

PLANNING OFFICER REPORT

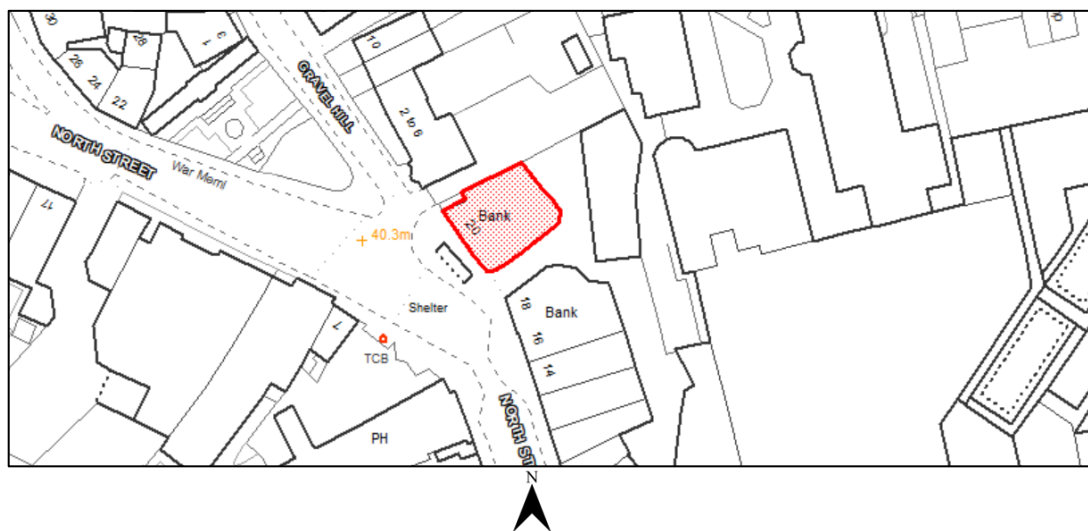
Application No. MO/2022/0815 Detailed
Valid Date: 09-May-2022
Applicant: Throgmorton Investments Ltd
Case Officer: Katrina Sullivan-Watkins
Ward(s): Leatherhead North
Proposal: Change of use of the rear ground floor, first and second floors from Class E (c)(i) to 5 no. residential (C3) flats comprising 4 No. 1 bedroom and 1 No. 2 bedroom units; retention of Class E floorspace at the front ground floor and basement, extensions to the rear at ground, first and second floors with extension to the roof, external terraces at ground, first and second floor, external alterations to the fenestration and access to the property, with associated cycle storage and refuse.

Amendments /amplifications:
Site Location: Lloyds TSB Bank Plc, 20, North Street, Leatherhead, Surrey, KT22 7AS

Committee: More than three dwellings

RECOMMENDATION: Approve subject to conditions

Site Plan:



1. Description of Site:

- 1.1. The application site relates to a large, classically detached three storey building which is located on the north eastern side of North Street, within a prominent town centre location. The site is within the built-up area of Leatherhead, where nearby building uses include retail shops and residential flats.
- 1.2. The building was formally host to Lloyds Bank, however this branch was permanently closed early 2022.

2. Description of Proposal:

- 2.1. The application seeks planning permission to change the use of the rear ground floor, first and second floors from Class E to 5 No. residential flats. To facilitate this conversion, it is proposed to erect a three storey extension to the rear of the building.
- 2.2. Class E floorspace would be retained to the front ground floor and basement.
- 2.3. The proposal includes the provision of 4no. one bedroom flats and 1no. two bedroom flat and would also provide associated cycle and refuse storage.

3. Relevant Planning History

- 3.1 There is a detailed planning history associated with the application site, however none is relevant to the current planning application.

