



Appeal Decision

Site visit made on 2 June 2025

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2025

Appeal Ref: APP/C3620/D/25/3364749

30 Church Walk, Leatherhead, Surrey KT22 8HH

- 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 Carys Smith against the decision of Mole Valley District Council.
 - The application Ref is MO/2025/0041/PLAH.
 - The development proposed is to replace front windows to PVC windows for insulation purposes and replace paving from kerb side to front door.
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Decision

1. The appeal is dismissed insofar as it relates to the replacement of the front windows to PVC windows for insulation purposes, and planning permission is granted for the replacement of paving from kerb side to front door in accordance with the terms of the application, Ref MO/2025/0041/PLAH and the submitted Site Location Plan subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) No new slabs or block paving shall be laid until details of the hard landscape surfacing works, and samples of the grey stone slab and block paving have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is whether the appeal proposal would preserve or enhance the character or appearance of the Leatherhead Conservation Area.

Reasons

3. The appeal site comprises an end-terrace house located down an historic pedestrian route, the southern end of which is comprised of well conserved, Victorian and Georgian town houses, some of which have had their original windows replaced by uPVC double glazed units.
4. Whilst it is not for me to comment on the appropriateness of these or otherwise, it is not generally possible to replicate the slim glazing bars and other joinery features of traditional, timber sliding sash windows. No elevation drawings have been provided of what the replacement windows would look like, however, going by the cross-section details provided, the replacement windows would be of a clunky appearance, constructed of a material that is not befitting of a designated heritage

asset. I have noted the information submitted with regard to such units having been installed in a number of properties within Church Walk, however two (or more) wrongs do not necessarily make a right and ultimately each case must be assessed on its own merits.

5. I acknowledge the cost concerns raised by the appellant, however notwithstanding the sustainability that would be gleaned from improved energy efficiency, I am not convinced that this is the only solution available, for example, secondary glazing could be installed with the existing windows being renovated and/or draught proofed.
6. I therefore find in respect of the replacement windows that less than substantial harm would be caused to the designated heritage asset and the public benefits stemming from the scheme would not outweigh that harm. Consequently, the proposed replacement windows would fail to preserve the character and appearance of the Conservation Area.
7. In respect of the proposed paving within the front garden area, I note that this was deemed acceptable by the Council and I have been given no substantive reason to come to a different conclusion on this matter. In respect of heritage assets, Policy EN6 of the Mole Valley Local Plan (2020-2039) (MVLP) stipulates that proposals for alteration to existing buildings within Conservation Areas will be of a high design quality, make a positive contribution to and respect their character and appearance, respect local traditions of design and use of materials, whilst conserving or restoring features such as windows. Consequently, I find that the proposal in respect of the hard surfacing, would comply with the sentiments of this policy whereas the replacement windows would conflict with it.

Conclusion and Conditions

8. In respect of the replacement windows, having regard to the above and all other matters raised, I conclude that the appeal is dismissed; however, the appeal is allowed insofar as it relates to the replacement of paving from kerb side to front door.
9. Other than the standard time limit condition, the Council suggested that materials to be used in the construction of the external surfaces of the development should match those used in the existing building and that the development should be carried out in accordance with the approved plans. However, no plans of the block paving to the front garden area were provided and therefore I consider it necessary to impose a further condition requiring details of the hard surfacing, along with samples of materials to be submitted prior to them being laid. The Council's fourth suggested condition regarding external joinery is not relevant due to the outcome of the appeal.

C J Tivey

INSPECTOR