



Appeal Decision

Site visit made on 22 August 2019

by Andrew Walker MSc BSc(Hons) BA(Hons) BA PgDip MCIEH CEnvH

an Inspector appointed by the Secretary of State

Decision date: 27th September 2019

Appeal Ref: APP/K1935/W/19/3231403

Land at 68 Wildwood Lane, Stevenage SG1 1TB

- 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 Ms S Statham against the decision of Stevenage Borough Council.
 - The application Ref 19/00165/FP, dated 9 March 2019, was refused by notice dated 1 May 2019.
 - The development proposed is demolition of existing double garage, erection of detached three-bedroom house and integral garage, erection of replacement single garage to no. 68.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the Council's determination of the application, the Stevenage Borough Local Plan 2011–2031 (2019) (LP) was adopted by the Council on 22 May 2019. Consequently, this Local Plan now forms the development plan.
3. The appellant has submitted an amended plan (Proposed Plans, Elevations and 3D Views, Revision A) with the appeal showing an increase in the size of the garages. The appeal process should not generally be used to evolve a scheme. However, the amended development is not so changed that to grant it would be to deprive those who should have been consulted on the changed development of the opportunity of such consultation. Therefore, I accept the amended drawing.

Main Issues

4. The main issues in this appeal are the effect of the development on:
 - the character and appearance of the area;
 - the living conditions of future occupiers of the new dwelling, as regards overshadowing of the private amenity area; and
 - highway safety.

Reasons

Character and appearance

5. Wildwood Lane in the vicinity of the appeal site has a strong linear character of development with dwellings on both sides of the road displaying a largely

consistent front building line which follows the curve of the highway. Notwithstanding that the proposed house would be of similar scale and design to nearby dwellings, it would be markedly incongruous with this pattern of development, being set back significantly from the building line and against the curve of built-form which responds to the curve of the Lane.

6. While I acknowledge that the existing single-storey detached garage to be demolished is set back, the dwelling which it serves is not and the erection of a 2-storey detached house with integral garage would be significantly more prominent on the streetscene.
7. The jarring incongruence of the prominent new dwelling within its context, notwithstanding the removal of an existing pre-cast garage of limited contribution to visual amenity, would cause significant harm to the character and appearance of the area. As such the proposed development would be in conflict with Policies GD1 and HO5 of the LP, as supported by the Council's Design Guide Supplementary Planning Document (SPD), which amongst other aims seek to protect the character and appearance of places, including as regards the development of windfall sites. It would also be in conflict with the design principles of the National Planning Policy Framework (the Framework).

Living conditions

8. Due to their height and number, the tall trees associated with mature woodland situated close to the east of the appeal site would restrict sunlight and cause significant overshadowing of the rear private amenity area of the proposed development, particularly in the earlier part of the day. There would also be overshadowing of the new dwelling's garden from the proposed detached garage which would be built to its south. The extent in combination of these separate overshadowing effects, together with the effect of the new dwelling itself, would mean that direct sunlight to significant parts of the garden would be restricted for unreasonably lengthy periods of the day.
9. For the above reasons, the proposed development would cause significant harm to the living conditions of future occupiers of the new dwelling, as regards overshadowing of the private amenity area. As such it would be in conflict with Policy GD1 of the LP, as supported by the SPD, which seeks to protect the amenity of future occupiers. It would also be in conflict with the design principles of the Framework.

Highway safety

10. The appeal site falls within residential accessibility zone 3 under the Council's Parking Provision Supplementary Planning Document (PPSPD); a designation which reflects the sustainable location. Accordingly, there is a requirement to provide 2 off-street parking spaces in respect to the proposed new dwelling (rounding-up from 1.5 spaces).
11. The proposed new dwelling's garage, according to the amended plan which I have accepted, would have internal dimensions below those required by the PPSPD and I do not find that it would deliver a sufficiently sized parking space. Given this, the integral garage would not be counted as an off-street parking space and accordingly the proposed house would only be served by 1 off-street parking space in total. This would be below that required by the PPSPD and would lead to on-street parking.

12. Paragraph 109 of the Framework advises that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Council has submitted evidence, including photographs, showing that a significant element of on-street parking occurs on what is a relatively narrow and curved road. I give this evidence significant weight and find that additional on-street parking in this context would have an unacceptable impact on highway safety. Therefore, for all the above reasons, the proposed development would be in conflict with Policy IT5 of the LP and would also conflict with Paragraph 109 of the Framework.

Other Matter

13. The delivery of an additional home in a sustainable location would be a benefit of the appeal scheme given the Framework's aim to make a more efficient use of land and significantly boost the supply of housing. The supply of housing under the appeal proposal would, though, be modest. The proposal would also support the local economy through construction jobs and from the potential of future residents to spend locally. Overall, these benefits of moderate weight do not outweigh the significant harm I have identified.

Conclusion

14. The proposed development would not accord with the development plan as a whole and there are no other considerations which outweigh this finding. Therefore, for the reasons given the appeal is dismissed.

Andrew Walker

INSPECTOR