
Appeal Decision

Site visit made on 26 July 2022

by S Harley BSc(Hons) M.Phil MRTPI ARICS

an Inspector appointed by the Secretary of State

Decision date: 8 August 2022

Appeal Ref: APP/Z3635/W/21/3288384

59 Staines Road West, Sunbury on Thames TW16 7AG

- 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 Eastway Estates Ltd C/O Prideview against the decision of Spelthorne Borough Council.
 - The application Ref 21/00984/FUL, dated 20 May 2021, was refused by notice dated 18 August 2021.
 - The development proposed is "proposed development of rear car park to provide a new Nursery School".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is in the Sunbury Cross Centre Employment Area where Policy EM1 of Spelthorne Core Strategy and Policies Development Plan Document 2009 (the CS) encourages development that will provide employment. Part of the site is also in the defined Shopping Area where Policy TC3 encourages mixed uses that contribute positively to the centre. There are bus services and the train station nearby. The appeal site is accessible in terms of access to facilities by shared trips.
4. The appeal site is predominantly a car park between properties on The Parade, a secondary road which acts as parking/service road for set back properties facing Staines Road West, and houses on Heathcroft Avenue. The character of the area is mixed commercial and residential. The Parade properties are primarily commercial with residential above with some properties such as Grandera House now in residential use. The former bank at No 59 Staines Road West has approval for residential use on the upper floors. Although it is in the appeal site there are no proposals for that building as part of this appeal.
5. In principle, there is no objection to a Nursery School provided other planning policies and material considerations would be satisfied.
6. The proposed building would be mainly behind Grandera House, Nos 61-73 Staines Road West. Its position would not align with any other building. The front of the building would adjoin a walkway next to the access but would be relatively narrow and the main entrance and the ground floor fenestration on

the front elevation would appear weak, lacking in presence, and would be a poor focal point. A long side elevation would also adjoin the access. Due to the lack of architectural detailing and the low window to wall ratio this would appear bland and uninteresting. For these reasons the proposal would not create an attractive 'street scene' along the proposed access.

7. There would be some landscaping areas within the site. Two of the play spaces would be sandwiched behind/to the side of the proposed building and enclosed with fences whilst the third would be at first floor level and enclosed by tall screening. The other proposed planted areas would be small and fragmented. Even taken together they would not significantly soften the hard surfaced carpark and access context within which the Day Nursery would be set. Nor would the retention of trees and hedges, that appear to be in the adjacent gardens and beyond the control of the appellant, lead me to any different view.
8. The vehicular access between Grandera House and the Church at No 79 can only be reached if travelling from west to east along Staines Road West. The current footway facilities either side of this access, which also serves vehicle parking for adjoining properties, are very narrow and unsuitable for passage by parents with ambulant children or push chairs. A wider footway would improve access but is not part of the proposal.
9. The eastern access is long and relatively narrow and also serves commercial properties including the Sunbury Delivery Office and garages in private gardens. As a result users of the Day Nursey may prefer to seek parking on Heathcroft Avenue and use the footpath which links to the appeal site which would be less than ideal for a new development.
10. Parking would be split with eight spaces near the entrance lobby and six at the eastern boundary. Behind the proposed building the vehicle access through the site would be relatively narrow at some 3.5m and 4.5m wide with a 1.2m walkway identified by a change in surface material. An annotation on plan Ref 2460 LP06 Rev B appears to indicate there would be a one way system through the site.
11. However, it is not clear how this would flow, and it might be difficult to enforce given the awkward and circuitous route that would result. Moreover, the refuse vehicle tracking plan clearly shows two way movement along the access and the vehicle body envelope also appears to overrun the walkway, and in places appears to overrun the site boundary. It might also be difficult to prevent users of contiguous properties travelling through the site in both directions. Moreover, because of the shape of the site and the need to accommodate parking for users of other buildings as well as a turning area for refuse collection vehicles there would be likely to be conflict between pedestrians and vehicles around the building and in the eastern carpark area.
12. It is not entirely clear how many children and staff would use the nursery¹ at any one time and arrangements would be flexible to meet the needs of users. Arrivals and departures would tend to be concentrated at peak periods in the morning and afternoon.
13. The Highway Authority considers that the Transport Assessment (TA), in relying on hourly flows in and out, underestimates the residual number of

¹ The Transport Assessment indicates a total of 70 children and 15 staff; the KWA Additional Information document indicates a total of 110 children and 31 staff

vehicles within the site. The HA cites as an example that if 10 parents enter the site at 8:20, park for fifteen minutes and exit the site at 8:35, there would be a parking demand of 10 vehicles plus any vehicles that were already within the site, including staff. The TA would record this as a parking demand of 0 vehicles for the hour 08:00-09:00. Even at the lower numbers of users the HA expresses significant concerns that, notwithstanding that parking standards are maximums, the proposed 14 spaces may be insufficient to cater for demand. No formal objections or reasons for refusal are raised by the HA though as any resultant parking pressure would occur away from the highway. The likely effect would therefore be congestion within the site leading to potential conflict between vehicles and pedestrians which could be harmful to safety.

14. Taken together the above matters are indicative of a poorly thought through unsatisfactory site layout that would not function well. It would not pay regard to the layout, style or character of neighbouring property or integrate well; rather it would appear cramped and intrusive in the local area.
15. The building would have two floors. Its overall scale would be reduced by the incorporation of a contrived series of seven steep gable features with ridge lines in a north/south axis. Even so because of its length and height it would appear as an overly substantial mass in close proximity to residential gardens. The flank elevations would have a relatively low, poor, ratio of openings to solid walls and those that are proposed would not relate well to the roof forms above.
16. Although the building height would bridge the gap between the four floors of Grandera House and the two storey houses on Heathcroft Avenue, its steep and convoluted roof form would be discordant and out of character with the simpler roof forms in the surrounding area. I acknowledge that there are flat and pitched/hipped roofs locally, and no single or unifying form or design to buildings, but I saw nothing that lead me to consider the proposed profile would reference the style and character of the local area.
17. There is a wide variety of facing materials on nearby buildings. The proposed materials would not be out of character but this would not be sufficient to overcome the above concerns.
18. Taking the above together I consider the building would not result in a high quality distinct identity.
19. Whilst the site is not particularly attractive and parking demand arising from the surrounding uses appears to have diminished somewhat, for the reasons set out above I conclude the proposal would be harmful to the character and appearance of the area. There would be conflict with Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009 (the CS) and those principles of the National Planning Policy Framework that seek high quality design that makes a positive contribution to the street scene and the character of the area.

Other Matters

20. The Council raises no objections in terms of over-looking and renewable energy provision would be made. However, such matters are to be expected from all developments and are neutral factors in this appeal.

21. This proposal seeks to address the previous concerns raised by three unsuccessful proposals. I also acknowledge the comprehensive redevelopment of a wider area as envisaged by the Council might be unrealistic due to fragmented site ownership. I have seen no specific evidence relating to potential anti-social behaviour, litter or security risk and such matters may well be addressed by site management.
22. None of the above matters lead me to any different conclusion in respect of the main issue.

Planning Balance and Conclusion

23. The proposal would use previously developed land and would provide a needed community facility and local employment and would help support the local centre. In these respects the proposal would meet Policies EM1, TC3 and CO1 of the CS. The matters attract some weight in favour of the proposal.
24. However, I have found that the layout would be cramped and not function well and the design would not be high quality. The benefits would not outweigh the harm to the character and appearance of the area that I have identified.
25. In failing to comply with Policy EN1 of the CS the proposal can not be said to comply with the development plan as a whole. I have found insufficient material considerations to justify a decision other than in accordance with the development plan. The appeal should be dismissed.

S Harley

INSPECTOR