

Appeal Decision

Site: Former Dairy Crest site, Alexandra Road, Epsom, Surrey KT17 4BJ

Proposal:

Demolition of existing buildings on site. Redevelopment of site to provide a mixed use development comprising a retail foodstore with 6 residential units above, with associated car parking, landscaping and access arrangements”.

Application Number: 15/01346/FUL

Decision: Appeal dismissed

Reasons for refusal and matters considered:-

1. Effect of the Proposal on the Character and Appearance of the Surrounding Area, including the adjacent Pikes Hill Conservation Area

The inspector concluded that whilst he was satisfied with the proposed materials the proposals lacked architectural details and features that add a richness to the character and appearance of the surroundings, both inside and outside the Conservation Area. He noted that expansive glazing is not a feature of the area and that the ground floor elevation of the store would be ‘austerely commercial’.

Essentially the building would detract from the character of the surrounding area and the setting of the conservation area. Consequently the proposal would not sit comfortably on the site or successfully integrate into the local context.

2. Effect of the Proposal on Highway Safety in terms of Parking Provision and Traffic Flow

The Inspector acknowledged that introducing a large store in the residential area without adequate on-site parking would decrease the capacity of on-street parking and increase demand making the parking stress worse. However, considered that overall stress levels support the case for on-street parking controls that would resolve peak period parking conflicts and increase on-street parking availability.

He concluded that there would be an appropriate level of on-street parking and no unacceptable impact on on-street parking. He is of the view that the proposals would have a relatively small impact on parking availability and need not make matters materially worse.

That the Aldi Epsom would provide 16 more parking spaces than a Ewell equivalent which I consider would be adequate. Indeed, even allowing for the car park queues at Ewell, both the Appellant and the Highway Authority (HA) consider the proposed car park capacity to be adequate.

The inspector was of the opinion that there would be a lower demand for on-site parking spaces than at Ewell and the capacity of the proposed car park would be adequate.

The Inspector was satisfied that the proposal exceeds the minimum requirements for the width of a right hand turn lane, ensuring that lorries could wait within the right turn lane without impeding the free flow of traffic along Alexandra Road. Similarly that the design of the access proposed would be safe and suitable and noted that the HA has now reached the same conclusion.

A series of pictorial representations of the modified model showed that the Borough's concerns were unfounded leading to the County Highway Authority accepting that there would not be a severe residual impact and that there would be no conflict with NPPF paragraph 32 and CS Policy CS16. I agree with this conclusion.

3. Whether there is Sufficient Analysis to Demonstrate that there is no Sequentially Preferable Site

The inspector concluded that the Lidl site is sequentially preferable and available in accordance with NPPF paragraph 27. The sequential test is therefore failed and the appeal should be dismissed.

He goes on to comment that due to infrastructure constraints neither car park site could be described as available and so would not be sequentially preferable.

Final conclusions:-

Aldi would not help improve the draw of the town centre but would extend it diverting some turnover to an EOC/OOC store, contrary to town centre objectives. The harm caused by the development, including the detrimental impact on the character and appearance of the surrounding area and the less than substantial harm to the setting of the Conservation Area, would outweigh the public benefits identified. The harm would not be capable of mitigation by conditions attached to any permission or any Section 106 Obligation.