

Appeal Decision

Site visit made on 6 November 2020

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 December 2020

Appeal Ref: APP/Z5630/W/20/3248633

11 Montem Road, New Malden KT3 3QW

- 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 Michael White against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application, Ref. 19/03155/FUL, dated 6 January 2020 was refused by notice dated 6 March 2020.
 - The development proposed is the erection of two storey rear extension; single storey front/side extension; first floor side extension and roof extension to facilitate the conversion of the existing detached house into 1 x 2 bedroom, 1 x 1 bedroom and 2 x studio flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the mix of dwelling unit sizes would meet the housing needs of the Borough, and (ii) the effect of the proposal on on-street parking in the area.

Reasons

3. On the first issue, the Council considers that whilst there would be three additional dwellings on the site and these would be of an acceptable standard without causing harm to the character and appearance of the area, the loss of the existing family dwelling would result in an unacceptable conflict with its housing policies. In this regard, Policy DM 13 of the Royal Borough of Kingston Upon Thames Core Strategy 2012 ('the CS') requires at least 30% of proposed units to provide family accommodation (defined as a dwelling with 3 or more bedrooms).
 4. For the appellant it is argued that the proposal would in fact assist in meeting the housing needs of the area. It is considered that the 2 bedroom flat would provide a good opportunity for a young family with one or two children, while the single bedroom flat and studios will attract couples and young professionals.
 5. However, the Strategic Housing Market Assessment 2016 ('the SHMA') indicates that the Borough's housing requirement for 3 bedroom dwellings in the period up to 2035 is far greater than for 1 and 2 bed accommodation. The appeal scheme would result in the loss of the existing 3 bed dwelling and provide only for the smaller 1 and 2 bed sizes. This conflicts with CS Policy DM 13 '*unless it can be robustly demonstrated that that this would be unsuitable or unviable*'.
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6. Whilst the appellant has said that a 3 bedroom flat sharing a building with much smaller units would be '*an uncommon arrangement*', I do not regard this in itself as a sufficient reason for making an exception to the policy and providing only 1 and 2 bed units, even allowing for the advantage of an increased number of dwellings on the site.
7. I acknowledge that the 2009 appeal decision for essentially the same development is a material consideration, but that appeal is now over a decade old and predates the current development plan policies; the housing needs assessment for the Borough as set out in the SHMA, and the first version of the National Planning Policy Framework ('the Framework') issued in 2012. On the first issue, I therefore conclude that in its present form the appeal proposal is unacceptable because it would fail to adequately meet local housing need.
8. Turning to the second issue of the development's parking implications, CS Policy CS 7 refers, amongst other matters, to the management of on-street and off-street parking to address issues of sustainability and residential amenity. The Council's particular concern in this case is that the proposed increase in three dwellings on the site would result in an additional requirement for on-street parking. And given the existing pressure for spaces in Montem Road this would be likely to lead to overspill or inconsiderate parking and thereby be harmful to residential amenity. This view is echoed by comments on the appeal application from some neighbouring residents.
9. From my visit to No. 11 and its surroundings I can find no reason to conclude that such concern is unfounded. The actual number of spaces needed by occupiers of the proposed flats depends on a combination of factors, including whether existing or emerging parking standards are applied and the travel choices of the future residents. The excellent cycle storage facilities proposed in the development may reduce the parking demand, but this is unlikely to wholly eliminate the shortage of three on-site spaces (assuming the less onerous standard of the emerging London Plan is used).
10. Furthermore, Montem Road is not designated as a Parking Permit Area where there is the potential for a legal undertaking accompanying an application to preclude new residents from applying for an on-street parking facility. On this issue I therefore conclude that there would be an unacceptably adverse effect on on-street parking in the area in conflict with Policy CS 7 and paragraph 109 of the Framework.
11. The Council acknowledges that it cannot demonstrate a five year supply of deliverable housing sites and I have therefore had regard to Government policy in paragraph 11d) of the Framework. However, I consider that the adverse impacts of the proposal as set out above would significantly and demonstrably outweigh the benefits of providing three additional dwellings on the site when assessed against the policies of the Framework taken as a whole.
12. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR