
Appeal Decision

Site visit made on 3 October 2017

by Michael Boniface MSc MRTPI

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

Decision date: 10th October 2017

Appeal Ref: APP/P3610/W/17/3180060
60 Worple Road, Epsom, Surrey, KT17 8AG

- 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 Kadhum against the decision of Epsom & Ewell Borough Council.
 - The application Ref 16/01672/FLH, dated 7 February 2017, was refused by notice dated 5 April 2017.
 - The development proposed is a first and second floor flank infill extension. New windows to rear dormers. Extension to rear loggia.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development contained in the Council's decision above rather than the planning application, as this more precisely describes the proposal.
3. The building is currently being converted to accommodate flats and I was able to view these during my site visit. The proposed extension would provide additional living accommodation for two of the flats.

Main Issues

4. The main issues are whether the proposal would preserve or enhance the character or appearance of the Worple Road Conservation Area; and the effect on living conditions of neighbouring occupants', with particular regard to the potential for overlooking 62 Worple Road from the extended loggia.

Reasons

Character and appearance

5. The appeal property is a grand and ornately detailed detached Victorian building standing within a large plot in a prominent position at the junction between the primary routes within the conservation area, Worple Road and Ashley Road. It is noted as a 'positive building' on the conservation area map and is considered by the Council to be an important contributor to the conservation area. Given the buildings prominent position within the conservation area and its high quality design that is consistent with other traditional building nearby, I agree. The conservation area comprises a mix of building types and styles many of which date from the Victorian period and

present similarly high quality design, though some more modern infill development is also evident.

6. The appeal property has been previously extended with a single storey side addition which detracts somewhat from the otherwise pleasing symmetrical appearance of the building and its typically Victorian formality. The proposed development would introduce a first and second floor above the existing single storey extension. The width and height of the extension would be such that it would appear clearly subordinate to the principal building, but it would nevertheless become an obvious addition that would be visible in a number of views on approach from both Worple Road and Ashley Road, despite the presence of some tree planting on the frontage.
7. Given the context that I have identified, any extension of the building would need to be of the highest quality and that cannot be said of the current proposal. The addition would unbalance the symmetrical appearance of the building, far more so than the existing single storey addition, disrupting a key element of the buildings architectural interest. Furthermore, the crude crown roof would be at odds with the simple gabled roof design of the original building. Whilst this feature would not be prominent in the street scene, it would be evident in glimpsed views and would further detract from the appearance of the building.
8. The harm arising to the conservation area as a whole would be less than substantial but this is in the context of the need to attach great weight to the conservation of heritage assets. The limited public benefits arising from increased living accommodation for two flats in this case is far outweighed by the harm that I have identified. The development would not preserve the character and appearance of the conservation area.
9. As such, the development would be in conflict with Policies DM8, DM9 and DM10 of the Development Management Policies Document (2015) (DMPD), which require good quality design that protects the character and local distinctiveness of the area, as well as the preservation and enhancement of heritage assets.

Neighbours' living conditions

10. The proposed loggia is a raised terrace to the rear of the property which is partially enclosed under a roof. The nature of the structure is such that it would be likely to encourage residents to sit out and socialise in the space. Being elevated above the level of the garden, some potential for views across boundary treatments exist towards No 62, including towards a conservatory which stands at a higher ground level to the site.
11. At the time of my visit, a tall fence with a trellis above had been erected on this boundary which would prevent any harmful overlooking, though this appeared to have been recently constructed and I am unaware of its planning status; it does not form part of the appeal proposal. In any event, No 62 is well separated from the loggia and the garden would retain sufficient privacy, even with a lower boundary treatment. Similarly, the distance and angle involved towards the conservatory would mean that no harmful overlooking or loss of privacy would result. As such, I find no conflict with Policy DM10 of the DMPD, which seeks to protect the living conditions of neighbouring occupants.

Other Matters

12. I have had regard to the submitted examples of other developments granted planning permission by the Council in the locality, but I do not know the full details of these cases or the circumstances that led to their approval. In any case, I have seen none that are directly comparable to the appeal proposal or to the individual building and site context in this case. As such, I have determined the appeal on its own merits.

Conclusion

13. Whilst the development would not harm the living conditions of neighbouring occupants, it would harm the character and appearance of the appeal property and the wider Worple Road Conservation Area.
14. In light of the above, and having considered all other matters, the appeal is dismissed.

Michael Boniface

INSPECTOR