



Appeal Decisions

Site visit made on 27 July 2023

by S M Holden BSc (Hons) MSc CEng MICE CTPP FCIHT MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2023

Appeal A Ref: APP/P3610/W/22/3301360

Hollycroft, Epsom Road, Ewell KT17 1JR

- 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 Impey against the decision of Epsom and Ewell Borough Council.
 - The application Ref 21/01254/FLH, dated 21 July 2021, was refused by notice dated 28 March 2022.
 - The development proposed is a part single storey and part two storey extension following the demolition of existing extensions and structures.
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Appeal B Ref: APP/P3610/Y/22/3301359

Hollycroft, Epsom Road, Ewell KT17 1JR

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr A Impey against the decision of Epsom and Ewell Borough Council.
 - The application Ref 21/01255/LBA, dated 21 July 2021, was refused by notice dated 29 March 2022.
 - The works proposed are a part single storey and part two storey extension following the demolition of existing extensions and structures.
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Appeal C Ref: APP/P3610/W/22/3301362

Land adjacent to Hollycroft, Epsom Road, Ewell KT17 1JR

- 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 Impey against the decision of Epsom and Ewell Borough Council.
 - The application Ref 21/01167/FUL, dated 8 June 2021, was refused by notice dated 22 April 2022.
 - The development proposed is erection of a two-storey detached dwelling with associated soft landscaping.
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Decisions

1. Appeals A and B are dismissed.
2. Appeal C is dismissed.

Preliminary Matter

3. Appeals A and B relate to the same scheme under different, complementary legislation. I have therefore dealt with these appeals together in my reasoning.
4. Appeal C relates to a smaller site which is currently part of the garden of Hollycroft. In view of the close relationship between the proposals this decision letter deals with all three appeals to avoid unnecessary repetition.

Main Issues

5. The main issues in **Appeals A and B** are:

- a) Whether the development and works would preserve Hollycroft, a Grade II listed building, its setting or any features of special architectural or historic interest that it possesses;
- b) whether the scheme would preserve or enhance the character and appearance of the Ewell Village Conservation Area (EVCA);

In relation to **Appeal C** the main issues are the effects of the proposal on:

- a) heritage assets, namely Hollycroft, its setting, and the character and appearance of the EVCA.

Reasons

Significance

6. Hollycroft is thought to date from the mid-18th century. It is a Georgian style three storey dwelling with a mansard roof of handmade clay peg tiles and prominent end chimney stacks. The front elevation has three deep sash windows serving the ground and first floors. A string course of brickwork splits the floors and a parapet with dentil brickwork course partially hides two dormer windows set into the mansard roof. Much of the external brickwork has been painted. The rear elevation has been rendered and painted. Render on the elevation facing Hesse Grove has been removed exposing the original brickwork.
7. The original house is of modest proportions with a rectangular footprint on the ground and first floors. The second floor is smaller due its position within the mansard roof. The staircase, which appears to be original, occupies a square shaped footprint in the north-west corner of the house. The ground floor of the original part of the house now comprises an entrance lobby and reception room with the remainder fulfilling the role of a hall that provides links to the 20th century additions to the side and rear. On the first floor the wall between the two front-facing bedrooms has been removed. What would have been the rear room has been sub-divided to provide two bathrooms. The second floor comprises three bedrooms. The alterations have resulted in some losses to the original floor plan. Nevertheless, other original features survive including skirting, panelling, box shutters on the front sash windows and fireplaces in the living room and main bedroom. These classical features and proportions of Hollycroft, the materials used in the building's construction, its original floorplans, and the other surviving interior features all contribute to its special architectural interest and significance.
8. During the 20th century the house was extensively altered to the side and rear with the addition of a single storey living room extension with a pitched roof and a small cloakroom/WC, a conservatory-style kitchen projection, and a flat roofed garage. This collection of unsympathetic extensions has diminished the significance of the simple design and distinctive features of the original house.
9. Hollycroft previously occupied a larger plot which included several ancillary buildings, all of which were demolished by 1895 when the land was cleared of any structure apart from the dwelling with its original rectangular footprint. In

1964 the cul-de-sac, now known as Shaw Close was built next to Hollycroft giving the house a more prominent setting on a corner plot. The house's setting has therefore altered as the surrounding area has been developed. Although once quite open and visible from the surrounding streets, more recently mature vegetation has introduced a significant sense of enclosure. The house's setting is therefore primarily restricted to its plot and garden. However, the rear elevation of its upper floors and roof can be seen from Shaw Close over the flat roof of the garage.

10. The area immediately to the rear and side of the extended house is dominated by the swimming pool and hard surfacing. The remainder of the garden, which comprises an area of lawn and shrubs, is on lower ground and separated from the patio by fencing. Nevertheless, the space around the building, which includes the hard and soft elements of the plot, provide a sense of spaciousness which contributes to the significance of the dwelling as a three-storey Georgian house. The setting is also vulnerable to changes in the vegetation along its roadside borders which, if removed, would increase the building's prominence in the surrounding street scene.
11. The Ewell Village Conservation Area (EVCA) is an extensive and mixed area occupying much of the land between the Dorking to London railway and the A24. It is focussed on the commercial centre of the village but also encompasses the surrounding area which includes watercourses, ponds, open green spaces, and outlying residential areas. Hollycroft is located at the southernmost end of the EVCA, which has been extended to include part of Epsom Road which is also the A24. The merits of including this area in the EVCA are not a matter for this appeal, which requires me to consider the proposal having regard to current planning policy and designations.
12. Epsom Road is largely characterised by 19th and 20th century villas in spacious plots. Along the Epsom Road frontage the appeal site is completely enclosed by mature vegetation which includes trees of significant height and bulk. Vegetation close to the boundary wall along Shaw Close also restricts views of the house. Nevertheless, as an historic building that pre-dates other nearby properties set in a moderately-sized plot, Hollycroft and its garden contribute to the significance of the EVCA.

Appeals A and B

Assessment

13. The proposal would replace the existing single-storey side extension, ground floor cloakroom and garage with a single-storey extension under a flat roof. Its footprint would be a little larger than the ground floor of the original dwelling. Although a utilitarian design, the roof of the existing garage is below the eaves of the side extension. This separates it both visually and functionally from the house. By contrast the proposed side extension would add significant width, bulk and depth to the building and would be directly attached to the house. Consequently, its size and scale would be disproportionate and out of keeping with the original dwelling.
14. It is also proposed that the main entrance would be within this side extension. This would change the relationship between the original dwelling and the extension, diminishing the role of the existing entrance hall and undermining the integrity of the main house.

15. The remainder of the proposed rear extension would have two distinct elements with different heights. Together they would occupy almost the full width of the house, would have flat roofs and the taller of the two would project above the eaves of the mansard roof. These differing heights would appear clumsy and create an awkward and jarring relationship with the existing roof, even though partially separated from it by a glazed link. The introduction of large areas of flat roof would be incompatible with the shape of the existing mansard roof.
16. The loss of the window above the existing kitchen extension would not affect any historic fabric as it is a modern replacement of no special merit. However, in addition to its removal, the proposed arrangement of windows and doors in the extension would obscure the remainder of the existing fenestration pattern. The introduction of large areas of glazing would fail to respect the symmetry and simplicity of the Georgian original. As well as requiring the removal of another section of the original rear wall, these extensions would also significantly increase the depth of the house. The combined effects of their depth and height would increase the size of the dwelling in a manner that would be significantly out of keeping with the original.
17. Collectively, the proposed extensions would dominate and overwhelm the existing host property. Rather than being subservient and subordinate, they would be disproportionate in scale, width, depth and height, adding excessive bulk to this modest-sized historic dwelling. The entrance to the house and principal living areas would be within the extensions, relegating the existing ground floor reception rooms to small secondary spaces. This would significantly diminish the value of the original historic elements of the house.
18. The juxtaposition of modern extensions of the scale proposed with the host property would be readily apparent from Shaw Close obscuring a much greater proportion of the original building. This would contrast unfavourably with the existing situation where the low, flat roof of the garage allows views of most of the upper part of the house from the street. The house is currently enclosed on its Epsom Road frontage by mature vegetation, restricting the areas from which it can be experienced. However, vegetation does not provide permanent screening and, notwithstanding the protection afforded by any TPO and the site's location in the EVCA, much of it could be removed or considerably reduced over time. This would provide increased visibility of the proposed extensions which would appear out of proportion with the original. This would diminish the significance of Hollycroft when viewed from Epsom Road and Shaw Close.
19. There can be no objection in principle to the use of contemporary design and modern materials when considering an extension to a historic building. However, such alterations must be undertaken, sensitively and fully respecting the proportions and architectural features of the original. The current scheme would remove unsympathetic and utilitarian 20th century extensions which are, nevertheless, subordinate to the main dwelling. Their removal would only be justified if their replacement would not adversely affect the significance of the building's original features and would preserve its setting. In my view the current scheme would not achieve either of these requirements. Furthermore, harm to the listed building and its setting would in turn be harmful to the character and appearance of the EVCA.

