
Appeal Decision

Site visit made on 3 July 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 31 July 2017

Appeal Ref: APP/T0355/W/17/3171818

17 Castle Hill, Maidenhead SL6 4AD.

- 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 G Murray against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 16/03011, dated 21 September 2016, was refused by notice dated 23 January 2017.
 - The development proposed is the demolition of existing dwelling and replacement with a building containing 12 no. apartments, modifications to existing gatehouse (retained as 1 bedroom dwelling), associated parking and landscaping.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on, firstly, the Castle Hill Conservation Area (CHCA) and, secondly, the entrance gatehouse.

Reasons

Effect on the CHCA

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. At the local level, saved Policy CA2 of the Local Plan¹ (the LP) requires the retention of any buildings that contribute to the distinctive character of the conservation area.
4. The appeal site sits on the edge of the CHCA which encompasses a wider area straddling Castle Hill to the west of Maidenhead town centre. To the south is an area of more modern, higher density housing arranged along Castle Mews, Folly Way and Moneycrower Drive. The site comprises a detached 2-storey property set in a large plot enclosed behind mature landscaping and a high stone/brick wall. In the south-west corner of the site is a crenelated, Victorian entrance gatehouse which is prominent in views along Folly Way.
5. The CHCA is characterised by an array of substantial Victorian and Edwardian residences standing in large plots. These features together with strong front

¹ Full Title: The Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted in June 2003)

boundary treatments and mature landscaping contribute positively to the significance of the CHCA as a heritage asset. Although the dwelling itself has limited visual exposure from public vantages, the gatehouse, mature landscaping, boundary walls and general sense of spaciousness all make a positive contribution to the CHCA.

6. The appeal scheme involves the erection of a 2.5-storey building comprising 12 x 2-bed residential flats following the demolition of the existing house. The existing dwelling which dates from the 1920s is of little architectural merit and consequently there is no objection from the Council to its loss. The existing vehicular entrance from Folly Way would be retained, albeit widened, and serve a car parking and turning area providing 13 spaces. The former pedestrian access onto Castle Hill in the south eastern corner of the site would be reinstated.
7. Although the building has been carefully designed to incorporate architectural features of nearby properties in the CHCA, it would be a substantial structure with its footprint occupying a large proportion of its plot. The building's winged form would be unlike anything else in the immediate area and uncharacteristic of this part of the CHCA. It would also have little resonance with the terrace dwellings to the south. The height and scale of the building as well as its proximity to site boundaries would give the site a cramped and overdeveloped appearance. In particular, the northern flank wall being bereft of articulation or features would be an imposing and alien structure when viewed from Castle Hill. Whilst no doubt the boundary landscaping would filter some views of the building, it is inevitable given its considerable bulk and mass that it would be prominent from a variety of public vantage points in the locality. Moreover, the frontage of the site would be taken up almost entirely by areas of hard surfacing for the parking and manoeuvring of cars. This would be an unduly dominant component of the scheme leaving little room for any meaningful landscaping. In my view this would exacerbate the building's incongruence and compound the feeling of too great a building mass for the plot.
8. Notwithstanding the positive attributes of the proposal advanced by the appellant, by virtue of its density, uncharacteristic layout and anomalous proportions, it would be at odds with the generally spacious character of the CHCA. The proposal would therefore lead to overdevelopment of the site which would fail to preserve the character or appearance of the CHCA. There would thus be conflict with LP Policy CA2 in terms of the need to ensure that new development is sympathetic in terms of siting, proportions, scale, form and height to adjacent buildings and the area in general.

Effect on the gatehouse

9. Paragraph 135 of the "*National Planning Policy Framework*" (the Framework) states that in weighing applications that directly or indirectly affect heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Paragraph 126 states, heritage assets are an irreplaceable resource.
10. The Council's Appeal Statement refers to the entrance gatehouse being a designated heritage asset. However, as there is nothing before me to suggest that the building is listed either nationally or locally, I am satisfied, with cognisance to the definition in Annex 2 of the Framework, that this is not the case.

11. Nonetheless, the gatehouse does possess architectural and historical significance on account of it being a locally distinctive building with historical links to the former Grenfell Estate. Based on the foregoing, I concur with the appellant that the gatehouse should be viewed as a non-designated heritage asset in the terms set out in the Framework.
12. To facilitate a wider access, the archway would be removed and the gatehouse building remodelled. The crenulations would be retained and the main part of the building would be extended to the north-west. I accept that some of the building's original character has already been compromised by extensive rebuilding of the first floor in brick and the introduction of unsympathetic UPVC windows and doors at ground floor level. However that is not a good reason to allow further inappropriate development and in any event the archway, a key component of the building, has hitherto remained intact. It is visible in public views from Folly Way and its loss would significantly harm the building's original form and special historic and architectural character. Finally, whilst I accept that the archway may cause some practical access issues particularly for larger vehicles, I am not persuaded on the evidence before me that the redevelopment of the site is dependent on its removal.
13. Whilst some of the gatehouse would be retained I find that the removal of the archway would be particularly harmful to its significance as a non-designated heritage asset and I have not identified any matters arising from the evidence before me which would justify the harm that would be caused. I therefore conclude that the development insofar as it relates to the gatehouse would conflict with Policies CA2 and DG1 of the LP and provisions of the Framework.

Conclusion

14. In the language of the Framework, the harm the proposal would cause to the significance of the CHCA and a non-designated heritage asset would be less than substantial. Paragraph 134 of The Framework states that where this is the case, the harm should be weighed against the public benefits of the proposal.
15. I accept that increasing the Council's current housing stock is an important objective and therefore a net increase of 11 residential units is a public benefit that clearly weighs in favour of the scheme. However for the reasons set out above, the effect of the development on the heritage assets would outweigh the public benefits that would flow from the provision of additional housing.
16. For the reasons given above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

D. M. Young

Inspector