



Appeal Decision

Site visit made on 17 May 2022

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2022

Appeal Ref: APP/Z5630/D/22/3293598

24 Dumbleton Close, Kingston upon Thames KT1 3ST

- 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. Zhang against the decision of the Royal Borough of Kingston Upon Thames.
 - The application Ref 21/03317/HOU, dated 14 October 2021, was refused by notice dated 13 December 2021.
 - The development proposed is the conversion of existing garage to a study, replacement of existing garage door with a new double glazed window.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing garage to a study, replacement of existing garage door with a new double glazed window at 24 Dumbleton Close, Kingston upon Thames KT1 3ST in accordance with the terms of the application, Ref 21/03317/HOU, dated 14 October 2021, subject to the conditions in the attached schedule.

Preliminary Matters

2. The reason for refusal does not specifically refer to the Core Strategy (2012) when referencing Policies DM9 and DM10. However, this is implied in the officer report. The appellant has made reference to the correct policies and accordingly has not been prejudiced as a result.
3. The Council has not raised concerns in relation to the character and appearance of the proposal or its effect on the living conditions of neighbouring occupants. Having regard to the evidence before me and my own observations, I have no reason to come to a different conclusion.

Main Issue

4. The main issue is whether or not the proposed development would cause inconsiderate parking, adversely affect traffic congestion or compromise highway safety.

Reasons

5. The appeal site is a three-storey terraced dwelling. Like many of the other houses in the terrace, the dwelling has an integral garage which partially projects from the front elevation. An area of hardstanding is laid out in front of the garage, which via a crossover, connects to the highway.
6. The main parties are in broad agreement that the restrictive dimensions of the existing garage are such that its conversion to a study would not amount to the

loss of an existing off-site parking space. Following my site visit and having regard to the information before me, I have no reason to conclude otherwise.

7. Therefore, at present the occupiers of the house are likely to park any vehicle that they own either in front of the garage or on the highway. Whilst there is some doubt as to the exact length of the hard standing in front of the garage, this would not change as a result of the proposal and thus neither would how or where the occupiers are likely to park their vehicle.
8. There is no suggestion that the current situation already results in inconsiderate parking, and I note that there is permit parking available in Dumbleton Close and that there are also some parking spaces on Gloucester Road. There is no indication that the occupants of the appeal property would not be entitled to a parking permit as a result of the development or that this would lead to a level of parking stress which in turn might cause congestion or raise highway safety concerns.
9. Accordingly, given the evidence before me, I do not find that the proposal itself would lead to inconsiderate parking or adversely affect traffic congestion or compromise highway safety. Therefore, the proposal would accord with Policy T6 of the London Plan (2021) and Policies DM9 and DM10 of the Council's Core Strategy (2012) which, amongst other things, seek to ensure that development does not adversely affect levels of parking or contribute to congestion or raise highway safety concerns.
10. The proposal would also comply with Paragraph 111 of the National Planning Policy Framework, which amongst other things, seeks to ensure that developments are not permitted if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Conditions

11. In addition to the standard time limit condition, a condition is required in the interests of certainty that lists the approved plans. A condition is also required to ensure the external materials match the existing building and thus protect the character and appearance of the area.

Conclusion

12. For the reasons given above, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

Stewart Glassar

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:

OS Location Plan	–	P_001
Location Plan/Existing Site Plan	–	P_002
Proposed Plan & Elevations	–	P_010
Existing & Proposed Street View	–	P_011
- 3) The external materials used in the development hereby permitted shall match those of the existing building.

END