



Appeal Decision

Site visit made on 19 April 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 May 2023

Appeal Ref: APP/Z5630/D/23/3314205

33 Hatch Place, Kingston Upon Thames, KT2 5NB

- 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 and Mrs Edwards against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref 22/03386/HOU, dated 24 October 2022, was refused by notice dated 20 December 2022.
 - The development proposed is described as '*Front and rear extensions. Conversion of loft space to form habitable accommodation to existing dwelling*'.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of garage into habitable space, erection of single-storey front and rear extension, roof extension with rear dormer and Juliet-balcony, and installation of 2 No front rooflights to facilitate loft conversion at 33 Hatch Place, Kingston Upon Thames, KT2 5NB in accordance with the terms of the application, Ref 22/03386/HOU, dated 24 October 2022, subject to the following 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: Drg Nos 104-101, 104-102, 104-103, 104-104, 104-105, 104-106 and 104-107.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to beneficial occupation of the development to which this permission relates, Fire Safety information (a strategy) shall be submitted to and approved in writing by the local planning authority. The strategy shall, by addressing the criteria set out in Policy D12 of the London Plan 2021, demonstrate how the development would achieve the highest standards of fire safety. The development shall be carried out in accordance with the approved strategy and thereafter maintained.

Preliminary Matter

2. I have used the description in my formal decision that was given by the Council on their decision notice and which was repeated by the appellants on the appeal form. This better reflects the whole scope of the proposed development

compared with that which was given on the application form and which I have quoted in the banner heading above.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area, and upon levels of off-street car parking at the appeal property.

Reasons

Character and Appearance

4. The appeal property is a two-storey, end of terrace located within a residential cul-de-sac estate development comprising broadly similar style properties. The property has an existing single-storey projection to the front to one side with a lean-to roof over, and a recessed integral garage to the opposite side that is attached to No 32. The proposal would include conversion of the garage into habitable living space with a front infill extension that would sit flush with the existing projection, extending the lean-to roof across the full width of the property. A similar infill extension is proposed to the rear, together with a rear dormer window including a Juliet-balcony.
5. The Council has raised no objection to the proposed additions to the rear of the property and I have not been directed to any relevant supplementary planning guidance that would apply to these elements. The single-storey extension would appropriately tie-in with an existing rear projection and I saw a number of other similar 'box-like' rear dormer windows, including with Juliet-balconies, to other terraced properties within Hatch Place. As such, I am satisfied that the proposed extensions to the rear would not be out of keeping with, or harmful to, the established character of the area.
6. Although the properties along this part of Hatch Place are terraced, there is a high degree of articulation to the dwellings achieved through significant variety to their building lines, bay features, proportions, and building elements. As such, contrary to the opinion expressed by the Council within the officer's report, there is no clear and uniform building line or street pattern to the terrace of which No 33 forms part. The front infill extension would simply project an existing arrangement sideways and across the full width of the property in a complementary way. Indeed, I saw that it would closely mimic the form of other dwellings in the group, where single-storey lean-to roofs extend across the full width of some other properties between further forward projecting bays.
7. I recognise that front extensions can potentially have a significant impact upon the appearance of a dwelling and the wider street scene and that Policy Guidance 38 of the Royal Borough of Kingston upon Thames *Residential Design Supplementary Planning Document – 2013* (SPD) states that front extensions that extend across the entire frontage are unlikely to be supported. However, in this case I find that the proposal would sit comfortably in its setting, appearing neither discordant nor incongruous but rather as a well-considered and appropriately integrated addition that would respect and contribute to the distinctiveness of the local area. For these reasons I am satisfied that it would achieve the standard of design required by Policies CS8 and DM10 of the Royal Borough of Kingston upon Thames Local Development Framework – Core Strategy (April 2012) (CS) and Policy D3 of the London Plan 2021.

Parking

8. Policy Guidance 38 of the SPD states that front extensions should not affect the existing parking provision of the development and any parking lost as a result of the extension should be replaced on site. The Council point to the loss of the existing garage and argue that there would be insufficient room to accommodate any off-road parking on the appeal site.
9. The entire frontage to No 33 is hard surfaced, in common with most other properties in Hatch Place, where soft landscaping principally exists in pockets between neighbouring properties rather than as part of landscaped front gardens. The appellants give the dimensions of the frontage as 4.38m x 7.30m. This would be more than adequate to accommodate a parked vehicle. Whilst a parked car on this space would be across the frontage at an angle, I saw similar arrangements already existing and operating in this manner, including at properties directly opposite the appeal site at Nos 1 and 2 Hatch Place. There would therefore remain the capability to park a car on the appeal site. Cars already dominate the frontages to the properties in the area so the alternative arrangement proposed would not appear out of keeping or incongruous.
10. I have been presented with no evidence to suggest that the proposal would fail to meet any adopted parking standard and neither have I been presented with any evidence to demonstrate how the area may suffer from parking stress or how the appeal proposal may impact this or any other highway conditions. Based on the information before me I am unable to identify any harm or conflict with the SPD or Policies DM9 and DM10 of the CS insofar as they relate to car parking or highway issues. For these same reasons I am unable to identify any conflict with the National Planning Policy Framework.

Other Matters

11. I have noted an objection from a nearby neighbour to the rear which raises additional matters relating to noise and overlooking. The proposal amounts to a conventional residential extension. Any noise generated by the construction works would be short lived. I am unable to identify how the additional space created would generate any levels of noise that would be atypical for a residential neighbourhood.
12. The Juliet-balcony to the rear would add an opening at roof level with an outlook. However, the property already has a back-to-back relationship with dwellings to the rear, where windows to bedrooms face each other but with separation distances that are reasonable and typical for the surroundings. I am not persuaded that there would be increased potential for overlooking of any neighbouring living spaces that would affect existing levels of privacy. I note my findings reflect those of the Council in this regard.

Conditions

13. A condition requiring the development to be carried out in accordance with the submitted plans is necessary to provide certainty. In the interests of maintaining the character and appearance of the area a condition is required to ensure that the proposed extensions and alterations are finished with materials to match the existing building.

14. I have not been provided with any evidence to suggest that the property, which has access to a substantial rear garden, does not have facilities to accommodate secure cycle storage. Given this, and the nature of the development as a reasonably minor residential extension, I am not persuaded that a condition to secure details of cycle parking is necessary or reasonable.
15. In order to ensure the highest standards of fire safety, I agree with the Council that a fire safety strategy is required before occupation of the development hereby permitted in accord with Policy D12 of the London Plan. I have simplified the Council's suggested condition by referencing the criteria within Policy D12 rather than listing them.

Conclusion

16. For the reasons given, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR