



Appeal Decision

Site visit made on 3 November 2021

by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2021

Appeal Ref: APP/P3610/W/21/3273805

45-53 High Street, Epsom, KT19 8DH

- 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 Chong Tang against the decision of Epsom and Ewell Borough Council.
 - The application Ref 20/01586/FUL, dated 27 October 2020, was refused by notice dated 18 March 2021.
 - The development proposed is removal of existing timber sash windows and installation of replacement double glazed UPVC windows to match the style and colour of the existing windows.
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Decision

1. The appeal is allowed and planning permission is granted for removal of existing timber sash windows and installation of replacement double glazed UPVC windows to match the style and colour of the existing windows at 45-53 High Street, Epsom, KT19 8DH in accordance with the terms of the application, Ref 20/01586/FUL, dated 27 October 2020, 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 drawing nos 722.00, 722.01, 722.13, 722.14 and with the technical drawings, product sheet, installation manual and Rose Collection Conservation Brochure by Charisma Rose.
 - 3) No development shall commence until a sample of the windows hereby permitted have been provided to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved sample.

Main Issue

2. Whether the proposed replacement windows would preserve or enhance the character or appearance of the Epsom Town Centre Conservation Area.

Reasons

3. The appeal property is an imposing three-storey building. The upper floors are brick and there are some decorative stone surrounds around the sash windows. Their regular spacing provides an orderly appearance. Because of its size, architecture and position the building contributes positively to the wider conservation area. This is largely commercial in character and includes the historic core of Epsom along the High Street and the late nineteenth and early twentieth century development along Upper High Street.

4. The existing windows are in poor condition and it is proposed to replace them with double glazed UPVC windows. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation according to the National Planning Policy Framework. The style of the fenestration is an integral part of the design of the building. The Conservation Area Appraisal highlights that many of the upper stories of shops have been disfigured by the use of UPVC windows and several examples of unsympathetic alterations have been highlighted.
5. However, the proposed installation seeks to replicate the existing windows but in materials that would improve energy efficiency and reduce maintenance. The windows would be almost identical to the current ones with slim sightlines, run-through sash horns and mechanical joints. The Council maintains that the proposal would be poor design but it has not identified any specific element of the proposed replacement windows that would be unsatisfactory.
6. The supporting information demonstrates how windows of this type have developed over the years as technology has advanced. It appears that the sections would be slightly thicker than the existing timber but their proportions would remain slender. Furthermore, the appeal property is not part of a homogenous row where small changes might stand out. Rather the line of premises along the southern side of the High Street is quite mixed in terms of materials and styles. Overall the case studies indicate that the proposed product would barely be distinguishable from the original timber windows.
7. Similar considerations apply to the rear elevation although its contribution to the value of the conservation area is much more limited due to its location.
8. The proposed windows would therefore comprise an authentic facsimile that would not spoil the qualities of the existing building and, in turn, would not dilute the character or integrity of the conservation area. There would be no harm to the significance of the heritage asset and the character and appearance of the conservation area would be preserved. As such there would be no conflict with Policy CS5 of the Core Strategy and Policies DM8, DM9 and DM10 of the Development Management Policies Document which are concerned with heritage assets, townscape character and design requirements.

Conditions

9. The approved plans and technical product details should be specified to provide certainty. To ensure the windows are as faithful as possible to the existing, a condition requiring approval of a sample window before development starts is also necessary.

Conclusion

10. The proposed development would accord with the development plan and there are no material considerations to indicate otherwise. For the reasons given it is acceptable and the appeal therefore succeeds.

David Smith

INSPECTOR