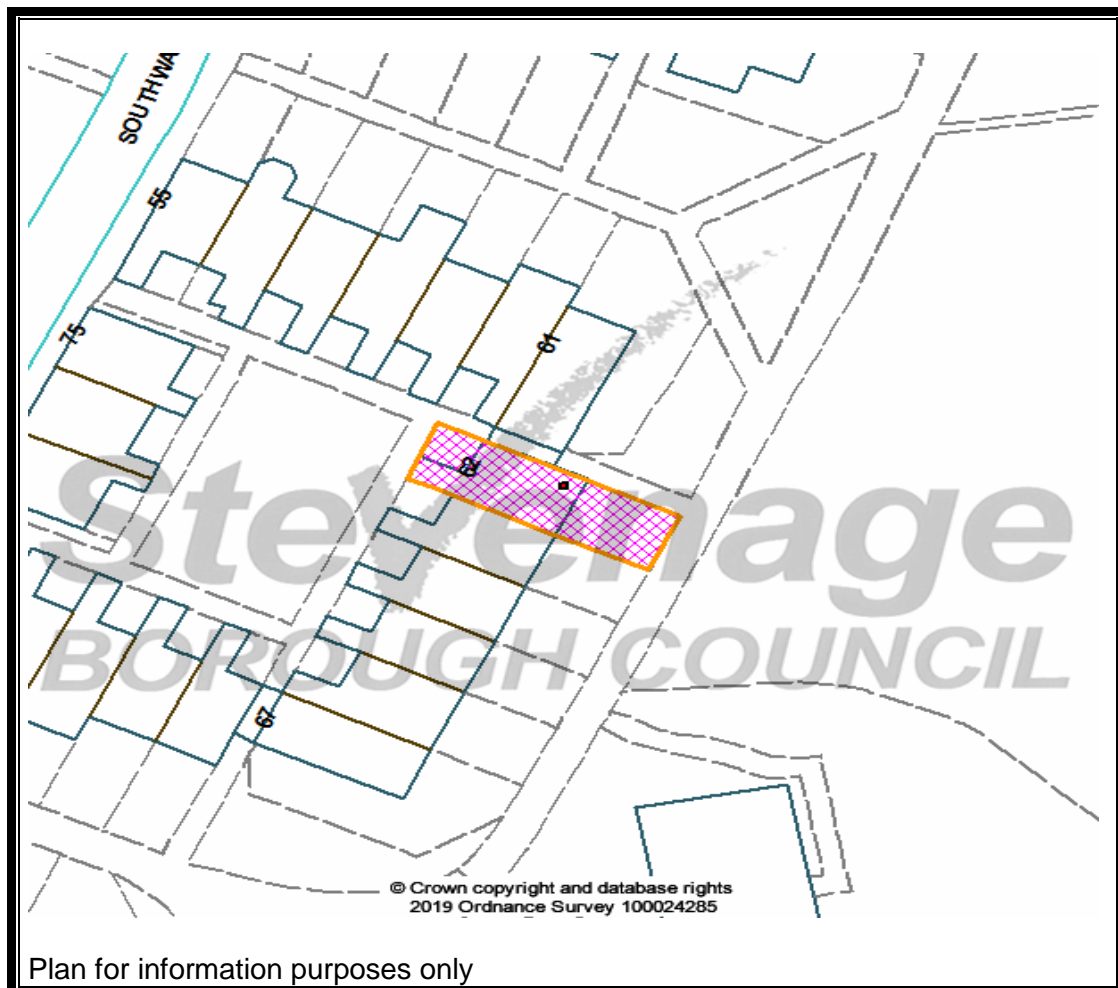


**Meeting:** Planning and Development Committee      **Agenda Item:**  
**Date:** 10 February 2022  
**Author:** Linda Sparrow      01438 242837  
**Lead Officer:** Zayd Al-Jawad      01438 242257  
**Contact Officer:** Linda Sparrow      01438 242837

