



Appeal Decision

Site visit made on 22 August 2022

By A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 2ND September 2022

Appeal Ref: APP/X0415/D/22/3301101

Taswell Cottage Pednornmead End, Chesham, HP5 2JS

- 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 Andrew Winstanley against the decision of Buckinghamshire Council.
 - The application Ref: PL/22/0304/FA dated 26 January 2022, was refused by notice dated 23 March 2022.
 - The development proposed is alterations to roof including roof extension above existing rear hipped gable extension, installation of a roof lantern within the roof space of the main gable, side and rear dormer windows and the insertion of a window at second floor level in the side elevation.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to roof including roof extension above existing rear hipped gable extension, installation of a roof lantern within the roof space of the main gable, side and rear dormer windows and the insertion of a window at second floor level in the side elevation at Taswell Cottage Pednornmead End, Chesham, HP5 2JS in accordance with the terms of the application Ref: PL/22/0304/FA dated 26 January 2022 and the plans submitted with it, subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: WNSTNLY_501_Lower Floors Rev A, WNSTNLY_502_Upper Floors Rev A, WNSTNLY_505_Elevs Rev A, WNSTNLY_506_Sections Rev:A, WNSTNLY_510_Street Views Rev A.
 - 3) Notwithstanding what appears on the approved plans or the reference to roof lantern in the description of development, details at a suitably large scale of all new fenestration, dormers and the proposed rooflight shall be submitted to, and approved in writing by, the local planning authority prior to the manufacture of those items. The details of the rooflight shall include the structure and finish of the roof surrounding it and demonstrate that glazing of the approved rooflight will not be visible except from above. The works shall be completed in accordance with the approved details.
 - 4) Details of all external finishes for the proposed works shall be submitted to, and approved in writing by, the local planning authority; the works shall be completed in accordance with the approved details.

Main Issue:

2. The main issue is the effect of the proposed development upon (i) the character and appearance of the Chesham Conservation Area and (ii) upon the significance of other heritage assets in the vicinity.

Reasons:

3. Taswell Cottage is a large, detached building sitting within a tightly-knit part of the Chesham Conservation Area (CCA). The part of the CCA in which the appeal site is located is characterised by an irregular mix of older, mostly terraced dwellings, many of modest size, directly fronting narrow streets around which this part of the CCA has evolved.
4. The works proposed would extend the southern and eastern roof surfaces of the two-storey element at the rear which currently houses a kitchen at ground floor level, up to the main ridge level creating additional attic floor space, lit by an overhead rooflight. There would also be additional dormers on the rear and side main roof surfaces, replacing one existing roof window, and a small window inserted in the east flank wall.
5. The roof alterations would introduce change to its appearance but Taswell Cottage is not itself a designated heritage asset and the Council appear to have little concern about the dormers and window insertion. However, concern is expressed about the glassy surface of the proposed roof lantern and its potential to 'glow in dark skies' which would draw attention to what would, in my view, be an otherwise largely unobtrusive change to the roof form. The Council refer to the introduction of a new chimney 'in an attempt to conceal the roof lantern' however, my observations confirm that the chimney already exists.
6. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) imposes a duty to have regard to the 'desirability of preserving a listed building or its setting' and Section 72 attaches great weight to the desirability of preserving or enhancing a Conservation Area. As Taswell Cottage is an unlisted building in a Conservation Area I shall first consider whether the proposed development lies in the setting of any listed building such that that duty is engaged, and then whether the proposal would preserve or enhance the character and appearance of relevant parts of the CAA.
7. There are a number of listed buildings in the locality, however, these are generally separated from the appeal site by other unlisted properties. For instance No.16, adjacent to the appeal site, is an unremarkable twentieth-century detached dwelling sitting between the appeal site and 10, 12 and 14 Pednornead End which are all Grade II listed.
8. The weatherboard-clad (Grade II listed) barn to 113 Church Street lies opposite these buildings and close to the appeal site but this I note, has been altered by a boldly-designed addition which has significantly changed the relationship of the barn with its surroundings. 3-5 Missenden Road (3-5) which is also listed Grade II is at some distance from the appeal site. Overall, although the proposed works would be glimpsed from Missenden Road across the rear of 3-5, the distances involved and intervening built form are such as to render the changes proposed insignificant.

9. Consequently, having regard to the positioning of the proposed works and the constrained physical setting of these listed buildings within discrete, separate, plots and the mix of roof forms and heights and intervening buildings, I do not consider the proposed works would affect the way these listed buildings are experienced. I therefore conclude Taswell Cottage does not lie within the setting of any of the listed buildings I have mentioned and, having regard to the scale, nature and location of the works proposed, further conclude that no harm would arise to the significance of those heritage assets from what is proposed.
10. As I have already indicated, the upward extension of the roof, if carried out with appropriate materials and, with new dormers and window, suitably detailed, would not introduce obtrusive change into the CCA. The roof lantern might be visible from some positions and internal illumination would be caught and reflected by glass at night which would draw inappropriate attention to what would otherwise be a dark roof structure amongst many others. Whilst this weighs against the proposal in what might be a fine balance, it is also appropriate to consider whether the development can be made acceptable in planning terms by a suitably worded condition such that no glass, and therefore no reflected light, is visible above its enclosing roof structure. I consider this can be done without affecting the rights of any party and have proceeded to determine the application accordingly.
11. I have concluded that the development would not cause harm to, and would therefore preserve, the character and appearance of the CCA, nor would the significance of the identified heritage assets be affected. In consequence there is no conflict with policies CA1 and LB2 of the Chiltern Local Plan 1997 (as amended May 2001 and consolidated 2007 and 2011) which seek to preserve and enhance the character and appearance of Conservation Areas and protect the significance of listed buildings. There being no other harms identified, the proposal would accord with the development plan as a whole¹ such that the appeal succeeds subject to necessary conditions.

Conditions

12. In addition to the usual plans and timing conditions, control over the materials used and the detailing of the proposed rooflight is necessary to ensure the development is carried out in accordance with the reasoning of the decision and to make the proposal acceptable in planning terms.

Andrew Boughton

INSPECTOR

¹ On 1 April 2020 Buckinghamshire Council was formed through the amalgamation of the four former Buckinghamshire District Councils, including Chiltern District Council, and the County Council. The application was therefore determined by the new Buckinghamshire Council. Nevertheless, all of the former Chiltern District Council planning policies set out in the decision notice remain extant and relevant to this appeal.