



Appeal Decision

Site visit made on 14 March 2022

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 March 2022

Appeal Ref: APP/P3610/D/21/3288244

3 Laburnum Villas, Epsom, Surrey KT18 5DE

- 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 Nigel Halls against the decision of Epsom and Ewell Borough Council.
 - The application Ref 21/00461/FLH, dated 18 April 2021, was refused by notice dated 13 September 2021.
 - The development proposed is described on the application form as 'one additional parking space using existing vehicle crossover, installation of a fast charging point for an electric vehicle and part demolition of front boundary wall'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, including the Church Street Conservation Area.

Reasons

3. The appeal site comprises a detached modern property of period design, part of a development of several similar properties in this part of Laburnum Road. To the front is an existing driveway providing one parking space, together with a small front garden with brick boundary wall with planting behind.
4. The majority of properties in the street benefit from private driveways. Generally, these accommodate one space, although I saw on my site visit that there are also a number of double driveways. Typically, a front garden area with landscaping remains beside the driveway.
5. The front boundary wall at the appeal site is of modern appearance but contributes to the character of the street where boundary treatments, although varied, form a traditional feature. Similarly, the planting to the front of the property, albeit limited, contributes to the overall verdancy of the street.
6. Whilst the proposed development would retain a small central section of boundary wall, and introduce new planting, the resultant car parking area would dominate the front of the property, further eroding the remaining amount of front garden space in the street. Although I acknowledge the appellant's reference to the creation of a symmetrical frontage, this is not a determining factor here.

7. I also acknowledge that the box hedging behind the existing boundary wall is in poor health and that the appellant plans to replace this as part of the proposal. However, this could be replaced by the appellant whether or not a further driveway is created. It is the combined loss of a section of the boundary wall and planting, together with the introduction of a further parking space, that would impact the character and appearance of the street.
8. The appeal site falls within Church Street Conservation Area (the CA). Statute places a duty on me to pay special attention to the desirability of preserving or enhancing the character and appearance of this conservation area. The significance of the CA lies in its historic character, focussed around the late Medieval church of St Martins, including numerous 'prestigious' listed houses.
9. Within the Conservation Area Appraisal (CAA), properties within Laburnum Road are considered to form some of the best preserved mid-late C19th properties in the CA. The CAA sets out the negative features and issues of the CA, including the loss of front gardens, boundary features and planting to car parking.
10. As reasoned above, the proposed development would harm the character and appearance of the host property and surrounding area and consequently this would harm the character and appearance of the CA. Whilst harmful, I consider the proposed development to give rise to 'less than substantial' harm. As such, and in line with the requirements of the National Planning Policy Framework, this harm must be weighed against any public benefits.
11. The appellant contends that the public benefits of the proposed development include the easing of parking pressure and congestion, enhance the rhythm of the street by introducing metal railings, increase the planting area and reduce surface runoff, together with environmental benefits as a result of the introduction of a rapid electric charging point.
12. Whilst the inclusion of a further parking space may remove a parked vehicle from the highway, the addition of a rapid charging point, railings, permeable paving and additional planting could take place irrespective of the addition of a second driveway. The public benefit is limited and would not outweigh the harm identified.
13. My attention has been drawn to a recent planning consent at The Coach House on the same street, in which the parking area and gateway were extended, as well as the Rising Sun public House on a neighbouring street. In both cases I have only limited information before me as to the context and details of those proposals, and the properties are not directly comparable to the appeal site. As such, I have made my decision based on the conditions of this site.
14. I conclude that the proposed development would have a harmful effect on the character and appearance of the surrounding area and would fail to preserve the character and appearance of the Church Street Conservation Area. The proposal is therefore contrary to the relevant provisions of Policies CS1 and CS5 of the Core Strategy (2007), Policies DM8, DM9 and DM10 of the Development Management Policies Document (2015) and the Church Street Conservation Area Appraisal (2010) which in summary seek to preserve and enhance heritage assets and require development proposals to contribute to the character and local distinctiveness of a street or area. This is consistent

with the aims of the National Planning Policy Framework (the Framework) in respect of good design and heritage assets.

Conclusion

15. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant matters, I conclude that the appeal should be dismissed.

A Price

INSPECTOR