



Appeal Decisions

Site visit made on 12 November 2019

by Anne Jordan BA (Hons) MRTPI

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

Decision date: 21st November 2019

Appeal A

Appeal Ref: APP/T0355/Y/19/3224781

2 Hall Place Lane, Burchetts Green, Maidenhead, SL6 6QY

- 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 Mrs Carol Horner against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 18/03414, dated 22 November 2018, was refused by notice dated 14 February 2019.
 - The works proposed are described as "the demolition of the dilapidated late 20th Century inappropriate single-storey rear extension and replacing it with a single/two storey rear extension with associated minor internal alterations".
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Appeal B

Appeal Ref: APP/T0355/W/19/3224777

2 Hall Place Lane, Burchetts Green, Maidenhead, SL6 6QY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Carol Horner against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 18/03413, dated 22 November 2018, was refused by notice dated 14 February 2019.
 - The development proposed is described as "The demolition of the dilapidated late 20th Century inappropriate single-storey rear extension and replacing it with a single/two storey rear extension with associated minor internal alterations".
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Decisions

1. Appeal A is allowed and Listed Building Consent is given to demolish the late 20th Century single-storey rear extension and replacing it with a single/two storey rear extension. Externally repoint/repared front brickwork where necessary; replace ground floor front unoriginal window with new Conservation Casement windows; repair as necessary the historic windows at first floor level to the front elevation; replacement of the front door and its frame; replace a section of guttering to No.2 with a new cast iron guttering and associated downpipes. Replace any slipped or missing tiles to the front and overhaul rear pitched roof section with Tudor handmade plain clay roof tiles at 2 Hall Place Lane, Burchetts Green, Maidenhead, SL6 6QY in accordance with application ref 18/03414, dated 22 November 2018 and the plans submitted with it and subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan ref 45-1200-A, Plan ref 45-1205-D.
 - 3) The new joinery work shall match the existing joinery adjacent in respect of materials, dimensions and profiles, unless otherwise agreed in writing by the Local Planning Authority. No development shall take place until samples of all other materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
 - 4) No development shall take place until full details of the method of construction, including details of how the addition will be supported and internally tied to the existing building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
 - 5) No development shall take place until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate how construction traffic (plant and deliveries), vehicle parking (site personnel) and manoeuvring will be accommodated. The development shall be implemented in accordance with the approved management plan.
2. Appeal B is allowed and planning permission is granted for a replacement single/two storey rear extension at 2 Hall Place Lane, Burchetts Green, Maidenhead, SL6 6QY in accordance with application ref 18/03413, dated 22 November 2018 and the plans submitted with it and subject to the following conditions:
- 1) The works authorised by this consent shall begin not later than 3 years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan ref 45-1200-A, Plan ref 45-1205-D.
 - 3) The new joinery work shall match the existing joinery adjacent in respect of materials, dimensions and profiles, unless otherwise agreed in writing by the Local Planning Authority. No development shall take place until samples of all other materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
 - 4) No development shall take place until full details of the method of construction, including details of how the addition will be supported and internally tied to the existing building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
 - 5) No development shall take place until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate how construction traffic (plant and

deliveries), vehicle parking (site personnel) and manoeuvring will be accommodated. The development shall be implemented in accordance with the approved management plan.

Procedural Matters

3. The Council altered the description of development for both proposals during the course of the applications. Both these descriptions more accurately describe the development proposed and were also used by the appellant in the appeal submissions. I have therefore also used these descriptions in my determination of the appeals.
4. Plan ref 45-1205-D shows an air source heat pump and timber shed within the layout. No other details are provided and these elements are not included within the description of development. I have therefore not considered these to form part of the proposal before me.
5. The Local Plan for the Borough is the Royal Borough of Windsor and Maidenhead Local Plan 2003 (Local Plan). The Council have also referred to policies within the emerging Borough Local Plan which is currently undergoing examination. The National Planning Policy Framework (the Framework) advises that the weight to be attributed to policies in emerging plans should take account of their stage of preparation. Whilst the plan is relatively well advanced, I have no indication that the policies within it will be adopted in their current form, and this limits the weight I attribute to them.

Main Issues

The main issues are:

- Whether the proposal is inappropriate development for the purposes of the Framework and development plan policy;
- The effect of the proposal on the openness of the Green Belt and the character and appearance of the area; and
- Whether the works and development proposed would preserve the Grade II listed building known as 2 Hall Place Lane, Burchetts Green, Maidenhead, SL6 6QY, or any features of special architectural or historic interest that it possesses.

Reasons

Green Belt

Is the proposal a disproportionate addition ?

6. The Framework sets out that new buildings in the Green Belt are inappropriate unless, amongst other things, they relate to the extension of an existing building and that this does not result in a disproportionate addition to the original building. The original building is clearly defined in Annex 2 of the glossary to the Framework as "A building as it existed on 1 July 1948, or, if constructed after 1 July 1948, as it was built originally." Policies GB2(A) and GB4 of the Local Plan are broadly consistent with the Framework in seeking to resist inappropriate additions and a material increase in the scale of development on site.

