



Appeal Decision

Site visit made on 5 November 2025

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 December 2025

Appeal Ref: APP/W2845/W/25/3371519

14 Smith Close, Piddington NN7 2DW

- 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 Kishen Sachdev (Laverde Management Limited) against the decision of West Northamptonshire Council.
 - The application Ref is 2024/5181/FULL.
 - The development proposed is planning permission for children's homes C2 from C3.
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Decision

1. The appeal is dismissed.

Main Issue

2. The reason for refusal set out on the decision notice does not entirely reflect the assessment and conclusions of the Delegated Report. For example, the report finds it to be questionable as to whether the parking provision for the proposal would overall lead to an impact on highway safety. However, the reason for refusal refers to the implications in that specific regard. The Council has not provided a full Statement of Case which may have clarified these apparent discrepancies.
3. Having had regard to the available information in the round, I consider that the main issue is the effect of the proposed development on the living conditions of the occupiers of nearby dwellings. As set out in the Delegated Report, this is related to the matters of parking provision and to the potential comings and goings from the proposed use.

Reasons

4. The basis on which the proposed use would operate is not clear. For example, the appellant's Planning Statement refers to a live-in carer shift, but their Statement of Case states that normally carers would not live-in. In their Delegated Report, the Council refers to clarification having been received from the appellant as to staffing requirements and shift patterns. This allows for an estimation of the likely number of staff and support personnel that are likely to regularly visit the property in conjunction with the proposed use. Alongside other groups of people that might visit, the figures set out are considerable in number and have not been disputed by the appellant. They would take place during the day and night, including at what are referred to by the Council as unsociable hours.
5. The matter of parking availability, or lack of, is most commonly associated with highway safety considerations. But in areas where there is a high level of existing parking stress or lack of availability, a proposal which would generate significant

parking needs can lead to a harmful effect on the living conditions of nearby residents. This is by way of having a material impact on a person's quality of life as a result of being unable to find a parking place near to their home. Smith Close is a cul-de-sac which appears to comprise entirely of dwellinghouses. On-street parking opportunities are limited, and a great number of representations from interested parties reference existing parking stress on the road. In the absence of any substantive evidence to show otherwise, there is nothing to lead me away from the conclusion that Smith Close currently experiences a high level of parking stress at certain times of the day and night.

6. An amended plan showing the provision of four on-site car parking spaces was submitted during the course of the planning application. However, having considered representations made by the Highway Authority and the occupier of the adjacent property, I am not satisfied all the vehicles could be accommodated without cars needing to encroach over the frontage of 12 Smith Close to access the parking area. This is not an arrangement that can be reasonably relied upon, and as such it has not been shown that four spaces could be provided. Furthermore, one of the proposed parking spaces would be so close to the garage of the adjacent dwelling that a person would not be able to exit the vehicle on the side closest to it.
7. Piddington is a settlement that is somewhat separate from nearby settlements. It would appear likely therefore that there would be a considerable reliance on cars to reach the appeal site. At changeovers and at times when other support personnel or visitors are at the appeal property, there is the potential for there to be a number of vehicles present. Whilst reference is made to parking on other roads, it is likely that people will park as close to the appeal property as possible. In the absence of it being demonstrated that this demand could reasonably be absorbed at least in part on site and/or that there is not in fact an on-street parking issue, I consider that there would be a detrimental impact on the living conditions of the occupiers of nearby dwellings resulting from the parking situation.
8. I acknowledge that the appeal property is an existing five-bedroom house, but the use proposed would have the potential to attract greater numbers of vehicles for the reasons I have outlined. I also do not consider that this is a matter that can reasonably be addressed by way of a planning condition, as increasing the parking area would reduce in size the only external area of the property that provides private garden space, and thus bring another planning consideration into play. This area is important to provide acceptable living conditions for the future occupiers of the appeal dwelling, in particular the children who would reside there, and a judgement on how much space would remain cannot reasonably be left post-decision.
9. The number of movements to and from the property on the basis set out would also cause harm to the living conditions of the occupiers of nearby dwellings, especially as it is suggested that some would occur at unsociable hours. As a cul-de-sac, it is not expected that Smith Close will experience high levels of traffic. A substantial increase in the number of movements of vehicles, in noise from people closing car doors and from vehicles turning at the end of the road would be notable at nearby dwellings. This would be exacerbated given the unorthodox layout of the dwellings in relation to one another and because of the proximity of some of the dwellings to the road and parking area. Again, I accept that there will already be movements associated with the appeal property, but these are not likely to be

comparable in number and frequency to those that would be generated by the proposed use.

10. For these reasons, I conclude that the proposed development would cause significant harm to the living conditions of the occupiers of nearby dwellings as a result of both the parking provision and from comings and goings to the property. Consequently, it would fail to accord with Policies SA and BN9 of the Joint Core Strategy 2014 and Policies SS2 and LH7 of the South Northamptonshire Part 2 Local Plan 2020, where collectively they seek to protect living conditions and to ensure that residential care is provided on suitable sites.

Other Matters

11. It is identified that there is a pressing need for the type of development, and my attention is drawn to the Written Ministerial Statement *Planning for accommodation for looked after Children*. This states in particular that the planning system should not be a barrier to providing homes for the most vulnerable children in society. However, I have found that there would be significant harm caused to the living conditions of the occupiers of nearby dwellings from the proposed use. The benefits in addressing the shortfall in this type of development would be substantial, but they do not outweigh this harm and the consequent conflict with the development plan. Whilst the proposal would create jobs, this too does not justify the harm that would be caused.
12. The appellant suggests that the use proposed would be lawful because, in their view, it falls under Class C3(b) of The Town and Country Planning (Use Classes) Order 1987 (as amended). That allows for the use as a dwellinghouse by not more than six residents living together as a single household where care is provided for residents. However, there is doubt as to whether this would be the case, not least from the fact that the appellant withdrew their earlier application for a Certificate of Lawfulness and because it appears still to be the Council's position that planning permission is required. The correct mechanism to establish lawfulness would be via an application under Section 192 of the Town and Country Planning Act 1990 (as amended). Without that clarity, I cannot be sure that the fallback position exists in this instance and thus I cannot weigh such in favour of the appeal proposal.
13. There are a number of other development plan policies referred to in the reason for refusal. Those policies are either not relevant to the appeal proposal or are not offended by it. Reference is further made to Supplementary Planning Guidance, but the titles of any relevant documents have not been provided, nor indeed have any copies of such documents been supplied. However, that there is not any further planning policy conflict does not overcome the harm I have found to living conditions or otherwise justify the permitting of the appeal proposal.

Conclusion

14. For the reasons given above, the appeal should be dismissed.

Graham Wraight

INSPECTOR