



## Appeal Decision

Site Visit made on 15 June 2021

**by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB**

**an Inspector appointed by the Secretary of State**

**Decision date: 30<sup>th</sup> June 2021**

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**Appeal Ref: APP/K1935/W/21/3271130**

**Land adjacent to 39 Jessop Road, Stevenage SG1 5LG**

- 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 Jack Sandford against the decision of Stevenage Borough Council.
  - The application Ref 20/00370/FP, dated 29 June 2020, was refused by notice dated 14 January 2021.
  - The development proposed is described as, 'demolition of 4 no. garages, removal of on street parking and alterations to service road to facilitate the erection of a 3 storey block of 6 x 1 bed flats with associated parking and 8 replacement public parking spaces'.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. While the description of development refers to six dwellings, from the wider evidence, it is clear that the scheme determined by the Council consisted of five dwellings. I have therefore assessed the proposal on this basis.
3. During the appeal the appellant submitted an updated drawing with altered internal layouts to indicate single occupancy units. The changes would not substantially change the scheme or deprive consultees of the opportunity to comment. I have therefore had regard to the drawing in my assessment.

### Main Issues

4. The main issues are:
  - the effect of the proposal on the character and appearance of the area;
  - whether the proposal would provide a suitable living environment for future occupiers with regard to private amenity space and internal space; and
  - whether the proposal would provide adequate disabled parking provision and electric vehicle charging infrastructure.

### Reasons

#### *Character and appearance*

5. The site lies at the end of a terrace of dwellings within a cul-de-sac and consists of some garages and a parking area. As such, the site has an open functional feel, with little landscaping other than grassed verges. An area of open green space lies adjacent to the site and is also surrounded by two and

- three storey residential properties and hard standing. The green space therefore, provides an important green and open contribution to the character and appearance of the area which otherwise has a functional unified feel.
6. The proposal would include the demolition of the garages and introduce a three-storey block of flats along with parking area and bin storage. It would also remove a portion of the adjacent open green space.
  7. The building would be in keeping with the surrounding properties in terms of form, scale and height. However, given the amount of hard landscaping, the scheme would encroach into the open green space resulting in an adverse effect on the green aspect of the character and appearance of the area. Moreover, the scheme would not provide any substantial areas of landscaping to offset the loss of green space.
  8. The surrounding properties generally have modest rear gardens that provide some landscaping though a number have sheds. As such, they do not justify the adverse effect with respect to soft landscaping.
  9. I acknowledge the outline permission for two dwellings on the site and similarities with the proposal. Since landscape was a reserved matter, and that application was determined under a different development plan, it has not altered my findings on this main issue.
  10. Consequently, the proposed development would unacceptably harm the character and appearance of the area. Therefore, it would conflict with Policies SP8, GD1 and HO5 of the Stevenage Borough Local Plan 2011-2031 Adopted May 2019 (LP) which requires, among other things, new developments to achieve the highest standards of design, respects and makes a positive contribution to its location and surrounds and would result in no detrimental impact on the environment. It would also conflict with the aims of the Stevenage Design Guide Supplementary Planning Document Adopted 21st October 2009 (SPD), the National Planning Policy Framework (Framework) and the Governments Planning Practice Guidance (PPG) including the National Design Guide 2019 (NDG) in this particular respect.

#### *Living environment*

11. The proposal does not include private amenity space or communal area for any of the dwellings. While the dwellings would not be occupied by families, the total lack of private amenity space would lead to an oppressive environment for any future occupiers.
12. Although the site lies adjacent to open green space, this area is overlooked by a number of surrounding properties such that it would not wholly compensate for a lack of private amenity space. I acknowledge the built-up nature of the area and the constrained site dimensions. However, there has not been a demonstration that some private amenity space could not be accommodated in the scheme.
13. The SPD states that all dwellings, including flats, should have private open space. The only exception to this is where flats are developed in very central locations, where public open space is easily accessible and higher densities are required. While I note the adjacent public open space, and the built-up nature of the surrounding area, from the evidence the location is not very central and

justification for a lack of private amenity on this basis has not been demonstrated.

14. It is not clear within the evidence whether the outline permission includes private amenity space although there is an indication of some space adjacent to the parking spaces. In any event, since the proposed scheme does not provide any private amenity space, it would not be less harmful in this respect compared to the outline permission.
15. The updated floor plans indicate single occupancy units which meet the requirements within the Nationally Described Space Standards. However, this would not override the harm that would result from the lack of private amenity space.
16. Consequently, the proposal would not provide a suitable living environment for future occupiers with regard to private amenity space. Therefore, it would conflict with LP Policies SP8 and GD1 which require the highest standards of design and development that would not lead to an adverse impact on the amenity of future occupiers among other things. It would also conflict with the aims of the Stevenage Design Guide Supplementary Planning Document Adopted 21st October 2009 (SPD), the Framework and the NDG in this particular respect.
17. Since LP Policy HO5 does not specifically refer to the living environment of future occupiers, it is not directly relevant to this main issue.

#### *Parking*

18. The scheme does not include disabled parking spaces or electric vehicle charging points. Given the constrained parking arrangement, there is no certainty that an adequate number of the wider disabled parking bays could be accommodated on the site. While electric vehicle charging points could be provided, it has not been demonstrated that these could be accommodated alongside disabled bays.
19. Therefore, while I have considered the use of a suitably worded condition, there is no certainty that it would be effective.
20. Consequently, the proposed development would not provide adequate disabled parking provision and electric vehicle charging infrastructure. Therefore, it would conflict with LP Policy IT5 and the Parking Standards SPD.

#### **Other Matters**

21. I note concerns regarding the outlook and privacy of neighbouring occupiers. However, given the distances between the proposed building and the neighbouring dwellings, this matter has not altered my overall decision.
22. I note the evidence regarding housing land supply. The Council considers that it can demonstrate a five-year housing land supply with a figure of 5.002 years, and this is not contested by the appellant.
23. The proposal would contribute five dwellings to the local housing supply and there would be some economic benefit during the construction phase. In addition, future occupiers would be likely to contribute to local services and facilities. I also acknowledge the evidence regarding a need for smaller

dwellings. Since the scheme is for five single occupancy dwellings, these benefits would be limited.

24. Therefore, even if the Council were not able to demonstrate a five year housing land supply, given the harm to the character and appearance of the area, the unsuitable living environment of future occupiers and unacceptable parking provision, the adverse effects would significantly and demonstrably outweigh the benefits.

**Conclusion**

25. For the reasons given above the proposal would conflict with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

*R Sabu*

INSPECTOR