The industrial units to the west and east both have managed planting on their southern boundaries which despite the scale of the buildings help to assimilate these buildings and provide a softer appearance when viewed from the footpath network which runs within the industrial estate.
 9. This landscaping, in addition to the shelter belt to the south and the more formal landscaping to the west make a positive contribution to the character of the area. Both screen the area from the highway network outside of the estate, but also provide an attractive space within the estate, harmonising the relationship between and around the industrial buildings and uses.
 10. The footpath that runs down the eastern side of the appeal site in contrast, has no planting to soften the interrelationship between the harder edges of buildings and uses, and if allowed the appeal proposal would extend this relationship to both this footpath, but also to the footpath to the south.
 11. The principle of the development of this site is supported by the Council and I would agree that this would be an appropriate form of development if the details, were satisfactory. I am not persuaded however that the layout, with the whole site being laid out as parking, enclosed by the provision of a fence up to the footpaths on the southern and eastern boundaries will not result in a harmful diminution of character and appearance to this part of the Woodston GEA.
 12. There appears to be some dispute regarding the planning history of the site, irrespective of this the current proposal needs to be assessed against the current adopted policies. LP16 of the Peterborough Local Plan 2019 being the most pertinent. This amongst other things seeks to ensure that new development is designed to a high standard and makes a positive contribution to the public realm. This is consistent with the provisions within the Framework which at paragraph 134 advises that development that is not well designed should be refused.
 13. As such I consider that there would be harm to the character and appearance of the area contrary to the provisions of Policy LP16 of the Peterborough Local Plan which amongst other things aims to ensure proposals are well designed and positively contribute to the character and local distinctiveness of the area.

Other Matters

14. The appellant argues that this site was never formally part of a landscape buffer, and considers the site has an industrial use. It is not for me to determine the formal use of the site as this would need to be carried out under s191 and s192 of the Planning Act. It is however a moot point, as the Council do not oppose the principle of development in this location. The council within their application report and subsequent appeal statement do not suggest that the trees that were removed formed part of a strategic buffer or that they were

protected. The information in this respect does not overcome the harm I have identified.

Conclusions

15. For the reasons given the appeal is dismissed.

Edwin Maund

INSPECTOR