
Appeal Decision

Site visit made on 5 January 2021

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2021

Appeal Ref: APP/L2820/W/20/3258187

**The Ritz and Conferencing Suites, 7-9 Station Road, Desborough
NN14 2RL**

- 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 K Malde against the decision of Kettering Borough Council.
 - The application Ref KET/2019/0878, dated 10 December 2019, was refused by notice dated 7 August 2020.
 - The development proposed is change of use from hotel wedding/conference venue to hotel and children's day nursery.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development stated on the planning application form was amended early in the determination period. I am satisfied that this was agreed between main parties in the interests of clarity. No interested parties have been prejudiced as a consequence. The appeal proceeds on this basis.

Main Issues

3. The main issue is the effect of the appeal proposal on the safety of motorists and pedestrians, with particular regard to access and parking arrangements.

Reasons

Access and parking

4. The appeal site is an existing commercial property located in a mixed use part Desborough. The appeal building's dedicated car park is accessed off Station Road. This is a main vehicular and pedestrian route that also serves the existing neighbouring houses and local services and facilities.
5. Station Road is relatively narrow. Although there are some opportunities for on-street car parking, there are parking restrictions immediately outside the appeal premises and opposite. The majority of properties on this street do not have dedicated on-site car parking.
6. The appeal proposal would generate both vehicular and pedestrian traffic in respect to the uses that would operate from the site, which would be unrelated by their very nature. Nonetheless, the evidence submitted confirms that

numerically, the overall use of the site proposed should not exceed number of trips generated by the existing uses. It also advances that there should be a net reduction in peak hour trips generated. Furthermore, the differences in opening hours should be beneficial in reducing visitors to the site on an evening and weekend.

7. This would indicate that there would be no greater impact upon the capacity of the local highway network, particularly the junction between Station Road and High Street. No substantive evidence to the contrary has been submitted and therefore this is accepted.
8. In terms of the level of on-site car parking proposed, these facilities would be for the shared use of staff and visitors of both the hotel and proposed children's day nursery. Notwithstanding the scope for cycle parking to be provided within the site, the proposed car parking provision would fall significantly short of the Council's parking standards.
9. The appellant has advanced that if the occupancy of the hotel was to be at or below existing occupancy rates no shortfall would exist. However, there is no evidence provided to confirm that such a reduced occupancy would be the norm.
10. In any event, it is also advanced that further parking opportunities would exist on-street in the vicinity of the appeal site to meet any shortfall. As a net reduction in peak hour trips has been evidenced, this would indicate that there would be a reduced demand for the surrounding local highway network to absorb any parking overspill from the site in comparison with the existing situation. Moreover, the existing parking restrictions would provide a means to discourage and control any dangerous overspill.
11. For all of these reasons, the overall capacity of the local road network would not be unduly compromised and the shortfall in on-site car parking would not in itself cause harm.
12. In terms of access arrangements into and within the site, as the proposed day nursery reception would be located to the rear of the premises, all visitors would gain access to and from this facility, whether on foot or by vehicle, via a private access route.
13. A single hotel entrance would be maintained to the front of the building directly off Station Road. Those visitors to the hotel using the on-site car park would also have to travel along this access route by foot or by vehicle.
14. The width of the access at its juncture with the narrow Station Road falls significantly short of that required by the Northampton Standard Highway Layout (August 2019). This would not allow 2 opposing vehicles to pass.
15. The access route extends the full depth of the appeal building and would continue to be a single shared surface for both pedestrians and vehicles. In places, its width would not allow 2 opposing vehicles to pass even at low speeds. Moreover, no dedicated pedestrian refuge capable of accommodating the width of an adult walking alongside a child is proposed to cater for instances where users would coincide.
16. The evidence before me does not sufficiently demonstrate that the nature of the resulting visitor movements along that access route as a consequence of

the dropping off and collection of children would be sufficiently comparable to that of the existing use of the site, so as not to exacerbate the existing potential for such conflicts.

17. Consequently, notwithstanding my findings regarding the capacity of the local highway network, these particular access arrangements would give rise to an increased potential for conflicts between visitors and also manoeuvres which could be prejudicial to the safety of users of both the private access route and the public highway.
18. For these reasons, the appeal proposal would cause unacceptable harm to the safety of motorists and pedestrians, with particular regard to access and parking arrangements.
19. Policy 8 of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing, and manoeuvring in accordance with the adopted standards. Given the harm that I have identified, the appeal proposal would conflict with that policy. This conflict weighs significantly against the appeal proposal.

Other Matters

20. The appeal site is located within the Desborough Conservation Area. However, even if I were to find that the appeal proposal would not harm the significance of that designated heritage asset, that would represent the status quo and therefore would not out-weigh the harm that I have identified.
21. The appeal proposal would have scope to secure an alternative use for the site to serve the community and avoid vacant premises. The submitted evidence does not substantiate the viability and demand arguments advanced. Given the nature of the harm that I have found, these matters would not be capable of out-weighing it.
22. No other matters have been advanced that would out-weigh the harm that I have found.

Conclusion

23. For the reasons given, the appeal should be dismissed.

C Dillon

INSPECTOR