4. Statutory/Internal Consultations

- 4.1. SCC Highways – No objections subject to condition
- 4.2. Sustainability Consultation – Recommends standard condition
- 4.3. Joint Waste Solutions – No objections
- 4.4. Historic Environment Officer – No objections, recommends conditions

5. Third Party/Other Representations

Representation	Officer Comment	Relevant Condition
Summary of Responses Received:		
Any proposed construction hoarding should not interfere with the visibility of the neighbouring premises	Noted – the construction works should be located within the application site.	
The proposed construction and associated hoardings should not impact the neighbouring properties accessibility to the general public nor their ability to carry out their daily servicing	Noted – the construction works should be located within the application site. Construction work is a temporary impact	
Further information should be provided guaranteeing controls of debris/detritus on the public highway	Noted – this cannot be conditioned as the highway lies outside of the application site	
A car free development is contrary to SCC parking guidance and as a result of the development parking could impact the neighbouring premises	Noted – SCC parking guidance provides a maximum requirement which allows scope for nil parking provision. This is assessed under highway safety	

The windows of the development may have the potential to overlook neighbouring premises service yard which may be an inappropriate conflict without the provision of obscure glazing	The windows of the proposed development are as existing – the first and second floor windows currently serve offices with a number of workers within the space during business hours. It is not considered that the proposal would result in significant overlooking issues over and above the existing situation.	
The development will adversely affect the residents of use and occupation of the office building to the east	Noted – the building to the east is an office building and it is not considered to have significant unacceptable impact occupiers of this neighbouring property	
The proposed increase in building height will reduce daylight to my property	Noted – given the location of the office building behind a number of tall buildings, and whilst the proposal would extend closer to the boundary, it is not considered that there would be an unacceptable loss of light	
The only external access to the rear of No. 20 would breach my boundary and directly encroach only my land which needs to be kept open for visitors, pedestrians and cars	This is a civil matter – the entrance to the flat buildings is located in the existing access to the front of 20 North Steet	
The proposed development is too large and out of context with the surrounding area	Noted – assessed under character of the area	

6. Constraints

Built-up Area
Business Area
Rest of Leatherhead Shopping Area
Leatherhead Conservation Area

7. Development Plan Policies

Core Strategy (CS)

CS1 – Where Development will be Directed

CS2 – Housing Provision and Location
CS3 – Balancing Housing Provision
CS12 – Sustainable Economic Development
CS13 – Landscape Character
CS14 - Townscape, Urban Design and the Historic Environment
CS19 – Sustainable Construction, Renewable Energy and Energy Conservation

Local Plan (LP)

ENV22 – General Development Control Criteria
ENV23 – Respect for Setting
ENV24 - Density of Development and Space about Buildings
ENV39 – Development in Conservation Areas
LTC4 – Encouraging Mixed-Use Schemes
LTC5 – Non-retail Units
MOV2 – The Movement implications of Development
MOV5 – Parking Standards

8. Material Considerations

Government Guidance – National Planning Policy Framework (NPPF)

Section 2 – Achieving Sustainable Development
Section 5 – Delivering a sufficient supply of homes
Section 7 – Ensuring the vitality of town centres
Section 11 – Making effective use of land
Section 12 – Achieving well-designed places
Section 13 – Protecting the Green Belt
Section 16 – Conserving and enhancing the historic environment

Supplementary Documents

Nationally Described Space standards
Built Up Areas Character Appraisal
Vehicular and Cycle Parking Guidance

9. Planning Analysis

- 9.1. Legislation dictates how all planning applications must be determined. Section 70 of the Town and Country Planning Act (as amended) states -

In dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations

- 9.1.1. The main planning issues for consideration are discussed below.

9.2. Principle of Development

- 9.2.1. Policy CS2 of the Mole Valley Core Strategy advises that new development will be directed towards previously developed land within the built-up areas of Leatherhead and Dorking, Ashted, Bookham and Fetcham. The site lies within the built-up area

of Leatherhead and it is considered a benefit that the provision of 5no. residential units would be introduced within a sustainable location and thus there is no objection raised in principle to the proposal.

- 9.2.2. The Council's latest Housing Delivery Test result is below 75%, and is currently at 70%. In addition the Council can currently only demonstrate 2.9 years of Housing Land Supply and as such the policies in the development plan relating to Housing Land Supply are to be considered out of date. As such, there is a presumption in favour of sustainable development and the 'tilted balance' in paragraph 11 is engaged. This means granting permission for residential development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of doing so, when assessed against the NPPF as a whole, or there is a clear reason for refusing development because of a conflict with policies in the NPPF that protects areas or assets of particular importance (such areas include land designated as Green Belt, An Area of Outstanding Natural Beauty or Conservation Areas). The site sits within Leatherhead Conservation Area, however, as detailed later in this report, the proposal is not considered to result in harm to the Conservation Area. As such, the tilted balance is engaged.
- 9.2.3. In terms of the benefit of granting this application, the scheme would contribute a net increase of 5no. residential units to the housing market and the Districts wider housing supply. The site lies within close proximity to Leatherhead Town Centre and would provide a modest net increase in footfall to local shops and other outlets. This element would be consistent with the social and economic role of sustainable development and attracts moderate weight.
- 9.2.4. However, as a result of the proposal there would be a loss of office space within Leatherhead Town Centre. The offices were previously used ancillary to Lloyds TSB bank and following the branch closing the offices have remained empty.
- 9.2.5. Section 7 of the NPPF, Ensuring the Vitality of Town Centres, sets out in paragraph 86 that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaption and recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.
- 9.2.6. Policy CS12 of the Core Strategy and Policy LTC4 of the Mole Valley Local Plan encourage mixed use schemes outside of the Prime Shopping Area (zone 1). The site sits outside of the prime shopping area and Mole policy LTC4 further states that the adaption or redevelopment of existing buildings will be encouraged to provide mixed uses including housing. Policy LTC6 of the Mole Valley Local Plan further sets out that in Leatherhead, the loss of any ground floor units used for financial and professional services to any use other than a shop or residential will not normally be permitted. The proposal would comply with these policies by creating 5no. additional housing units in a secondary shopping area of the town centre.
- 9.2.7. Policy CS3 of the Core Strategy seeks to provide a balancing housing market in terms of tenure, size and types of dwellings with the Council particularly seeking the provision of two and three bedroom homes for all sectors of the community, including newly forming households. The proposal seeks permission for 4no. one bedroom units and 1no. two bedroom unit. Whilst policy CS3 encourages 2 and 3 bedroom

units, it does not preclude smaller units, and given the Council's Housing Land Supply and the sustainable location of the development, it is considered that the provision of 1 bed units in this location would be acceptable.

9.2.8. Overall, it is considered that the principle of residential development on this site is acceptable.

9.3. **Impact on Character of Area**

9.3.1. Section 12 of the NPPF is concerned with the design of new development. Paragraph 130 advises that new development should add to the overall quality of an area and be visually attractive and sympathetic to local character including the surrounding built environment whilst not discouraging appropriate innovation or change.

9.3.2. Core Strategy policy CS14 seeks to ensure that new development respects and enhances the character of the area in which it is proposed. These policy aims are reflected in Local Plan policies ENV22, ENV23 and ENV24. Policy ENV39 of the Local Plan is concerned with development in or adjacent to Conservation Areas and requires that new development preserve or enhance the character and appearance of the area.

9.3.3. The site is located in the Town Centre and Riverside character area as defined in the Built-Up Areas Character Appraisal for Leatherhead. This area of development is located in an area which has seen a greater amount of redevelopment mixing mid-20th and 21st Century buildings with more historical buildings. Buildings are generally two or three storeys high and close together or abutting within the town centre, with a number of narrow alleyways between tightly spaced buildings.

9.3.4. The application building is located in a prominent position in the town centre and has a classically detailed, 3 storey building frontage of red brick above an ashlar stone ground storey with stone dressings to window/door openings. The building features in both short and long views in several directions and makes a positive contribution to the character of this part of the conservation area.

9.3.5. The rear extension, whilst taking inspiration from the frontage building through the use of brick detailing and rear roof form, lacks the same degree of detailing and proportions as the frontage of the building and, by comparison, is quite simple in appearance with no contrasting stone detailing to the brickwork. However, due to the location of the extension to the rear means that the impact to the wider conservation area would be limited, allowing the principal front façade to remain the focus point within the street scene. It is also noted that the extension would bring the building closer to the boundary of the application site, in close proximity to the surrounding buildings.

9.3.6. Policy ENV24 encourages spacing around the buildings, however the character of this area of North Street includes tightly spaced buildings with narrow alleys and small separation distances. Whilst, the proposal would result in tight built form, this is in-keeping with the character of the area and would not be detrimental to the setting of the Conservation Area.

9.3.7. It is considered that the scale, form and design would not cause significant harm to the character and appearance of the area or to the setting of the Conservation Area in line with the aims of the NPPF and with Core Strategy policy CS14 and Local Plan policies ENV22, ENV23, ENV24 and ENV39.

9.4. Impact on Neighbouring Residential Amenity

9.4.1. Policy ENV22 of the Local Plan seeks to ensure that development does not significantly harm the amenities of neighbours by way of overlooking, overshadowing or overpowering effect, noise, traffic or other adverse environmental impact.

9.4.2. The application site is surrounded by a mix of uses, the closest buildings to the application site are 18 North Street to the south – a commercial buildings currently host to HSBC – 18a North Street to the immediate east – an office building – Sweech House, 2-8 Gravel Hill – an office building host to TWM Solicitors, The Penny Black – a public house, and Stocks House – a residential building.

9.4.3. Stocks House is the closest neighbouring property to the application site separated by the Highway. The conversion works would be located away from this neighbouring property behind the existing building and is unlikely to cause harm to the amenities of neighbouring occupiers.

9.4.4. It is noted that there is some concern regarding the construction of the rear extension, however this is common within the planning process and would only be a temporary impact.

9.4.5. The proposal is considered to have been sensitively designed not to adversely impact the amenities or privacy of neighbouring properties and, as such, there is no objection against Policy ENV22 in this regard.

9.5. Future Occupiers' Amenity

9.5.1. Mole Valley Local Plan ENV22, General Development Control Criteria, sets out the seven criteria for sound development control practice. Criterion 7 requires that design and layout would provide a satisfactory environment for occupiers of the new development.

9.5.2. The five residential units would meet the Nationally Described Space Standards and as such would provide acceptable living conditions for the future occupiers of the units. The smaller units would benefit from outdoor amenity space through the provision of modest sized balconies, however two of the units would not have private outdoor space. It is considered that due to the sustainable location of the application site, within close proximity to amenities and open green spaces the lack of outdoor private amenity space would be acceptable.

9.5.3. As will be noted under the character of the area section of this report, the position of the building as a result of the extension is in close proximity to neighbouring office/commercial buildings. However, the layout and design of the residential units have been designed in a manner to protect the amenities of future occupiers, with the primary windows to habitable rooms positioned in a way so that they will not be significantly overlooked, whilst still providing adequate light to the rooms.

9.5.4. The units would have the benefit of on-site refuse and cycle storage for residents. Overall, the proposal provides 5no. residential units of a satisfactory size and layout, with acceptable levels of light, outlook and facilities for future occupiers.

9.6. **Impact on Highway Safety**

9.6.1. NPPF Paragraph 111 states, 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

9.6.2. The proposal has been considered by the highway authority who are satisfied that the proposal would not result in unacceptable impacts on highway safety.

9.6.3. The site is located close to Leatherhead Town Centre and is within walking distance of shops and services as well as bus services and railway stations. There is no on-site car parking provision but the site is highly sustainable in location and therefore would be 5 secure cycle storage spaces.

9.6.4. The County Highway Authorities Parking Standards are a maximum standard and allow scope for nil parking provision in sustainable town centre sites such as this which do not have scope for vehicle parking on site and where public services and the shops and services within the town centre can be easily reached.

9.6.5. The County Highway Authority have not raised any highway objections to the proposal and in light of the nil car parking provision recommends a conditions requiring provision to be made for the secure parking of bicycles.

