



Appeal Decision

Site visit made on 21 February 2022

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8TH March 2022

Appeal Ref: APP/Z5630/D/22/3291167

48 Archdale Place, New Malden KT3 3RW

- 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 Krish Kuga against the decision of Royal Borough of Kingston upon Thames Council.
 - The application Ref 21/03496/HOU, dated 01 November 2021, was refused by notice dated 13 January 2022.
 - The development proposed is 'Conversion of existing garage to habitable space with associated changes to fenestration and installation of 1 no. rooflight. Erection of single storey rear and side extensions'.
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Decision

1. The appeal is allowed and planning permission is granted for 'Conversion of existing garage to habitable space with associated changes to fenestration and installation of 1 no. rooflight. Erection of single storey rear and side extensions' at 48 Archdale Place, New Malden KT3 3RW in accordance with the terms of the application, Ref 21/03496, dated 01 November 2021, subject to the conditions set out in the attached schedule.

Application for Costs

2. An application for costs was made by Mr Krish Kuga against Royal Borough of Kingston upon Thames Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposal on the road network and highway safety.

Reasons

4. The appeal site is a semi-detached dwelling with an attached garage, situated within Archdale Place, a small, planned estate. Properties in Archdale Place and the immediate surroundings benefit from either a single-width garage or an off-street parking space. Each dwelling generally has only a single space or garage and, as such, there is strong demand for on-street parking in the vicinity.
5. The appeal proposal seeks to convert the attached garage of the appeal site into additional residential accommodation. In doing so, the garage space would no longer be available for parking and a single additional vehicle would

therefore be parked on the road. Despite there being localised parking stress, a single additional vehicle could be accommodated within the existing street network and estate, as Archdale Place is not subject to controlled parking. In the vicinity there are the usual parking restrictions at junctions, corners and on the busier main road, which would ensure any additional vehicle parked on the street would not create unsafe conditions for road users and pedestrians. As such, a single additional vehicle would not pose a risk to highway safety.

6. Whilst a single vehicle increase in on-street parking might result in some inconvenience, it would not have a severe residual cumulative impact on the road network in respect of congestion.
7. For these reasons, the appeal proposal would accord with policies DM9 and DM10 of the Local Development Framework Core Strategy (CS), adopted in 2012, and the National Planning Policy Framework (the Framework). These policies seek, amongst other things, development of a high-quality standard of design which has regard to local traffic conditions, and which does not have an unacceptable impact on highway safety or a severe cumulative impact on the wider road network.

Other considerations

8. The Appellant's grounds of appeal outline that the appeal proposal seeks to provide additional accommodation within the dwelling for an older person. The appeal proposal thereby seeks to meet the existing and future health, housing and welfare needs of an older person. This weighs further in favour of the proposal.
9. An extant planning permission, Council Ref.19/00240/HOU, exists for conversion of the garage into residential accommodation at the appeal site. Since planning permission has been granted for that scheme and there is a reasonable likelihood the development would take place as permitted, the permitted scheme constitutes a realistic 'fallback' position and a material consideration. The parking space within garage would also be lost under this permitted scheme. Had I reached an alternative conclusion in respect of the relevant policies of the development plan, this consideration would have indicated that the appeal should be determined other than in accordance with the development plan.

Conditions

10. I have imposed the standard conditions in respect of time limit and plans, to ensure the development is undertaken in a timely manner and in accordance with the approved plans. The Council has also requested an additional condition relating to secure cycle storage; given the nature of the proposal, I consider this condition to be necessary and reasonable given the nature of the development proposed.

Conclusion

11. For these reasons, the appeal proposal accords with the relevant policies of the development plan, in so far as they are consistent with the Framework. The appeal is accordingly allowed.

Kim Langford Tejrar

INSPECTOR

Schedule of Conditions

- 1.** The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2.** The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan 19-001-001, Proposed Plans 19-001-003, Proposed Elevations 19-001-004.
- 3.** Prior to beneficial occupation of the development hereby approved, details of secure cycle parking facilities to serve the development to which this permission relates shall be submitted to, and approved in writing by, the local planning authority. The cycle parking facilities shall be provided prior to the occupation of the development and thereafter retained for the use of cycle parking.