

DARLINGTON BOROUGH COUNCIL

APPEAL AGAINST REFUSAL OF PLANNING PERMISSION

APPLICATION REF. NO: 25/00259/CU

APPEAL REF. NO: APP/N1350/W/25/3369312

LOCATION: 3 Parkland Drive, Darlington, DL3 9DT

DESCRIPTION: Change of use from residential dwelling (Use Class C3) to short stay/holiday let accommodation (sui generis) (Retrospective Application)

APPLICANT: Mr Darren Peckitt

PLANNING OFFICER: CHRISTINA MCALPINE

BRIEF SUMMARY:

1. This appeal follows the refusal of planning permission for the change of use of a resident dwelling to short stay/holiday let accommodation. The application was considered by the Planning Applications Committee and Members considered that the amenity impacts as a result of increased noise and disturbance from activities were not considered usual for a residential area, and the application was refused for the following reason:
2. *In the opinion of the Local Planning Authority the development would have an adverse impact upon residential amenity in terms of noise, nuisance and disturbance from activities that are not usual in a residential area, contrary to Policy DC4 of the Darlington Local Plan (2016 - 2036).*

KEY POINTS TO NOTE:

3. The appeal property is a large, detached dwelling which has recently been extended and altered, located on a corner plot on Parkland Drive, surrounded by other residential properties. The application was submitted as a result of an enforcement enquiry and sought to regularise the use of the property as short stay/holiday let accommodation.

APPEAL DISMISSED:

4. The inspector noted that Parkland Drive is within a well-established suburban area, with the surroundings being of a 'calm and settled residential community'. They also stated that the character of residential estates, is one whereby properties are generally positioned close to one another.
5. Given the large plot of 3 Parkland Drive and its corner plot positioning, the inspector concluded that the application site was in close proximity to nearby residential dwellings

and that the garden being to the side and rear, would be 'readily overlooked' from the street level.

6. The Inspector noted that the short-term let accommodation was geared towards a mix of business and leisure trips, with the majority of stays being of a short period, and they argued that this pattern was likely to continue. Consequently, guest turnover at the property would be high, along with cleaners also attending the property in-between visits. This would therefore create higher noise and disturbance levels through the guest turnover and associated vehicle movements.
7. Guests for leisure purposes were also considered more likely to 'engage in more exuberant behaviours' and there would be more likelihood of late returns to the property.
8. The garden was also considered to be 'well-appointed' in that it has a decked area, seating and other garden furniture and activities that would make it attractive for guests to use. Therefore, it was considered likely that guests may use the garden into the late evening hours and as they are short term guests, they would be more likely to disregard house rules.
9. The Inspector considered that a longer-term occupation would likely result in occupants that would be more considerate of the area, and they would likely have fewer vehicles. They did not agree that the fall-back position of a HMO weighs in favour of the scheme, because they did not consider that occupants of a HMO would result in high guest/vehicular turnover or for such occupants to regularly act in high spirited or 'exuberant' behaviours.
10. Some commercial/business guests were shown to have multiple parked vehicles and therefore associated vehicle movements, in which the opening and closing of such vehicle doors (for commercial vans, and potentially some with plant equipment) would create a disturbance beyond a quiet residential setting.
11. The applicant submitted evidence of the property's CCTV coverage and two booking documents, but when comparing that evidence to neighbouring evidence, it was found that there were discrepancies. For example, neighbouring evidence showed booking dates that were not covered within the applicants booking documents and that parking numbers were lower than what was proven via neighbouring evidence.
12. It was noted that the applicants statement of case referred to a problematic booking of the 28th February 2025 and to address this matter house rules were provided. However, in the applicants final comments during the appeal process, they referred to other events on the 2nd March 2025. This indicated to the inspector that these bookings caused disturbance to neighbouring properties and they were within a short period of time.
13. It was not considered that conditions could adequately address the impacts for noise and disturbance and the suggested personal planning permission/ condition, was not considered sufficient to address the collective issues for this case.

14. Overall, the inspector dismissed the appeal because the holiday let was found to create noise and disturbance that would be 'sufficiently different, greater and more disturbing to neighbouring occupiers than otherwise would take place'.