20. The proposal includes a single garage which would be sited adjacent to the northern boundary of the site and accessed from the existing entrance on Epsom Road. Whilst the Council has not raised any objection to this element of the scheme, the application provided minimal details about it. The footprint is shown on the site plan, but no elevations have been provided. I therefore have insufficient information to be certain that it would be acceptable.
21. I appreciate that the intention is to carry out extensive renovations the host property. However, although examples of works needed are described in the heritage statement, few specific details were provided to address significant defects with the roof, chimney stacks, front parapet, windows and dormer windows. For example, full details would be required in respect of any replacement windows. It was therefore not possible to assess the acceptability of the proposed renovations to the significance of the listed building. In any event such works, many of which specifically require listed building consent, are part of the responsibilities that come with ownership of a listed building and could be undertaken independently of any proposals to extend it. The need for such renovations is not a justification for permitting inappropriate additions and extensions.
22. I therefore conclude that the development and works would be harmful to the special architectural and historic interest of this Grade II listed building. They would also diminish the contribution that the Hollycroft and its garden setting makes to the significance of the ECVA. Consequently, the character and appearance of the EVCA would not be preserved.

Heritage balance

23. In terms of the National Planning Policy Framework (the Framework), I consider the harm identified may be quantified as less than substantial, albeit to the upper end of that scale. This assessment of harm therefore amounts to a significant objection, and it is necessary for me to weigh this harm against the public benefits of the proposal as required by paragraph 202 of the Framework.
24. The existing layout of additions to the side and rear of the house are disconnected from each other and have resulted in sub-optimal circulation routes on the ground floor. However, the proposed extensions over two floors go beyond addressing this shortcoming and seek to provide a considerable increase in the amount of living space on both the ground and first floors. As this additional space would only be available to existing and future occupants, this would be a private benefit. De-cluttering the site by removing ancillary buildings, filling in the swimming pool and converting the surrounding outdoor space into a well-preserved garden could be done independently of the proposed extensions. In any event these changes would also be solely for the benefit of the occupants of the house, rather than the wider community. None of these improvements therefore amount to public benefits to weigh against the identified harm.
25. It may well be that repairs to the historic fabric combined with the extensions would improve the building's thermal efficiency. However, there was insufficient detail provided about the proposed renovations to assess those specific benefits. It is acknowledged that improving insulation and energy efficiency of a residential property would contribute to a reduction in energy use. However, the primary beneficiaries from doing so would be the occupants of the house. Any public benefit arising from the scheme's contribution to an

overall reduction in greenhouse gas emissions would be very limited. Consequently, it would not outweigh the harm I have identified to the significance of the host property.

26. Taking all these factors into consideration I conclude that the development and works would fail to preserve the special architectural and historic interest of Hollycroft, a Grade II listed building. They would also harm its setting and the character and appearance of the EVCA. This would be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires me to have special regard and pay special attention to these designated heritage assets. The works would also fail to comply with paragraph 199 of the Framework which states that great weight should be given to conserving the significance of designated heritage assets.
27. In addition, the proposal would conflict with Policies CS1 and CS5 of the Epsom and Ewell Core Strategy, 2007 (CS) and Policies DM8, DM9 and DM10 of the Development Management Policies Document, 2015 (DMPD). These policies, amongst other things, seek to promote high quality design, to ensure that the character, appearance, and special interest of the Borough's listed buildings are conserved or enhanced, and that the character and appearance of its conservation areas are preserved or enhanced.

