



Appeal Decision

Site visit made on 8 November 2025

by **David Reed BSc DipTP DMS MRTPI**

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

Decision date: 25 November 2025

Appeal Ref: APP/J0540/W/25/3367157

16 The Drive, Peterborough PE3 6AJ

- 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 Yahya Kamareddine against the decision of Peterborough City Council.
 - The application, Ref 25/00106/FUL, dated 23 January 2025, was refused on 20 March 2025.
 - The development proposed is parking a commercial vehicle on the front residential drive and the use of the existing garage for commercial storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the commercial activities would cause a significant and unacceptable nuisance to nearby occupiers; and
 - whether safe and convenient access would be provided.

Reasons

Commercial activities

3. The application is for the parking of a commercial vehicle on the drive of No 16 The Drive, a detached house on a modern residential estate, and the use of the double integral garage for commercial storage. The use has already commenced.
4. It is assumed that the appellant, Mr Kamareddine, lives in No 16, but in any event the proposal is to park a medium sized vehicle used for a food sales business on the driveway outside working hours. The vehicle which sells Lebanese foods travels to various locations around the City and returns to the driveway overnight, typically returning about 18.00 hours and leaving in the morning about 09.00 hours¹. The other element of the proposal is the storage of food products and bottled drinks in the integral garage for use by the business.
5. As seen on the site visit, the vehicle is quite large and brightly coloured. When parked on the lefthand side of the driveway² it is intrusive in the outlook from the front living room window of No 18 although a hedge mitigates this to some extent. However, parking a commercial vehicle overnight and at weekends in a residential

¹ Various times are given in the design and access statement and appeal statement, the operation is obviously flexible. According to the appeal statement, the vehicle is also on the drive at weekends.

² Parking on the right would be more considerate.

area is not unusual and whilst annoying for neighbours not unduly problematic in itself. Depending on its size and how well parked the vehicle may also overhang the footway but this was only marginally the case on the day of the site visit and is potentially subject to highway enforcement action if a recurring issue.

6. The storage of food products within the garage is not visible externally and being similar in nature to domestic storage by residential occupiers would again not be unduly problematic in isolation. However, depending on the turnover of goods, the timing and number of stock deliveries and the process of restocking the van each evening or morning, the effect of the use may be to cause noise and disturbance to nearby residents.
7. Whilst each of the two elements of the application are not unduly problematic on their own, they need to be assessed in combination together with other associated business activity on the site. Unfortunately, the precise nature of the business and its impact in this part of The Drive is not clear from the documentation and thus a precautionary approach is necessary.
8. Whilst no cooking takes place at No 16, only on site, the vehicle is obviously cleaned, serviced and restocked on the driveway. On the site visit it was apparent from damage to the grass that parking sometimes, perhaps frequently, takes place on the grass area next to the concrete driveway which itself can accommodate three vehicles. In addition, the area adjacent to the end elevation of No 16 was occupied by a variety of unsightly clutter including bins and boxes, cleaning equipment and most noticeably a large red commercial waste bin used no doubt for the disposal of waste from the food sales business. This untidy and unkempt area, wide open to view from the road and clearly associated with operating the business, significantly detracts from the character and appearance of the housing estate with seemingly no effort made to mitigate its visual impact.
9. In the absence of clarity or suggested conditions from the appellant to limit the nature, scale, frequency and visual impact of activity associated with the food catering business it is apparent that the mixed business/residential use of No 16 exceeds what might be seen as 'de minimis' and is likely to cause significant and unacceptable nuisance to nearby occupiers in this residential housing estate. This conflicts with Policies LP04 and LP17 of the Peterborough Local Plan 2019 (PLP). These support employment proposals outside recognised areas but only if there is no significant adverse impact on the character and appearance of the area and the amenity of neighbouring occupiers. Policy LP12 is not relevant in this case.

Safe and convenient access

10. The driveway in front of the property provides three standard parking spaces³ with vehicles reversing into the lightly trafficked road to turn. There is no evidence that the number of parking spaces is insufficient for the mixed use and there are no parking restrictions on the road allowing scope for occasional overspill parking if necessary. In this quiet road there is no need for on-site turning facilities, there are no impediments to visibility and any overhang of the parked commercial vehicle over the footway would be likely to be marginal or if significant could be the subject of highway enforcement action. The additional traffic generation arising from the mixed use is negligible so there would be no significant impact on the safety or free flow of traffic.

³ As shown on drawing no. 24.049/2A

11. The parking and highway reason for refusal is thus not made out. The mixed business/residential use complies with PLP Policy LP13 which requires new development to make appropriate provision for safe, convenient and sustainable access and parking.

Conclusion

12. The proposal would facilitate the food catering business of the appellant but this benefit is outweighed by the significant and unacceptable nuisance likely to be caused to nearby residential occupiers and the associated conflict with the development plan.
13. The appeal should therefore be dismissed.

David Reed

INSPECTOR