
Appeal Decision

Site visit made on 12 August 2021

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2021

Appeal Ref: APP/Z3635/W/21/3269589

67 Staines Road East, Sunbury on Thames TW16 5AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Property-Ward Limited against the decision of Spelthorne Borough Council.
 - The application Ref 20/00887/FUL, dated 4 August 2020, was refused by notice dated 28 January 2021.
 - The development proposed is described as the erection of single dwellinghouse.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The Government has recently published a revised National Planning Policy Framework (the Framework). I have assessed the appeal in light of this document, having given the main parties an opportunity to submit comments on its content beforehand.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the local area, with particular regard to the setting of the former Sunbury Police Station, which is a locally listed building.

Reasons

4. The appeal property is a 2-storey semi-detached property in use as flats, which addresses Staines Road East in a mainly residential area. It occupies a prominent corner plot at the entrance to Priory Close, which serves a number of dwellings. On the opposite side of the junction to the site is a locally listed building, which is referred to as the former Sunbury Police Station. In the wider area, including Staines Road East, I saw a varied pattern of existing development in which buildings differ in style, age, size and position within their plots with some closer to the road and adjacent properties than others.
5. The proposal is primarily to erect a 2-storey extension at the side of No 67 to create a self-contained 1-bedroom dwelling with off-road parking at the front of the site and space for private outdoor amenity and storage at the rear. The plot would be subdivided between the existing building and the new dwelling.
6. The new addition would be formed effectively by elongating the main building and rooflines of No 67 with a consistent pattern of fenestration and matching

external materials. The submitted design also incorporates notable features of the host building such as a forward projecting front porch.

7. Nevertheless, a substantial new built form would be introduced into generally undeveloped space that despite its unkempt appearance makes a significant and positive contribution to the local area. It does so by adding to a sense of openness next to the junction with Priory Close notwithstanding the partial enclosure of the site by a timber fence and some vegetation. It also establishes a clear visual break between the existing built form and the road. The site also contributes to a sense of space around the side of the former Sunbury Police Station that forms part of its setting. Having carefully viewed the site from both Priory Close and Staines Road East, I have little doubt that the proposed development would curtail views into and across the site from these roads and unduly erode the sense of space in the local street scene.
8. The width of the adjacent highway would not alter as a result of the proposal, as the appellant points out. However, the appeal scheme would reduce the visual separation between buildings on either side of the junction. In oblique views from Staines Road East, the gap between the new building and the former Sunbury Police Station would be perceived as significantly narrower than it currently is. On the approach to the site along Staines Road East, the new building would have an overly imposing presence either in the foreground or just beyond the locally listed building depending on the direction of view.
9. The visual impact of a new 2-storey wall close to the footway, as proposed, would be much greater than the less substantial boundary wall and bin store enclosure associated with the refurbishment of the former Sunbury Police Station and the entrance gates to Priory Close. By visually competing with the former Sunbury Police Station, the proposal would materially detract from its setting and thus diminish its significance as a heritage asset.
10. A rear corner of the new building would be right up to the edge of the adjacent footway, as would 1 of the off-road parking spaces with the other parking space nestled in between the front porches of No 67 and the proposal. With limited space on 2 sides, the new development would appear overly large within a restricted plot and the layout would be perceived as cramped even among the varied built form along Staines Road East.
11. In reaching these findings, I appreciate that there is wide range of buildings in the vicinity of the site and that plot sizes and widths differ. I also note that some properties in the local area include walls up to the adjacent footway include those to which the appellant has referred. However, it is within a short section of Staines Road East and Priory Close that the new development would be mainly visually 'read'. In that context, the new front elevation would appear narrower and the new building perceived as smaller than each property within the attached pair. Taken together with the building and parking layout, that would reinforce the impression from the road that the proposal is overly confined within the plot. For all of these reasons, the proposal would be a visually disruptive and an unwelcome addition to the local area.
12. The Council's Supplementary Planning Document, *Design of Residential Extensions and New Residential Development*, (SPD) states that parking areas should not normally exceed more than 50% of the width of the frontage. Because the proposal would not adhere to this standard, it would conflict with this aspect of the SPD.

13. Overall, I conclude on the main issue that the proposed development would cause significant harm to the character and appearance of the local area and the setting of a locally listed building. As such, it conflicts with Policies EN1 and EN5 of the Spelthorne Core Strategy and Policies Development Plan Document (CS) and the Council's SPD. Together, these policies and guidance aim to ensure that development achieves a high standard of design and layout; respects and contributes to the street scene and the character of the area; and preserves the character and setting of buildings of local architectural or historic interest, whether or not they are on the national statutory list. The appeal scheme is also at odds with the Framework, which states that new development should add to the overall quality of an area, be sympathetic to local character and protect heritage assets.

Other considerations and the planning balance

14. The Council states that it is unable to demonstrate a 5-year supply of deliverable housing sites taking into account the 20% buffer to which the Framework refers. As a result, paragraph 11 d) of the Framework is engaged. This states, amongst other things, that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
15. The proposal would add to the supply of housing on an urban site that is accessible to local services, cycle routes and public transport. However, the addition of one residential unit would make a minimal contribution to addressing the Council's shortfall in housing land and in meeting the Government's strategic objective of significantly boosting the supply of homes.
16. The appeal scheme would contribute to the choice of accommodation available to prospective occupiers although in a limited way given the modest scale of development. Similarly, although definitive evidence has not been provided to show that the proposal would meet the definition of previously developed land as given in the Framework, the proposal would result in a more efficient use of urban land, but again the benefit in this regard would not be significant. The evidence before me does not clearly demonstrate that the proposal would bring forward development that would optimise the potential of the site, in terms of paragraph 130 of the Framework.
17. The appellant says that the replacement of hard surfaced areas with grass will improve drainage. I acknowledge that the appeal scheme provides an opportunity to improve the current 'run down' appearance of the site, which currently contributes little positively to the setting of the former Sunbury Police Station. If left unmanaged, the condition of the site and its appearance might worsen. The proposal would also provide a securely enclosed area to the rear of 65 and 67 Staines Road East for use as private outdoor space. It would enhance the natural surveillance of nearby properties. The appellant's Energy Statement shows how a significant reduction in CO2 emissions can be achieved over and above a baseline of Part L of the Building Regulations. However, there is nothing before me to indicate that these benefits can only be achieved in the manner proposed.
18. All the considerations mentioned above offer modest support for the proposal, and, taken together, I have given them moderate weight. When assessed against the policies in the Framework taken as a whole, I consider that the

adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the appeal scheme. Therefore, the proposal does not benefit from the presumption in favour of sustainable development, which means that the Framework does not indicate a decision other than in accordance with the development plan.

19. Interested parties raise several additional concerns including the effect of the proposal on parking, drainage, light, access for emergency, refuse and service vehicles, and highway safety. These are all important matters and I have taken into account all of the submitted evidence. However, given my findings outlined above, these are not matters on which my decision has turned.
20. The appellant has compared the Council's consideration of the proposal with a scheme to convert, alter and extend the former Sunbury Police Station that was recently approved. In referring to differences between the Council's approach to the applications on these sites notably in the way heritage issues were considered, the appellant considers that it has been inconsistent. While I have had regard to these concerns, I have assessed the proposal on its own planning merits, as I am required to do.

Conclusion

21. For the reasons given above, I find that the proposal would conflict with the development plan when considered as a whole. None of the other considerations, which include the Framework, indicate that this appeal decision should be taken otherwise than in accordance with the development plan. The appeal is therefore dismissed.

Gary Deane

INSPECTOR