9.7. **Sustainable Construction**

9.7.1. Core Strategy Policy CS19 requires developments to include a '*10% reduction in the total carbon emissions through the on-site installation and implementation of decentralised and renewable or low carbon energy sources*'.

9.7.2. No details have been provided within the application, however, compliance with these aspects of policy CS19 can be satisfactorily controlled by planning condition.

9.8. **Local Financial Considerations**

9.8.1. Policy CS17 of the Core Strategy states that development should make provision for new infrastructure where necessary. However, since the adoption of the Core Strategy the Community Infrastructure Levy (CIL) was introduced by Mole Valley District Council on 1st January 2017 and places a mandatory charge on new residential and retail developments. The Council will publish an annual infrastructure list detailing the infrastructure projects or types of infrastructure which the Council intends will be or may be, wholly or partly funded by CIL. For further information regarding CIL, please visit [CIL and Affordable Housing Contributions | Mole Valley District Council](#).

9.8.2. This development is CIL liable, but may be subject to an application for exemption.

10. Planning Balance

- 10.1. The local planning authority is unable to demonstrate a five-year supply of deliverable housing sites. The Framework, which is a significant material consideration, indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 10.2. The site benefits from being within a highly sustainable location within central Leatherhead and is within easy reach of shops, services and public transport. The proposal is considered to be an efficient use of land, creating a mixed use development in line with the guidance from local and national policy, retaining a commercial use to the front ground floor and within the basement and providing new residential dwellings elsewhere.
- 10.3. The proposed rear extension to facilitate the conversion is considered to be acceptable, with limited impact to the conservation area and integrating well with the surrounding area which is characterised by mixed development and tight-knit buildings.
- 10.4. The proposed layout of the residential units have been designed in a manner to provide satisfactory living conditions for future occupiers and the proposal would not harm the amenities of neighbouring properties.
- 10.5. The proposal is a car free development which is considered to be acceptable given the location of the site in a sustainable location close to local amenities and public transport routes.
- 10.6. Given the above, it is considered that the proposal would be acceptable.

11. Recommendation

- 11.1. Permission is recommended subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted documents and plan numbers A_PL_100 Rev C, A_PL_102 Rev B, A_PL_101 Rev B, A_PL_100 Rev B, A_PL_050 Rev B, A_PL_303 Rev C, A_PL_302 Rev B, A_PL_301 Rev B, A_PL_300 Rev C contained within the application and no variations shall take place.

Reason: To accord with the terms of the submitted application and to ensure minimal impact on local amenity and the environment in accordance with Mole Valley Core Strategy policy CS14 and Mole Valley Local Plan policy ENV22.

3. Before any above ground works take place, details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the development harmonises with its surroundings in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

4. Before any above ground works take place, details of all external joinery shall be submitted to and approved in writing by the Local Planning Authority including materials, method of opening and large scale drawings showing sections through mullions, transoms and glazing bars. Windows and door openings should have a reveal to be agreed. The development shall thereafter be implemented in accordance with the approved details.

Reason To ensure that the development is in keeping with the character of the locality in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

5. The refuse and recycling storage facilities, as shown on the approved drawings, shall be made available for use prior to the first occupation of the dwellings hereby permitted and, thereafter, shall be permanently retained as such.

Reason: In the interests of the amenities of the area, in accordance with Mole Valley Core Strategy policy CS14 and Mole Valley Local Plan policy ENV22.

6. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for cycles to be parked securely. Thereafter, the secure cycle storage shall be retained and maintained for its designated purpose.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with the NPPF and saved policy MOV5 of the Mole Valley Local Plan.

7. Before any above ground works take place, details to reduce the carbon emissions of the predicted energy use of the development hereby permitted by at least 10% through the on-site installation and implementation of decentralised and renewable or low-carbon energy sources shall be submitted and approved by the Local Planning Authority and be implemented prior to the first occupation of the development.

Reason: To optimise renewable energy and its conservation, in accordance with policy CS19 of the Mole Valley Core Strategy.