



Appeal Decision

Site visit made on 10 June 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 September 2025

Appeal Ref: APP/K1935/W/25/3362953

Land adj. 175 Vardon Road, Stevenage SG1 5PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by SLS Property Solutions against the decision of Stevenage Borough Council.
 - The application Ref is 24/00893/FP.
 - The development proposed is to construct a pair of semi-detached two storey 2-bedroom dwellings.
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Decision

1. The appeal is allowed and planning permission is granted to construct a pair of semi-detached two storey 2-bedroom dwellings at land adj. to 175 Vardon Road, Stevenage SG1 5PY in accordance with the terms of the application, ref. 24/00893/FP, subject to the conditions in the attached schedule.

Preliminary Matters

2. The agent certified that the applicant owns the site, but the local highway authority recommended refusal due to its ownership and possible future use of the site. A plan provided by the Council shows the site and carriageway both tinted orange, which it states are maintained by the local highway authority, and parking spaces tinted pink, which it states are owned and maintained by the Council.
3. If the land is adopted, an application to stop it up would be required before it could be developed. The local highway authority could object to that on the basis that the land continues to be required as highway. If the local highway authority also owns the land, then it could prevent the development. In any event, I am satisfied these issues are either not valid or could be dealt with under highways law.
4. The block plan shows allocated garages to the rear of 175 Vardon Road. On site it was clear that this was, in fact, an electrical substation, a fact pointed out by a resident in response to consultation. Whilst this could over-represent the available parking near the site, I have formed a judgement on this based on my site visit.

Main Issue

5. The main issue in this appeal is whether the proposal would have an unacceptable impact on highway safety.

Reasons

6. The appeal site is a plot of grass contiguous with an open space bounded by a footpath, the end of a terrace of houses and a wall to a communal parking area on a service road. It forms a gap at the end of one of four two-storey terraces that front roughly in a square on to the open space, to which there is no vehicular access.

The wider area comprises further two-storey terraces of housing fronting on to open spaces with service roads, garages and parking to the side or rear.

7. During my site visit, just before midday on a weekday during school term, cars or vans were parked in roughly half of the communal spaces on the service road. An earlier survey by the Council on a weekday during term found similar results at midday, but far fewer spaces free at 6pm, with parking also alongside garages. Residents state that parking and garage provision is insufficient to meet current demand, causing displacement, congestion and consequent parking restrictions.
8. The proposal would construct a pair of two-storey two-bedroom semi-detached houses in line with the adjacent terrace and fronting the open space, from which pedestrian access would be taken. Like housing in the surrounding area, it would have no on-site parking, relying instead on the spaces along the service road.
9. The local highway authority recommended refusal on grounds that include loss of parking, but whilst the proposal may create unmet demand that utilises existing communal spaces, it would not result in its loss. The local highway authority does not object on highway safety grounds; it states that the speed limit is 30mph and that it has no record of accidents nearby in the last five years. As residents point out, parking restrictions have been introduced nearby to manage safety.
10. Consequently, I am not convinced that the proposal would have either an adverse or unacceptable impact on highway safety. It therefore complies with both Policy IT4 of the Stevenage Borough Local Plan 2011-2031 and the emerging Policy IT4 of the Local Plan Partial Update 2024. However, it does fail to provide the parking required by Policy IT5 of the Stevenage Borough Local Plan 2011-2031 and the Council's recent Parking Provision SPD and so is contrary to that policy.

Other Matters

11. The proposal would provide two dwellings in a sustainable location contributing to the overall housing supply and providing a small boost to the local economy.
12. The appellant states that the site is not designated open space. Residents object on the basis that it is. The Council states in its Officer Report that it is protected under Policy NH6 of the Stevenage Borough Local Plan 2011-2031 but attaches only limited weight to this conflict with policy. Whilst this is not a reason for refusal, Policy NH6 is broadly worded, may well apply to the site and requires justification for loss and compensation, neither of which I have before me.
13. Residents also object that the plot is too small, and the houses would be out of character, reduce visibility and safety along the adjacent footpath, and block natural light. I note that the Council has not refused permission for any of these reasons. I am content that the scale, form and layout of the proposal is broadly in keeping with the character of the area and provides adequate garden space, visibility along the footpath and natural light to existing occupiers.

Planning Balance

14. The appellant states that the Council has an insufficient housing land supply and that the delivery of housing was substantially below the requirement. The Council states that it has a sufficient supply of housing land but acknowledges delivery has been substantially below the requirement. In these circumstances footnote 7 of the

National Planning Policy Framework (the Framework) establishes that the policies which are most important for determining the application are out-of-date.

