

Appeal Decision

Site visit made on 28 March 2017

by L Gibbons BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 April 2017

Appeal Ref: APP/P3610/D/17/3167242

8 Higher Green, Epsom, Surrey KT17 3BA

- 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 Mr & Mrs Lewis against the decision of Epsom & Ewell Borough Council.
 - The application Ref 16/0822/FLH, dated 24 August 2016, was refused by notice dated 24 October 2016.
 - The development proposed is a two storey side extension, single storey rear extension and loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension, single storey rear extension and loft conversion at 8 Higher Green, Epsom, Surrey KT17 3BA in accordance with the terms of the application, Ref 16/0822/FLH dated 24 August 2016, subject to the conditions set out below:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan Proposed Floor Plans and Elevations CO/R.L/01.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights, doors or other forms of openings other than those shown on the approved plan shall be constructed on the flank elevations of the development hereby permitted.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Higher Green/Longdown Lane Conservation Area.

Reasons

3. The appeal site is located within the Higher Green/Longdown Lane Conservation Area. Paragraph 132 of the National Planning Policy Framework
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(the Framework) sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The Framework defines significance as being archaeological, architectural, artistic or historic.

4. The houses were constructed in the 1920s and 1930s by a local builder. The houses are all individual in design but incorporate a wide range of attractive features which are typical of older style buildings found in the Surrey area. These include roofs with steep pitches, false timber framing, leaded light windows and gables. The features are listed as part of the key characteristics of the Conservation Area in the Higher Green Conservation Area Character Appraisal and Management Proposals (CACA) 2009. There is a village green with a number of mature trees. The green, street trees and mature planting in gardens make a very significant contribution to the sylvan quality of the area. The significance of the Conservation Area is therefore in the architectural quality of the buildings and the layout, and its historical association with a local resident.
5. The Council's Householder Applications Supplementary Planning Guidance (updated 2005) sets out that where gaps at first floor are important in maintaining street character a two storey side extension will often not be appropriate. Gaps between the houses at first floor level in the Conservation Area allow some views of taller trees and planting to the rear. The CACA refers to these views and that they play an important role in maintaining the verdant character of the area. The rear vegetation is particularly noticeable on the south side of Higher Green where the layout provides more opportunities to view between the houses. Gaps are not particularly regularly sized and some houses have two storey elevations close to the boundary with adjoining properties.
6. Moreover, on the part of the road where the appeal site is located the layout of houses is such that the gaps are not as readily visible from the pavement. Development also has a slightly closer knit quality than generally elsewhere on Higher Green. The views to the rear of Nos 6 and Nos 8 are slightly limited and the trees in the distance are more difficult to see. This is due to the angle of No 6 in relation to the road which already restricts clear views. Planting in the front gardens and the mature trees on the eastern side of the green also reduces the visibility of the gap from the opposite side of Higher Green. The sylvan quality is much more evident around the green and front garden planting in this location.
7. The proposal would involve the construction of a two storey side extension in place of a single storey garage. There would be a gap of over 1 metre retained to the boundary with No 6. I consider this gap would be sufficient to retain a view to the rear of the properties where views through are possible. In addition, the ridge height of the extension would be below that of the main dwelling and the hipped roof would allow some views beyond the dwelling from the road. The side extension would be set back from the main elevation. The gable feature on the house would be retained as the dominant feature, and the proposal would not appear bulky as a result.
8. Taking account of the particular circumstances of the position and location of No 8 and development pattern here, I consider the proposed extension would not cause harm to the significance of the Conservation Area when considered

as a whole. The overall strong sylvan character of the area would be maintained.

9. For the reasons given above, I conclude that the proposed development would preserve the character and appearance of the Higher Green/Longdown Lane Conservation Area. It would not be contrary to Policy CS5 of the Core Strategy 2007 and Policies DM8, DM9 and DM10 of the Development Management Policies Document 2015. These amongst other things seek to protect the Borough's heritage assets, and that the most essential elements identified as contributing to the character and local distinctiveness of a street or area should be respected, maintained or enhanced.

Conclusion and conditions

10. I have considered the conditions in the light of the tests set out in paragraph 206 of the Framework and the Planning Practice Guidance. I have imposed a condition specifying the relevant drawings as this provides certainty. In order to protect the character and appearance of the area a condition is needed in respect of the materials to be used in the construction of the proposed extension and conversion. The Council suggested a condition relating to the removal of permitted development rights for windows and other openings. I agree this is necessary in the interests of the living conditions of adjoining occupiers.
11. For the above reasons and having regard to all other matters raised I conclude that subject to the conditions set out above the appeal should be allowed.

L Gibbons

INSPECTOR