



Appeal Decision

Site visit made on 6 May 2021

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: Friday, 04 June 2021

Appeal Ref: APP/V2825/W/21/3266231
2 Knot Tiers Drive, Northampton NN5 4AY

- 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 The Woodbridge Family Centre against the decision of Northampton Borough Council.
 - The application Ref: N/2020/1299, dated 15 October 2020, was refused by notice dated 18 December 2020.
 - The development proposed is a change of use from Use Class C3 to Use Class C2 (Parenting Assessment Service).
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Decision

1. The appeal is allowed and planning permission is granted for a change of use from Use Class C3 to Use Class C2 (Parenting Assessment Service) at 2 Knot Tiers Drive, Northampton NN5 4AY in accordance with the terms of the application, Ref: N/2020/1299, dated 15 October 2020, subject to the following conditions:-
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 5059 Rev A Planning Layout; Location Plan.
 - 3) The premises shall be used for a parenting assessment service and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).
 - 4) The development hereby permitted shall be occupied by a maximum of five adult parents (5 persons) at any one time.

Preliminary Matters

2. On the 1st April 2021 Northampton Borough Council ceased to exist and became part of the unitary authority known as West Northamptonshire Council. The development plan for the merged local authority remains in place until such a time as it is revoked or replaced. It is therefore necessary for me to determine this appeal with reference to policies set out in the plan produced by the now dissolved Northampton Borough Council.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of neighbouring occupiers with regards to noise, disturbance and parking.

Reasons

4. The appeal dwelling is a large five-bedroom dwelling arranged over four storeys and occupying a prominent position fronting Knot Tiers Drive. Whilst the surrounding area is predominantly residential, the appeal dwelling is the end dwelling within a terraced block comprised mainly of residential uses with some commercial use at ground floor level. Unallocated parking spaces lay to the front of this block which serve the mix of uses positioned along Knots Tiers Drive. Beyond the parking bays is Weedon Road, a dual carriageway together with its exit slip road.
5. At the time of my site visit, I observed the highway to be heavily trafficked with vehicles including heavy goods vehicles and buses passing along its length in both directions. I appreciate that my visit provided only a snapshot of highway conditions, however, I have seen nothing to suggest that what I saw was untypical. By reason of the appeal site's proximity to busy roads, the appeal property and neighbouring dwellings are heavily influenced by the noise and disturbance of passing vehicles.
6. The availability of a nearby bus stop and an area of open space providing a pedestrian link into the wider residential area has the potential to generate pedestrian movements together with associated noise and disturbance from persons talking and shouting in close proximity to the appeal property. Overall, whilst the surrounding area is predominantly residential, it is not a quiet or tranquil area.
7. The proposed scheme would operate as a family assessment facility with a number of separate family units in occupation at any one time. As each family unit would be in occupation for a restricted period of time in the region of 12-weeks, this would result in regular changes to those in occupation. However, as a relatively large family dwelling, a significant degree of separate comings and goings and general activity could be experienced during the day and night, particularly if it were to be occupied by older children who are likely to enjoy considerable independence of their movements, visitors to the property and their ownership of private motor vehicles. Whilst the property has one allocated parking space, I have seen nothing that would preclude several vehicles being associated with the use of the appeal dwelling as a family home.
8. Notwithstanding the temporary period of each family unit's occupation at the appeal premises, by reason of the purpose of their period of occupation for assessment of their parenting skills, the movements of the proposed occupants would be strictly controlled and curtailed. External visits would be under escorted supervision and no occupant would be permitted to bring a private motor vehicle to the premises or receive any personal visitors.
9. Albeit there could be instances whereby the property is occupied by several separate family units, including up to five adult parents, the size and quality of the sleeping accommodation dictates the size of a family unit that could be in occupation, particularly given that two of the rooms are considerably smaller than others and without any private bathing facilities. Overall, I find that the

comings and goings of the proposed occupants would be likely to be considerably limited.

10. The proposal would employ a maximum of six staff over a 24hr period and external visitors would be largely restricted to professional visitors, in particular health visitors, midwives and social workers. I appreciate there may be other visitors, such as delivery and taxi drivers, however, these would be limited in number and unlikely to generate a level of movement, noise and disturbance beyond that generated by a large family dwelling.
11. The availability of a nearby bus stop and a regular bus service is likely to encourage staff to utilise sustainable modes of transport to access the appeal property. Whilst allocated parking is limited, even if staff and professional visitors were to arrive by private motor vehicle, the availability of unallocated parking space along Knot Tiers Drive would provide a convenient location for parking. Reference is made to parking stress within the vicinity, however, there is little detailed analysis of this before me. Whilst I appreciate that my site visit provided only a snapshot of parking conditions, I observed there to be a considerable number of unallocated parking bays that were unoccupied at the time of my site visit. Given the appeal site's location in a peripheral position at the edge of the development where there is good access to sustainable transport modes, I am not satisfied that the appeal scheme will result in parked vehicles being displaced nor existing residents being inconvenienced through a lack of parking. In addition, the associated noise and disturbance generated by additional vehicular movements of staff and professional visitors would be negligible given the overall level of background noise and disturbance within the locality.
12. Accordingly, I conclude that the appeal site would be an appropriate location for the proposed scheme and the change of use would not have an unacceptable effect on the living conditions of neighbouring occupiers with particular regard to noise, disturbance and parking. Therefore, it would accord with the provisions of Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy Local Plan Part 1 (2014) insofar as these policies seek high quality development that minimises the adverse impacts of noise. Similarly, it would accord with the provisions of the National Planning Policy Framework which seek to create safe and healthy places with a high standard of amenity for existing and future users.

Other Matters

13. Reference has been made to the potential for overlooking of neighbouring private garden areas. However, the majority of windows within the rear elevation of the appeal building comprise of frosted glass and there is presently a degree of overlooking between properties given their tight-knit arrangement. As such, I find that there would be no greater degree of overlooking than presently exists.

Conditions

14. A list of conditions was provided by the Council as part of this appeal. As a result, I have amended some of them for consistency or clarity and omitted parts of others.

15. In addition to the standard time condition relating to the commencement of development, a condition specifying the plans and documents is necessary as it provides clarity.
16. The Council have requested conditions restricting occupation of the property to a care home for 4 parent residents and 4 children. However, the appellant has sought a specific use as an assessment centre for parents and their children. I have considered the application on the basis of the specific use applied for. As I cannot be satisfied that a care home use would be directly comparable to a parent and child assessment centre in terms of its impact on neighbouring residents, I am minded to restrict the use of the premises to that which is applied for as it is necessary to safeguard the living conditions of neighbouring occupiers. For similar reasons, it is necessary to control the number of adult parents at the property, albeit given the restricted size and layout of the appeal premises, I am satisfied that a sole restriction of 5 persons would be sufficient to safeguard neighbouring occupiers living conditions. I do not find it necessary to control the number of children.

Conclusion

17. Having regard to all matters raised, I conclude that the proposed scheme would accord with the development plan and accordingly, for the reasons given above, the appeal is allowed.

E Brownless

INSPECTOR