

Appeal Decision

Site visit made on 20 November 2023

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI
an Inspector appointed by the Secretary of State

Decision date: 19TH December 2023

Appeal Ref: APP/P3610/D/23/3326068
8A Ewell Downs Road, Epsom, Surrey KT17 3BP

- 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 Gary Elston against the decision of Epsom & Ewell Borough Council.
 - The application, Ref. 23/00357/FLH, dated 22 March 2023 was refused by notice dated 9 June 2023.
 - The development proposed is demolition of existing garage. Erection of double storey side and rear extension. Single storey rear extension to existing kitchen.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extensions on the character and appearance of the host dwelling, the streetscene, and The Green/Ewell Downs Road Conservation Area, which is a designated heritage asset.

Reasons

3. The officer's report on the application explains that whilst the appeal dwelling is not one of the original 1920s houses identified as 'positive' buildings in the conservation area appraisal, it nonetheless has similarities to them in its design features and external materials.
 4. The report also draws attention to the site being adjacent to the public footpath which separates the older houses in Ewell Downs Road from the more recent infill development of Chestnut Place, comprising three dwellings of a more modern design.
 5. I consider that both the pleasingly traditional appearance of the host dwelling and its location within the street scene inform my decision on the appeal. Firstly as regards the house itself, the Council is in my view correct to observe that the existing attractive three-bay symmetrical frontage would become asymmetrical as a result of the side extension.
 6. The modest set back and set down of the extension relative to the host dwelling would provide at least some amelioration to the loss of symmetry but would not materially lessen the substantial bulk of the addition. I therefore consider that
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the appeal scheme would have an unacceptably harmful effect on the character and appearance of both the dwelling and the street scene.

7. In reaching this view I have had regard to the architectural and spatial qualities that in combination have merited the locality's status as a conservation area. And in so doing I am mindful of the consequential statutory requirement that in considering development proposals, special attention must be paid to preserving or enhancing its character and appearance.
8. These adverse impacts would be compounded by the two-storey height on the boundary with the footpath to The Green with the result that the latter's setting would be harmfully compromised, all the more so because of the proximity of the first dwelling in Chestnut Place to the footpath.
9. Whilst this dwelling's roof does pitch away from the footpath, as would that of the extended appeal dwelling, the existing gap at first floor height would for the most part be replaced by a perception of continuous built form. The harmful effect from the loss of a spacious character in this part of the street scene would be given further emphasis by the fact that the two dwellings are of such contrasting appearance.
10. The grounds of appeal refer to other developments permitted by the Council in Ewell Downs Road. However, each case must rest on its individual merits. And even if I were to accept that these were similar in their impact to that of the appeal scheme, it would not justify approval of a development in harmful conflict with the relevant policies of the Borough's development plan. These are Policy CS5 of the Borough's Core Strategy 2007 and Policies DM8, DM9 & DM10 of the Development Management Policies Document 2015. There would also be partial contravention of Part 3 of the Householder Supplementary Planning Guidance 2014.
11. Section 16: 'Conserving and Enhancing the Historic Environment' of Government policy in the National Planning Policy Framework says in paragraph 202 that where development leads to 'less than substantial harm' to the significance of a designated heritage asset, as is the case in this appeal, this harm should be weighed against the public benefits of the proposal. However, whilst there would be a small economic benefit to the local economy as a result of the development, this would be insufficient to outweigh the harm caused.
12. For the above reasons and having had regard to all other matters raised, the appeal is dismissed.

Martin Andrews

INSPECTOR