

Appeal Decision

Site visit made on 21 June 2021

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2021

Appeal Ref: APP/P3610/D/20/3266127

4 Little Orchards, Worple Road, Epsom, Surrey KT18 5EW

- 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 Sebastian Comber against the decision of Epsom & Ewell Borough Council.
 - The application, Ref. 20/01170/FLH, dated 18 August 2020 was refused by notice dated 21 October 2020.
 - The development proposed is replacement casement windows (4 ground floor / 6 first floor), rear patio door, front door and fascias.
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Decision

1. The appeal is allowed and planning permission is granted for replacement casement windows (4 ground floor / 6 first floor), rear patio door, front door and fascias at 4 Little Orchards, Worple Road, Epsom in accordance with the terms of the application, Ref. 20/01170/FLH, dated 18 August 2020 and subject to the following conditions:
 - 1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this Decision;
 - 2) The development hereby permitted shall be carried out in accordance with the approved plan of the existing and proposed windows (no reference provided).

Main Issue

2. The main issue is the effect of the replacement windows on the appearance of the dwelling and on the character and appearance of the streetscene and the Worple Road Conservation Area.

Reasons

3. I saw on my visit that the appeal dwelling is at the end of a row of four houses of essentially the same design and external materials (brick elevations and a pitched tile roof). The houses are a 1980's development set back from Worple Road and fronted by a parking forecourt with a brick wall forming the front boundary. No. 4 is at the end of the row with its front elevation largely obscured from the road by the original garage, since converted into habitable accommodation with altered fenestration and two new doors.
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4. The Council considers that given the original wooden frames, any replacements should also be of wood rather than uPVC which would set an unfortunate precedent. However, the garage conversion was granted permission as recently as 2017 and all its fenestration was in uPVC as opposed to a match for the original timber. The application also included several uPVC replacements to the fenestration in the dwelling itself.
5. The evidence before me in this appeal includes the officer's report for that 2017 scheme and includes the comment '*Materials would match existing*' which could suggest that the use of uPVC was an oversight, albeit it is also feasible this could have been a reference to their appearance.
6. Be that as it may, the grounds of appeal argue that in closer views of the house, new wooden window frames and uPVC seen side by side would be incongruous. On the other hand, in views from the public realm (Worple Road) it would be very difficult to distinguish between the two materials. Bearing these points in mind and taking into account that the four houses are late C20th buildings, rather than from an era which defines the significance of the conservation area as a designated heritage asset, I am minded to agree with the appellant's submissions.
7. The appellant also points out that one of the other houses in Little Orchards has uPVC window frames and that two have uPVC facias. In addition, one has decorative external window shutters (which I note from Google street view have been there since at least 2012). I consider that my Decision in this appeal should be informed these inconsistencies; the relatively recent date of the building's construction; the acceptance of uPVC in the garage conversion, and above all, my agreement with the appellant that in public views of the group of four houses the differences would not be apparent.
8. Accordingly, I conclude that whilst the use of uPVC would comprise some slight elements of technical conflict with Policies DM8, DM9 & DM10 of the Epsom & Ewell Development Management Policies Document 2015 and Policy CS5 of the Council's Core Strategy 2007, the circumstances of this case are such that no harm would be caused to the appearance of the building, the character and appearance of the Worple Road street scene and the significance of the conservation area.
9. I shall therefore allow the appeal and grant planning permission. I shall impose a condition requiring the replacement windows, doors and fascias to be in accordance with the approved plan for the avoidance of doubt and in the interests of proper planning.

Martin Andrews

INSPECTOR