



## Appeal Decision

Site visit made on 19 December 2023

**by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS**

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

**Decision date: 11 January 2024**

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### **Appeal Ref: APP/K1935/D/23/3332016**

#### **171 Verity Way, Stevenage SG1 5PR**

- 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 Mrs Queenta Tafon against the decision of Stevenage Borough Council.
  - The application Ref 23/00553/FPH, dated 17 July 2023, was refused by notice dated 6 September 2023.
  - The development proposed is part single-storey, part two-storey rear extension, raised patio with associated balustrade and single-storey front extension.
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### **Decision**

1. The appeal is dismissed.

### **Procedural Matters**

2. During the determination of the application the description of development was amended by the council to reflect the elements of the proposal that require planning permission. I have therefore used the amended description included in the decision notice for accuracy.

### **Preliminary Matters**

3. The Government published on 19 December 2023 a revised version of the National Planning Policy Framework (the Framework). Neither the appellant nor the Council have made any further submissions regarding the revised Framework, and I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.
4. The appeal proposals are, in part, motivated by a need to provide ground floor accommodation for a disabled adult. The Public Sector Equality Duty (PSED) contained in the Equality Act 2010, sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Under the requirements of the PSED, I have taken account of the protected characteristics referred to in the submissions made by the appellants in my consideration of this appeal.

### **Main Issues**

5. The main issues are:
  - The effect of the proposals on the character and appearance of the host dwelling and surrounding area

- The effect of the proposals on living conditions of neighbouring occupiers
- The effect of the proposals on car parking
- The effect of the personal circumstances of a disabled occupier of the host dwelling

## Reasons

### *Character and Appearance*

6. Verity Way sits within a residential, post-war development of two storey houses, arranged in terraced blocks addressing public open spaces.
7. Most do not have direct vehicular access, where it is instead 'segregated' to rear parking courtyards where there are garages and parking spaces allocated to specific dwellings.
8. Because of the arrangement of the dwellings, I was able to clearly see that very few of the neighbouring dwellings had been subject to front or rear extensions. Of those that had, they were single storey. I was also able to observe that there was limited car parking available to visitors.
9. No 171 (the appeal property) is a 3 bedroom, two storey end of terrace house which fronts on to an area of open space, with a private rear garden which is accessed via an alleyway leaving from a parking courtyard. The side and rear of the appeal property is also visible from a pedestrian pathway which runs along the side of the property. Like many of the neighbours, there is a single storey rear projection which provides a utility/storage area for the dwellings and appears to be a part of the original design.
10. Policy GD1 (High Quality Design) of the Stevenage Borough Local Plan (2019) (LP) seeks development that makes a positive contribution to its surroundings and has regard to the guidance set out in the Stevenage Design Guide Supplementary Planning Document (2023) (SPD1) which also requires consistency in design (including roof pitch and scale).
11. Policy SP8 (Good Design) of the LP seeks development that preserves and enhances Stevenage whilst delivering 'substantial improvement' to the image and quality of the built form of the town.
12. The Framework at para 8 (the social objective) seeks '*well designed, beautiful... places*', as well as para 124 (e) in respect of upward extensions where the development should be '*consistent with the prevailing height and form of neighbouring properties and the overall street scene*'.
13. The appeal proposals would result in significant single and double height extensions to the rear, together with alterations to the front elevation. The appellant has helpfully supplied 3D imagery of the proposed extension which illustrates the overall scale and massing of the appeal scheme.
14. The development to the rear would involve the creation of a narrow two storey pitched roof outrigger design, together with a flat-roofed two storey extension over a single storey ground floor extension which would extend the full width of the house.

15. Whilst the ground floor extension to the principal elevation of the house would also run the full width, this would have a mono-pitched roof which would also provide a porch feature. I note that the council consider the size of the front porch to exceed the dimensions set out in SPD1. At the site visit, I noticed another similar dwelling with a similar ground floor front extension with mono pitched roof also fronting the same area of open space. Whilst that front extension may have been smaller (and in any case I have determined this appeal on its own merits), it seems to me that the effects of the proposed front extension would be similar in this case.
16. I agree with the appellant that the proposed alterations to the principal elevation would be complementary and would not result in harm to either the host dwelling or the wider area. However, the proposed additions to the rear of the dwelling are of concern to me.
17. The proposed additions to the rear would add significant bulk, resulting in what I consider to be an overbearing and incongruous development that would look out of place against both the host dwelling and the neighbouring properties. This is caused by the first floor element of the proposed extension. In this respect, I agree with the council that the roof design is poor and would be highly visible from many parts of the surrounding public domain, adding to the impact.
18. Consequently, the overall effect would be overbearing and harmful to the character of the host dwelling and wider area.
19. I find that the proposals to the rear would result in significant harm to the existing character of the host dwelling and the wider area, contrary to policies GD1, SP8 and the relevant parts of the SPD1 and the Framework.

#### *Living Conditions*

20. I note the council's concerns that the proposed window in the wide elevation could result in overlooking over the neighbouring property. However, this window would serve a hallway/landing and not a useable room. To that end I agree with the appellant that this window could be obscure glazed and non-openable which would, in that case result in no harm to the living conditions of the neighbouring occupiers. This could be secured by a planning condition.
21. I therefore do not find offence to policy GD1 or SP8 of the LP, nor the relevant parts of the SPD or Framework.

#### *Car Parking*

22. The proposed development would result in two bedrooms being added to the property, creating a 5 bedroom house. Under Policy IT5 (Parking and Access) of the LP and the Stevenage Borough Council Car Parking Standards Supplementary Planning Document (2020) (SPD2), there is a requirement for homes with 5 bedrooms to provide 2.5 car parking spaces. This, rounded up to the nearest whole number (as required) would be 3 parking spaces.
23. The host dwelling, as described by the appellant has an '*assigned garage space adjacent to no. 125 Verity Way plus... a hardstanding area to the front of the garage*'. It is clear to me that the occupiers have access to two formal spaces. The appellant claims that there are further spaces available, despite the 'no parking' signs which can accommodate additional cars, but these are informal.

The appellant suggests that the council have not provided evidence of parking congestion, but it is not for the council to do so. I was able to see at the site visit that car parking was very limited and I have some doubts about how genuinely useable the garages are for parking, given their smaller dimensions.

24. I note the appellant's argument about the sustainable location of the appeal property, being in accessibility zone 3, as set out in SPD2. Had the proposals been a single additional bedroom and bathroom to meet the needs of the disabled person who is described in the submissions then the argument would have been more straightforward.
25. However, I consider the policy is clear on the matter and even if the appellants do not require additional parking presently, there is no guarantee that future occupiers may have more cars than can be accommodated in the parking area. This would result in significant harm to the living conditions of neighbouring occupiers associated with increase pressure on the availability of car parking. I therefore conclude that the proposals would be contrary to Policy IT5 and the guidance contained within the SPD2.

#### *Personal Circumstances*

26. Part of the justification for the proposals is that the appellant wishes to provide more space for a disabled family member to live and be supported in the home. From the submissions made in the application and appeal, I can see that the ground floor extension would accommodate an additional bedroom and bathroom for this purpose. There is no existing space to accommodate a ground floor bedroom and bathroom, so it is clear to me that the ground floor rear extension is necessary. The proposals to further enlarge the ground floor with an extension to the front would provide a larger space to accommodate circulation and a segregated lounge and kitchen/dining area. Given the disabled family member would then be better able to share this space with the family, I consider the further space would also be necessary given the fact that they would be living entirely on the ground floor in light of their mobility limitations.
27. As a result, I give great weight to the personal circumstances of the appellant's disabled family member and consider that the ground floor extension (to the front and rear) alone would not result in unacceptable harm.
28. Whilst there appears to be genuine need for a single additional bedroom on the ground floor and that it would provide adequate accommodation for the disabled adult as part of the wider family home, I fail to see how it would also justify the additional bedroom on the first floor, given the harm I have already identified to character and appearance, as well as the requirement for additional car parking.
29. In considering the requirements of the PSED, a refusal of permission would not amount to unlawful discrimination. Allowing the appeal when the proposal would result in the harm I have identified would undermine relations between people who do and do not share a protected characteristic. This supports my view that the need for the proposals does not outweigh the harm to the character and appearance of the area, nor the car parking requirements.
30. As I must determine this appeal in its entirety, I consider that the harm I have identified would not be outweighed by the benefits.

**Conclusions**

31. For the reasons given and having considered all matters raised, I conclude that the appeal is dismissed.

*Sian Griffiths*

INSPECTOR