



Appeal Decision

Site visit made on 25 June 2025

by **A James BSc (Hons) MA MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30th July 2025

Appeal Ref: APP/Q3630/W/25/3360609

124A Guildford Street, Chertsey, Surrey KT16 9AH

- 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 Oladele Akingbade against the decision of Runnymede Borough Council.
 - The application reference is RU.24/0673.
 - The development proposed is change of use from Planning Use Class E (offices) to Planning Use Class C3, a four-bedroom flat and the formation of a roof terrace with 1100mm hand rails to match existing, provision of car parking space, bin storage and cycle storage within rear gated courtyard.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the appeal site lies within a conservation area and relates to a listed building, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issue

3. The main issue is whether the proposal has demonstrated that there would be safe access and egress for future occupants of the development in the event of a flood.

Reasons

4. The appeal relates to a three storey building, which has a café on the ground floor and office accommodation above. Vehicular access is available to the rear of the site, through the service yard of a supermarket. There is an alleyway adjacent to the property, which provides access onto Guildford Street.
5. Although the appeal site lies within Flood Zone 1 (which has a low risk of flooding), it is surrounded by areas that fall within Flood Zones 2, 3a and 3b. The area in which the appeal site lies is classified as a dry island within the Council's Strategic Flood Risk Assessment 2018 (SFRA). The SFRA advises that dry islands are considered to be flood risk areas. The dry island covers part of the town centre and includes a mix of uses, including commercial, retail and residential. While the properties within a dry island may not flood, there is potential for them to be surrounded by deep flood water and cut off from key services and facilities during a flood event.

6. The proposal seeks consent to change the use of the office accommodation to a dwelling, which would introduce a more vulnerable use on the site¹. The SFRA advises that access/egress from dry islands is an important consideration. The SFRA states that it is acceptable for the access/egress route to be wet, so long as the flood hazard is no greater than 'Very Low Hazard – Caution' along the full length of the route. The route should also be along publicly accessible roads and paths.
7. The SFRA is broadly consistent with the National Planning Policy Framework (the Framework), which requires that safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
8. Policy EE13 of the Runnymede 2030 Local Plan adopted July 2020 (the Local Plan) states that when a site is located in a dry island, applicants will be expected to consider the onset and duration of a flood, the vulnerability and willingness of occupiers to evacuate the site in a flood event and the ability of the site to operate an effective flood evacuation procedure.
9. Historically, Guildford Street had been considered to provide a safe access/egress route in the event of a flood. However, following updated modelling carried out by the Environment Agency, parts of this route now fall within the 'Danger for Some' category, which is a greater hazard level. Accordingly, this route is no longer considered to be safe and reliable during a flood event.
10. The appellant proposes an alternative evacuation route towards Staines Road (A320). The Council advises that a hedge and private property are blocking part of this route. As a result, individuals would be required to walk within an area which is classified as 'Danger for Some', which poses a greater risk to their safety. The proposed route is somewhat convoluted and requires evacuees to cross the road to remain within areas of lower flood risk. Even in the absence of the hedge and private property, those using this route could easily deviate slightly from the route and find themselves in an area of greater flood risk. While the width of the road is relatively wide and evacuees would have sight of oncoming traffic, they may not be able to judge the depth of any floodwater and this could be hazardous.
11. The appellant considers that the use of the 1m LiDAR dataset provides a greater degree of accuracy, than the larger model grid cell used by the Environment Agency (5m x 5m). Using the LiDAR dataset, the appellant advises that flood depths would be below 250mm for 99% of the node points reviewed, ensuring that the route would fall within the 'Very Low Hazard' classification. However, the Council advises that this data cannot be relied upon, as the Environment Agency flood modelling has not been re-run. While I acknowledge the appellant's concerns about the justification of running such modelling for a development of this scale, in the absence of this information, I cannot be satisfied that the proposed route would be safe for future residents in the event of a flood.
12. The appellant estimates that it would take approximately 12 minutes to reach the A320. The A320 is a dual carriageway, which has a 50mph speed limit and no footpath. One would have to walk some distance along the A road to reach the nearest services and facilities. It is likely that the length of this evacuation route and any perceived highway safety implications are likely to deter individuals from

¹ As per Annex 3 of the National Planning Policy Framework

using this route and may encourage people to use a higher risk evacuation route. Accordingly, I have significant concerns with the proposed flood evacuation route.

