

Appeal Decision

Site visit made on 29 October 2021

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

an Inspector appointed by the Secretary of State

Decision date: 18 November 2021

Appeal Ref: APP/P3610/D/21/3281570
Moorcroft, 2 Avenue Road, Epsom KT18 7QT

- 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 A & Mrs C Chatterton against the decision of Epsom & Ewell Borough Council.
 - The application, Ref. 21/00234/FLH, dated 11 February 2021 was refused by notice dated 3 June 2021.
 - The development proposed is the replacement of all single glazed windows with new timber double glazed (conservation) windows.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of all timber frame single glazed windows with new timber frame double glazed (conservation) windows at Moorcroft, 2 Avenue Road, Epsom in accordance with the terms of the application, Ref. 21/00234/FLH, dated 11 February 2021 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 approved shall be carried out in accordance with the following approved plans: Site Location Plan; Block Plan; Drawing Nos. 0520/2: Heritage Box Sash Window Construction Details; 01 (Elevations); 02 (Elevations); 03 (Window Details and Elevations).

Main Issue

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

Reasons

3. The appeal dwelling, Moorcroft, is a two storey Edwardian house situated on the eastern side of Avenue Road falling just within the Worple Road Conservation Area. The property is identified as a positive building in the Conservation Area Townscape Appraisal Map but is neither locally nor statutorily listed. The officer's report on the appeal application is informed principally by the views of the Council's conservation officer.
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4. Because the appeal proposal relates to minor works to the building that need permission because of an Article 4 Direction, it follows that any harm to the conservation area would only occur if the character or appearance of Moorcroft itself were to be harmed. In this regard the Council considers that the scheme would be acceptable if the proposed replacement windows were to be limited to the rear and north west elevations, where they cannot be seen from the public realm.
5. However in my view, if the new windows are regarded as being sufficiently sympathetic to the host building in these positions there is no good reason for precluding them from the front elevation and the south east flank. And in this case the proposal is for timber frame 'conservation windows', with the Council's objection apparently confined to the double glazing and its thickness of 16mm as opposed to the normally acceptable maximum of 12mm.
6. The preservation of the conservation area should essentially be an holistic approach with little or no difference between the public or private parts of spaces and buildings. I acknowledge that the significance of the conservation area as a designated heritage asset is more readily perceived where its component parts are seen on a day to day basis by the public. However, I do not consider that the thicker glazing to the front of the building would be noticeable to passers-by, especially given its set back from the road and the partial screening by a substantial front boundary wall and garden trees. There are some instances where differences between the windows of adjacent or nearby buildings forming a continuous street frontage on a minimal building line can be perceived as harmful, but that is not the case here.
7. For these reasons I consider that the proposed glazing on this non-listed building would preserve the character and appearance on the conservation area. However, even if an element of harm is caused I consider it would be considerably 'less than substantial' and outweighed by the public benefits of preventing the deterioration of the fabric of the building and the saving of energy, thereby incrementally contributing to the national effort in respect of climate change.
8. Accordingly, I conclude that the character and appearance of the building and the conservation area would be preserved. I therefore see no harmful conflict with Policies CS1 & CS5 of the Epsom & Ewell Core Strategy 2007; Policy DM8 & DM10 of the Borough Management Plan and Section 16: 'Conserving and Enhancing the Historic Environment' of the National Planning Policy Framework 2021.
9. I shall therefore allow the appeal. A condition requiring the windows to be installed in accordance with the approved plans is needed for the avoidance of doubt and is in the interests of proper planning.

Martin Andrews

INSPECTOR