
Appeal Decision

Hearing (Virtual) held on 28 January 2026

Site visit made on 29 January 2026

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 23 February 2026

Appeal Ref: APP/C3620/W/25/3361224

Stylehurst, Weare Street, Ockley, Surrey RH5 5JD

- 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 Duncan Buckell against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/1222/PLA.
 - The development proposed is conversion of existing residential store/garage into new dwelling, with single storey rear extension, raising of the ridgeline, two rear dormers and introduction of accommodation within the roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal relates to a listed building I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. An updated floor plan was submitted during the hearing. The change consists of the removal of paving around the building to reflect the site plan. Therefore, the amendment does not constitute a fundamental change and my acceptance of the updated plan has not deprived anyone who was entitled to be consulted on the appeal, the opportunity to do so.

Main Issues

4. The main issues are:
 - whether the proposal would preserve a Grade II listed building, Stylehurst, and any of the features of special architectural or historic interest that it possesses; and
 - whether the proposal would accord with the Council's development plan strategy for biodiversity net gain.

Reasons

Heritage asset

5. Stylehurst is a grade II listed farmhouse that dates from the 16th century with later extensions. To the north of the dwelling is the appeal building, an outbuilding that is currently within the same ownership as Stylehurst and used for storage. Adjacent to

the appeal building is a small outbuilding, believed to have been a stable, which also has 16th century origins.

6. The proposal would include the subdivision of the plot as the area to the rear of the appeal building would become part of the private amenity space of the proposed dwelling.
7. Section 1(5) of the Act says that the listed building includes any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948, and shall be treated as part of the building. There is a dispute between the main parties about whether the appeal building is curtilage listed as part of Stylehurst and therefore whether the proposal would include the subdivision of the curtilage of the listed building. It is common ground between the parties that the stable building is curtilage listed.
8. In accordance with caselaw¹ I have considered the following factors in deciding whether the appeal building is within the curtilage of the listed building; the physical layout of the listed building and the structure; ownership, past and present; and the use or function, past and present.
9. The earliest map showing Stylehurst dates to around 1762 and shows the property as a fairly typical courtyard plan farmstead. Therefore, given the physical layout of the buildings indicated on the map, along with the likely ownership and function as part of a farmstead, the curtilage of the farmhouse at that time included the appeal site.
10. The next significant phase of the property was when the site was part of the Grenehurst Park Estate and the farmhouse was occupied by a farm manager. The farmhouse would have been a fairly high status dwelling from which the wider estate was managed. The 1841 tithe map demonstrates that the site was divided into plots, including a plot named Orchard between the stable building and farmhouse. However, the 1873 and 1895 OS maps indicate, through the use of brace symbols, that there were links between the farmhouse plot (Stylehurst House and Garden) and Orchard plot and between the Orchard and outbuildings (Yard Buildings and Lane). In addition, the 1895 and 1915 OS maps indicate an access route from the farmhouse to the lane from which the appeal building would have been accessed.
11. Therefore, while the Orchard that was sited between the farmhouse and appeal building may have restricted some views between the buildings, I do not consider that the Orchard constituted a physical boundary between the two. Moreover, although the Orchard may have been identified as a separate plot in the 1841 map, the evidence does not indicate that it was functionally separate from the farmhouse or stable.
12. As the appeal building faces the farm buildings to the north, it may be the case that the appeal building functioned as part of these buildings. The Stylehurst farmhouse and associated garden were accessed primarily from Weare Street. However, given the access route and brace symbols identified on the 1895 and 1915 OS maps, the evidence does not indicate that the relationship of the appeal building with the farmhouse ceased during this time.

¹ Attorney-General ex rel Sutcliffe v Calderdale Borough Council [1983] JPL 310

13. Accordingly, while the Stylehurst property was split into three plots, and was part of the wider Grenehurst Park Estate, the physical layout and use of the appeal building and farmhouse were closely connected to each other. In addition, the appeal building, stable and farmhouse were within the same ownership albeit as different plots. Taking these factors together, the appeal building was therefore within the curtilage of Stylehurst farmhouse during the phase when it was part of the Grenehurst Park Estate.
14. In the early 20th century, when the Grenehurst Park Estate was broken up, the Stylehurst House and Garden, Orchard, and Yard Buildings and Lane remained within the same ownership. Moreover, the evidence indicates that the three plots were later amalgamated into one plot in the title deed with another plot on the opposite side of Weare Street.
15. Given that the area to the east of Weare Street was historically and is currently separated from the Stylehurst by Weare Street and appears to function as part of a separate dwelling, that area is not part of the curtilage of the listed building despite being in the same ownership in the 20th century.
16. A map dated 1933, albeit not a detailed map, shows the access from the farmhouse to the lane to the north still in place and no physical separation between the appeal building and the farmhouse. There is no evidence before me regarding the physical layout, function and ownership of the site at the time of listing in 1987. However, as the physical layout including buildings and access, and function and ownership are largely the same at the present time as in the early 20th century, I have no reason to believe that the curtilage of the listed building was different at the time of listing.
17. The Stylehurst property was subdivided by title deed in 2024. The appeal building and adjacent stable building is within the same ownership as the listed building, and the appeal building is used by the owner of the farmhouse for storage, albeit not domestic items. In addition, the land between the farmhouse and appeal building is largely grassed, affording easy visibility between the two. Accordingly, on the balance of probabilities, the curtilage of the listed building includes the appeal building as well as the stable building. In accordance with Section 1(5) of the Act the appeal building and stable must be treated as part of the listed building.
18. The special interest and significance of Stylehurst, insofar as is relevant to this appeal, lies in the legibility and fabric of the historic farmhouse and farmstead buildings and evidence of the later phases including as part of the Grenehurst Park Estate.
19. As discussed above, the curtilage of Stylehurst includes the area between the farmhouse and appeal building as well as the appeal building. The private amenity space of the proposed dwelling would occupy part of the area between the farmhouse and outbuilding. Accordingly, the proposal would result in the subdivision of the historic curtilage of the listed building.
20. The severance of the land to the rear of the appeal building from the rest of the land adjacent to the listed building would split the historic area that was part of the original late 18th century farmstead as well as the plot later known as Orchard. This would harmfully erode the historic relationship between the farmhouse and the appeal building as well as the historic relationship between the farmhouse and the

stable building. Therefore, the proposal would harm the special interest and significance of Stylehurst.

21. Even if the appeal building was not curtilage listed, given its proximity to the farmhouse and stable building, the intervisibility between the buildings and their historic association, it lies within the setting of the listed building. The appeal building and land between it and the farmhouse appear to be ancillary to the farmhouse and provide a positive contribution to the significance of the listed building. As the proposal would result in the subdivision of the land formerly known as Orchard, and the severance of the stable building from the farmhouse, the scheme would erode the setting of Stylehurst, thereby harming its significance.
22. Although the Council's Heritage Consultant raised concerns regarding the design of the proposed alterations to the existing building, the Council has not raised such an objection as reflected in the decision notice. As the building would remain visually subordinate to the farmhouse and given the dwellings that lie in close proximity to Vann Lake Road, the proposed alterations to the building would not harm the special interest or significance of the listed building. Nonetheless, the subdivision of the curtilage of the listed building would result in harm to its special interest.
23. I note the evidence relating to Stylehurst Forge, a dwelling on Vann Lake Road, a short distance from the appeal site. This building may also have been part of the Grenehurst Estate. However, as this dwelling is not adjacent to the appeal building or stable, and is not visible from the farmhouse, it does not have the same relationship with the listed building as the appeal building and is therefore not directly comparable in terms of curtilage.
24. Given the above, I find that the proposal would fail to preserve the special interest of the listed building. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.
25. Paragraph 212 of the National Planning Policy Framework (Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 213 goes on to advise that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Given the limited scale of the proposal, I find the harm to be in the lower end of the less than substantial spectrum in this instance but nevertheless of considerable importance and weight.
26. The proposal would provide a limited contribution of a single dwelling to the local housing supply, to which I attribute limited weight. Accordingly, given the significant weight attached to the harm to the special interest of the listed building, the public benefits of the proposal would not outweigh the harm identified.
27. Consequently, the proposal would conflict with Policy EN6 of the Mole Valley Local Plan 2020-2039 Adopted October 2024 (LP) which states, among other things, that development proposals that result in less than substantial harm to a Grade II Listed Building or Structure will not be permitted unless the public benefits of the proposals outweigh the harm to the asset's significance.

Biodiversity Net Gain

28. LP Policy EN9 states, among other things, that planning applications, other than those exemptions specified in the regulations, must be accompanied by a Biodiversity Statement containing the minimum information specified in the regulations.
29. Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 makes provision for grants of planning permission in England to be subject to a condition to secure that the biodiversity gain objective is met. There are statutory exemptions which mean that the biodiversity gain condition does not always apply. The statutory exemptions include development subject to the de minimis exemption which does not impact a priority habitat, less than 25 square metres (e.g. 5m by 5m) of onsite habitat and 5 metres of linear habitats such as hedgerows.
30. As discussed during the hearing, the proposal would result in a development footprint below 25sqm including the parking area. The existing grassed area identified for parking in the proposal is currently used for parking and lacks any ground surface reinforcement to allow for the parking of cars such that it is unlikely that grass would remain intact as a viable habitat. As the proposal would reinforce part of the grassed area to allow for the parking of a car on a grassed surface, the scheme would not diminish the quality of this habitat. Accordingly, I consider that the proposal would meet the de-minimis threshold for the biodiversity net gain requirements.
31. Consequently, the proposal would accord with the Council's development plan strategy for biodiversity net gain. Therefore, the proposal would not conflict with LP Policy EN9.

Other Matters

32. I note local concerns including those regarding privacy, fire safety and drainage. However, as I am dismissing the appeal for other reasons, these matters have not altered my overall decision.

Conclusion

33. For the reasons given above, the proposed development would conflict with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R Sabu

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Katie Walker – ET Planning
Michelle Purnell – Heritage Fusion
Duncan Buckell – Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Sue James – Mole Valley Council
Christopher Reynolds – Historic Environment Officer – Surrey County Council

INTERESTED PARTIES:

Richard Desmier – Local resident

DOCUMENTS

2 Title Deeds

PLANS

Updated Floor Plan – A23013 A(S3)35 Rev A