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## Appeal Decision

Site visit made on 15 April 2015

**by K H Child BSc (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 22 May 2015**

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**Appeal Ref: APP/K1935/W/15/3002867**

**6 Shackleton Spring, Stevenage, Hertfordshire SG2 9DF**

- 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 Mr Darren Hoad against the decision of Stevenage Borough Council.
  - The application Ref 14/00585/FP, dated 16 October 2014, was refused by notice dated 15 December 2014.
  - The development proposed is demolition of double garage and erection of a 2 bedroom dwelling.
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### Decision

1. The appeal is allowed and planning permission is granted for demolition of double garage and erection of a 2 bedroom dwelling at 6 Shackleton Spring, Stevenage, Hertfordshire SG2 9DF in accordance with the terms of the application, Ref 14/00585/FP, dated 16 October 2014, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan 088/01; Existing block and roof plan 088/02-A; Existing elevations 088/03; Proposed block and roof plan 088/04-A; Proposed floor plans 088/05-A; Proposed elevations 088/06-A.
  - 3) Notwithstanding condition 2, no development shall take place until a schedule and samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
  - 4) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the new dwelling is occupied. Development shall be carried out in accordance with the approved details.

- 5) The development hereby permitted shall not be brought into use until the existing access has been closed and the footway and verge has been reinstated to the current specification of Hertfordshire County Council and to the local planning authority's satisfaction.

### **Main Issues**

2. The main issues are the effect on the character and appearance of the area, and the impact of the proposed parking arrangements on highway and pedestrian safety in Shackleton Spring.

### **Reasons**

3. The appeal site is situated on a small cul-de-sac in a residential area. The dwellings in the vicinity are predominantly semi-detached and terraced houses, albeit of varying style and form. Number 6 Shackleton Spring is a two-storey end of terrace house on the eastern side of the road. The property has a small front garden, and a side garden containing a paved driveway and a double garage. The side garden adjoins a track which provides access to the rear gardens of several properties on Shackleton Spring. The proposal would involve the demolition of the double garage, and construction of a new end of terrace property in the side garden of No 6.

#### *Character and appearance*

4. The proposed dwelling would introduce built form in the current gap between the dwelling at No 6 and the adjacent property of Number 4 Shackleton Spring. The street has a mix of semi-detached properties and terraces, and therefore a number of gaps exist between groups of dwellings. However, on my site visit I observed that there is no particular rhythm to these gaps, particularly on the eastern side of the road, and they are of varying size. On this basis, the gap between Nos 4 and 6 is not a particular feature or characteristic of built form in the locality.
5. The existing gap between the dwellings at Nos 6 and 4 is also currently occupied by a large double garage, and is therefore not wholly undeveloped and open. A more open view is available above the existing single storey structure. However, the view is towards the back of residential properties located to the rear of Shackleton Spring, which are located in a slightly elevated position above the appeal site. As such the view does not particularly contribute to the character or attractiveness of the locality. For the above reasons, I therefore consider that the gap does not significantly contribute to the character or appearance of the area or provide key vistas.
6. It is also apparent that the gap between Nos 6 and 4 would not be wholly developed. The proposed dwelling would be set back from the side boundary by one metre, and on this basis would accord with guidance on side extensions in the Council's Design Guide Supplementary Planning Document (2009), which is broadly relevant to this case. The existing footpath between Nos 6 and 4 would provide further separation, so that a gap of over 3 metres would remain between the side of the new property and that of No 4. This gap would not be out of keeping with the area, and would ensure that some sense of separation is retained. On this basis the dwelling would not create a cramped or incongruous form of development, in terms of its position in relation to No 4 or in its impact on the wider street scene.

7. The design, form and style of the dwelling would reflect that of the adjoining terraced dwellings, including No 6. It would be the same height as the adjoining terrace, and would not extend any further forward on the frontage. The proposed use of similar materials would also contribute to a uniformity of appearance. The resulting extended terrace would present a unified and coherent group when viewed from Shackleton Spring.
8. For the reasons set out above, I conclude that the proposed dwelling would not cause material harm to the character and appearance of the area. The proposal would therefore be in accordance with Saved Policies TW8 and TW9 of Stevenage Borough Council's District Local Plan Second Review 1991-2011 (DLP) (2004), insofar as they relate to ensuring that development accords with good design standards.
9. There is some disagreement between the Council and the appellant as to whether the appeal site is previously developed land or not, and whether the scheme would comply with Saved Policy H7 from the Council's DLP, relating to windfall development. However, Policy H7 predates publication of the NPPF, and relates to a period when dwellings and their residential curtilages were classified as previously developed land. On this basis I have attached limited weight to this policy in reaching my overall conclusion on this matter.

