



Appeal Decision

Site visit made on 16 October 2025

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th October 2025

Appeal Ref: APP/N1350/W/25/3369312

3 Parkland Drive, Darlington DL3 9DT

- 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 Darren Peckitt (DANAP Properties Ltd) against the decision of Darlington Borough Council.
 - The application Ref is 25/00259/CU.
 - The development is the change of use of a dwellinghouse (C3) to short stay/holiday let accommodation under a sui generis use.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The change of use of 3 Parkland Drive (No 3) to the short stay/holiday let accommodation cited in the banner heading above has already taken place. Therefore, I have determined the appeal on a retrospective basis.

Main Issue

3. The main issue is the effect of the development upon the living conditions of neighbouring occupiers, with particular regard to the levels of noise, disturbance and activity which would arise from it.

Reasons

4. Parkland Drive is a residential street, situated on the outskirts of Darlington, within a well-established suburban area. The surroundings of the appeal site convey the character of a calm and settled residential community. Situated within an area characterised by suburban estates, residential properties are generally positioned quite close to one another.
5. No 3 is a larger property than many of the neighbouring houses and bungalows. It is served by a large driveway, while a garden wraps around its side and rear. Owing to this layout, and the property's position beside a bend in the road, much of the garden can be readily overlooked from the street. No 3's garden is partly bordered by the back gardens of neighbouring houses, while the side elevation of 5 Parkland Drive, including a conservatory, is also positioned closely beside it. Owing to this arrangement, and reflective of the suburban area generally, the relationship between No 3 and its nearest neighbouring properties is quite an intimate one.

6. During my visit, I noted that No 3's garden contains a decked area, a feature semi-circular seating area with lighting, a chiminea and multiple electrical sockets. Consequently, the garden is very well-appointed.
7. The evidence before me indicates that the short-term let accommodation is geared towards a mixed clientele, including business and work-related trips, but also for leisure purposes such as those visiting family or attending weddings. The evidence also suggests that occupiers generally stay for brief periods, and that longer holiday stays are the exception rather than the norm, and that this pattern is likely to continue. Darlington is not a holiday hot-spot, therefore, the shorter duration of visitor stays suggested by the evidence is entirely plausible.
8. Given the typical short duration of stays, guest turnover associated with the development is likely to be high with new arrivals and departures occurring frequently. In turn, since cleaning is required between guest stays, the property's cleaners will also be attending the property frequently. Therefore, the character of the use will generate generally high volumes of comings and goings with associated noise including from vehicular movements.
9. By their nature certain leisure-related visits, such as those associated with weddings or other gatherings, have the propensity to entail a concentration of fun-filled activity, for guests to be in the mood and spirits that would make them more likely to engage in more exuberant behaviours, and for late returns to the property to arise. Furthermore, the well-appointed garden will be attractive to guests, it is liable to be well-used because of this and also likely to create an expectation amongst some guests that it is appropriate for use late into the evening.
10. Since the development the subject of the appeal has already taken place, I have divergent submissions before me from the Council and neighbouring residents, and the appellant in relation to how the development has assimilated into the area thus far. Neighbouring objectors refer to various effects including disturbances caused by guest behaviour, inconsiderate parking and from No 3's external lighting. The appellant has submitted evidence which seeks to demonstrate that the development has integrated successfully into the area, would continue to integrate, and that the types of problems cited in representations have been relatively few and far between, and generally have been overstated. The appellant's submissions include detailed responses to the individual submissions of local residents, snapshots of the property's CCTV coverage and 2 booking documents.
11. The appellant's statement of case and booking documents acknowledge a particularly problematic booking of 28 February 2025. The statement of case explains that since then measures have been deployed to prevent a reoccurrence such as a requirement for guests to adhere to the house rules.
12. However, the appellant's submissions at final comments stage refer to other events, described as being regrettable, which took place on 2 March 2025. Therefore, this evidence indicates to me that 2 bookings within a very short space of time resulted in disturbing activities for neighbouring occupiers. Furthermore, I have before me photographic evidence of a guest within No 3's garden at 00:15 on 2 March 2025, yet the booking documents indicate no booking covering that date, and the nearest bookings either side of that date suggest no garden usage. This undermines the credibility of the booking documents' evidence.

