



---

## Appeal Decision

Site visit made on 8 January 2020

**by Rory MacLeod BA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 31 March 2020**

---

**Appeal Ref: APP/K3605/W/19/3239157**

**14 Queens Road, Hersham, Walton-on-Thames, KT12 5LS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mrs Lesley Woodward-Thwaites against the decision of Elmbridge Borough Council.
  - The application Ref 2018/1838, dated 13 June 2018, was refused by notice dated 10 September 2019.
  - The development proposed is a partial change of use from C3 (Residential) and A2 (Office) to C3 (Residential), detached two-storey building with rooms in the roof space containing 6 flats, cycle and bin stores following demolition of existing buildings.
- 

### Decision

1. The appeal is dismissed.

### Procedural matters

2. The description of the proposal is taken from the Council's decision notice as this more accurately describes the scope of development than that on the application form.
3. The application is in outline form with the scale and appearance of the building and the means of access to and the layout of the site to be determined at this stage. The landscaping of the development would be a matter reserved for subsequent approval.
4. The Council has withdrawn its second reason for refusal of permission relating to a requirement for a contribution towards affordable housing following their independent examination of the appellant's financial viability appraisal.

### Main Issue

5. The main issue therefore is whether the lack of onsite parking would result in parking stress that would be detrimental to the amenities of local residents.

### Reasons

6. The existing building is a two-storey traditionally designed detached property currently used as an office on the ground floor with flats located on the floor above. There is a vehicular access to the side shared with a veterinary practice at 16 Queens Road that leads to parking areas to the rear of the appeal site and separately for the veterinary practice. The surrounding area is mixed in character with commercial and residential properties. The site is located within the Hersham Village Conservation Area.

7. The proposed building would have a greater depth than the existing building and would involve building over the present rear car park. Gardens and an enclosure for up to 8 cycles and bins would be provided at the rear of the site. A car free development is proposed. Queens Road has double yellow lines to both sides of its carriageway for much of its length in the vicinity of the site to preclude on-street parking but many of the roads off Queens Road do not have kerbside parking restrictions.
8. Policy DM7 of the Elmbridge Development Management Plan (2015) (DMP) in relation to parking states, *"The proposed parking provision should be appropriate to the development and not result in an increase in on-street parking stress that would be detrimental to the amenities of local residents"*. Supporting paragraph 2.24 comments that car ownership in Elmbridge is high. Paragraph 2.25 provides encouragement to use sustainable transport modes and comments that zero parking may be considered for certain town centre developments but that *"in many instances zero parking will not be acceptable and this is often the case in areas where on-street parking stress is a particular problem and there is no suitable alternative provision"*. Factors to be considered regarding whether an area experiences on-street parking stress include, *"the levels of parking on nearby roads, the availability of spaces in public car parks and whether there are any particular pressures caused by existing uses or developments in the area"*. Furthermore, *"The onus will be on the applicant to demonstrate why zero parking is appropriate in a given location"*.
9. The County Highway Authority considers the site to be in a sustainable location due to relatively short walking distances to local amenities, shops and public transport links; they have not objected to a car free development. The appellant points out that the site is within the preferred maximum walking distances recommended by the Chartered Institute of Highways and Transportation publication, 'Guidance on Providing Journeys on Foot'. The site is within a reasonably sustainable location, some 225m from the centre of Hersham with bus stops not far away and railway stations at Walton and Hersham within walking distance. Nonetheless, the site's sustainability credentials need to be weighed against the likely impact on local parking stress arising from the proposal which is an amenity consideration set by Policy DM7.
10. At the time of my site visit on a weekday morning there was no parking along Queens Road due to the restrictions but considerable on street parking in neighbouring roads with little capacity for additional parking. The roads I examined were Snellings Road opposite the site, Mills Road, North Road, Primrose Road and Faulkner Road which is adjacent to a green with parking available on one side of the carriageway. Parking was available in Old Lodge Close, but this is a private road with parking for residents only.
11. I have no information from the appellants to indicate that my daytime findings are not typical for the locality or how a shared ownership/hire scheme could operate at the site. A parking stress survey taken at different times of the day including evening and overnight would also help to indicate whether there is ample on street capacity when the majority of residents may be expected to be at home. However, I note that some local residents have objected to the proposal on parking grounds commenting that many roads are narrow, that parking in the area is tight and that extra cars generated by the development would add stress to an already loaded parking system.

12. From the information available my findings are that the proposal would be likely to result in an increase in on street parking stress detrimental to the amenities of local residents. There is no information to state that there is availability of spaces in public car parks or that there are particular pressures caused by existing uses or developments in the area. The proposal would thereby be contrary to Policy DM7. There would also be conflict with Paragraph 127 of the National Planning Policy Framework (the Framework) that requires developments to function well, to add to the overall quality of the area and to create places that promote health and well-being for existing and future users.
13. The appellant has drawn my attention to a recent permission for a change of use to provide a pair of semi-detached houses at the adjacent site 10-12 Queens Road. No parking was proposed for this development, but the report<sup>1</sup> points out that the site did not have a designated parking space and that the former restaurant use resulted in overspill parking that was absorbed in the surrounding area. Conversely, there are about 6 parking spaces at the appeal site and all would be lost as a result of the development. Any parking for future residents would be an additional burden to existing parking pressures.
14. The planning application was recommended for permission by Council officers and the proposal had benefitted from comments on a pre-application submission. However, elected Members on the Council's North Area Planning Sub-Committee were entitled to take a different view from their officers having regard to local knowledge provided refusal reasons can be substantiated.

#### *Other matters*

15. The Council consider that the proposal would have an acceptable design and appearance to satisfactorily integrate with the character of the street. I concur with this view and that the proposal would not have an adverse impact upon the character or appearance of the Hersham Village Conservation Area.
16. The proposal would have the benefit of providing 6 new flats with either one or two bedrooms. These would contribute toward the overall housing need and would be smaller sized units particularly needed in Elmbridge. Moreover, the Council cannot currently demonstrate a five year supply of deliverable housing sites with the appropriate buffer. The Council's housing policies can therefore be considered out of date and the presumption in favour of sustainable development and of granting planning permission at Paragraph 11 of the Framework applies. However, the benefits of the additional dwellings need to be weighed against the harm arising in respect of resultant parking stress in nearby streets. It is my judgement that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

#### **Conclusion**

17. For the reasons given and having regard the information currently available and to all other matters raised, the appeal is dismissed.

*Rory MacLeod*

INSPECTOR

---

<sup>1</sup> Application 2016/3486, 10-12 Queens Road, Hersham