
Appeal Decision

Site visit made on 6 November 2017

by D J Board BSc (Hons) MA MRTPI

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

Decision date: 1ST December 2017

Appeal Ref: APP/K1935/W/17/3180930
8 Windsor Close, Stevenage, SG2 8UD

- 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 Psycare Ltd against the decision of Stevenage Borough Council.
 - The application Ref 17/00224/FP, dated 31 March 2017, was refused by notice dated 30 May 2017.
 - The development proposed is erection of a two-storey rear extension to existing 'C2' care home.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the extension of the care home on (a) the living conditions of existing occupiers at 20 Caernarvon Close, with particular regard to outlook and privacy and (b) highway safety.

Reasons

Living conditions of existing occupiers

3. The extension to form additional accommodation would be located to the rear of the building. It would be part single and part two storey. The rear ward projection would bring built form closer to the common boundary with No 20 Caernarvon Close.
4. There is no dispute that the addition would reduce the back to back distance between the two. The rear elevation at first floor would contain one large window and one smaller one. I appreciate that the smaller window could reasonably be obscure glazed. However, the other window would be the sole opening for bedroom 5. As such I am not persuaded that this would be an appropriate solution in this instance. This window would directly face the house and garden of No 20. It would be closer than the windows in the existing building. Overall I consider that it is likely that there would be views between this window and No 20.
5. I understand that the rear fence is of a height that would mainly obscure the single storey element of the scheme from view from No 20. However, the first floor addition, which would also be across the full width of the building, would be visible above the fence. Therefore, irrespective of the application of numeric separation distance¹ and appearance, it would ultimately be in close

¹ Stevenage Design Guide Supplementary Planning Document

proximity to the boundary with No 20 and would be both prominent and visible when viewed from its home and garden. Consequently the outlook from No 20 would be obstructed by an imposing building of significant height. The effect would be overbearing. It would result in substantial harm to outlook.

6. I therefore conclude that the proposal would have a harmful effect on the living conditions of existing occupiers at 20 Caernarvon Close, with particular regard to outlook and privacy. It would be in conflict with policy TW8 of the Stevenage District Plan (DP), Stevenage Design Guide and emerging policy GD1 of the Stevenage Borough Local Plan (LP) which amongst other things require new development to be of a high quality design that would not have an adverse impact on neighbouring uses or the surrounding area. It would also be in conflict with the National Planning Policy Framework which seeks to secure a good standard of amenity for all existing occupiers of land and buildings.

Highway safety

7. The existing house has three bedrooms and the extension would increase this to number to five. The layout shows one parking space at the front of the property. However, the Council's report indicates that this not within the appellants' control. This area would not be affected by the proposed extension. The appellants submit that members of staff do not live at the premises with one staff member on site at any one time in a 24hr period out of a total full time equivalent of 5.
8. The Council's car parking strategy is expressed in Policy T15 of the Stevenage District Plan. This requires provision to be made '*...at or below, the maximum...*' The Council policies would require a five bedroom property to have three parking spaces. The Parking Provision SPD sets out for a HMO the standard is 0.5 spaces per tenancy unit. For a residential institution it would be a maximum 1 space per 5 resident bed spaces and 1 space per 2 staff. The appellants submit that the building is used as a care home (C2) rather than being a C3 house in multiple occupation (HMO) as the Council suggest. I have considered the scheme as applied for.
9. The SPD goes on to state that '*...Reductions below the standards may be permitted where the location and/or characteristics of the development could reduce car ownership levels. However, it is important that any existing residential car parking problems are not exacerbated. This will be a consideration when determining the acceptability of a lower level of parking provision. If under-provision is likely to increase on street parking problems, this will not be permitted*'.
10. The building is located at one end of a terrace of similar dwellings. There is frontage parking along the block paved area which appeared to be in use. Further other dwellings had on plot parking available. I also note that there are bus stops within a short walking distance of the site. Nevertheless, the enlarged building would have at best one parking space and at worst none. I have no information that would suggest there is an existing parking problem. However, even if I accept that residents would not require parking, in reality it is probable that staff parking would be required on site over a 24 hour period, especially in the evening and at night.
11. Nevertheless, taking all matters into account, including the fact that the Council's standards are maximums which seek to minimise the use of cars, I

noted that at the time of my visit there were several spaces available within close proximity of the site. Further there were no parking restrictions that would limit the times when staff could park. On street parking is not unusual in urban and suburban locations. Furthermore I appreciate that the appellant has another premises nearby. I consider that parking for one vehicle, should it be required, could be accommodated within a reasonable distance of the site.

12. I therefore conclude that the extension would not have a harmful effect on highway safety. It would not be in conflict with policies T15 of the DP and LP policy IT5 in so far as they seek to ensure that new developments make appropriate provision for parking.

Conclusion

13. Whilst I have found no harm in relation to the proposed parking arrangement this would not overcome the harm I have identified to the living conditions of existing occupiers.
14. For the above reasons and having regard to all other matters raised I conclude that the appeal should be dismissed.

D J Board

INSPECTOR