13. I appreciate that the proposed accommodation would not be suitable for those with significant mobility impairments. I also acknowledge that the Borough has a lower than average number of individuals over 65 years of age and people are typically in better health than the national and regional average. Nevertheless, given the distance and the likely requirement for evacuees to cross floodwater, I find that this route would be challenging even for more able bodied individuals. The challenge would be greater at night and during inclement weather and particularly for those less able bodied members of the community or those with young children.
14. I appreciate that future residents could sign up to the Environment Agency's Flood Line and are likely to have adequate warning of a flood event. However, there is no guarantee that future residents would evacuate at an early stage. While future residents could shelter on the first and second floors during a flood event, this does not preclude the need to provide a safe evacuation route.
15. The presence of existing dwellings within the dry island does not justify introducing additional residents, who would be put at risk during a flood event and would put greater pressure on emergency services. I appreciate that there are shops and facilities within the dry island, where future residents may be able to gain supplies during a flood event. However, there is no guarantee that staff would be able to access the shops to enable them to open. Nevertheless, the requirement to have a safe evacuation route remains.
16. Given the nature of the proposal, it would not exacerbate flood risk elsewhere. However, for the reasons given above, I find that the proposal has not demonstrated a safe access and egress route for future occupants of the development in the event of a flood and I give this significant weight in my decision. As a result, the proposal would fail to accord with Policy EE13 of the Local Plan, which among other things requires that a site can operate an effective flood evacuation procedure.

Other Matters

17. '124 and 124A, Guildford Street' is a Grade II listed building (Ref: 1295165), which dates back to the early-19th century. It is constructed of amber brick, has a slate roof and includes traditional sash windows. Based on my site visit and the evidence before me, I find that the listed building's special interest insofar as is relevant to this appeal is derived from its historic and architectural interest as an illustration of Georgian architecture. The building's surviving historic fabric, use of traditional materials and its pleasing architectural style all make important contributions in these regards. The appeal property also lies within the Chertsey Conservation area (CA). The CA includes the historic core of the town. The significance of the CA insofar as is relevant to this appeal derives from the concentration of high quality historic buildings, which depicts the town's evolution as a historic market town.
18. The Council raises no objection to the proposal on heritage grounds. The Council granted listed building consent for the proposed works in August 2025². Based on my site visit and the evidence before me, I find no reason to reach a contrary

² Application ref: RU.24/0801

conclusion to the Council on this matter and consider that the proposal would preserve the special interest of the listed building and the character and appearance of the CA.

19. The appellant argues that the appeal property is in a poor condition and currently not mortgageable. The proposal would bring the property back into active use, which would ensure that it is conserved for future generations. While the Framework requires that great weight is given to the conservation of heritage assets, there is no compelling evidence before me that an alternative use, which is less vulnerable to flooding could not be found for the premises and result in the same benefits. Accordingly, I give this alleged benefit limited weight in my decision.
20. The proposal would provide one new dwelling within an accessible location, which has good access to public transport. Future residents would not be reliant on a private motor vehicle to meet their day-to-day needs. The proposal would make a small contribution to the Council's housing land supply, which I give limited weight in my decision.
21. The proposal would result in investment into the property, which would have a small economic benefit, which carries limited weight in favour of the proposal. Future occupants would help to support local businesses and services, which I give limited weight as an economic benefit. The proposal seeks to enhance biodiversity on site. However, given the scale and size of the biodiversity enhancement measures proposed, any benefit in this regard would be very limited.
22. The value of properties along Guildford Street and in surrounding areas is not a material planning consideration.
23. The appellant has drawn my attention to two other cases in the locality where Engineering Services have not objected on flood grounds³. Full details of the circumstances of the other schemes are not before me and I therefore give them limited weight in my decision.
24. While there are no objections from the Environmental Health Officer, Heritage Advisor, Contaminated Land Officer and Highways Officer, these are neutral factors and do not alter my findings set out above.

Planning Balance

25. The Council is unable to demonstrate a 5 year supply of deliverable housing sites. In such circumstances, paragraph 11 d) of the Framework advises that planning permission should be granted, unless the application of policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. According to Footnote 7 of the Framework, such policies include areas at risk of flooding. In this case, I find that the proposal has failed to demonstrate a safe access and egress route for future occupants of the development in the event of a flood. Accordingly, the presumption in favour of sustainable development does not apply.

³ Application refs: RU.25/0488 and RU.25.0291

Conclusion

26. For the reasons given above, the proposal would conflict with the development plan as a whole and there are no other material considerations, including the Framework, that would outweigh that conflict. Therefore, I conclude that the appeal should be dismissed.

A James

INSPECTOR