



Appeal Decision

Site visit made on 18 March 2025

by N Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th April 2025

Appeal Ref: APP/C3620/W/24/3356811

Stocks House, 9 North Street, Leatherhead KT22 7AX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Lakh Kallar (Moor Park Estates Limited) against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/0693/PLA.
 - The development proposed is the construction of an additional storey at roof level to provide 2 self contained flats.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of an additional storey at roof level to provide 2 self contained flats at Stocks House, 9 North Street, Leatherhead, KT22 7AX in accordance with the terms of the application, Ref MO/2024/0693/PLA, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in December 2024 following the submission of the appeal. As the changes to the Framework do not have a material effect on the outcome of this appeal, the parties have not been invited to comment further.
3. The Mole Valley Local Plan (MVLDP) was adopted in October 2024, and I have therefore taken references in the Council's decision notice to the 'draft' Local Plan relate to this version of the MVLDP. I have disregarded references to the policies of the Mole Valley Local 2000 and the Mole Valley Core Strategy 2009 as the Council advised that these have been superseded.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area with particular regard as to whether the proposal would preserve or enhance the character or appearance of the Leatherhead Conservation Area (LCA).

Reasons

5. The appeal site is set within the LCA which is characterised by a variety of building types, styles and vernaculars. The town centre is set at the edge of the River Mole valley where it slopes upwards towards the appeal site and continues to slope further upwards to the north and east. The area in the vicinity of the site is formed of a distinct mix of buildings ranging from timber framed-with-infill structures to

somewhat more common Edwardian and Victorian styles. There is further ample evidence of more recent 20th century development. Whilst there are some less sympathetic modern additions, the majority are relatively muted in terms of their features and in any case, frequently follow some strong building lines laid out by the more historic patterns of development.

6. Near the appeal site, there are important vistas including along North Street and onto Gravel Hill and along Bridge Street and leading into the High Street (and vice versa in both cases). In this area, the streets are commonly quite enclosed with the well-defined building lines. This coherent pattern of development, strong building lines and pleasant vistas within the fringe of historic buildings are what give this part of the LCA its significance.
7. This character and sense of enclosure fades quite rapidly when leaving the historic core, especially heading towards Bull Hill and Station Road where buildings quickly become larger, more modern and reduce the levels of enclosure and defined space. The appeal site effectively sits at the cusp of this transition area between the LCA and the remainder of the town centre leading towards the train station.
8. The existing building comprises a circa 1980s building which has had some significant rear extensions to it completed relatively recently. The main building itself, addressing North Street is quite large but relatively inoffensive. This is despite its size, awkward use of a mansard roof and somewhat oppressive flank wall addressing the Penny Black public house. Its position at the edge of the LCA and the presence of the tight knit buildings around it do, however, screen some of the stark elements of this and neighbouring buildings. That, combined with its proximity to the road and the lack of easy appreciation of its size, means it does not contribute to, but nor significantly detract from the LCA at present.
9. From North Street and Bridge Street it would be difficult, indeed impossible in many contexts, to see the proposed roof extension. This is because of the proximity of surrounding buildings and lack of direct views of the proposed development. In these close-range views, the effect of the roof extension on the LCA in the immediate area would be negligible to nil. This includes the dual pitched mansard roof form. Whilst I agree with the Council, that this is not a particularly harmonious roof form for this area, its' lack of visibility conceals its otherwise jarring nature.
10. However, the roof extension would be visible from certain views along Gravel Hill when looking towards North Street and from the junction of High Street and Church Street. Both vantage points are afforded due to the change in levels and their more elevated positions.
11. From Gravel Hill, the views would be relatively contained and largely obscured by existing buildings with the full appreciation of the resultant building being only noticeable from the junction with North Street. From here, the sloped roof of the extension would be pitched away and largely hidden by the existing mansard roof.
12. When viewed from the High Street and Church Street, the roof extension would be readily apparent and would be seen in the context of the much more diminutive buildings addressing North Street in front of it. To my mind, there is no doubt that this aspect would be the most prominent and noticeable view. However, the existing building is already visible from this aspect with the protruding lift shaft and

security railings around the roof perimeter. I am unable to find that the roof extension would be a benefit to this view, however, given the existing context that, already looms over buildings on North Street, I am equally unable to conclude that it would be harmful to it.

