



Appeal Decisions

Site visit made on 29 January 2026

by Andrew Walker MSc BSc(Hons) BA(Hons) BA PgDip MCIEH CEnvH JP

an Inspector appointed by the Secretary of State

Decision date: 24 February 2026

Appeal A: Ref APP/P3610/C/24/3357839

10 High Street, Epsom, Surrey, KT19 8AD

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Narinder Marwa against an enforcement notice issued by Epsom and Ewell Borough Council.
 - The enforcement notice was issued on 29 November 2024.
 - The breach of planning control as alleged in the notice is:
Without planning permission, the unlawful removal of the existing shopfront and its replacement with a new shopfront, unlawful signage board and illuminated signage and installation of roller shutters.
 - The requirements of the notice are to:
 - 1) Remove the existing illuminated advertising signage, lettering, board, shopfront (including the aluminium and plastic windows and frames) and roller shutter and remove all resulting debris and materials from the Land.
 - 2) Reconstruct the shopfront to the same design, appearance and materials as detailed in attached Photograph 001 (Annexure 1), including but not limited to the large, bowed window subdivided into multiple small panes of glass by fine glazing bars, matching door and overlight to the right-hand side the stall riser.
 - The period for compliance with the requirements is 3 months.
 - The appeal is proceeding on the ground set out in section 174(2) (g) of the Town and Country Planning Act 1990 as amended (the Act).
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Appeal B: Ref APP/P3610/Z/24/3357797

10 High Street, Epsom, Surrey, KT19 8AD

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Narinder Marwa against the decision of Epsom and Ewell Borough Council.
 - The application 24/01315/ADV, dated 7 October 2024, was refused by notice dated 29 November 2024.
 - The advertisements are described as alterations made to the shop signage and the addition of small side signage.
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Appeal C: Ref APP/P3610/W/24/3357667

10 High Street, Epsom, Surrey, KT19 8AD

- 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 Narinder Marwa against the decision of Epsom and Ewell Borough Council.
 - The application Ref 24/01312/FUL, dated 7 October 2024, was refused by notice dated 29 November 2024.
 - The development is alterations to shop front.
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Decisions

1. It is directed that the enforcement notice be corrected in section 5 by replacing:

- "Annexture" with "Annexure"; and
- "the stall riser" with "and stall riser".

Subject to these corrections, Appeal A is dismissed and the enforcement notice is upheld.

2. Appeal B is dismissed.

3. Appeal C is dismissed.

Procedural Matters

4. I am correcting simple typographical errors in the notice, without injustice to any party. Notwithstanding these 'typos', it was clear what was meant.
5. All 3 appeals relate to the shopfront alterations that have been carried out at the premises (save that Appeal B concerns itself solely with those comprised by the illuminated fascia and projecting side signage, subject to the Town and Country Planning (Control of Advertisements) (England) Regulations 2007).

Appeal A

6. For success on ground (g), I must be satisfied that the 3 month compliance period of the notice falls short of reasonable.
7. The appellant requires 12 months to arrange finance, appoint contractors and complete the remedial works. However, very limited substantive evidence has been submitted to support a case that more than 3 months is necessary and reasonable to achieve these outcomes. Further, the appellant says that more time is needed to make a planning application to obtain consent for the development - but a retrospective application has already been made and refused by the Council (and I am now dismissing the related appeal, Appeal C).
8. Accordingly, ground (g) - and Appeal A - do not succeed.

Appeal B and Appeal C

Main Issues

9. The main issue in Appeal B is the effect of the advertisement signage on the visual amenity of the area.
10. The main issue in Appeal C is the effect of the development on the Epsom Town Centre Conservation Area (CA) as a designated heritage asset.

Reasons

11. The site is located within the CA, a compact area including the historic core of Epsom and most of its oldest buildings. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.

12. The CA Appraisal says that the appeal building is a small infill building which – before the alterations – had an original 1920s Neo-Georgian shopfront. Next to it (at 2 to 8 High Street) is a well detailed early 1900s 3-storey red-brick building forming a parade.
13. I find that the original shopfront was a key feature of the appeal building that contributed strongly towards the historic and architectural character of the CA. Its loss involved the removal of the large, bowed window (subdivided into multiple small panes of glass by fine glazing bars) and a matching door and overlight. I concur with the Council’s Conservation Officer that the loss has impoverished the character and appearance of the CA and reduced its historic appeal.
14. The replacement shopfront is glazed with large panes in a modern design, and has a large shiny fascia and projecting black frame. Lighting from the interior dominates the shopfront in its views from the High Street. The large black fascia has overtly modern and unsympathetic wide projecting lettering that is out of keeping in the historic area and which diminishes the façade. The projecting box shutter is unsightly. When the shutter is closed it would largely obscure the shop and, in my judgement, it would give this part of the streetscene a deadened and unoccupied appearance harmful to its character.
15. Further, the Council’s Shopfront Design Guide (SDG) (2012) notes that signage in conservation areas should:
 - Reflect the setting of the surrounding conservation area and its buildings;
 - Avoid plastic or shiny materials;
 - Not be internally illuminated (unless to chemist shops);
 - Comprise lettering that is small in scale; and
 - Be slim in profile for projecting signs (with no box signs).
16. The large dominating text of the new signage, its internal illumination and the box-like appearance of the projecting side sign amount to excessive and visually prominent harsh features which do not preserve the character or appearance of the CA.
17. While I accept that there are other similar local examples of shopfront and advertisement signage which (like the in the appeals before me) use contemporary materials and methods of lighting, the addition to these of another case of poor design further harms the CA.
18. The fact that the building’s red-brick façade, red and white pilasters and parapet roof are retained does not attenuate the harm caused by the alterations. Indeed, the incongruous juxtaposition of the modern additions against the historic features of the building only serves to accentuate the harm.
19. I take into consideration the appellant’s claims that that the new shopfront is accessible, weather-resistant, durable and energy efficient (though I have seen limited evidence that the original shopfront was inferior in such regards). Further, I accept that the shutter provides a security benefit for the shop while the extensive glazing facilitates product display.

20. Overall, for the reasons set out above, I conclude that the advertisements under Appeal B have a harmful effect on amenity. As such, they conflict with Policies CS1 and CS5 of the Council's Core Strategy 2007 (CS) and Policies DM8, DM9, DM10, DM14 and DM15 of the Council's Development Management Policies Document 2015 (DMPD) (as supported by the SDG) which seek to protect amenity and so are material in this case.
21. As regards Appeal C, and having regard to paragraphs 212 and 215 of the National Planning Policy Framework (the Framework), whilst the harm caused to the significance of the CA is less than substantial, it is a matter of great weight and importance. There are no public benefits which outweigh the harm caused. Accordingly, the development is contrary to Policies CS1 and CS5 of the CS and Policies DM8, DM9, and DM10 of the DMPD which together seek to ensure that developments are of good design and protect the character and appearance of places, including conservation areas. The development is also contrary to the heritage protection and design principles of the Framework.

Conclusions

22. For the reasons given above, Appeal A is dismissed and the corrected enforcement notice is upheld.
23. For the reasons given above, I consider that Appeal B should not succeed.
24. For the reasons given above, I conclude that Appeal C should not succeed.

Andrew Walker

INSPECTOR