



Appeal Decision

Site visit made on 16 October 2024

by H Miles BA (hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2024

Appeal Ref: APP/K3605/W/24/3340255

St George's College Boat House, Sunbury Lane, Walton on Thames

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Greg Cole of St George's College against the decision of Elmbridge Borough Council.
 - The application Ref is 2021/4424.
 - The development proposed is demolition of existing single storey St George's College boat house. Erection of new two storey boat house on the same site for St George's College.
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Decision

1. The appeal is dismissed

Preliminary Matters

2. Revised plans have been submitted which include the removal of a canopy on the north east elevation which would have fallen outside of the red line boundary and relocation of doors. There do not appear to be significant changes to the location or number of flood voids. I have taken into account the reduction in the development, the scale of the changes and the main issues in this case. Furthermore, the Council has also had the opportunity to respond to the content of these drawings. For the reasons above, and in the circumstances of this case, the parties would not be prejudiced if I were to consider these plans, and therefore the appeal is assessed on the basis of the amended plans.
3. The appellant is listed as St George's Weybridge. The landowner is THE TRUSTEES FOR THE CONGREGATION OF JOSEPHITES REGISTERED of St George's College. I understand that although the names are different these are the same entity. In this particular case, and having regard to the principles established under Wheatcroft, the certificate served would not prejudice any owners in this case. As such I have proceeded to determine the appeal.

Main Issue

4. The main issue is the effect of the proposed development on the living conditions of nearby occupiers with particular regard to parking.

Reasons

5. The premises is used as a boat club by St Georges College. It hosts race days 5-7 times per year. The proposed development would introduce areas including a parent's viewing zone and viewing balcony to the site. Therefore, the proposal would be likely to result in visitors staying at the site for longer

periods of time. No car parking is provided on site. It is estimated that on a race day, this would result in an increase of up to the equivalent of around 20 parked cars.

6. In the mainly residential streets nearby some properties have off street parking with dropped kerbs, but many do not. A parking stress survey has been submitted for a weekday which shows that on a training day, where there are similar comings and goings to a race day, at the busiest time, 81% of spaces were occupied in the nearby streets, with 62 remaining car parking spaces. A survey for a Saturday has also been undertaken where up to 92% of spaces were occupied with 23 remaining car parking spaces. On a Saturday race day the proposed development would be predicted to lead to 99% parking stress, with 3 car parking spaces available.
7. Public car parks have been brought to my attention, including the Xcel car park which is said to be 550m away. A travel plan is provided which would direct spectators on race days to this car park via email, letter and information on a noticeboard at the club house. However, the Xcel car park is on private land. At present it is free to use and the appellant states that it is unrestricted in its use. A letter has been provided from the Xcel leisure centre that states that parking at Xcel could be requested subject to availability, the centre's events schedule and manager approval. However, this is primarily a car park for the leisure centre and the evidence does not satisfy me that it would not be restricted for this use in the future. Nor is any mechanism provided which would secure the use of this car park by the boat house. Furthermore, it would be unlikely to be suitable for residents to park if the spaces closest to their property were occupied.
8. If this car park were to become unavailable the other public car parks put to me do not fall within the walking distance as shown on the TRO map. Therefore, they would not be realistic alternatives and evidence of other locations that could be used has not been presented. Consequently, a condition to secure the use of other car parks if the Xcel car park were to close would be unreasonable.
9. The travel plan would promote sustainable modes of transport. However, even if some visitors did travel by alternative means, an increase in the number of cars parking would still be likely, contributing to high levels of parking demand in this area. Nor is persuasive evidence provided as to how the use of a temporary event licence would limit the number of cars parking at this site.
10. I have considered the availability of spaces in public car parks above. Nevertheless, on a race day as a result of the proposed development it is likely that visitors to the appeal site would displace local residents from parking near their homes. This has the potential to lead to cars parking in unsuitable places, conflict over car parking spaces, and residents needing to park a lengthy distance from their homes. This excessive demand for on-street spaces would adversely affect the living conditions of existing residents. This would occur up to 7 times per year on an ongoing basis. This would be sufficiently frequent to result in unacceptable living conditions for nearby occupiers.
11. The highways authority has not objected to the proposed development, and there would not be severe impacts on the road network. However, the main issue for this appeal relates to living conditions. The proposed development would not provide a high standard of amenity for existing and future users for

the reasons set out above, and the development would not function well and add to the overall quality of the area.