Appeal C: Effect on heritage assets

Assessment

28. The proposed dwelling would occupy what is currently the lower part of the garden of Hollycroft. Its design would mirror that of the modern dwellings in Shaw Close and would therefore integrate satisfactorily with them. However, even though it would be on lower ground, it would introduce built form of considerable bulk much closer to the rear elevation of the listed building. This would give rise to an increased sense of enclosure to Hollycroft, eroding its spacious, garden setting, which is one of its distinguishing features as an historic building. In this respect it differs from the modern development in Shaw Close where small gaps between the flank walls of adjacent properties are to be expected. The different orientations of Hollycroft and the proposed dwelling make it important to retain a larger gap between the buildings. The gap is therefore a valuable element in the street scene which protects the setting of Hollycroft, distinguishes its plot from the prevailing urban grain that characterises Shaw Close, and helps to define the boundary of the EVCA.
29. The existing site plan shows a large tree immediately adjacent to the brick wall which runs along the roadside boundary of the site. It is likely that part of this wall was built when Shaw Close was developed in the 1960s. The tree survey schedule included in the Arboricultural Report submitted with the appeal indicates that this tree (a Bay) is growing close to and pushing against the wall, possibly causing it some damage. The proposed site plans shows that a section of the wall and the tree would be removed to provide the access to the dwelling. The presence of the wall along the street indicates the extent of Hollycroft's garden and provides a clear and well-defined boundary to the EVCA. This would be punctuated by a new access and expose the parking space to serve the proposed dwelling to view. The loss of a section of the wall, combined with the construction of the dwelling and its associated parking area, would harm the appearance, and diminish the character of this part of the EVCA.

30. I therefore conclude that the proposal would harm the setting of Hollycroft and fail to preserve the character and appearance of the EVCA, matters to which I must give considerable importance and weight.

Heritage balance

31. The harm arising from the construction of the new dwelling may be quantified as less than substantial. However, as with Appeals A and B, this assessment of harm still amounts to a significant objection which must be weighed against the public benefits of the proposal.
32. The provision of an additional dwelling in a location that is conveniently located to a wide range of facilities and services would be a public benefit. In addition to the social benefit associated with a new home, the scheme would generate short term economic activity and employment during construction. However, these benefits would be limited and those associated with construction would only be short term. These public benefits would not outweigh the identified harm to designated heritage assets.
33. Consequently, the development would fail to preserve the setting of Hollycroft, a Grade II listed building, and the character and appearance of the EVCA. This would be contrary to 1990 Act and paragraph 199 of the Framework, referred to earlier. The proposal would also conflict with the requirements of the development plan policies set out above.

Other Matters

34. The Council's third reason for refusal related to the inadequacy of the information submitted relating to the effects of the proposals on trees. However, I have relied on information in the Arboricultural Report submitted with Appeal C and the appellant's statement which referred to the felling of the Bay tree. There was no precise information provided about trees or other vegetation within the remainder of Hollycroft's curtilage. Nevertheless, I have had regard for the contribution that vegetation makes to the site and the setting of the listed building. The lack of more detailed information has therefore not been a determining factor in reaching my decisions.
35. The Council also refused the applications due to lack of information relating to biodiversity, contamination, and waste management. The latter of these issues were particularly relevant given the proposed demolition of existing structures and the infilling of the swimming pool. However, if the proposals had been acceptable in all other respects, I consider that these matters could have been dealt with through the imposition of appropriate pre-commencement conditions, subject to consultations with the appellant.

Conclusion

36. For the reasons set out above, I find that all the proposals are unacceptable due to their failure to conserve designated heritage assets in a manner appropriate to their significance. I therefore conclude that all three appeals should be dismissed.

S M Holden

INSPECTOR