



Appeal Decision

Site visit made on 4 June 2025

by **P B Jarvis DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 June 2025

Appeal Ref: APP/W2845/W/25/3359662

105 Lea Road, Northampton NN1 4PE

- 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 RGC Property Solutions against the decision of West Northamptonshire Council.
 - The application Ref is 2024/4490/FULL.
 - The development is change of use from C3 to C1 (serviced accommodation).
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Decision

1. The appeal is allowed and planning permission is granted for change of use from C3 to C1 (serviced accommodation), at 105 Lea Road, Northampton NN1 4PE in accordance with the terms of the application, Ref 2024/4490/FULL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be in accordance with the following approved plans: location plan (scale 1:1250 dated 24 September 2024, existing and proposed elevations (August 2024), existing and proposed plans (REV A amended 2/10/2024), existing elevations (August 2024), existing plans (REV A amended 2/10/2024).
 - 2) Within three months of the decision date, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained for the parking of cycles in connection with the development.
 - 3) Within three months of the decision date, bin storage facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The bin stores so provided shall thereafter be permanently retained for the storage of bins in connection with the development.
 - 4) The building shall be used as serviced accommodation under Class C1 of the Town and Country Planning (Use Classes Order) 1985, as amended, only and for no other use.

Preliminary Matters

2. The development has already taken place therefore the application is retrospective. Reference has been made to a potential change to the Town and Country Planning (Use Classes Order) 1985 involving the introduction of a new use class (C5) for

short term lets and related permitted development rights from Class C3, but no such change has yet come into effect.

Main Issues

3. The main issues are the effect on:

- Parking
- living conditions / amenity of the area

Reasons

4. The appeal site comprises a Victorian two-storey terraced property with accommodation in the roofspace located within a street of similar dwellings. The dwellings abut the pavement edge and have no front gardens. Parking predominantly takes place on street on what is a relatively narrow road. However, the appeal site, in common with a number of its neighbours on the western side of the road, is served by a rear access way, accessed via Abington Avenue from the north. Lea Road consists predominantly of single-family dwellings but there are a number of houses in multiple occupation (HMOs).
5. The use does not involve any physical changes to the property which will retain the same number of bedrooms at five with kitchen, living and dining room on the ground floor. The use is intended to provide for persons who require temporary accommodation whilst working in the area and who will live as a single household. The accommodation would be let on a short-term basis and 'serviced' by a cleaning, laundry and waste removal service.

Parking

6. The Council contends that the parking associated with the use cannot be sustained satisfactorily within the area and a number of local residents have referred to parking difficulties. At the time of my site visit whilst there was a lot of on street parking, there were some spaces available. In addition, the rear service lane provides parking for a vehicle to the rear of the property.
7. The dwelling would not be changed internally and is intended to continue to be occupied much as its existing use as a single family dwelling. The Appellant confirms that the building could be occupied by families relocating to the area needing temporary accommodation whilst looking for a permanent home or to groups of work colleagues known to each other. The latter could potentially comprise individuals who all own cars which would likely be an increase compared to a single family. However, given the above situation with regard to on street and off-street parking, this is unlikely to lead to undue parking stress. In this regard I note that the Highway Authority has no objection to the proposal.
8. In addition, the site is located within walking distance of local amenities and public transport. A condition to ensure the provision of secure cycle parking would encourage the use of sustainable transport options and reduce the potential need for occupants to use private cars.
9. Overall, I consider that the use would not result in unacceptable parking stress. It thus complies with Policy H1 of the West Northamptonshire Joint Core Strategy (2019) (JCS) which expects housing development to make the most efficient use of

land having regard to the location and setting of the site, accessibility to services and facilities and proximity to public transport.

Living conditions / Amenity

10. The Council suggest that the proposed use would result in an increase in 'comings and goings' that would arise from both the increased parking demand and the increased intensity of use of the property. In respect of parking, I have found that the use would not unacceptably increase parking stress therefore any associated noise and disturbance would not be materially harmful.
11. As noted above, the use would be similar to the existing lawful use as a single dwelling with occupants living as a single household. This would not result in an unduly increased level of activity such as to result in an unacceptable impact on the living conditions of occupiers of neighbouring properties.
12. The proposed use would thus comply with Policy Q2 of the Northampton Local Plan Part 2 (2023) and JCS Policies H1 and BN9 which seek to ensure that housing developments have regard to the impact on the existing character and density of the local area, the amenities of occupiers of neighbouring properties and to minimise any adverse impacts of noise.

Other Matters

13. A number of third party objections have been received but the majority of these are on grounds related to the property being occupied as an HMO which is not what is being sought and which falls within a different Use Class. Should the property be so occupied, the local planning authority would be able to consider taking any necessary action as appropriate.
14. The National Planning Policy Framework supports the provision of a wide range of housing types to meet the needs of all groups whilst at the same time providing a high standard of amenity for existing residents. The use satisfies these aims.

Conditions

15. I have reviewed the list of conditions suggested by the Council in the light of Framework paragraphs 56 and 57. A condition to refer to the approved plans is necessary for clarity and in the interests of proper planning. Conditions to secure suitable cycle and refuse storage are also necessary to promote sustainable transport and provide adequate and safe storage areas to serve the occupants. A condition to control the use is also necessary as that is the basis on which the proposal has been assessed and found to be acceptable in the light of the main issues identified above.

Conclusion

16. I therefore conclude that the appeal should be allowed and planning permission granted.

P B Jarvis

INSPECTOR