



Appeal Decision

Site visit made on 11 January 2023

by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2023

Appeal Ref: APP/C3620/W/21/3283946

Connaught House, 36 Bridge Street, Leatherhead, KT22 8BZ

- 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 Chris Hook against the decision of Mole Valley District Council.
 - The application Ref MO/2021/0967/PLA, dated 20 May 2021, was refused by notice dated 9 August 2021.
 - The development proposed is construction of two flats by way of additional floor on existing structure.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For various reasons, the owner of the adjoining property questions the validity of the original application and the appeal. However, both have been accepted and there is sufficient information to decide the appeal. The detailed comments made will be taken into account.

Main Issues

3. These are:-
 - Whether the proposed development would preserve or enhance the character or appearance of the Leatherhead Conservation Area and the effect on the setting of the adjacent Running Horse public house which is grade II* listed; and
 - Whether satisfactory living conditions would be provided for future occupiers of the studio flat with particular reference to its internal floor area.

Reasons

Character and appearance of the conservation area and setting of the Running Horse public house

4. Leatherhead Conservation Area is extensive and covers the town centre and its Victorian and Edwardian suburbs. Because of this it is quite diverse. The townscape of the historic core is varied in scale, materials and quality, with some protected buildings and some modern redevelopments. Bridge Street runs down towards the River Mole. There is a mix of buildings along its length. One of their features is that, in general, they gradually descend in height as

they follow the gentle curve of the road. This is a significant, pleasing element of this part of the conservation area.

5. The Running Horse public house dates from the late fifteenth century with a later projection to the rear. The inscription on the side of the building declares it to be the finest remaining late medieval open-hall house in Leatherhead. It also refers to its alleged connections to a poem by John Skelton from circa 1520 and Queen Elizabeth I. Its significance therefore partly derives from its antiquity and its cultural associations. The importance and value of the building also stems from its diminutive scale and slightly crooked appearance as well as its position huddled up against the footway. It is a prominent and important building in this part of the town.
6. The proposal would add an additional floor on top of Connaught House. This was built in the 1980s and is set back from Bridge Street. It has three floors with a central gable and a flat topped roof with sloping sides. The walls of the extension would be angled steeply with front and rear dormers. In response to a previous decision of the Council, it would be slightly set in from the front and sides of the existing building to minimise the impact. Natural slates would be used to reflect the materials of the existing building and of those nearby.
7. However, the top of the proposed addition would exceed the eaves height of 34 Bridge Street. This is a fine nineteenth century listed townhouse at the end of a uniform terrace. Given its bulk the proposal would interrupt the 'stepped' relationship between No 34 and Connaught House as well as the transition down to the much smaller Running Horse public house. In this way the characteristic flow of buildings dropping down the hill would be detrimentally 'watered down' and so the proposal would give rise to a jarring appearance.
8. Furthermore, Connaught House has a resolved façade in that the current roof design provides an obvious termination. Placing an extra storey above this would appear odd and detract from the front elevation. As a consequence the building would look top-heavy. Furthermore, the side of the proposal would be readily visible from the direction of the historic bridge. From here the new tier of development would perch awkwardly on top of the brick flank wall.
9. In terms of the setting of the listed building, the proposal would be clearly visible across the adjoining car park. From this direction the extension would be seen together with the public house and would loom above it at close quarters. The effect on its qualities would be a negative one as 'hemming in' the Running Horse would diminish its role as a key historic feature. Indeed, due to its location and height, the proposed addition would be physically imposing and would overwhelm the small scale of the adjoining building. Overall the appreciation of this quaint public house would be seriously marred.
10. Outline permission has been given for the redevelopment of Claire and James House to the west. The final form of that scheme is unknown but it was found to cause harm to the setting of the Running Horse even though it would be further away than Connaught House. It was nevertheless decided that this finding was outweighed by public benefits. Therefore, this permission does not justify the proposal or show that there has been a change in policy. If anything it makes preserving the immediate setting of this fairly unique building even more important.

11. Therefore, by reason of its detailed design and relationship with neighbouring buildings, the proposed extension would harm rather than preserve or enhance the character and appearance of the conservation area. It would also harm the setting of the adjoining grade II* listed building.
12. The overall level of harm would, in the words of the National Planning Policy Framework, be less than substantial but this is nonetheless a matter that should be given considerable importance and weight. Furthermore, because of a combination of the effects and the high value of the public house, the degree of harm is towards the upper end of the spectrum.
13. In view of the adverse impact on the conservation area and the setting of the listed building, the proposal would also be contrary to Policy CS14 of the Mole Valley Core Strategy of 2009 and Policies ENV39 and ENV43 of the Mole Valley Local Plan of 2000. These are concerned with townscape, urban design and historic environment, development in conservation areas and listed buildings.

Living conditions

14. The proposed studio flat comprises a shared bedroom and living area with a separate shower room. It would have a gross internal floor area of 23 sq m. The Nationally Described Space Standard (DCLG, 2015) contain no specific reference to accommodation of this kind. The Council expects that the unit should have the same amount of floorspace as a one-bedroom flat but there is nothing in the Standard to support this approach.
15. Moreover, footnote 49 of the Framework establishes that policies can make use of the national standards where the need for an internal space standard can be justified. Therefore, they do not automatically take effect but need to be incorporated into the development plan if this is warranted. Local Plan Policy ENV22 requires a design and layout that would provide a satisfactory environment for the occupiers of new development but that policy pre-dates the national standards and makes no reference to them.
16. The studio would be modest in size but the main room would be of a reasonable shape and lit by a dormer. It would provide adequate space for the day-to-day living requirements of a single person. The Framework expects a high standard of amenity for future users but expectations are bound to be different for different types of housing. Given the nature of the unit proposed living conditions for future occupiers would be satisfactory and there would be no conflict with Policy ENV22.

Heritage balance

17. Paragraph 202 of the Framework establishes that where the development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this should be weighed against the public benefits.
18. In this respect the proposed extension would enable two housing units to be provided in a town centre location. In so doing, it would contribute to the stock of housing in a District where a five-year supply of deliverable housing sites cannot be demonstrated. Indeed, there is a significant shortfall as this is only equivalent to 2.9 years. Furthermore, the proposal would be wholly in line with the current spatial strategy for Mole Valley in Core Strategy Policies CS1 and CS2 which directs development, including housing provision, towards the built-

up area of Leatherhead. There would also be related social and economic benefits albeit of a modest scale.

19. No conflict is cited with other general policies about setting or other development control criteria or density. However, that is to be expected and so this does not count in favour of the proposal.
20. The Framework indicates that great weight should be given to the conservation of heritage assets. Furthermore, it says at paragraph 120 e) that upward extensions should be allowed where they would be consistent with the prevailing height and form of neighbouring properties and the overall street scene and be well-designed. That would not be the case here.
21. The public benefits of new housing units in this location are therefore countered by the provisions of the Framework relating to design, making an effective use of land and heritage assets. At the end of the day, given the importance attached to conserving the historic environment, they do not outweigh the significant harm that would be caused to heritage assets.

Other considerations

22. The harm to the designated heritage assets provides a clear reason for refusing the development. Therefore, notwithstanding the housing land supply position, there is no need to refer to the test in paragraph 11 d) ii) of the Framework. As a result the presumption in favour of sustainable development does not apply.
23. Before Connaught House was built a 4 storey structure was approved on two occasions. However, that was some time ago and the past planning history does not form a sound basis on which to decide the appeal.

Conclusion

24. There are no material considerations which indicate that the proposal should be determined other than in accordance with the development plan. Therefore, for the reasons given, the appeal should not succeed.

David Smith

INSPECTOR