



Appeal Decisions

Site visit made on 1 December 2020

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2021

Appeal A Ref: APP/N0410/W/19/3239883

Roseneath and The Spinning Wheel, Village Road, Denham UB9 5BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Peter and Mrs Anthea Brough against South Bucks Area.
 - The application Ref PL/19/2414/FA is dated 10 July 2019.
 - The development proposed is 'internal and external alterations to facilitate conversion of The Spinning Wheel and Roseneath into one dwelling including: changes to fenestration; new windows; dormers to the rear; and amendments to rear porch'.
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Appeal B Ref: APP/N0410/Y/19/3239877

Roseneath and The Spinning Wheel, Village Road, Denham UB9 5BE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr Peter and Mrs Anthea Brough against Buckinghamshire Council - South Bucks Area.
 - The application Ref PL/19/2415/HB is dated 10 July 2019.
 - The works proposed are 'internal and external alterations to facilitate conversion of The Spinning Wheel and Roseneath into one dwelling including: changes to fenestration; new windows; dormers to the rear; and amendments to rear porch'.
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Decisions

1. Appeal A is dismissed, and planning permission for 'internal and external alterations to facilitate conversion of The Spinning Wheel and Roseneath into one dwelling including: changes to fenestration; new windows; dormers to the rear; and amendments to rear porch' is refused.
2. Appeal B is dismissed, and listed building consent for 'internal and external alterations to facilitate conversion of The Spinning Wheel and Roseneath into one dwelling including: changes to fenestration; new windows; dormers to the rear; and amendments to rear porch' is refused.

Preliminary Matters

3. The applications were submitted to South Bucks District Council. However, on 1 April 2020, South Bucks District Council ceased to exist and became part of a new Unitary Authority known as Buckinghamshire Council. I have determined the appeals on this basis.
4. The proposed development and works affect a listed building located in a conservation area, and I have therefore had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and

Conservation Areas) Act 1990. As both appeals relate to the same site and raise similar issues, I shall therefore consider them in a single document, in the interests of brevity.

5. The appeals are against the Council's failure to give notice, within the prescribed timescales, of decisions on applications for planning permission and listed building consent. However, the Council have confirmed within their submissions that, had the Local Planning Authority been in a position to determine the applications, planning permission and listed building consent would have been refused.
6. The appeal site lies within the Metropolitan Green Belt. Paragraph 145 of the National Planning Policy Framework (the Framework) permits extensions or alterations provided that they do not result in disproportionate additions over and above the size of the original building. Policy GB10 of the South Bucks District Local Plan¹ (LP) sets out in which circumstances extensions to existing dwellings will be permitted. The appeal scheme would accord with the requirements of Policy GB10 and the Framework, and no objection has been raised by the Council regarding the effect of the proposal on the Green Belt. I see no reasons to take a different view.
7. Although works were under way when I visited the site, that is not a matter for me to consider and I shall determine the appeals in accordance with the proposed plans.

Main Issue

8. The main issue is whether the proposed development and works would preserve the special architectural and historic interest of the Grade II listed buildings known as Roseneath and The Spinning Wheel, and preserve or enhance the character or appearance of the Denham Conservation Area.

Reasons

9. The appeal site comprises two adjoining terraced cottages dating from the 17th century, which are jointly listed at Grade II for their architectural and historic interest. Located at the heart of the village of Denham, which is designated as a Conservation Area, the cottages have been previously in commercial use. Although both properties have been subject to a number of alterations and extensions in the past, they retain much of their significance, which is primarily derived from the survival of their historic layout and plan form. They retain a number of distinctive features, including a sweeping catslide roof to the rear, which is only interrupted by a narrow staircase feature.
10. There is no doubt that by reason of their architectural and historic significance, these listed properties make an important contribution to the character and appearance of the Denham Conservation Area. As noted within the Denham Conservation Area Character Appraisal², the special interest mainly lies in the appearance and character of this designated heritage asset as an 'archetypal English village' comprising a rich collection of historic buildings set against a rural backdrop.

¹ Adopted March 1999.

² September 2008.

