



Appeal Decisions

Site visit made on 13 March 2018

by **S J Papworth DipArch(Glos) RIBA**

an Inspector appointed by the Secretary of State

Decision date: 26 March 2018

Appeal A: APP/T0355/W/17/3181907

Cromwell Cottage, Alleyns Lane, Cookham, Maidenhead SL6 9AD

- 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 Keevill against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 17/01004, dated 17 March 2017, was refused by the Council by notice dated 18 May 2017.
 - The development proposed is erection of timber and double glazed garden room.
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Appeal B: APP/T0355/Y/17/3181905

Cromwell Cottage, Alleyns Lane, Cookham, Maidenhead SL6 9AD

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Keevill against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 17/01005, dated 17 March 2017, was refused by the Council by notice dated 18 May 2017.
 - The works proposed are erection of timber and double glazed garden room.
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Decisions

1. I dismiss both appeals.

Main Issue

2. In both appeals this is the effect of the proposal on the architectural or historic significance of the listed building and its setting within the Cookham Dean Conservation Area.

Reasons

3. Policy LB2 of the Royal Borough of Windsor and Maidenhead Local Plan states that special regard will be had to the preservation of listed buildings and their settings, and listed building consent for the alteration and/or extension of a building (subject to compliance with other relevant policies) will only be granted provided that the character of the building will not be adversely affected, both internally and externally. Conservation areas are the subject of Policy CA2 which states that the character or appearance of the area will be enhanced or preserved.
4. Paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's

conservation. The more important the asset, the greater the weight should be. The courts have determined that considerable importance and weight should be given to harm found to the significance of listed buildings.

5. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
6. The present dwelling is listed as 2 buildings, Cromwell Cottage being that to the south-west and Telford Cottage to the north-east. The former runs along the lane whilst the latter has a rearward wing in addition, and it is at the end of this wing that it is proposed to attach the garden room. The significance of the building lies in its overall shape illustrating the previous uses as a byre as well as a dwelling, the low eaves and thatched roof, and the honesty of the exposed structure. Whilst the setting to the rear is now a tended domestic garden, the open space around remains with other garden structures being some distance removed.
7. The proposed garden room would be connected to the building at an external door position, and the door leaf appears modern in its glazing method. The limited size and method of fixing of the link would not harm the fabric of the building and would have an acceptable effect on its proportions and hence the architectural integrity of the building.
8. The garden room itself would however be over-large and assertive in too close a proximity to the historic building, vying for attention and taking the eye away from the more organic forms of the cottage. The building would appear as an intrusive element in the appreciation of the building from important, albeit mostly private, viewpoints that encompass the angle of the main range and the rear wing. The design of the addition would appear out of place against the building, confusing the history of the structure, appearing fussy in the number and size of windows.
9. The Council refer to the effect on the conservation area, but there does not appear to be any public viewpoints from where the addition would be seen. It is not possible to conclude that there would be any effect on the appearance of the designated area. Whilst the effect on a listed building does not rely on public views, the effect on the appearance of the conservation area traditionally does. Having in mind the present use of the site as domestic garden, the garden room use would not be likely to adversely affect the character of the area either. On that basis the requirements of Policy CA2 and section 72(1) would be met.
10. The proposed addition would however cause harm to the architectural and historic significance of the listed building, through the design, location and size in proximity to the gable end and internal angle of the front range and rear wing, important elements in the setting and understanding of the building. The level of harm is 'less than substantial', a differentiation required between paragraphs 133 and 134 of the Framework. In this case the latter applies and this states that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

11. There does not appear to be any risk of the building falling out of its use as a dwelling for want of the addition as proposed, and that use would appear to be the optimum viable one in this attractive part of the conservation area. The addition would no doubt add to the occupier's enjoyment of the property, but that is not a public benefit, and there is no evidence that it is essential to the upkeep of the listed building for the public benefit.
12. To conclude, the proposal would cause harm to the listed building for which there is no satisfactory justification, contrary to Policy LB2 and the requirements of the Framework on the preservation of designated heritage assets. The proposal would not therefore satisfy the tests in sections 16(2) and 66(1) of the 1990 Act. The presence of a garden room attached to the rear of Dean Farmhouse on the far side of Alleyns Lane is sufficient different as to not be comparable in this consideration. For the reasons given above it is concluded that both appeals should be dismissed.

S J Papworth

INSPECTOR