



Appeal Decision

Site visit made on 10 December 2019 by Elizabeth Davies BSc (Hons) PIEMA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 February 2020

Appeal Ref: APP/P3610/D/19/3238643

15 Downs Road, Epsom KT18 5JF

- 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 Steve Willmott against the decision of Epsom and Ewell Borough Council.
 - The application Ref 19/00672/FLH, dated 31 May 2019, was refused by notice dated 17 July 2019.
 - The development proposed is new porch and front steps extension, with amendments to fenestration and external materials.
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Decision

1. The part of the appeal that relates to the new porch extension is dismissed.
2. The part of the appeal that relates to the front steps, amendments to fenestration and external materials is allowed and planning permission is granted for front steps, amendments to fenestration and external materials at 15 Downs Road, Epsom KT18 5JF, in accordance with the application, Ref 19/00672/FLH, dated 31 May 2019 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Site Location Plan Scale 1:1250, 19033/01, 19033/02, 19033/03, 19033/04 and 19033/05.
 - 3) No development shall commence until samples of the materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.

Appeal Procedure

3. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

4. A split decision has been recommended (in accordance with s79(1)(b) of the 1990 Town and Country Planning Act) allowing only part of the proposal. This has been done on the basis that the two parts of the proposal are severable.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the host property and the Downs Road Estate Conservation Area (CA).

Reasons for the Recommendation

6. The CA is a cohesive residential development of mostly early 1960s houses. The estate is relatively unaltered and overall has retained a consistent character. The Downs Road Estate Conservation Area Character Appraisal and Management Proposals August 2010 (the 'CA Appraisal') identifies four principal house types within the CA, and the appeal property has been identified as Type 2 'detached two storey house'. This is the prevalent building type in the CA, with a number of examples along Downs Road. The CA Appraisal states that all of the buildings within the CA make a positive contribution to the special interest of the CA due to the consistent design details and high-quality materials.
7. The appeal property features a flat roofed front porch with timber pillars and a sliding timber board garage door. The proposal includes the replacement of the existing front porch with a pitched roof design featuring glazed screens, wider stairs leading to it, and the replacement of the sliding garage door with a 'up and over' design. The appeal property also features a white wooden weather-boarded front gable and the proposals include replacement of the boarding with hanging tiles. The windows on the rear elevation would also be altered.

Porch

8. The changes to the porch would result in a more contemporary appearance, particularly due to the modern style of glazing which would appear incongruous with the original 1960s design of the host property. The loss of the original porch and change in materials would detract from the character of the host property and the cohesiveness of the CA as a whole. This element of the development therefore fails to preserve or enhance the CA. This view is supported by the CA Appraisal which identifies that original materials and details including front doors and front elevations generally, including porches need to be preserved.
9. In support of the appeal, the appellant has referred me to No 5 and No 12 The Ridings as examples of properties that have enclosed porches. Although I saw on my site visit that both No 5 and No 12 do have enclosed porches, they are a of an integral design and are therefore not comparable to the proposed porch.
10. The appellant's wish to provide a weatherproof entrance, enhance security and update their property are understood, however these considerations do not outweigh the harm identified. The appellant also suggests that the dwellings on Downs Road should be given more leeway to make minor alterations, but I see no reason why this should be so.
11. The porch element of the proposed development is contrary to Policies CS1 and CS5 of the Epsom & Ewell Borough Council Core Strategy 2007 (the 'Core Strategy') and Policies DM8, DM9 and DM10 of the Epsom & Ewell Borough Council Development Management Policies Document (September 2015) (the 'Development Management Policies Document') which seek, amongst other things, to protect, conserve and enhance the built environment, support

proposals that make a positive contribution to local character and protect and enhance heritage assets, including conservation areas. Policy DM10 also requires development to contribute to local character and distinctiveness, including respecting key features such as roof forms, window forms, materials and design detailing of elevations. The proposal is also contrary to guidance in the CA Appraisal which seeks to retain original materials and details.

12. The harm to the CA would be less than substantial and in such instances paragraph 196 of the National Planning Policy Framework states that such harm should be weighed against the public benefits of the proposal. However, although there would be a private benefit to the appellant from the proposed development, there are no public benefits to weigh against the less than substantial harm to the CA.

Front steps, amendments to Fenestration and External Materials.

13. With regard to the replacement of the weather-boarded wooden frontage with hanging tiles and the change to the garage design, I do not agree with the Council that these alterations would be harmful. Hanging tiles are a design detail featured on buildings within the CA and Downs Road and therefore this change would be in keeping with the character and appearance of the CA. The change to the design of the garage door would be a minor alteration and not highly visible from Downs Road. Indeed, the proposed door would match that of the neighbouring property to the south. Also, although I recognise the steps are necessary to reach the new porch, when considered on their own, they would be only a minor alteration and would not be harmful to the character and appearance of the area. The Council raise no objection to the alterations to the fenestration on the rear elevation and I have no reason to disagree.
14. I therefore conclude that these elements of the proposed development would not have an unacceptable adverse impact on the character and appearance of the host property and would preserve the character and appearance of the CA. They would not conflict with Policies CS1 and CS5 of the Core Strategy, Policies DM8, DM9 and DM10 of the Development Management Policies Document and the CA Appraisal as set out above.

Conditions

15. I have considered the conditions suggested by the Council. Where necessary, and in the interests of clarity and precision, I have slightly altered the conditions to better reflect the advice in the National Planning Policy Framework and the Planning Practice Guidance.
16. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have not included the suggested condition requiring the external materials to match the existing building as I do not consider this to be relevant to the part of the appeal that is allowed. The separate suggested condition requiring samples of materials to be approved by the Council however is necessary to ensure no harm occurs to the character and appearance of the host dwelling and the CA. This condition requires compliance before the commencement of development to achieve its aim of protecting character and appearance.

Conclusion and Recommendation

17. For the reasons given above, and having had regard to all other matters raised, I recommend that in relation to the installation of a new porch the appeal is dismissed, but that in relation to the front steps, amendments to fenestration and external materials, the appeal is allowed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal in respect of the new porch is dismissed, but in respect of all other proposed works is allowed.

Andrew Owen

INSPECTOR