13. The development would also be visible on the entrance to the LCA from Bull Hill. From Bull Hill, the roof extension would be seen in the context of other large and modern buildings which are set outside the LCA and would not affect any meaningful views into it.
14. Overall, I therefore conclude that the proposed development would have a neutral effect on the character and appearance of the LCA. The slightly jarring mansard roof form would be screened due to its height and only really visible in longer range views. The longer-range views would be quite curtailed by established buildings and diminished due to the distance. Whilst not enhancing the character or appearance, the development leaves the LCA unharmed, that is to say, preserved. Accordingly, the proposal complies with policies EN4 and EN6 of the MVLP and provisions of the Framework insofar as it would not harm the elements that make a positive contribution to the Conservation Area.

Other Matters

15. In reaching my conclusions here I have been mindful of the views of third parties and in particular residents of Stocks House and the neighbouring Kelsey Apartments relating to ongoing construction noise. I do sympathise that construction works can be intrusive for their duration however this is not a matter I can consider in establishing the acceptability of the resultant scheme. I have further had regard to concerns relating to waste disposal, however the amount of refuse facilities are adequate for the development under the Council's standards. The day-to-day management of refuse collection is not within my power to consider here.

Planning Balance and Conclusion

16. I have noted that the Council conceded in its Officer's Report that a five year supply of deliverable housing land was not available. This position appears to have changed with the adoption of the MVLP. Regardless, as the site is set within the LCA, as a designated heritage asset, the provisions of Footnote 7 of the Framework are engaged and Paragraph 11 d) does not apply. In any case, this is not contested by the appellant, and I have found the appeal acceptable on its own merits such that further consideration on this matter is not warranted.
17. The proposed development would result in an increased height of the building within the LCA. However, I have found that this will have a neutral effect on this heritage asset and would preserve the character or appearance of the LCA. The provision of two additional dwellings of a size that is in demand in this area weighs in favour of the proposal. As such, I find that the proposal would comply with the development plan and the material considerations do not indicate that a decision should be made other than in accordance with it.
18. Therefore, for the reasons given above the appeal should be allowed.

Conditions

19. The Council provided a schedule of conditions for the development in the event that permission were to be granted. I have imposed these conditions with edits, additions and modifications and having had regard to the Planning Practice Guidance.
20. I have imposed a general time limit condition to accord with the provisions of the Town and Country Planning Act 1990 (as amended) (the Act). A plans condition is imposed in the interests of certainty.
21. I have imposed a condition requiring the submission of samples or details of materials to be used in the construction of the development. This condition is applied here due to the location of the site within the LCA. Whilst this condition is a pre-commencement condition, having regard to s100ZA of the Act and the Pre-commencement Conditions Regulations 2018, the appellant has indicated in their final comments that they are satisfied with the imposition of this condition.
22. A condition promoting the development as carbon neutral has been imposed here in the interests of sustainable development.
23. I have not imposed a condition requiring additional refuse storage as was proposed by the Council. These details are shown on the approved plans and the existing provision has already been confirmed as being acceptable by the Council's waste services.
24. I have added a condition requiring further cycle parking provision. These details are shown on the plans, and this is to ensure such provision is made available prior to the occupation of the new flats.
25. Finally, I have added an additional condition relating to construction hours. This is being mindful of concerns expressed by local residents about construction times and may, at least in part, mitigate some disturbance.

N Bowden

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3563 / L / 02, 3563 / P / 21, 3563 / P / 22, 3563 / P / 23, 3563 / P / 24, 3563 / P / 25.
- 3) No development shall commence until details or samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details or samples.
- 4) Before any above ground works take place, details of how the development hereby permitted will be zero-carbon ready, shall be submitted to and approved by the Local Planning Authority and be implemented prior to the first occupation of the development.
- 5) The development shall not be occupied until facilities for the secure storage of cycles have been provided in accordance with the details shown on plan 3563 / P / 25. Such facilities shall thereafter be retained for the life of the development.
- 6) Demolition or construction works shall take place only between 08:00 and 18:00 on Mondays to Fridays, 08:00 and 13:00 Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.

End of Schedule