



Appeal Decision

Site visit made on 2 March 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 31ST March 2022

Appeal Ref: APP/Z5630/W/21/3281234

58 Gibbon Road, Kingston Upon Thames KT2 6AB

- 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 Ms Tara Lanigan against the decision of the Royal Borough of Kingston Upon Thames.
 - The application Ref 21/00206/FUL, dated 5 January 2021, was refused by notice dated 16 June 2021.
 - The development proposed is described as the conversion of 2 flats into single family dwellinghouse.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of 2 flats into single family dwellinghouse in accordance with the terms of the application Ref 21/00206/FUL, dated 5 January 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be undertaken in accordance with approved plan titled Proposed Floor Plans, DRG No.110, Dated Jan '21.

Main Issues

2. The main issue is the effect of the development upon the balance of residential accommodation in the locality.

Reasons

3. The appeal property was originally constructed as a two storey detached dwelling, however is currently divided into two flats comprising of a one bedroom ground floor flat and a two bedroomed flat on the first and second floors. The dwelling is located within a residential area where it would appear that a number of the dwellings in the street are in single dwelling occupation.
4. Policy DM14 of the Royal Borough of Kingston Upon Thames Core Strategy (CS) seeks to resist the loss of all types of housing, and emphasises the importance of the protection of existing family dwelling units (those with 3+ bedrooms). The accompanying text to the policy recognises that a high proportion of residential schemes provide 2 bed flatted developments, raising concern about the availability of family housing.

5. In applying CS Policy DM14 to the appeal site, according to the Council's Planning Officer Report, the Borough's annual housing target has increased since the adoption of the Core Strategy and that Kingston currently has an annual housing target of 964 new residential dwellings per year. I have not been presented with any updated strategic housing needs which update this figure or the components that make up this figure. Based on the evidence before me, I agree with the Council that the proposal would result in a net loss of one dwelling from the supply of dwellings which would be contrary to components of LP Policy DM14.
6. However, whilst it is unclear whether the policy seeks to reduce the loss of individual units or residential floorspace as other appeal decisions have commented upon,¹ it is clear to me that the policy has an emphasis on delivering and protecting family dwellings. The delivery of different tenure types is also a component of housing delivery and supply, and whilst this proposal would result in the net loss of a residential dwelling, it would contribute to housing supply from the delivery of a family dwelling to which I attach significant weight to. In this particular case, whilst the proposal may not be fully compatible with LP Policy DM14 (depending on its interpretation), it is clear that the proposal in this particular instance would not conflict with the overall main aims that CS Policy DM14 is attempting to prevent.
7. Taken as a whole, and in conclusion of this matter, I do not find that the conversion of two flats into a family dwelling would on its own or cumulatively conflict with the aims of CS Policy DM14 which seeks that development not result in the loss of residential accommodation. Whilst the proposal would in principle result in a loss of a dwelling, when assessing the policy and development plan as a whole against this specific case, the proposed development would increase the availability of a single family dwelling and that the aims of this policy would not be eroded.

Conditions and Conclusions

8. For these reasons, and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be allowed and planning permission granted, subject to the conditions as detailed at the beginning of this letter.
9. I refer to the suggested conditions specified by the Council in their appeal form, if the appeal was to be allowed and have considered them in accordance with the Planning Practice Guidance (PPG).
10. Conditions 1 and 2 sets the standard time limit and the approval of the proposed floor plan (the elevation plan is unchanged and therefore does not require approval) which is necessary for the avoidance of doubt and in the interests of proper planning.

J Somers

INSPECTOR

¹ Appeal Decisions Appeal Ref: APP/Z5630/W/19/3226337, Dated 26 July 2019; APP/Z5630/W/17/3185000, Dated 10 January 2018