7. The existing dwelling dates from the late 18th. The Ordinance Survey Map of 1923 shows the property with a rear addition, which appears to have extended some distance from the rear of the original building and across part of its width. Records indicate that the existing rear extension which in part replaces this, was built after 1972. There are no official records to indicate whether the first extension was present in 1948. Nevertheless, as part of the side wall of this structure appears to have been used in the construction of the 1972 extension, some form of structure would have been in place at that time. I noted on site and from the plans that the original unaltered section of the building is exceptionally small at 23m² and has no bathroom or kitchen. It is therefore reasonable to assume that the "newer" "addition" replaced an older addition which also contained basic facilities. Furthermore the internal reconfiguration which "gifted" floorspace to No 3 would appear to date at least in part to the early 19th Century. I am therefore inclined to the view that the "original building" for the purposes of a Green Belt assessment, is likely to be broadly similar to that existing at present.
8. The submitted plans show a modest first floor element, and a very small increase in the area of the ground floor. Due to the small size of the addition, it would sit comfortably within the context that it is proposed, and would not appear disproportionate. The additional floorspace proposed is also relatively small. As such, I am satisfied that the proposal would not represent a disproportionate addition in the Green Belt.

Openness and Character of the Green Belt

9. The proposal would be visible in some limited views from adjoining properties. Due to its small scale, the impact on openness in these views would be very limited and would not cause material harm to the Green Belt. Furthermore, I am satisfied that the scale and detailing of the proposal would respect the character of the host dwelling and so would be easily assimilated into the existing built fabric. It would therefore not adversely affect the character of the original dwelling or any adjacent buildings. Neither would it detract from the character of the Green Belt in this location. I therefore find no conflict with Policy GB2 of the Local Plan.

The Significance of Heritage Assets

10. S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. S72(1) of the Act requires special attention to be had to the desirability of preserving or enhancing the character and appearance of that area. Policy DG1 seeks to ensure that new development recognises and retains historic townscape. Policy LB2 requires that proposals for the alteration or extension of listed buildings do not adversely affect the character of listed buildings and make use of appropriate materials. Policy CA2 requires that proposals within conservation areas enhance or preserve the character or appearance of that conservation area. These policies reflect the statutory duties defined in the Act.
11. The appeal property is a mid terrace which sits on the edge of the village of Burchetts Green, within the Conservation Area. The terrace is Grade II listed and dates from the late 18th Century. The properties are constructed in red brick with red clay tiled roofs and are believed to originally have been workers

cottages associated with Hall Place. Although the front elevation of the group is relatively unaltered, the properties have been variously altered to the rear and have extensions of varying styles. The internal floor plan has also been changed with parts of No 2 now being subsumed into the floorplan of No 3. The significance of the asset lies in the association of the group with Hall Place and in the visual contribution the group makes to the streetscene.

12. The existing single storey extension is in a poor state of repair and its flat roof and fenestration do not complement the character of the main building. The proposal involves its removal and replacement with a part two storey extension, the single storey element of which would be marginally larger than the existing ground floor.
13. The first floor element comprises a centrally placed projecting gable, reflecting the form of the existing addition on the adjoining No 1. It is relatively modest in scale and would sit comfortably within the roof slope and between the existing additions to both adjoining properties. Furthermore, when viewed as a group the rear elevation of the terrace has been almost completely altered by the extensions and alterations which have occurred over time, to the extent that any uniformity in appearance has been lost. In this context, the rear elevation of the appeal property is no longer an important attribute of the listed asset, or one which contributes to its significance.
14. Due to the juxtaposition of the existing extensions to No1 and No3, the proposal would not be prominently visible in wider views, and in those limited views available would be seen in the context of adjoining development and would not appear intrusive. It follows that it would have a neutral impact on the Burchetts Green Conservation Area and so would preserve its character.
15. Internally the new staircase would lead to some disruption of the existing floorplan. The floorplan has been altered over time, including changes to the position of the staircase when floorspace was "gifted" to No 3. Although the changes to the staircase would alter the floorplan further, I take account of the fact that the staircase is not part of the original fabric of the building, and that the "boxing in" of part of the existing staircase would allow for its retention and future reuse. The proposal would also require appropriate replacement of dilapidated joinery on the front elevation, the form of which could be secured through an appropriate planning condition.
16. The works would lead to a small loss of historic fabric, through the opening up of the roof to allow access to the first floor. The roof tiles would be reused and the remaining loss of fabric would not be significant. Nevertheless, I concur with the Conservation Officer, that the new addition should be self-supporting and not rely on the existing frame to avoid the loss of further original fabric. Subject to an appropriate condition requiring this, the limited loss of historic fabric would not harm the significance of the heritage asset.

Conclusion

17. I therefore conclude that the proposal would preserve the historic and architectural interest of the Listed Building known as 2 Hall Place Lane. I find no conflict with Policies DG1 and LB2 of the Local Plan which both seek to ensure new development does not adversely affect buildings listed as being of architectural or historic interest. Neither would it impact upon the character or appearance of the Burchetts Green Conservation Area, and so I find no conflict

with policy CA2 of the Local Plan. The proposal would also not comprise inappropriate development in the Green Belt, or cause harm to openness or the character of the Green Belt and so comply with policies GB2(a) and GB4. Having regard to these and all other matters raised, the appeal is allowed.

Conditions

18. I have considered the conditions put forward by the Council in the light of the guidance contained with Planning Policy Guidance. In addition to conditions in relation to time and implementation in accordance with the approved plans, for the avoidance of doubt, I also consider it reasonable and necessary to require that details of materials are approved prior to construction. In order to ensure that historic fabric is not lost unnecessarily, a condition relating to the method of construction is necessary. Lastly, having regard to the residential character of the area, it is reasonable and necessary to require a construction management plan is agreed prior to construction to avoid unacceptable disturbance to adjoining occupiers.

A Jordan

INSPECTOR