

# TRIANGLE RESIDENTS' GROUP



**Appeal reference: APP/K3605/W/23/3324192**

**Planning Application: 2022/3403, 3 Beacon Mews, , South Road, Weybridge, KT13 9DZ**

**Third Party Submission to the Planning Inspector from the Triangle Residents' Group**

Dear Sir/Madam,

## **Summary**

This Third-Party submission is made on behalf of the Triangle Residents' Group (TRG) which is an independent, non-political body representing over 400 households in the residential areas of York Road, Pine Grove, Princes Road, and adjoining culs-de-sac on the side of Queens Road opposite the junction with South Road.

This area, bounded by Queens Road, Hanger Hill, and the main railway line, has been affected over the last five years by development in the Queens Road local centre, much of which has inadequate or completely absent onsite parking provision. Evidence of parking stress in the area has been acknowledged by several inspectors, as demonstrated below. From the perspective of residents, this stress is having a cumulative and deleterious impact on the ambience and character of the Queens Road local centre and the surrounding area. On-street parking overload threatens their amenity and safety, whether or not they are car-owners, and of pedestrians and cyclists passing through the Triangle. Our detailed and continuing concerns were reflected in our original objection to this application. We continue to believe that this was based on sound evidence and endorse the grounds on which Elmbridge Borough Council (EBC) rejected the original application. The appellant presents no compelling evidence to overturn the decision and the appeal should therefore be rejected.

## **Background**

1. The appellant's Statement of Case (SC) brings no new evidence or argument to sustain the appeal. It rests primarily on presenting extracts from the NPPF and "planning law" without linking them to the specifics of the application or addressing points raised by EBC.<sup>1</sup> It then focuses on Reasons 1-3 of the six reasons put forward by EBC as the grounds on which the application was rejected.<sup>2</sup> It is the first two of these that are of particular concern to TRG.

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<sup>1</sup> SC Section 4

<sup>2</sup> SC para 5.8

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2. The appellant's argument in respect of parking is that DM7 of EBC's Development Management Plan (EDMP) encourages zero parking development, that the application will not add to parking stress, that their intention is to encourage sustainable transport, that the majority of South Road residences do not have off-street parking, that there is some parking availability on South Road and that it is in any event "an extremely sustainable location".<sup>3</sup> TRG contend that these arguments are fundamentally flawed for the reasons set out below.

## Issues

3. *Conflict with EBC Parking Policy:* The County Highways Authority (CHA) raised no objection to the proposed development. That view appears to be a standard response that has featured in the large number of previous applications. It simply reflects general support for the policy of encouraging no-parking development with appropriate alternative transport links. No transport survey or site visit was conducted in response to this specific application. Planning decisions in Elmbridge and parking policy within the borough are the responsibility of EBC. The county council or the CHA are simply consultees on areas that fall within their ambit, namely transport and road safety. They are not definitive decision makers on whether no on-site parking is appropriate for particular developments.
4. The parking standards set out in the EBC Development Management Plan (EDMP) are clear that any 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".<sup>4</sup>
5. The EDMP notes that zero parking development may be possible in town centres. This location is not part of the town centre. It is part of a local or village centre as designated in the Local Plan. DM7 goes on to note that "in many instances zero parking will not be acceptable and this is often the case where on-street parking stress is a particular problem".<sup>5</sup> The onus is placed on the developer to demonstrate that zero parking is appropriate. This has not been shown.
6. Attempts can be made to impose conditions designed to prohibit or dissuade potential residents from owning/hiring a car and simply parking it at the roadside within reasonable walking distance. The fact remains that stopping residents from having a car is unenforceable. In short, any on street parking consequences are simply moved elsewhere – in this case to South Road and the Triangle.
7. *Shortage of parking places in South Road:* The assertion that parking space is available elsewhere in South Road does not stand up to close scrutiny.<sup>6</sup> Objections from local residents to the original application illustrate the very real concerns of people living in South Road about yet another failure to provide for on-site parking.<sup>7</sup> First, Beacon Mews itself is narrow and does not facilitate vehicular access. Second, it exits onto South Road close to a sharp bend. Third, South Road is a narrow cul-de-sac which exits onto the busy A317 (Queens Road) which effectively has one lane each way. The consequence is that there is limited scope for additional on-street parking in the immediate area. As a previous inspector observed in rejecting an appeal in respect of the 85 Queens Road plot, which backs onto South Road, "Parking restrictions are necessary here due to the narrowness of the carriageway and the bend in the road."<sup>8</sup>
8. *Extensive parking restrictions in the surrounding area:* The shortage of available on-street parking is evidenced by the parking restrictions in place in and around the area. On Queens Rd, parking is strictly controlled for most of its length by double yellow and single yellow lines; South Road has a combination of CPZ restrictions with residents only parking between 9am and