#### *Car parking*

10. The scheme makes no provision for off-road parking and would involve the loss of existing off-road car parking provision at No 6. The Council has objected on the grounds that the proposal would result in additional on-street parking, to the detriment of highway and pedestrian safety. The Council proposes that a total of 4 off-road car parking spaces would be required to serve No 6 and the proposed dwelling, in line with parking standards in the Council's Parking Provision Supplementary Planning Document (SPD) (2012).
11. The Council's estimate of parking demand arising from the scheme appears reasonable, taking account of dwelling size, and given that No 6 has an existing double garage and a driveway able to accommodate at least one car. The submitted evidence indicates that the garages are smaller than the Council's prescribed minimum space standards, as set out in the Parking Provision SPD. However, they are only marginally smaller and I agree with the Council that they would still be able to accommodate cars. On my site visit a family-sized car was parked on the driveway of No 6, and I was able to observe that it was markedly narrower than the width of one garage door.
12. The appellant contends that part of the parking demand from the scheme would be off-set through the proposed removal of the existing vehicular crossover and creation of an additional on-street space. However, no conclusive evidence has been submitted to enable me to determine whether an additional space could be practically achieved, given the narrowness of the road and the existence of a parking space on the opposite carriageway, as observed on my site visit.
13. The appellant contends that there is sufficient capacity on the street in Shackleton Spring to accommodate parking demand arising from the proposal, without causing material harm to highway and pedestrian safety. On my site visit I observed a significant number of available parking places on the street. I recognise that my site visit took place during the daytime, and there may be

greater pressure on parking places in the evening when residents return from work. Nonetheless spare spaces were available, and there would appear to be some on-street capacity on Shackleton Spring. This is further supported by the detailed survey work submitted by the appellant, which indicates varying degrees of spare capacity on Shackleton Spring at a range of surveyed times and dates. The survey also identifies some spare capacity on other nearby streets, although I recognise that these parking locations would not provide the same level of convenience for residents of Shackleton Spring.

14. I also note that the appeal site is in an urban area and in a relatively sustainable location not far from the town centre. Evidence submitted by the appellant indicates that there is a bus stop in the vicinity which offers frequent services. This may have some impact on levels of car ownership in the area, although it is recognised that the appeal site is not located within the accessibility zones identified in the Council's Parking Provision SPD.
15. Furthermore, although the Local Highways Authority (LHA) has advised that the required parking should be provided off-road, they conclude that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways. They have not, therefore, raised a formal objection to the scheme on this basis.
16. In conclusion, no clear evidence has been submitted to demonstrate that the proposed parking arrangements would result in inappropriate parking taking place on the street and causing material harm to highway and pedestrian safety. There appears to be a degree of available capacity to absorb an increase in on-street parking in Shackleton Spring, as well as some spare capacity on other nearby streets which could act as overflow if necessary. The appeal site is also in a relatively sustainable urban location with access to public transport. Therefore, on the basis of the available evidence, I conclude that the proposal would not conflict with Saved Policy T15 of Stevenage Borough Council's DLP (2004), in so far as it relates to securing suitable levels of parking provision in new developments.

### **Conclusion and Conditions**

17. For the reasons given above I conclude that the appeal should be allowed.
18. In addition to the standard time limitation condition, the Council has suggested conditions requiring that development shall be carried out in accordance with approved plans, and that further details of materials and boundary treatment are submitted and approved by the Council. I consider the former condition to be appropriate, for the avoidance of doubt and in the interest of proper planning. I consider the other conditions to be appropriate in the interests of the character and appearance of the area.
19. The Council and the LHA have suggested a further condition requiring that the existing vehicular crossover is reinstated. I consider this condition to be appropriate in the interests of highway safety and amenity.

*KH Child*

INSPECTOR