Application No:	21/01231/FPH
Location:	62 Southwark Close, Stevenage
Proposal:	Increase in front store width and height and associated entrance and fenestration alterations
Drawing Nos.:	01; 02; 03; 04; 05; 06; 07; 08; 09;
Applicant:	Stevenage Borough Council
Date Valid:	15 November 2021
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application property is an end of terrace dwelling on the eastern side of Southwark Close. The properties in this part of Southwark Close are arranged around a central square of public space with all properties having the front entrance door facing in to the centre of the space. There is no vehicular access to the property, with only public footpaths to the front, northern side and rear. The property is constructed with buff coloured brick and a dual pitched tiled roof. On the southern side of the front elevation is an existing front projection which extends the full length of the curtilage to the public pedestrianised highway. All properties in this area have the same front projection so that each property front curtilage is semi-private and can only be viewed from directly facing the property.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 None.

## **3. THE CURRENT APPLICATION**

- 3.1 The application seeks planning permission to widen the existing front projection to accommodate a disabled level access shower and erect a small extension to this projection to create a new entrance porch. The large window on the front elevation serving the living room would be made smaller as a result.
- 3.2 The existing projection would be widened from 2.2m wide to 2.4m wide. The height would increase from 2.5m high to 2.7m high. The roof would remain a flat roof design.
- 3.3 The new entrance porch would measure 1.1m wide, 1.2m deep and 2.7m high with a flat roof.
- 3.4 The application comes before the Planning and Development Committee as Stevenage Borough Council is the property owner and applicant.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 The application has been publicised by neighbour letters. No comments have been received.

## **5. CONSULTATIONS**

- 5.1 No consultees.

## **6. RELEVANT PLANNING POLICIES**

### **6.1 Background to the development plan**

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

## **6.2 Central Government Advice**

6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF and the PPG, with which Members are fully familiar, are both material considerations to be taken into account in determining this application.

## **6.3 Planning Practice Guidance**

6.3.1 The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

## **6.4 Stevenage Borough Local Plan 2011-2031 (Adopted 2019)**

Policy GD1 - High Quality Design;  
Policy SP8 - Good Design;

## **6.5 Supplementary Planning Documents**

Stevenage Design Guide Supplementary Planning Document January 2009.

## **6.6 Community Infrastructure Levy Charging Schedule**

6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development.

# **7. APPRAISAL**

7.1.1 The main issues for consideration in the determination of this application are the impact on the character and visual amenity of the area and the impact on neighbour amenity.

7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

## **7.2 Design and Impact on Visual Amenity**

7.2.1 In terms of design, Paragraph 126 of the NPPF (2021) states that “*the creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development*”, whilst Paragraph 130 stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 134 then goes on to re-iterate that “*development that is not well design should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents*”

- 7.2.2 Paragraph 130 of the NPPF also states that “developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”. It is recognised that there is likely to be a significant increase in the aged population within the Town with a trend towards elderly and disabled residents to stay in their own homes rather than move into a residential institution or retirement home. As a result, more new homes will need to meet, and existing homes be adapted to meet, accessible and adaptable standards. In this regard, the Council are proposing to adapt an existing property within their housing stock to meet the needs of an existing tenant who requires an accessible dwelling.
- 7.2.3 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design. The Council’s Design Guide SPD (2009) generally reflects the aforementioned policies, whereby it seeks development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.
- 7.2.4 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
  - hard and soft landscape;
  - technical infrastructure – transport, utilities, services such as drainage; and
  - social infrastructure – social, commercial, leisure uses and activities.
- 7.2.5 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
  - the form and scale of buildings;
  - their appearance;
  - landscape;
  - materials; and
  - their detailing.
- 7.2.6 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-
- Context – enhances the surroundings;
  - Identity – attractive and distinctive;
  - Built form – a coherent pattern of built form;
  - Movement – accessible and easy to move around;
  - Nature – enhanced and optimised;
  - Public spaces – safe, social and inclusive;
  - Uses – mixed and integrated;
  - Homes and buildings – functional, healthy and sustainable;

- Resources – efficient and resilient;
- Lifespan – made to last.