11. The appellants are seeking planning permission and listed building consent to convert the adjoining properties into a single dwellinghouse. The proposed development and works comprise a number of external and internal alterations, including minor changes to the front façades of both cottages. The roof of the rear porch is proposed to be removed and replaced with an extension to the catslide feature. A number of existing windows are also proposed to be replaced with new timber casements or enlarged openings, which the Council do not object to.
12. However, the proposed dormer windows would appear as cramped and cluttered additions within the roof plane, by reason of the relatively limited space remaining between the two-storey rear extension and the staircase tower, and which is also divided by the central upstand. The size of the dormers would be excessive, having regard to their overall height and the thickness of the proposed frames. As a result, their somewhat bulky appearance would harmfully contrast with the sweeping nature of the catslide roof, and reduce the appreciation of the roofscape. There is nothing before me to suggest that alternative solutions have been explored to provide suitable insulation and/or additional light whilst preserving the significance of the listed buildings.
13. I also share the concerns raised by the Council in respect of the first floor bow window to the rear elevation of the Spinning Wheel. Although there is no objection to the loss of this modern feature, the design of the proposed replacement would fail to reflect the character and detailing of the historic properties. Furthermore, whilst it is accepted that the existing timber door to the rear elevation serves no useful purpose and would compromise the layout of the proposed kitchen, the removal of the opening would nonetheless lead to the loss of a historic opening, which would be detrimental to the significance of Roseneath.
14. No concerns have been raised regarding the formation of new internal openings at ground floor level, which would facilitate the conversion of the cottages into a single dwelling. The Council however take the view that the creation of openings at first floor level is not essential to facilitate the conversion. There are closets situated towards the front of the rooms identified as Bedrooms 1 and 3 on the existing floor plans, to the side of the fireplaces. The appellants' submissions indicate that there is no brick wall between the two properties at this point, which would suggest that this is where the cottages may have once been connected at first floor level.
15. The proposed floor plans however show that these two bedrooms would however be connected on the other side of the fireplaces, where there is a solid wall. In the absence of substantive evidence to the contrary, the proposed arrangement to connect the two cottages at first floor level could lead to the loss of important historic fabric and erode the layout, which would be detrimental to the significance of these designated heritage assets.
16. The historic building recording and analysis of the cottages³, which was carried out on behalf of the appellants, indicates that the partition wall between the first floor bedrooms of Roseneath is modern plasterboard dating from the 20th century. The creation of a new opening to connect bedroom 3 to the proposed

³ Recorded on 5 December 2017 by Barry Hillman-Crouch Design & Recording Services.

wardrobe/bathroom is considered acceptable, as these works would not lead to the loss of historic fabric.

17. The appellants' submissions⁴ indicate that trial pits have been carried out to confirm that there is sufficient room below finished floor level to the existing footings to accommodate the limecrete floor slab across the ground floor level of Roseneath, which would run beneath the existing partitions. The decayed sole plates and studs would be removed, and the new studs would then be supported on a new sole plate sitting on top of the slab. This evidence satisfactorily demonstrates that these works could proceed without disturbing the footings of the cottage, thus ensuring that no harm would be caused to the significance of the listed building.
18. The staircase to access the first floor level of Roseneath is proposed to be largely rebuilt, due to its present poor and unsafe condition. Although the existing construction is not original, the dog-leg form of the staircase nevertheless contributes to the architectural interest of Roseneath, as an important part of the cottage's layout. As part of the proposed works, the newel posts, handrails and balustrade would be replaced. However, the shape of the staircase would remain unchanged, and as many of the existing timbers as possible would be retained in situ, to reduce the loss of historic fabric. The stringer is also proposed to be retained, as long as it is structurally sound. On this basis, I am satisfied that these works would preserve the significance of the listed building. However, had I been minded to allow the appeals, it would have been considered necessary to secure the proposed details by condition.
19. Overall, the proposed development and works would fail to preserve the special interest of the listed cottages. As these Grade II listed buildings make an important contribution to the character and appearance of the Denham Conservation Area, it follows that the appeal scheme would also be harmful to this designated heritage asset. The proposal would cause less than substantial harm to these heritage assets to which, together, I ascribe considerable importance and weight.
20. In such circumstances, paragraph 196 of the Framework advises that the identified harm needs to be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The proposed development and works would assist with bringing the appeal premises back to viable use, and secure their long term future as designated heritage assets. Furthermore, it is accepted that some of the works would preserve the significance of the listed buildings. However, there is limited evidence before me to demonstrate that the conversion of the cottages into a single dwelling could not be achieved without causing harm to the significance of the listed buildings. For each appeal, the harm which I have identified would not be outweighed by the public benefits derived from the proposed development and works.
21. The appeal scheme would fail to preserve the significance of the Grade II listed buildings, and fail to preserve or enhance the character and appearance of the Denham Conservation Area. It would therefore be contrary to Core Policy 8 of the South Bucks Core Strategy⁵, LP Policies EP3, H11, C1 and C6, but also Section 16 of the Framework. Amongst other things, these

⁴ Structural Engineer's Planning Report carried out by Price&Myers, Version 2 (dated July 2019).

⁵ Adopted February 2011.

Policies require proposed development and works not to harm the character or appearance of designated heritage assets.

Conclusions

22. As noted above, the Council are satisfied that some aspects of the works seeking listed building consent would preserve the significance of Roseneath and the Spinning Wheel, and I find no reasons to differ with this approach. However, whether to issue a split decision is a matter for the Inspector and in view of the difficulties to clearly separate the acceptable works from the unacceptable ones, I have decided not to pursue this course of action which, moreover, has not been requested by the appellants.
23. Accordingly, for the reasons detailed above, and having regard to all other matters raised, I conclude that the appeals should be dismissed.

S Edwards

INSPECTOR