15. The site is not subject to policies in the Framework that protect areas or assets of particular importance. Consequently, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
16. Because the Framework seeks to deliver a sufficient supply of homes, and the land is not a central part of the adjoining open space or essential to its function, I agree with the Council that any conflict with Policy NH6 of the Stevenage Borough Local Plan 2011-2031 should be given only modest weight.
17. The Framework also requires streets, parking and standards to reflect current guidance, but would refuse permission on highways grounds only if there would be an unacceptable impact on highway safety, or residual impacts would be severe.
18. Whilst the existing street layout and parking are evidently subject to stress and the Council's standards appear to reflect guidance, I do not consider that the additional unmet demand created by the proposal would cause unacceptable highway safety or severe residual impacts. Consequently, I attach only moderate weight to the conflict with Policy IT5 of the Stevenage Borough Local Plan 2011-2031.
19. Set against this, I attach significant weight to the provision of two dwellings in a sustainable location contributing to the overall housing supply and providing a small boost to the local economy.

Conditions

20. The appellant agrees to the Council's suggested conditions, except one restricting the removal of hedges, scrub or similar vegetation during the bird nesting season. As there are no such features on the site, I agree that this is unnecessary. Because the Preliminary Ecological Appraisal contains no actions, a condition requiring the development to be carried out in accordance with it is also unnecessary.
21. A member of the public stated that the Stevenage Biodiversity SPD expected the model of Swift box and whether it is integrated into the wall to be specified. Whilst a copy of this SPD is not before me, I have amended the Council's suggested condition to require it to be specified and approved. I have imposed the other conditions with minor amendments for brevity and clarity.

Conclusion

22. For the above reasons and having had regard to all other matters including the Framework, I conclude that the appeal should be allowed.

S Simms

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans L-01 rev A and L-02.
- 2) The development hereby permitted shall begin not later than three years from the date of this decision.
- 3) The external materials used in the development to which this permission relates shall be those detailed on the approved plans and in the accompanying planning submission documents.
- 4) No development shall commence, including site clearance, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Statement shall include details of:
 - a. Plan to illustrate each area of the construction site. Access arrangements to the site.
 - b. Traffic management requirements.
 - c. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas).
 - d. Siting and details of wheel washing facilities. Provision of sufficient on-site parking prior to commencement of construction activities.
 - e. Construction vehicle parking alternatives.
 - f. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding which must be kept within the site boundary, pedestrian routes and remaining road width for vehicle movements
- 5) No construction work relating to this permission that is audible at the site boundary shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays.
- 6) The development hereby approved shall be carried out in accordance with the details in Section 6.6 (Adaptability, Resilience, and Environmental Sustainability) of the Design and Access Statement submitted with the application. These measures shall be permanently maintained in accordance with the approved details.
- 7) The development hereby permitted must not continue above slab level until written details are approved by the local planning authority of the model and location of two integrated Swift bricks, which must thereafter be installed prior to occupation and thereafter retained as specified on approved plan L-01-Rev A.
- 8) Prior to the first occupation of the dwellings hereby permitted, secure and lockable cycle storage as shown on approved plan L-01-Rev A shall be implemented. The storage areas shall be retained and maintained during the lifetime of the development.
- 9) If contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the

local planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the local planning authority.

- 10) Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 11) Any external lighting installed at the site shall be angled to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the Local Planning Authority.
- 12) No development shall take place until a plan has been submitted to and approved in writing by the Local Planning Authority that details the finished ground levels to demonstrate that the 25-degree rule as set out in the BRE: Site Layout planning for daylight and sunlight: a guide to good practice (BR 209 2022 edition) is passed against No.171 Vardon Road.
- 13) No development shall commence until details of noise mitigation measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure:
 - a. The construction accords with BS8233 'Sound Insulation and Noise Reduction for Buildings' (with particular focus on glazing, floor insulation, party walls, party staircase, entrance doors);
 - b. The noise levels do not exceed:
 - c. 30 dB(A) Leq (8 hours) and 45 dB(A) Lmax in the bedrooms between 23:00 and 07:00;
 - d. 35 dB(A) Leq (16 hours) in habitable rooms at all other times;
 - e. 55 dB(A) Leq (16 hours) in private open space / garden areas at all other times.
 - f. Exposure to vibration is no higher than of the values equivalent to "low probability of adverse comment" in accordance with BS6472 'Evaluation of Human Exposure to Vibration in Buildings';
 - g. At any junction between adjoining residential and non-residential uses, the internal noise insulation level is designed to take account of the noise levels generated in the noise source so that in habitable rooms the typical worst case (i.e. 90th percentile LAeq,15 min level of intruding noise) is at least 10 dBA below the equivalent prevailing LAeq,15 min in the receptor.

The scheme shall thereafter be implemented in accordance with the duly approved details and retained in that form for the lifetime of the development.

END OF SCHEDULE