



Appeal Decision

Site visit made on 1 September 2020

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2020

Appeal Ref: APP/P3610/W/20/3246289

Rear of No's 123 and 125 London Road, Ewell KT17 2BS

- 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 Paul Stevens against the decision of Epsom & Ewell Borough Council.
 - The application Ref 19/01378/FUL, dated 23 October 2019, was refused by notice dated 18 December 2019.
 - The development proposed is the erection of a chalet bungalow with associated parking and amenity space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. 123 London Road (No 123) and its attached neighbour 125 London Road (No 125) are adjacent to the junction with Ewell Park Way. As such, the appeal site, which is to the rear of them, is accessed from and relates to Ewell Park Way. Away from the junction with London Road, the housing on Ewell Park Way has a varied but regular rhythm, character and appearance, dominated by 2-storey houses, whose character persists despite various alterations and extensions.
4. The proposed chalet bungalow, whilst similar in depth, would be wider and lower than the neighbouring properties. In addition, whilst there are front gables and dormer features in the street-scene, the dormers on the appeal proposal are markedly different in pitch and proportion. As a result, I consider that the appeal proposal would, as a result of its design, appearance and siting relative to neighbouring properties, appear incongruous and would cause harm to the established rhythm, character and appearance of the area.
5. I acknowledge that there is, in general, a more varied design approach to corner plots in the area, including on the opposite side of the road. However, for the reasons set out above, I do not consider that the appeal site could reasonably be perceived as a corner plot. Within the street scene it appears as a part of Ewell Park Way. As I have found above that the appeal proposal is not consistent with that character and appearance of Ewell Park Way, neither the proximity of the appeal site to the junction nor the character and appearance of the flats on the corner site opposite alters my conclusions.

6. I note the example of other infill development on a corner plot further along Ewell Park Way. However, that development is very different to the appeal proposal. In terms of its design and appearance I consider it is much more closely related to its surroundings, and as such, consider that it does not set an irresistible precedent which would require me to alter my conclusions on the effect of the appeal proposal on the character and appearance of the area.
7. I also acknowledge the appeal cited by the appellant, which accepted the principle, in that case, of developing a new contemporary dwelling to the rear of a corner plot. However, the conclusions of the Inspector in that case, on the design and relative merits of that scheme, do not affect my conclusions on the scheme before me in this appeal, as each scheme is to be considered on its own merits.
8. I consider therefore that the proposal is contrary to Policy CS5 of the Epsom & Ewell Borough Council Core Strategy 2007 Local Development Framework, and Policies DM9 and DM10 of the Epsom & Ewell Borough Council Development Management Policies Document 2015. These policies seek, amongst other things, to ensure that development is of high-quality design which reinforces local distinctiveness, is compatible with, respects and maintains the character and appearance of the local area.

Planning Balance

9. I note that the appellant cites the support in the National Planning Policy Framework (the Framework) for new housing and that the Council acknowledges that it cannot currently demonstrate a five-year supply of deliverable housing sites. As such, the provisions of the Framework apply.
10. Notwithstanding the positive attributes and benefits of the proposal suggested by the appellant, I have found that there is significant conflict with the development plan in terms of the harm which the proposal would cause to the character and appearance of the area. The development plan is consistent with the Framework in these regards, so I find that the proposal also conflicts with the Framework.
11. Therefore, I consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of a single dwelling, when assessed against the policies in the Framework taken as a whole. The presumption in favour of sustainable development in the Framework does not therefore apply in this case and there are no other material considerations that indicate a decision should be taken other than in accordance with the development plan.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

S Dean

INSPECTOR