



Appeal Decision

Site Visit made on 10 March 2021

by Rory MacLeod BA(Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 April 2021

Appeal Ref: APP/K3605/W/20/3262414

Land adjacent to Campbell Cottage, South Road, Weybridge, KT13 9DZ

- 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 Mr M Pople against the decision of Elmbridge Borough Council.
 - The application Ref 2020/2174, dated 28 August 2020, was refused by notice dated 23 October 2020.
 - The development proposed is a detached two-storey building to provide Offices (B1) (206sqm) with bin and cycle stores.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is in outline form with access, appearance, layout and scale for determination at this stage and landscaping as a reserved matter.

Main Issues

3. The main issues are (a) the effect of the development on the character and appearance of the area with respect to its height, massing and roof form and (b) its impact on on-street parking stress.

Reasons

Character and appearance

4. The appeal relates to open hard surfaced land which appears to be informally used for parking with access from South Road. The land has been previously linked with 85 Queens Road, a three storey building to the rear of the site. South Road is a narrow cul-de-sac with a footpath only on the near side to the site. It is primarily residential in nature. There are modestly sized two storey houses with short front gardens on the south-western side of the road that includes the appeal site.
5. The proposed building would be set forward of Misterton and other houses to the site's north-western side but would align with the frontage to Campbell Cottage to its south-eastern side. A two storey bay window with a gable roof over projecting in front of this close to the back edge to the footway would be a prominent feature in the street scene and untypical of the cottage style shallow roofed houses on this side of the road. The building's roof would be higher and of greater mass than neighbouring buildings. It would have a narrow flat crown roof which would be noticeable in oblique views of the building in South Road. The eaves line would respect that of Misterton but the building's massing and design would otherwise detract from a relatively homogenous street scene.

6. The proposal would thereby conflict with Policy CS17 of the Elmbridge Core Strategy (2011) and Policy DM2 of the Development Management Plan (2015) (DMP) which require proposals to deliver high quality designs based on an understanding of local character and which respond to the positive features of individual locations, integrating sensitively with locally distinctive townscape. The Design and Character SPD refers to sub-area 6 relating to the Queens Road local centre, but there are not references to indicate a particular conflict with the proposal.
7. The appellant has submitted an amended plan with a ridged roof better aligned to adjacent dwellings. Having regard to the Wheatcroft principles¹ I shall not accept this plan as to do so would deprive those who should have been consulted on the changed development the opportunity of such consultation. The proposal has attracted public response on the issue of its appearance in relation to local character. Moreover, the amended plan does not address my concerns about the unduly prominent two storey bay window with a gable roof over.

Parking

8. No on-site parking is proposed as the building would occupy most of the site's width with a pedestrian passageway to both sides. The present vehicle crossover to South Road would be replaced by a kerb but it is uncertain if the double yellow lines in front of the site that presently preclude kerbside parking would be removed. There are parking bays to the near side of South Road to the north-west of the site but not to the south-east in front of Campbell Cottage. Parking restrictions are necessary here due to the narrowness of the carriageway and the bend in the road. I have therefore treated the proposal as not resulting in additional kerbside parking provision.
9. Policy DM7 of the DMP states that 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. A footnote to the policy states that an individual assessment will be made on the minimum level of parking to be provided for non-residential development in areas of on-street parking stress. The evidence from the Council and from interested parties is that the locality is subject to parking stress.
10. The appellant's Transport Assessment indicates that between 2 and 7 parking spaces may be appropriate for the building's size but advocates zero parking provision in relation to the site's sustainable location in a local centre with public transport facilities. A store for 6 bicycles with charging for electric bikes is proposed but a parking stress survey has not been included.
11. Whilst it is possible that occupiers of the 4 small office units proposed may choose to travel to work other than by private car, it is unlikely that this would apply to all occupiers all the time. There are restrictions in place limiting kerbside parking in South Road to permit holders and for time limited parking at the bays in Queens Road. These restrictions would provide a disincentive for regular office parking near to the site, but it is unlikely that self-regulation would always preclude office parking particularly in South Road near to the site. In the absence of a parking stress survey to verify that the proposal would not result in undue on-street parking stress it would be contrary to Policy DM7.

¹ Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]

12. Policy DM7 is considered to be out of date by the appellant with respect to current thinking on private parking provision in sustainable locations. Whilst the policy is not new, dating from 2015, it is relevant in enabling a flexible approach to parking requirements and parking impacts in relation to other considerations.
13. The appellant has referred to permission granted on appeal for a car free development of flats in South Road². But this permission included a scheme to preclude future occupiers from applying for on-street parking permits. There is no similar mechanism before me on the current proposal.
14. I note that the County Highway Authority has raised no objection to the proposal or to zero parking provision, but this is in relation to highway safety concerns and in relation to the site's location in a local centre.
15. The appellant contends that there is a choice between either a building or parking on the site and that a building for commercial or residential purposes would make a more effective use of the land than parking in accordance with objectives within the National Planning Policy Framework. My role is not to examine all possible permutations for development at the site but to conclude on the merits of the proposal before me in relation to the development plan and other material considerations³. Notwithstanding national and local planning policy expressions on the desirability of reducing the need to travel especially by private cars, and the claimed benefits to climate change, my findings on the main issues are that the proposal would be contrary to the development plan.

Planning balance

16. The proposal would have the benefit of infilling a gap in an otherwise complete frontage along this side of South Road. It would also provide small office units close to the local centre in Queens Road which could be advantageous to local employment. However, these benefits would be outweighed by the harm that would arise to the character and appearance of the area with respect to the proposal's height, massing and roof form and also from its impact on on-street parking stress.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

Rory MacLeod BA(Hons), MRTPI

INSPECTOR

² Wessex, South Road. Appeal Ref: APP/K3605/W/19/3240173

³ Section 38(6) of the Planning and Compulsory Purchase Act 2004