12. Appeal decisions have been provided where Inspectors and a Reporter have considered car parks as mitigation for new development. Two of these decisions relate to residential development, and one to a hot food takeaway, these are clearly different uses and parking needs than the scheme before me now and these do not alter my conclusions. Nevertheless, in common with these decisions this decision considers the use of public car parking.
13. Overall, the proposed development would result in unacceptable living conditions for nearby occupiers with particular regard to parking. As such, the proposed development would be contrary to Policy DM7 of the Elmbridge Development Management Plan (2015) (DMP), which requires that parking provision should not result in an increase in on-street parking stress that would be detrimental to the amenities of local residents, amongst other things.
14. Policy CS25 of the Core Strategy (2011) (CS) mainly relates to improvements to sustainable travel and accessibility to services. In this case, the policy set out above is more relevant to this main issue.

Other Matters

15. The existing building is a modest single storey boat house. Whilst it is somewhat dated, it is nevertheless appropriate in terms of its boat-house appearance in this location adjacent to the Thames and Walton Rowing Club. The height, massing and balcony feature proposed would be similar to the adjoining Walton Rowing Club building and the Council concludes that there would not be harm to character and appearance and on the basis of the evidence before me I agree with these findings. However, given the suitability of the existing building, the lack of harm in this regard would be a neutral factor. Therefore, whilst in this regard there is no conflict with policies CS17 of the CS and DM2 of the DMP which seek high quality design, amongst other things, it does not weigh strongly in favour of the development.
16. The proposed development would result in improved facilities for the rowing club which would provide hosting space for fixtures as well as sufficient changing rooms, toilets and indoor waiting areas for the 155 pupils and the staff who are predicted to use the rowing club this academic year. It would include accessible features such as a lift, accessible toilet and shower and level external access. This would contribute to the health and wellbeing of pupils at this school. In part, objective 3 of the CS seeks buildings that promote healthier lifestyles and policy DM22 of the DMP encourages public access to the river and improvement of existing provision. The proposed development would enable and support healthy lifestyles and it would also improve access to the river for those associated with the Rowing Club.
17. The proposed development would remove asbestos which is currently on site. It would include PV panels and would comply with building regulations for energy efficiency, however evidence has not been provided regarding the effect of embodied carbon. Notwithstanding, this broadly accords with policy CS27 of the CS which sets standards to achieve sustainable buildings, albeit the absence of conflict with this policy does not strongly support the proposed development.

18. The appeal scheme would provide temporary economic benefits during construction. The appellant's statement also indicates the development may also lead to additional full time employment through teaching and maintenance. This is supported by part of Policy DM1 of the DMP which seeks to improve the economic conditions in the area. However, limited evidence is provided on this matter.
19. Furthermore, there is no evidence to suggest that these facilities and the vast majority of the associated benefits could not be delivered without the provision of spectator facilities which generate the additional harmful parking demands.
20. Overall, the benefits of the development proposed are afforded modest weight. Nevertheless, these modest benefits would not outweigh the unacceptable harm to living conditions and the proposal conflicts with the development plan as a whole.

Equalities

21. In considering this appeal I have also had due regard to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010, in particular the need to eliminate discrimination, advance equality of opportunity and foster good relations between those with protected characteristics and others. I am also mindful of the Human Rights Act 1998 and Article 3(1) of the United Nations Convention on the Rights of the Child and the implications of my decision on the best interests of the child or children.
22. The proposed development would provide improved accessibility and facilities for the children at St George's College. However, there is little before me to suggest that the appeal proposal would be the only way to meet the particular needs of the appellant and those the facilities would serve. Consequently, I am not able to conclude that the best interests of the child or children, or those who have protected characteristics could not be achieved by less harmful means or measures. I have also concluded that the proposal would result in unacceptable harm to the living conditions of existing nearby occupiers caused by the appeal development. Following careful consideration of the particular matters, I am satisfied that the impact of dismissing this appeal is proportionate and justified.

Conclusion

23. For the above reasons, I conclude that the proposal conflicts with the development plan. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Therefore, the appeal should be dismissed.

H Miles

INSPECTOR