



Appeal Decision

Site visit made on 14 November 2025

by J Heppell BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 DECEMBER 2025

Appeal Ref: APP/K3605/W/25/3373000

Weybridge Bowling Club, 19 Springfield Lane, Weybridge, Surrey KT13 8AW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr David Steen of Birchwood Homes Ltd against the decision of Elmbridge Borough Council.
 - The application Ref is 2025/1214.
 - The development proposed is outline application for a development of up to 9 self-build residential units (all matters reserved).
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Birchwood Homes Ltd against the decision of Elmbridge Borough Council. This is the subject of a separate decision.

Preliminary Matters

3. The appeal scheme relates to an outline proposal, with all matters reserved for future consideration. I have considered the appeal accordingly and treated the appellant's indicative plans as being for illustrative purposes only.
4. The appeal was accompanied by an amended indicative site plan showing a wider access and enlarged turning area, supported by vehicle and fire engine tracking and a marked-up plan showing existing parking. Having regard to the tests in *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin), I consider that the changes do not result in a substantial difference to the scheme, being indicative only, and that interested parties have had the opportunity to comment on them. I am satisfied that no parties have been prejudiced, and I have therefore determined the appeal on the basis of the amended indicative plans.
5. The Council advised that, in accordance with government guidance, it was no longer seeking affordable housing contributions on small sites of less than ten dwellings and therefore did not wish to defend this reason for refusal. I see no reason to take a contrary view to the Council on this matter.

Main Issues

6. In light of the above, the main issues in this appeal are the effect of the proposal on:

- highway safety;
- the character and appearance of the area; and
- the living conditions of neighbouring residents with particular reference to disturbance.

Reasons

Highway safety

7. The appeal site comprises a disused bowling green and clubhouse, close to the centre of Weybridge.
8. Notwithstanding that access has been reserved for future consideration, Article 5(3) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 requires the appellant to state the area or areas where access points to the development would be situated. The appellant's indicative plans show vehicular access being taken from Springfield Lane, which requires the demolition of part of an existing boundary wall.
9. Springfield Lane is a cul-de-sac for vehicles but provides a through route for pedestrians and cyclists to the town centre. It is not wide enough for vehicles to pass one another and, although there is a pavement for part of its length, it has a shared surface adjacent to and beyond the appeal site. Nine houses beyond the appeal site have parking facilities, with the 1st Weybridge Scout Group not benefitting from a vehicular access off Springfield Lane. Vehicular traffic levels are low as a consequence and would remain so even if the remaining houses beyond the appeal site were to install onsite parking.
10. The appellant has indicated that the proposed houses would have three bedrooms each. The indicative site plan shows nine parking spaces, which the Council has confirmed is policy-compliant by virtue of being below the maximum parking standard. The provision of cycle storage would be dealt with at reserved matters stage. The site is sustainably located, close to the centre of Weybridge, giving future residents a choice of modes of transport. All of these factors would limit future residents' reliance on the car and ensure compliance with Policy CS25 of the Elmbridge Core Strategy July 2011 (CS), which applies maximum parking standards to all uses and directs new development to sustainable locations within the urban area.
11. The appellant's indicative plans show that visibility splays of 14m from a point 2m back in the middle of the access could be achieved. Such splays would exceed the County Highway Authority (CHA)'s requirement in relation to a previous application on the site¹ for splays of 9m by 2m, which in turn was based on the CHA's estimate that traffic speeds in Springfield Lane were then around 10mph. However, as no traffic speed surveys have been provided in support of the proposal, I cannot be certain that adequate visibility splays could be provided within the site to allow vehicles to safely exit the site. I have had regard to the appellant's tracking plans showing that an access and turning area being provided to allow delivery and emergency vehicles to enter and exit the site in a forward gear, but this does not alter my finding that the proposal would result in potential

¹ LPA reference 2016/3444

conflict and a consequent risk of vehicles having to reverse, with resultant danger particularly to pedestrians and cyclists.

12. Forward visibility when approaching the site is impaired by the brick piers on the front boundary of Henbury Place, as a consequence of which approaching drivers would not be able to see vehicles exiting the site until they had nearly reached the site entrance. Whilst this is unlikely to give rise to a risk of collision, it could result in vehicles having to reverse back along Springfield Lane, and in the worst case around the blind bend onto Monument Green. I have not been supplied with the accident record for Springfield Lane, but I consider such manoeuvres would have implications for the safety of other highway users, including pedestrians and cyclists. Such issues would be exacerbated during the construction phase, and in this matter I have had regard to the photographs supplied by interested parties showing commercial vehicles driving and parking in Springfield Lane.
13. To alleviate the problem of vehicles reversing along Springfield Lane, the appellant has suggested that the indicative access arrangement would allow residents of other properties in Springfield Lane and their visitors to turn within the site and leave in a forward gear. Whilst I recognise the potential benefits of such an arrangement, detailed proposals for how the facility would be made available to all highway users in perpetuity have not been tabled. I have therefore afforded this suggestion limited weight.
14. I conclude that the proposal would have a harmful effect on highway safety, contrary to Policy DM7 of the Elmbridge Local Plan Development Management Plan April 2015 (DMP), which requires access to and from the highway to be safe and convenient for pedestrians, cyclists and motorists. The Council's reason for refusal referred to the Surrey County Council Local Transport Plan 4, but as I have not been directed to which parts of the Plan the proposal is considered to conflict with, I have not found the proposal to be contrary to it.