7.2.7 The front curtilage of the property is highly visible in the public domain within the small square of properties. It can be glimpsed through the alleyway from the public parking area to the west of the site.

7.2.8 All the properties have a similar front projection. The proposal to widen the existing projection from 2.2m wide to 2.4m wide is minimal and would be barely perceptible in the street scene. The increase in height from 2.5m to 2.7m, again is deemed to be minimal, although this would be more perceptible as it would be taller than the surrounding projections. However, the works would be read against the two-storey main dwellinghouse so would appear proportionate and secondary. In this regard, it is not considered that the alterations to the existing projection would have a harmful impact on the visual amenities of the street scene.

7.2.9 Turning to the creation of the new entrance porch, at 1.1m wide, 1.2m deep and 2.7m high, this aspect of the proposal due to its limited size and scale would not dominate the remaining front curtilage and there would still be a reasonable amount of space between the porch and the public footpath. Owing to the existing projection, it would only be seen from directly in front of the property and from the northern side. As such, the proposed porch addition would not cause visual harm to the amenities of the wider street scene.

7.2.10 For these reasons, the proposed development is considered not to harm the character and appearance of the area and is acceptable in this regard.

### **7.3 Amenity of Neighbours**

7.3.1 The proposed works would not project deeper than the existing projection so there would be no worsening of the outlook from the attached neighbour in this regard. Further, the 0.2m increase in the height of the roof of the existing single-storey projection is not considered to be of such an increase that it would have a detrimental impact on the amenities of the occupiers of the adjoining terraced property.

7.3.2 In terms of the neighbours to the north, the existing layout has an entrance door and full height glazing facing these neighbours. The proposed development, whilst 1.1m closer to these neighbours, would have an entrance door and small window facing them. In this regard, it is not considered that the proposed development would worsen any existing impacts on these neighbours, especially as the entrance door and glazing panel of the neighbour to the north serves a habitable room.

7.3.3 For these reasons, the proposed development is considered not to harm the amenities of neighbouring properties and is acceptable in this regard.

### **7.4 Equalities Impact Statement**

7.4.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

7.4.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.

7.4.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum

this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

7.4.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

7.4.5 In terms of inclusive access, the proposal seeks to adapt SBC housing stock to meet the needs of an existing disabled tenant in order that they may continue to live independently.

## **8. CONCLUSIONS**

8.1 It is considered that the proposed development would not harm the character and visual amenity of the area, nor would it harm the amenities of neighbouring properties. The application is, therefore, recommended for approval.

## **9. RECOMMENDATION**

9.1 That planning permission be GRANTED subject to the following conditions -

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

01; 02; 03; 04; 05; 06; 07; 08; 09;

**REASON:-** For the avoidance of doubt and in the interests of proper planning

2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 The materials to be used in the construction of the external surfaces of the front extension hereby permitted shall match the materials used in the construction of the original dwelling to the satisfaction of the Local Planning Authority.

**REASON:-** To ensure the development has an acceptable appearance.

4 No access shall be provided to the roof of the extension by way of windows, doors or staircases and the roof of the extension hereby permitted shall not be used as a balcony or sitting out area.

**REASON:-** To protect the amenities and privacy of the occupiers of adjoining properties.

### **The Council has acted Pro-Actively for the following reason:-**

1 Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **INFORMATIVES**

## 1 **Community Infrastructure Levy**

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020.

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at [www.stevenage.gov.uk/CIL](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

## 2 **Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [building.control@hertfordshirebc.co.uk](mailto:building.control@hertfordshirebc.co.uk) or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building Control Ltd, 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

## 3 **Party Wall etc. Act 1996**

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Stevenage Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at:

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework February 2021 and Planning Policy Guidance March 2014.