

Appeal Decision

Site visit made on 11 April 2022 by Elizabeth Davies BSc (Hons) MIEMA, CEnv

Decision by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2022

Appeal Ref: APP/P3610/D/21/3279955

Swilcan, 11B Richmond Crescent, Epsom KT19 8JA

- 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 Mrs Fiona Kumar against the decision of Epsom and Ewell Borough Council.
 - The application Ref 21/00529/FLH, dated 15 January 2021, was refused by notice dated 11 June 2021.
 - The development proposed is a single storey front extension with flat roof.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description of the development on the planning application form describes the development as having a pitched roof which is incorrect. I have therefore taken the wording used on the Council's decision, which correctly refers to a flat roof, in the above header.

Main Issue

4. The main issue in the appeal is whether the development preserves or enhances the character or appearance of the host property and the West Park Conservation Area (CA).

Reasons for the Recommendation

5. I have had regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which places a duty upon the decision-maker, in the exercise of planning functions, to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework (the 'Framework') further advises that 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.
6. The appeal property is located within the grounds of West Park Hospital. Much of the hospital site has been converted to residential use, although a few

buildings remain in use by the Health Authority. The CA covers the majority of the hospital site and features attractive, well detailed red brick neo-classical buildings built in 1912. The former hospital buildings are generally modest in scale and well spaced, with large areas of open green spaces and landscaping giving the area a verdant character.

7. As well as the conversion of the former hospital buildings to residential use, new dwellings have also been constructed around the hospital site. The appeal property is a semi-detached dwelling and is part of a small, standalone group of four dwellings (two semi-detached pairs) built in 2010 along the south side of Richmond Crescent. The group of four dwellings are set back from the former hospital buildings near the perimeter of the hospital site. However, the open plan layout to the front results in the dwellings being clearly open to view when approaching along Richmond Crescent and from the area of open space and historic former hospital buildings located directly opposite, including a historic patient's shelter located opposite the appeal property.
8. The group of four dwellings have a consistent design and appearance with each property featuring identical driveways and garages, front gardens and paths leading to an open porch and front door. These features as well as their consistent materials and clearly defined front building line, provide a strong sense of rhythm and uniformity to the appearance of the semi-detached pairs and group as a whole. Whilst modern, the well portioned and attractive design of the appeal property contributes to the character and appearance of the CA and setting of nearby heritage assets.
9. I note that the current proposal is an amendment to a previously refused planning application and the extension has now been designed in line with the front building line of the dwelling. However, although a fairly modest extension is proposed, it would significantly alter the appearance of the front of the appeal property, disrupting the uniformity of the semi-detached pair and group of dwellings as a whole. Currently all four properties have the same design with an open porch and garage. The change to the appeal property's front elevation would result in the appeal property appearing out of keeping, which would be harmful to its uniform character and appearance.
10. Whilst the appellant suggests that the garage door could be retained to maintain symmetry with the attached neighbour, the planning drawings show that the garage door would be replaced by a window and I am unable to consider an alternative form of development.
11. I saw on my site visit that there are a variety of dwelling types and designs in the vicinity of the appeal property. However, the appeal property is part of a small group of semi-detached dwellings with a distinctly uniform appearance. Due to the open nature of this part of the hospital site, the proposed extension would be unduly prominent and noticeable in the street scene. The property that the appellant refers to with a similar extension to the proposal (11 Richmond Crescent) is a detached house and not part of the immediate setting of the appeal property and this example therefore had little bearing on my decision.
12. I therefore conclude that the proposed development would have a harmful effect on the character and appearance of the host dwelling and would not preserve the character and appearance of the CA in conflict with Section 72 of the Act. The proposal would be contrary to Policies CS 1 and CS 5 of the Core

Strategy 2007, Policies DM8, DM9 and DM10 of the Epsom and Ewell Borough Council Development Management Policies Document 2015, the Council's Householder Applications Supplementary Planning Guidance and the Framework which, amongst other things, seeks development to secure a high standard of design, protect and enhance the Borough's heritage assets and contribute to the character and local distinctiveness.

13. The harm to the CA would be less than substantial and in such instances paragraph 202 of the Framework states that such harm should be weighed against the public benefits of the proposal. However, although there would be a private benefit to the appellant from the proposed development, there are no public benefits to weigh against the less than substantial harm to the CA.

Other Matters

14. It is noted that the appeal property is located in an area designated as Green Belt. The Council and appellant agree that the increase in volume as a result of the proposal would be less than 30%. On this basis the Council are content that the proposal complies with their Green Belt policy and I have given the matter no further consideration in this appeal decision.
15. I note the occupants of the immediate neighbouring properties have not objected to the proposal and I recognise that the proposed development would be acceptable with regard to the living conditions of neighbouring properties in respect of light, privacy and outlook. However, this lack of harm carries neutral weight.

Conclusion and Recommendation

16. The Council are satisfied that the proposal complies with Green Belt policies and the proposal would not have a detrimental effect on the living conditions of occupiers of neighbouring properties in terms of light, privacy and outlook. However, these matters would not outweigh the harm I have identified with regards to the effects on the CA.
17. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Chris Baxter

INSPECTOR