13. A neighbour refers to, and has provided photos of, events taking place across 14 and 15 August 2025 involving a form of photoshoot including within the garden. The appellant's submissions acknowledge that women were using the garden and, indeed, that this was captured by the CCTV. However, the 2 booking documents present a contrasting picture. One booking document suggests the property was vacant on both days, while the other sets out that it was occupied by wedding guests on the 14th and a separate booking by a group visiting family on the 15th with no garden usage reported associated with either booking. Again, this calls into question the accuracy of the booking documents.
14. Consequently, I have identified a propensity for leisure-related visitors to engage in noisier behaviours and more disturbing activities. I have identified that No 3's garden is well-suited for entertainment purposes and that neighbouring properties are positioned near to it. I have evidence of particular bookings thus far having caused disturbances already since the change of use took place, and I have found that the booking documentation submitted to assist in demonstrating the scarcity of this contains flaws.
15. I also expect that multiple vehicles would be associated with many bookings. Certain business trips could very well entail several commercial vans driven by the varying occupants, potentially some with plant, coming and going from the host property. Some of the photographic evidence I have before me shows such vehicles. The arrival, departure and closing of doors of such vehicles would be disturbing for neighbours within the appeal site's quiet residential setting.
16. An objection, submitted on the planning application on 24 April 2025, includes a photograph showing 4 commercial vans parked on No 3's drive, 3 of which are clearly from the same company. However, in contrast, the booking documents cite that no booking dating from before 24 April involved 4 vehicles and, in relation to the company the vehicles were associated with, it is cited that only either 1 or 2 vehicles were involved in any of their associated bookings. Once again, this undermines the confidence I have in the veracity of the booking documents.
17. Therefore, I find that the short-term let accommodation brings with it a likelihood for concentrations of particular vehicular comings and goings which would be disturbing for neighbouring occupiers. These comings and goings, together with the disturbance from the behaviours and actions of guests I have already set out, means that the development will have, and would continue to, harm the living conditions of neighbouring occupiers.
18. In coming to these views, I accept that if No 3 was in longer-term occupation within a C3 dwellinghouse, its occupants would also use the garden, may well have gatherings, and at times engage in activities which would also cause noise. Comings and goings and general activity arising from the occupancy would also be quite high. I have also borne in mind that short-term let accommodation will be the subject of fluctuation so there could well be periods when the property would be vacant.
19. However, going about their regular daily lives, rather than visiting, and used to their surroundings, I find that long-term occupiers would unlikely share to the same degree that want to take fullest advantage of the property. Permanent occupants would not be in that same state of high spirits that each new influx of short-term occupier attending the likes of weddings would. Therefore, it is far less probable

that long-term occupants would engage in more high-spirited and exuberant behaviours which would be disturbing to neighbouring residents. In addition, in my view, long-term occupants would be more predisposed to ensuring that they behave in a manner which remains courteous and respectful toward their neighbours. In the absence of that same long-term stake in the area, the chances are that the occupiers of the development would not act as considerably on a consistent basis. Furthermore, whilst the likes of tradesmen will of course park vans outside their properties in suburban areas, the presence of multiple commercial vehicles parking and manoeuvring because of the types of business stays I have described is far more unusual in a quiet residential setting.

20. The appellant submits that, as an alternative, No 3 could be occupied as a house in multiple occupancy (an HMO). Even if this was pursued, occupation as an HMO would not entail the frequency of occupier turnover that arises with short-term let accommodation and that same likelihood of new guests arriving in the spirit for exuberant behaviour would not apply. I also find that the likelihood for concentrations of commercial vans to be coming and going at the property would be lower with an HMO. For these reasons, I find that the prospect of No 3 being used as an HMO does not constitute a fallback position which weighs in favour of the appeal.
21. The appellant has drawn my attention to some short-term let accommodation in the area and asserts that the appeal site has its advantages in comparison to them including that it has lower occupancy and better parking provision. However, those developments are not for my determination. I am considering this appeal on its own merits having particular regard to the evidence before me and the specific circumstances of the appeal site's context. Therefore, the comparison made to other accommodation does not weigh in the appeal's favour to any meaningful extent.
22. I have had no condition suggested to me to the effect that the development be required to adhere to the cited house rules or any form of management plan. Even so I have considered the merits of this. However, I am not confident that such a condition would effectively manage and mitigate the activities, disturbances and comings and goings I am concerned with. Given the attractive nature of the garden, and since many booking groups would be within the property for such short durations, I find that the temptation for some guests to disregard any prohibition on the use of the garden late in the evening would be significant. Consequently, breaching the prohibition would be likely to take place. I find the suggested commitment to bi-fold doors being closed at a certain point in the evening to be too difficult to effectively enforce via a planning condition.
23. I have had regard to the suggested conditions which are before me, including the control which they would exert over occupancy, and the suggestion that a personal planning permission only be granted. However, collectively, I am not satisfied that these conditions would address the harms I have identified.
24. In conclusion, and for the reasons I have given, the characteristics of the appeal site and its relationship with neighbouring property, the propensity for occupants to create noise through exuberant behaviours, and some of the particular comings and goings liable to arise from the use would, as a set of circumstances and effects, combine. Altogether, the result of the development is one whereby the levels of activity arising from it are sufficiently different, greater and more

disturbing to neighbouring occupiers than otherwise would take place. Unacceptably harmful effects upon their living conditions, therefore, arise from the development. Consequently, the development conflicts with Policy DC 4 of the Darlington Local Plan 2016-2036. In summary, and amongst other matters, Policy DC 4 sets out that new developments should protect the amenity of neighbouring land users and that it should be acceptable in respect of a range of matters including privacy, noise and disturbance.

Conclusion

25. The development conflicts with the development plan as a whole, and there are no material considerations which indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

H Jones

INSPECTOR