
Appeal Decision

Site visit made on 12 June 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 3 July 2017

Appeal Ref: APP/Y3615/W/16/3151345
57 Epsom Road, Guildford GU1 3LD

- 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 Ms S Cole against the decision of Guildford Borough Council.
 - The application Ref 16/P/00066, dated 22 December 2015, was refused by notice dated 10 March 2016.
 - The development proposed is replacement windows and creation of forecourt parking together with a new vehicular access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Waterden Road Conservation Area (CA).

Reasons

3. The appeal site is one half of a pair of buildings which are part of a distinctive street of houses containing dramatically detailed, grand, town houses and smaller villas standing relatively close to the street but separated from it by low walls enclosing planted front gardens. These buildings, and their front gardens, reflect the architectural idyll and pattern of development of the High Victorian age and the historical development of Waterden Road and Epsom Road.
 4. The buildings use a variety of natural materials including timber, stone, and clay in a richly detailed array of designs. While some of the buildings have undergone minor development, the overall architectural and town planning integrity resound through the CA. In this context, the site underpins the architectural and historic significance of the CA.
 5. The Council raises no objection to the replacement of the side and rear elevation windows in uPVC as many of these are already in this material. Its concern is with the replacement of the windows in the front elevation, which appear, save that to the semi-basement opening which is in uPVC, to be in timber. They display the characteristic properties of slender components, distinctive modelling from the joinery, and an irregularity in the reflections of light from the unevenness of their painted surfaces.
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6. No details of the frames, the glazing, or the ironmongery of the replacement windows have been submitted. In the context of the front elevation of this building and the others in the CA, where timber windows are an important component of the townscape significance of the CA, I cannot therefore be certain that the replacement windows would not cause harm to its appearance.
7. I note the appellant's reference to the websites of various uPVC window manufacturers, and I have considered whether a condition might secure the design of the replacement windows in the front elevation. However, without any details of the windows proposed, and given the material properties of uPVC, I am not satisfied that this would make the development acceptable in planning terms.
8. The proposal would include an alternative pair of sliding sash windows to replace the unsympathetic casement and picture window pattern presently in the semi-basement opening in the front elevation. This would be a significant benefit of the scheme, but it would not outweigh the risk of harm to the appearance of the building and the CA.
9. The appeal site and its neighbour have both retained the pedestrian access and their front gardens. The present arrangement reflects the street enclosure prevailing on the opposite side of the street and reinforces the soft landscape of the traditional garden setting in front of the houses in the CA.
10. The proposal would remove all elements of soft landscape including the lawn, trees and planting beds and replace them with a paved area. Such an expanse of hard landscape between the building and the street would be incongruous with the character of the CA which includes planted front gardens.
11. I appreciate that the proposal would provide parking where there is pressure for spaces and that it may improve deliveries to the site, however this would not outweigh the harm identified above. I saw that many of the neighbouring buildings contain parking and have widened the openings between the party wall in the garden and the street wall. However, a sufficient number of front gardens remain unconverted, particularly opposite the site, to sustain the landscape character of the area and its contribution to the significance of the CA.
12. For the reasons set out above, I conclude the proposal would fail to preserve the CA in accordance with the requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, the special attention to which, the Courts have determined, I am required to give considerable importance and weight.
13. Whilst I see less relevance of policy H8 of the Guildford Borough Local Plan 2003 (LP) to which the Council refers and which concerns extensions, it would conflict with LP policies G5 and HE7. These require that existing spaces of value are respected, that materials harmonise with surrounding buildings, that detailing reinforces the identity and character of an area and that development in conservation areas preserves or enhances their character or appearance.
14. Furthermore, the proposed development would run against the design and conservation advice in the Framework¹, in that it would fail to make a positive contribution to local character and distinctiveness; nor would it reflect the

¹ National Planning Policy Framework, DCLG 2012, paras. 17, 58, & 131

identity of local materials. It would also be contrary to advice in the Planning Practice Guidance² which advises that development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development.

15. In the context of paragraphs 133 and 134 of the Framework I would, in relation to the CA as a whole, define the magnitude of the harm identified as less than substantial. Nevertheless, paragraph 134 still requires that any such harm be considered against any public benefits a scheme may bring. However, no public benefit has been put forward to be weighed against this harm.

Conclusion

16. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA as required by the Act, and considered the policies in the Development Plan and the Framework. I have also considered the other matters raised in evidence. However, none of these matters outweigh the harm that I have identified to the character and to the appearance of the Waterden Road Conservation Area and for these reasons the appeal is dismissed.

Patrick Whelan

INSPECTOR

² Planning Practice Guidance, DCLG 2014 as amended, para. 007, ID 26-007-20140306