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<sup>3</sup> SC paras 5.8 and 8.2.a

<sup>4</sup> EDMP DM7b(i)

<sup>5</sup> Ibid para 2.25 TRG underlining

<sup>6</sup> SC para 5.8

<sup>7</sup> See, for example, objections to the application from Ivy Cottage, 2 St Georges Cottages, and Wencote.

<sup>8</sup> 2020/2174, APP/K3605/W/20/3262414 para 8.

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6pm (Mon-Sat) and double yellow lines; there are several private roads in the vicinity (e.g. High Pine Close, Oakfield Glade); and the nearest paid parking to the development is in York Rd (north). York Road (south) and Princes Road (east) are therefore the only locations within 200m of the site where uncontrolled parking might be allowed. The scope for uncontrolled on-street parking has been further narrowed over the last year by the introduction of a CPZ in York Road (north) in response to a petition from residents reflecting their difficulties in finding free on-street parking slots close to their homes.

9. *Evidence of actual parking stress:* The appellant fails to provide a transport and parking survey. Several Inspectors have highlighted the absence in applications to develop both this plot and the associated plot at No.85. For example, in upholding a previous appeal against EBC's decision to reject an application to build offices on the plot, it was noted that "in the absence of a parking stress survey to verify that the proposal would not result in undue on-street parking stress" the lack of adequate parking provision would be "contrary to the policy DM7".<sup>9</sup> The provision of a survey is not simply a tick-box exercise. A case still has to be made in the context of a specific location.
10. In the absence of a specific survey, there is a body of evidence from surveys, visits by inspectors and residents' experience that confirms the extent and impact of parking stress in the immediate area and the Triangle. For example, A traffic survey conducted in May 2021 in support of an application at Oak House, 19 Queens Road confirmed daytime parking stress in Princes Road and York Road (south) ranging from 94% to 142% .<sup>10</sup> Another survey submitted in support of a no-parking development at No.85 identified high parking stress on available spaces in the South Road CPZ even at the dead of night.<sup>11</sup>
11. TRG surveys in the Triangle of the volume of parking and of residents' perceptions of parking problems in 2017 and 2020 found that parking saturation throughout the working day was around 95%. York Road (south) and Princes Road residents in particular regularly faced practical difficulties in finding parking for family or household services as well as dangers on entering and leaving their homes posed by sightlines blocked and driveways overlapped or blocked. In Princes Road and its feeders, 74-84% of respondents reported that finding spaces for family and residents and lines of sight obscured by vehicles overlapping and parking across driveways occurred frequently and posed a serious problem. Post-Covid, as life has returned to near normal, the position has continued to deteriorate.
12. Inspectors have also observed these parking pressures when rejecting earlier appeals in respect of No.85. For example, in March 2021, the Inspector noted that "there was unrestricted parking along York Road and Princes Road [taken up] on both sides of the carriageway, close to existing private driveways...." He warned that the lack of any off-road provision... would very likely exacerbate parking problems in surrounding streets where there is evidence of substantial parking stress. The effect would be detrimental to the living conditions of existing residents in the area, as well as to future occupiers...."<sup>12</sup> In November 2021, another Inspector rejecting an appeal for a block of six flats at 91 Queens Road, again close to No.85 observed "... substantial parking stress on nearby streets which are not currently the subject of CPZ restraints. I therefore do not find that the CPZ defines the full extent of local roads that are currently under parking stress. Consequently, it appears that local parking stress is high".<sup>13</sup>
13. *Cumulative impact of no-parking development:* The cumulative impact of no-parking developments on South Road and surrounding areas has been recognized by EBC and by Inspectors. In rejecting an earlier appeal in respect of No.85, the Inspector noted that

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<sup>9</sup> Ibid. paras 10-11

<sup>10</sup> EBC 2021/3517

<sup>11</sup> 2021/2765

<sup>12</sup> 2020/0265, APP/K3605/W/20/3259759 and 2020/1288 APP/K3605/W/20/3259762

<sup>13</sup> 2020/1007 APP/K3605/W/21/3271737

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cumulative pressures can trigger a “tipping point” leading to harm to the amenity of residents.<sup>14</sup> TRG believe that this tipping point has been reached, with no-parking developments in close proximity to South Road, including high density residential development already in place at No.85 and Wessex.

14. *Sustainability and accessibility*: The appellant claims that this is an “extremely sustainable location” and claims their “intention to encourage use of sustainable transport”.<sup>15</sup> Current residents regard this with considerable scepticism given the practical limitations on current accessibility and the absence of any evidence to show that no-parking developments in such locations result in less demand for cars.
15. The railway the station is 0.9 miles away, a good 19-23 minutes-walk depending on the route taken. Cycling may be an option for the intrepid but there is no designated cycle route in the immediate vicinity and South Road exits onto a busy A road, mixing with over 17,000 traffic movements a day on a single lane in either direction. The existence of bus stops on Queens Road says nothing about the infrequency and inconvenience of available services along this route. Frankly, for those living in or near the Queens Road local centre, an hourly service at peak periods and limited or non-existent evening and weekend services pose serious problems for anyone wishing to shop, travel to or from workplaces, or engage in social and leisure activities without access to a car. Other services operating along Hanger Hill and Oatlands Drive mean factoring in walks of 15 minutes to reach them and require careful timing to ensure connections are not missed. Currently, public transport is simply not a preferred or sustainable mode of transport in this area. Several Inspectors have already cast doubt on whether the limited services available will encourage people accessing this location to forgo access to a car.<sup>16</sup>
16. As for encouraging the use of public transport, a summary of research for the Department of Transport has demonstrated that the available research on no-parking developments relates primarily to city and town centre development and focuses on actions taken by employers to, for example, reduce parking space availability in situation where reliable forms of public transport exist.<sup>17</sup> The study confirms that there is little evidence on the impact of reducing or eliminating residential parking spaces. The authors do note that attempts to persuade people away from car use work best when public or active transport alternatives are put in place first and when the community is engaged in the design.
17. *Dependence on selective precedents*: The appellant places great weight on two precedents (SC Appendix E) as justifying no-parking development on this site. Neither stands up to close scrutiny.
18. The choice of No.85 is disingenuous on a number of grounds:
  - The appellant is highly selective in the choice of ‘precedent’ for this site. The plot formed by No.85 stretches from Queens Road to South Road, taking in the former patio and car park exiting onto South road. The ‘precedent’ chosen is merely one of 29 submitted for various types of development on that site since the start of 2020. These fall into two broad categories, 19 relating specifically to changes to the main building at No.85 and the remainder to proposed new development. EBC have been consistent in refusing applications for reasons that included zero parking provision, reflecting concerns about parking stress in the area<sup>18</sup> and have approved applications where onsite parking is

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<sup>14</sup> 2020/1288

<sup>15</sup> SC para 5.8

<sup>16</sup> 2020/1007, APP/K3605/W/21/3271737; 2020/2174, APP/K3605/W/20/3262414; and 2020/0265 , APP/K3605/W/20/3259759.

<sup>17</sup> NatCen Social Research report ‘Impact of interventions encouraging a switch from cars to more sustainable modes of transport: a rapid evidence assessment’ Feb 2021

<sup>18</sup> For example, 2020/2179, 2020/3190, 2020/3213 and 2021/2765

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planned.<sup>19</sup> In five cases taken to appeal, inspectors have noted parking stress in the area and upheld EBC's decision.<sup>20</sup>

- The precedent cited relates to approval of an extension to the main building designed for business, not residential use.<sup>21</sup> and was presented originally as an integral part of the ground floor of the said building which was already designated for business use. No parking provision was included or sought, presumably based on the assumption that the extension would be accessed for service and delivery purposes from the Queens Road frontage on the same basis as the rest of the building and that there would be new development at the South Road end of the plot. Two subsequent applications for change of use from business to residential use applications were rejected by EBC.<sup>22</sup>
- Where applications for development have been approved, notably for a pair of houses to the rear of the plot, on-site parking provision has been made.<sup>23</sup>