Character and appearance

15. The Council objected to the mansard roofs shown on the indicative site plan, considering that they would not integrate with the character of the area. However, layout, scale and appearance were reserved for future consideration, and I have no reason to doubt that a scheme of nine self-build houses could be designed which appropriately responds to the character of the area. On the basis that the plans are indicative, I find no conflict with the Elmbridge Design Code, to which the Council has referred.
16. As well as requiring new development to deliver high quality design based on an understanding of local character, Policy CS17 of the CS and Policy DM2 of the DMP require new development to take account of the historic environment and integrate sensitively with heritage assets. The site is located near to the Weybridge Monument Green Conservation Area. I am satisfied that the appeal site does not make any contribution to the significance of this designated heritage asset, and the proposed development would not affect its setting.
17. The brick wall next to Springfield Lane is included in the Elmbridge Borough Council – List of Local Heritage Assets (Local List) July 2023, which recognises the wall for its rarity and landmark status. Whilst the date of the wall is unknown, it marks and reinforces the boundary of a long-established thoroughfare in the town

centre, and consequently makes a significant contribution to the public realm by virtue of its prominent location.

18. The proposal indicatively shows the removal of a section of wall to provide visibility splays and turning facilities. Paragraph 216 of the National Planning Policy Framework requires that the effect of an application on the significance of a non-designated heritage asset be taken into account, and that in weighing applications a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
19. The wall is significant because of its appearance and its age, and whilst the scale of the loss would be relatively small, such that the Council considers it would not materially alter the appreciation of the wall, it would diminish the wall's significance and the contribution it makes to the character and appearance of the area. The appellant has indicated that the works to the wall are required to provide the necessary visibility splays but has not provided evidence that the extent of the required demolition has been minimised.
20. I therefore find that, although the indicative mansard roofs would not result in harm to the character and appearance of the area, the indicative loss of a section of the locally listed boundary wall would harm the character and appearance of the area, contrary to Policy CS17 of the CS and Policy DM2 of the DMP, the aims of which I have outlined above.

Living conditions

21. The indicative access would be opposite 13, 14 and 15 Springfield Lane. The proposal would result in an increase in activity, but the increase in activity would not be substantial, given my conclusions on traffic levels and speeds. It would mainly arise from the movement of residents' vehicles into and out of the site, which could result in additional noise as well as headlights pointing towards the properties during darkness.
22. However, it is not uncommon for dwellings to face a residential access, such as at 21 Springfield Lane, a residential property which faces the access to the adjacent Henbury Place. As layout, scale and appearance are reserved for future consideration, I see no reason why a scheme could not be designed which respected the living conditions of adjoining residents. I recognise that the construction phase would involve additional deliveries and disturbance, but such matters are capable of being managed by a construction management plan.
23. I therefore conclude that the proposal would not have a harmful effect on the living conditions of neighbouring occupiers by reason of disturbance, and would accord with policies DM2, DM5 and DM7 of the DMP, which together require the layout and siting of accesses to be acceptable in terms of amenity, pollution and noise, and for development to protect the amenity of potential occupiers by incorporating appropriate attenuation measures in respect of noise emissions and light pollution.

Planning Balance

24. The proposal is for housing. The Council has acknowledged that it cannot demonstrate a five-year housing land supply, with a current supply of only 0.9 years, and that it scored 79% in the most recent Housing Delivery Test. Therefore, paragraph 11(d) of the Framework applies. The application of policies in the

Framework that protect areas or asset of particular importance, as defined in Footnote 7, do not provide a strong reason for refusing the development proposed. Therefore, the presumption in favour of sustainable development applies as set out in paragraph 11(d)ii and permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

25. The delivery of nine dwellings on a sustainably located site would be a social benefit. The provision of three-bedroom dwellings would widen the choice of homes within the Borough. Economic benefits would accrue from the construction phase and from future occupiers utilising local services. As no mechanism has been provided to secure the units as self-build, I am unable to give weight to this aspect of the proposal. It would boost the Council's revenue in the form of Council tax, community infrastructure levy and the new homes bonus. In light of the Council's housing land supply shortfall, I attach significant positive weight to the benefits that the scheme would deliver.
26. The Framework advises that safe and suitable access should be achieved for all users, and that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. The lack of evidence to justify the proposed indicative visibility splays, and the proposal's substandard forward visibility, would cause potential conflict and result in vehicles reversing along Springfield Lane, with an unacceptable impact on highway safety particularly for pedestrians and cyclists. I accord this harm and resulting conflict with the development plan considerable negative weight in the planning balance.
27. The Framework requires planning decisions to achieve well-designed places which are visually attractive and sympathetic to local character, and to take into account the effect of an application on the significance of a non-designated heritage asset. I have thus accorded moderate negative weight to the loss of a section of locally listed wall.
28. I conclude therefore that the adverse impacts, taken together, would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conclusion

29. The proposal would conflict with the development plan as a whole, and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

J Heppell

INSPECTOR