
Appeal Decision

Site visit made on 24 August 2023

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th September 2023

Appeal Ref: APP/P3610/D/23/3324370

57 Church Road, Epsom, Surrey KT17 4DN

- 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 Edward Turner against the decision of Epsom and Ewell Borough Council.
 - The application Ref 23/00361/FLH, dated 24 March 2023, was refused by notice dated 19 May 2023.
 - The proposed development is for the construction of a garage/storage room and home office; provision of off-street parking at the front of the property; partial replacement of the boundary wall with a boundary fence.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development having regard to the character and appearance of the existing dwelling and surrounds, including the Church Street and Pikes Hill Conservation Areas.

Reasons

3. The appeal site comprises a two-storey, semi-detached house in a neighbourhood that is predominantly residential in nature. It lies on the northern edge of the Church Street Conservation Area (CSCA), with the boundary of the Pikes Hill Conservation Area (PHCA) immediately adjacent.
 4. Being situated in the CSCA, special attention must be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Paragraph 199 of the National Planning Policy Framework states that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
 5. The CSCA appraisal notes that it is one of the Borough's most important conservation areas and is notable for its prestigious houses, which were built when Epsom developed as a spa town in the late 17th century. The appeal property itself is part of a late 19th century semi-detached pair, built from London stock brick with bay features facing Church Road and small front gardens.
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6. The proposal would see the replacement of an existing timber shed to the side of the house. The shed is low level in nature and of diminutive proportions, with the impressive double chimney breasts of the host building clearly visible behind. In contrast, the appeal scheme would be substantially higher than the shed, with a greater footprint and overall scale and extent. The existing views of the double chimney breasts would be obliterated, obscuring a important feature within the context of the property and the wider CSCA and PHCA, and thereby injurious to the significance of the heritage assets.
7. Being situated on the junction of Church Road, Grove Road and St Martin's Close, the appeal site is prominently located. The development would immediately abut the public footpath of St Martin's Close, creating an imposing and discordant blank wall that would appear dominant within the context of the streetscene. When seen together with 59 Church Road, the scheme would add significant bulk to one side of the semi-detached pair. Even accounting for the set back from the front elevation, this would alter the architectural character of the properties and cause a harmful imbalance in the symmetry of the units.
8. The dormer windows would be small, with pitched roofs set down from the main ridge line, and positioned away from the side walls of the main structure. To my mind they would not appear incongruous. I observed that there is a tall timber fence on the opposite side of St Martin's Close, and in this context I am of the view that the replacement boundary fence and gates would assimilate with the general streetscene of the cul-de-sac. Similarly, the creation of off-street parking from Church Road would reflect that which currently exists at no.59, with other gates enclosing frontage parking evident at 64 Church Road opposite, and as such I consider that these parts of the development would not be unduly detrimental. However, these acceptable elements of the appeal proposals do not counterbalance the harm that I have identified previously.
9. I saw at my visit the side extension to 91 Church Road; this is substantially less prominent than the appeal site, and moreover the built form does not obscure important heritage features such as the double chimney breasts in this instance. I do not therefore find it comparable to the scheme before me.
10. Paragraph 200 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. The harm would be less than substantial, on account of the fact that the proposal would only affect part of the character of the CA.
11. Nevertheless, taking account of the statutory duty to have special regard to enhancing or preserving the character and appearance of a Conservation Area, importance and weight must be attached to the harm identified. I appreciate that the proposal would allow for the installation of an electric car charger in the interests of reducing carbon dioxide emissions, but this public benefit does not outweigh the harm.
12. On this basis I am drawn to conclude that the scheme would be deleterious to the character and appearance of the existing dwelling and surrounds, including the Church Street and Pikes Hill Conservation Areas. It would run contrary to Policies CS1 and CS5 of the Epsom and Ewell Core Strategy 2007 and Policies DM8, DM9 and DM10 of the Council's Development Management Policies Document 2015. Cumulatively these seek to ensure development is of an acceptable scale and design and conserves and enhances the significance, character and appearance of the Borough's historic environment.

13. It would also be inconsistent with the advice in the National Planning Policy Framework, which states that good design is a key aspect of sustainable development, and it is desirable for new development to make a positive contribution to local character and distinctiveness.

Conclusion

14. Having regard to all matters raised and based on my reasoning above, the appeal is dismissed.

C Hall

INSPECTOR