19. The Wessex 'precedent' is also of questionable validity in the context of this appeal:

- The approval, on appeal, of this development close by in South Road is regularly cited by developers seeking approval for no-parking developments in the immediate area without presenting supporting evidence.<sup>24</sup> TRG believe that this poses a real danger of encouraging a tick-box approach absolving developers of the need for proper consideration of the context for and feasibility of planning applications that depend solely on off-site parking.
- The Wessex decision was not based on any assessment of the impact on parking pressures beyond the South Road CPZ, including in the Triangle. The inspector did acknowledge that "the area around the appeal site appears to experience a degree of parking stress... I do not consider the opportunities for unrestricted parking to be extensive".<sup>25</sup>
- As to "highway stress on South Road" the Inspector's report suggested that this might be mitigated by a combination of excluding future residents of Wessex House from using parking permits and by potential residents being deterred from having a car by the absence of parking provision.<sup>26</sup> The Inspector did acknowledge that in practice the local authority could not enforce any no-vehicle restriction on individuals.
- Subsequent to the Wessex decision, a number of applications in respect of sites close to this plot have been rejected consistently by EBC based on DM7 of the EDMP ( paras 4-5 above).
- Anecdotal reports from people living in South Road confirm that, far from being a car-free development, Wessex residents are adding to parking pressures in the road even in sections falling within the CPZ.<sup>27</sup> There is no effective enforcement mechanism, as predicted.
- Since permission was granted for Wessex in April 2020, prior approval to convert offices in 2-3 Beacon Mews, South Road into two two-bedroom flats, the completion of 9/10 flats at Wessex, and the creation of 4 additional flats in 85 Queens Road (main building), all with no parking provision, have significantly changed the parking context in South Road since the inspector's report. Slightly further afield, the development on the old Grotto site at the top of Monument Hill yielded 11 flats with no parking and Clive House at the junction of York

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<sup>19</sup> For example, 2020/2174, 2020/2179, 2020/3188, 2020/3213, 2022/0441 and 2022/0461.

<sup>20</sup> 2020/0265, APP/K3605/W/20/3259759; 2020/2174, APP/K3605/W/20/3262414; 2020/3188, APP/K3605/W/21/3286858; 2020/0473, APP/K3605/W/20/3259760; and 2020/1288, APP/K3605/W/20/3259762.

<sup>21</sup> 2021/0008

<sup>22</sup> 2023/1127 and 2023/1128

<sup>23</sup> 2022/0441 a pair of semi-detached houses with parking and 2022/0461 an office block with parking.

<sup>24</sup> 2019/0657 APP/K3605/W/19/3240173 reproduced at SC Appendix E

<sup>25</sup> Ibid para 11

<sup>26</sup> Ibid paras 9,11 and 16

<sup>27</sup> Objectors drew attention to people moving into Wessex with cars and difficulties of existing permit holders in finding vacant spaces due to the competition

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Road and Queens Road has been converted into thirty flats with parking provision for only twenty-two vehicles.<sup>28</sup> These developments along with those in properties backing onto South Road have added to the competition for the limited on-street parking spaces in the Triangle. TRG and local residents believe that the tipping point noted above where "parking issues can result in substantial harm to existing living conditions", has been tripped.<sup>29</sup>

## **Conclusion**

TRG contend that the appellant has failed to provide evidence to back up their case for overturning the balanced view taken by EBC. Further zero-parking provision in this cramped location would inevitably add to the cumulative pressures that have resulted in on-street parking saturation in surrounding areas that would be detrimental to the amenities of local residents and particularly for those living in the Triangle. The tipping point in terms of parking stress has already been exceeded. TRG therefore support the EBC decision and recommend that the appeal should be turned down as contrary to CS17 and CS25 of the Core Strategy and to DM2 and DM7 of the 2015 Development Management Plan.

Kind Regards,

**Nick Thrupp,**

**Chair,**

**Triangle Residents' Group**



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5<sup>th</sup> February 2023

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<sup>28</sup> Residents have to pay a separate fee for a parking place and it is not surprising that some choose to look for free on-street parking spaces.

<sup>29</sup> 2020/1288 APP/K3605/W/20/3259762 para 12