

## **85 Church Road - Retrospective Planning Application, like for like replacement**

### **Sections 3 and 6**

An application for (retrospective) written planning approval for the exact like for like replacement of main roof tiles, confirming the verbal approval provided by Epsom and Ewell Planning Department on 22 October 2019.

The property is one of 16 Victorian style semi detached houses built around 1895. We bought the property in 2002 as an executor sale. Agent sales particulars attached (Document 7). This was before the area was zoned a Conservation Area. Other houses in the section have slate roofs. This property may have been built with a slate roof but we have been unable to verify this and can not locate any photographs or drawings confirming this. Before buying the property we were advised, by the Estate Agent, it had been re-roofed. Examination, visually, suggested the roof was around 10 years old. We have recently sought guidance from the Council whether a Planning Application existed for a change in the roof. The Contact Centre, after review, suggested any application could be before 1995. Redland (who made the Antique Red colour tile) confirm (Document 1) they were first made in 1990. We therefore feel that the roof was changed (either from slate to tile, or tile to tile) in the 1990's.

We were made aware of leaks in the roof coming into the upstairs bedrooms, from a number of sources, in Autumn 2019. We asked a builder (who we have used before and trust his judgement) to investigate. He visited the property and provided a written estimate (after verbal discussion with our son) for the replacement of the tiles. The estimate is dated 21 October 2019.

As the property is now in a Conservation Area and we had recently sought planning approval for a replacement front door and windows (application Document 2) we were conscious that we may need formal Council approval to retile the roof. The Council's website indicated we should ask for guidance. A copy of the website for reference is attached (Document 3). This extract is the

closest date to our call (2 July 2019) that online records exist for. Current website page is almost unchanged ). We rang the council on 22 October 2019. Confirmation that a call was received in the Planning Department is attached (Document 4, section 6). The number our call was made from is an ex directory number.

As we felt the task had been completed, we no longer have our handwritten notes made in the call. The call was made by Linda on a speakerphone with Martin listening. We did not speak to the Conservation Officer, who we were told was out of the office, and did not speak to John Robinson. You have provided the staffing structure of the office for that date (Document 4, section 1, attachment) but advise you are unwilling to provide the names of associated staff (Document 4, section 2). We spoke to a Planning Officer.

We explained to the Planning Officer about the leaking roof. The (male) individual advised that normally, with planning relative to a Conservation Area, the Council would expect to see an improvement in the buildings in the area but could not insist. If we replaced the roof with tiles on a like for like basis we could do so without seeking Planning Approval. The Officer said this was because we were simply replacing what was there with the same. In our case we were retiling Redland tiles Antique Red with Redland tiles Antique Red. We did query this more than once in the call. We were told if we changed and roofed with slate we would need to obtain Planning Approval. We had considered changing the bay window roof to slate but were told this would need Planning Approval.

The individual was aware of the property address and was aware of our previous application for a replacement front door and also that you turned aside our application to change wooden windows with new wooden windows on a like for like basis (Document 2) so there is no question they were unaware the property was in a Conservation Area. Your file will show (Documents 5 & 6) that there is the suggestion that our call on 22 October 2019 related only to a minor repair of the roof and not full replacement and that our son had rung the Council. All of this is incorrect. The only enquiry call about roof works was on 22 October 2019 and this solely discussed full replacement. Clearly we would not have been expected to repair part of the roof with slate.

The leak in the back bedroom was severe and on inspection the roof timbers were wet with mushrooms growing. This needed urgent action. It has subsequently been suggested that approval would not have been needed to slate the roof because it was putting the property back to how it was built in 1895 but this option was NOT mentioned to us. Your records will show that we sought clarification whether your request for us to change the roof also included the bay window and you replied on 20 April 2021 confirming this was not necessary. We can not understand the logic of this confirmation however.

The roof work was instructed after the conversation with the council and completed by 15 November 2019 (when we paid for it). Subsequently the Council received an application for work at a neighbour property (number 83) which we believe lead to an enquiry from the Enforcement Officer to our tenant about what work had been done to the roof.

After discussion and correspondence we understand the Council's position is that the main roof should be covered in slate, because it was originally built, some 126 years ago, with a slate covering (albeit unverified but we agree is likely) although the bay window roof, which is more visually dominate, can remain covered in tiles, despite this originally also having been a slate roof.

Your confirmation of this application for retrospective approval of an exact like for replacement of the roof covering of this property, from the time of being included in a Conservation Area, is requested for the following reasons:

- Because the property is now in a Conservation Area we were aware "normal" planning requirements are altered
- There was no advantage to us in replacing the tiles like for like and not changing to slate (apart from a cost difference) without the requirements of planning permission (and any associated delay). We do

not feel we have done anything incorrectly by relying on the information we were given

- We followed the guidance of the Council's own website and sought official guidance by ringing the Planning Department. We were not told that verbal information should not be relied on, nor does your website say this
- The Planning Officer stressed they would look to an improvement in the area's appearance but could not insist. A like for like change has not reduced the area's appearance
- The Planning Officer did not indicate his advice or recommendation was limited or restricted by lack of knowledge or ability
- The replaced tiles are Redland Antique Red which we are told are identical to the tiles that were changed. The appearance of the property is unaltered.
- The visual street scene remains unchanged to before. Photographs of the property from the front pavement (Document 13) show that the main roof can not normally be seen from the street.
- The road has on street parking. Traffic is normally single file because cars are always parked (parking by residents). It is unlikely drivers look at the house roof. Pedestrians do not walk along the other side of the property (there is no pavement) and the view of the property from the graveyard opposite is obscured by trees (Document 14)
- Any Google Street-view/ Google maps image is misleading due to the wide angle fish eye nature of the camera lens and the camera being

above the car roof. Normal eye-line is not that high. View south direction (Document 15) and north (Document 16) are from Google as in the aerial view Document 17.

- From the pavement outside the property and when walking or driving up or down the road the most noticeable roof is the bay window (Document 18). You have advised this roof does not need to be changed. We can not understand the logic of this. We feel it is unreasonable to request a change to the main roof and not the (most dominant feature) bay window roof

Because we believe we made all reasonable efforts to ensure what we intended to do would be acceptable to the council by contacting the Planning Department (call lasted sufficient to allow us to clarify and check our understanding of what we were being told), the overall appearance of the property is unchanged by this exact like for like replacement, there is no adverse impact on the street appearance, your approval of our application is requested please.

**Additional general comment:**

We welcome the opportunity to talk in person at the Planning meeting about this application.

We will write separately regarding our complaint.