



Appeal Decision

Site visit made on 30 June 2025

by F P Tinsley MA (Hons) MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2025

Appeal Ref: APP/J0540/W/25/3364868
202 Eastfield Road, Peterborough PE1 4BD

- 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 Mrs Harpreet Kaur against the decision of Peterborough City Council.
 - The application reference is Ref: 24/00931/FUL
 - The development proposed is described as 'Part change of use of residential dwelling to nursery for up to 15 children.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have referred to the description of development as detailed in the planning application form, which differs from that provided in the Decision Notice. In the Decision Notice, the Council describes the development as retrospective. Planning permission was granted under Ref: 23/01548/FUL for the partial change of use of the former residential property to nursery/childminding services for up to 9 children. I consider that this permission has been implemented. Section 3 of the planning application form confirms that the proposed works/change of use had already commenced at the time of submission. I interpret this as referring specifically to the use of the ground floor of the premises for nursery/childminding services. At paragraph 6.6 of the appellant's appeal submission it is stated that the facility currently accommodates 15 children. Therefore, the effect of allowing the appeal would have been to permit the facility to lawfully accommodate 15 children, rather than the 9 permitted under Ref: 23/01548/FUL.

Main Issues

3. The main issues are:
 - The effect of the proposed development on highway safety relating to car parking provision for staff and drop off / pick up facilities for users of the proposed development.
 - The effect on living conditions of occupiers of surrounding properties with regard to noise and disturbance.

Reasons

Highway safety

4. The appeal site is a former semi-detached, two-storey dwelling located on Eastfield Road, approximately one mile from Peterborough City Centre. Eastfield Road serves as one of the main arterial routes into the city. The surrounding area is predominantly residential, with a small local centre situated to the south. The property benefits from a driveway at the front, capable of accommodating up to three vehicles. A bus stop is located directly outside the property on Eastfield Road. On-street parking immediately in front of the appeal site is restricted to residents only, while the opposite side of the road offers both resident and short-stay parking options.
5. While planning permission currently allows for up to 9 children to be accommodated at the childcare facility, the proposal to increase capacity to 15 children represents a significant intensification of the site's use. This expansion is likely to generate additional vehicular movements, both from parents dropping off and collecting children, and from staff required to care for the increased number of children.
6. Policy LP13 of the Peterborough Local Plan 2016-2026 (the Local Plan) requires that proposals provide appropriate and deliverable parking provision in accordance with the standards set out in Appendix C of the Local Plan. In applying this policy, the proposed expansion of the facility would require 3 on-site staff parking spaces to support the increased childcare provision. This is in addition to facilities for drop off/pick up and an additional 2 parking spaces would be needed to serve the retained residential use on the first floor of the premises. However, the site can only accommodate three vehicles within the existing driveway in total, resulting in a clear shortfall in parking provision which would likely result in negative impact on highway safety and parking availability in the surrounding area.
7. The appellant has submitted a survey indicating that sufficient parking spaces are available within a 500-metre radius of the appeal site to meet the proposal's parking demands. However, I am not satisfied that this adequately addresses the needs of parents dropping off and collecting children, who will require parking within close proximity—ideally within 100 metres—of the facility. This conclusion is based on the practicalities of dropping off and collecting children. Parking within this immediate area is highly restricted, increasing the likelihood of unsafe stopping and manoeuvres. The presence of a bus stop directly in front of the premises further exacerbates highway safety concerns.
8. The appellant notes that the majority of children attending the facility reside within a one-mile radius, suggesting that this may encourage walking as a mode of access. However, no supporting evidence has been provided to demonstrate current travel patterns to the site which could confirm this. While the availability of public transport is also cited as an alternative means of access, no data has been presented to confirm its current use by staff or families attending the facility. Without this information it is not possible to conclude that car drop offs and collections will not be the predominant means of accessing the facility.
9. For the reasons outlined above, I conclude that the proposal is contrary to Policy LP13 of the Peterborough Local Plan, which states, among other things, that planning permission for new development will only be granted if appropriate and

deliverable parking provision is made in accordance with the standards set out in Appendix C. The proposed development would have an unacceptable adverse impact on highway safety, particularly in relation to the adequacy of on-site parking for staff and the provision of safe and convenient drop-off and pick-up facilities for users of the childcare facility. Paragraph 116 of the National Planning Policy Framework (the Framework) states that development may be prevented or refused on highways grounds when development would have an unacceptable adverse impact on highway safety as is the case in this instance.

Living Conditions

10. Representations objecting to the proposed development were submitted by adjoining residents at Nos. 200 and 204 Eastfield Road during the planning application stage. These raised several concerns regarding the impact on their living conditions, particularly noise and disturbance arising from the facility. This includes both external play by children and the drop-off/collection of children by car. I have taken these representations into account in my assessment of the proposals.
11. The appellant has noted that Environmental Health did not object to the proposals. However, the comments referenced in their appeal submission relate to application Ref: 23/01548/FUL and not the current application. A significant period has passed since those comments were made, during which the facility has been operating with up to 15 children. It is within this context that the neighbours' submissions were made in respect of the current application. No comments were provided by Environmental Health in relation to the current application.
12. In 2023, planning permission was initially sought for the accommodation of 15 children under Ref: 23/01548/FUL. This number was subsequently reduced to 9 following discussions with the applicant, as the original proposal was deemed unacceptable.
13. While I accept that the garden is unlikely to be in constant use by children, an increase in the number of children at the facility raises the likelihood of more frequent use and, consequently, greater potential for noise and disturbance. I conclude that the operation of the facility accommodating 15 children has had a detrimental impact on the living conditions of surrounding residential properties, exceeding the impact that would likely be generated by 9 children. The same rationale applies to the number of trips to the facility for drop-off and collection and the increased likelihood of disturbance.
14. It would therefore be inappropriate to regularise this situation by allowing the appeal. For the reasons outlined above, I find that the proposal is contrary to Policy LP17 of the Local Plan, which, among other requirements, seeks to ensure that development does not result in an unacceptable impact on the amenity of existing occupiers due to noise and disturbance.

Other Matters

15. I acknowledge that the proposal would provide additional childcare facilities, and that paragraph 100 of the Framework states that great weight should be given to proposals which expand such provision. I also recognise the local need for childcare spaces, the support expressed by the Council's Early Years Service, and the fact that the proposal would represent an expansion of an assessed

“outstanding” childcare facility. Furthermore, the local economy would benefit from the creation of additional employment opportunities, and the facility would support working parents by enabling them to remain in employment. I also note that the proposal would not harm the character or appearance of the area and would make effective use of an existing building.

16. However, notwithstanding these benefits, I have concluded that the proposal would result in significant harm in terms of highway safety and the living conditions of surrounding occupiers. These adverse impacts outweigh the benefits identified.

Conclusion

17. I have found that the proposal would result in harm to highway safety in relation to inadequate car parking provision for staff and insufficient drop-off/pick-up facilities for users of the proposed development. I have also identified harm to the living conditions of neighbouring occupiers. As the proposal conflicts with the development plan as a whole, and the material considerations — including those set out in the National Planning Policy Framework — do not justify a departure from it, the appeal is dismissed.

F P Tinsley

INSPECTOR