

Appeal Decision

Site visit made on 25 May 2017

by D Cramond BSc MRTPI

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

Decision date: 08 June 2017

Appeal Ref: APP/P3610/D/17/3169138
18 Ewell Downs Road, Epsom, KT17 3BP

- 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 R Schunter against the decision of Epsom and Ewell Borough Council.
 - The application Ref 16/00888/FLH, dated 7 September 2016, was refused by notice dated 25 November 2016.
 - The development proposed is single storey, two storey flank extensions and a two storey rear extension (amended drawing received 21.11.2016).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I use the Council's description of development which is more concise than, and updated from, the application form; I note the Appellants also use this on the appeal form.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

Reasons

4. The appeal property is a two storey detached dwelling with pleasing elevations set within a generous plot. The area is of established residential character and mainly comprises a similar scale of homes and gardens with an interesting variety of design and materials used in the properties' good quality compositions. The dwellings and the associated relatively extensive landscape come together to form a locality with significant aesthetic attributes and a sense of spaciousness. The proposal is as described above.
 5. The site lies within the Higher Green / Longdown Lane Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policies DM8, DM9 and DM10 of the Development Management Policies Document 2015 and Policy CS5 of the Core Strategy 2007, taken together, call for, amongst other matters, high quality design and
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development which should protect or enhance heritage assets, safeguard surrounding environment and character, and embrace local distinctiveness.

6. This area is of a quality that deserves to be protected. Extension work should demonstrate subtlety, subordination and a sense of place. Regrettably the appeal proposal would not accord with these requirements. It would simply be too ungainly in form, excessively large in massing and overly close in proximity to the side boundary at first floor level. The sense of a fine, well-separated house, at ease in its plot and with its neighbours would be lost. Excessive largely unrelieved flank walling would be on show. Crown roofs would predominate and a gap at first floor level would be reduced to a quite uncharacteristic and visually unfortunate degree. Views of foliage to the rear would be markedly lost and landscape quality would decline. I acknowledge the point that 'spaciousness' or 'sylvan character' are not identified in the relevant Conservation Area Appraisal (2009) as key features of importance but to my mind these attributes are inherent and valuable within Ewell Downs Road and do make positive contributions to the character and appearance of the Conservation Area. The proposal would be damaging to these qualities.
7. Given all of the foregoing I conclude that the change proposed would be contrary to the aims of Section 72(1) and would conflict with the development plan policies which I cite in paragraph 5 above. It would also not accord with the relevant and corresponding objectives of the Council's Supplementary Planning Guidance for Householder Applications (2004) albeit that document cannot be expected to cover every eventuality.

Other matters

8. I sympathise with the Appellants' wish to extend the property and note that only one local household objected to the scheme. There would not be harm to residential amenity. I can see that the Appellants sought to work with the Council and provided amended plans during the process and I appreciate that the principal attractive frontage features would be retained. There would be some sense of designed subservience but only if viewed directly from the front and not from other angles and directions.
9. I recognise that there are examples where only very limited spacing at upper floors relative to boundaries are in situ or are permitted and pending construction. The permission at No 20 is a prime case in hand and understandably cited by the Appellants and almost used as a template. I do not know the full planning history behind this permission and the original dwelling is not the same design as the appeal property. I would have some concern if this was to be used as a benchmark for the area which gains so much from a sense of spaciousness and would deteriorate in quality should a more 'ordinary' one metre first floor separation become a regular rhythmic feature or just generally more common-place. In any event I must determine the proposal before me on its own merits; I do not see other local schemes as precedents.
10. I have carefully considered all the points raised by the Appellants but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
11. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to

protect and enhance the qualities of the natural and built environment as well as to safeguard heritage assets; development plan policies which I cite mirror these. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposals which I shall not allow would lead to less than substantial harm to the significance of the designated heritage asset however what public benefits there would be, such as construction employment, would not outweigh this harm. Furthermore there are no other benefits, including to the Appellants, which to my mind would be of a scale to outweigh the harm to the Conservation Area which I have identified.

Overall conclusion

12. For the reasons given above I conclude that the proposal would have unacceptable adverse effects on the character and appearance of the host property and the locality. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR