



Appeal Decisions

Site visit made on 10 October 2023

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 November 2023

Appeal A: APP/T0355/W/23/3317969

Virginia Water Lodge, Buckhurst Road, Ascot SL5 7QA

- 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 & Mrs Dagan against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 22/02316, dated 22 August 2022, was refused by notice dated 15 December 2022.
 - The development proposed is described as 'alterations to building to include the replacement of existing boundary fencing (to include a new pedestrian gate), the addition of a porch with associated elevational treatment and the replacement of an existing large window with a door and window'.
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Appeal B: APP/T0355/Y/23/3317960

Virginia Water Lodge, Buckhurst Road, Ascot SL5 7QA

- 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 & Mrs Dagan against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 22/02317, dated 22 August 2022, was refused by notice dated 15 December 2022.
 - The works proposed are described as 'alterations to building to include the replacement of existing boundary fencing (to include a new pedestrian gate), the addition of a porch with associated elevational treatment and the replacement of an existing large window with a door and window'.
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Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. As the proposal relates to a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The descriptions of the proposal in the banner headings above are taken from the application form. From the evidence before me and my observations at my visit, I see no firm reason to disagree with the Council's view that the 'replacement of existing boundary fencing (to include a new pedestrian gate)' element of the proposal would not require listed building consent. I have

determined Appeal B accordingly, and only considered the concerns raised in that regard as part of Appeal A.

Main Issue

5. The main issue is whether or not the proposal would preserve the special architectural and historic interest of the Grade II listed building 'Virginia Water Lodge to Silwood Park' (Ref: 1119813) and its setting.

Reasons

6. The appeal property was listed in 1972. It dates to 1886-8 and is one of a group of 5 similarly designed lodges to Silwood Park by the notable architect Alfred Waterhouse. The building is positioned side on to Buckhurst Road, within a generous plot amongst mature landscaping. It has an asymmetric form, with single and two storey sections beneath steeply pitched roofs. The exterior walls are exposed red brick with horizontal bands of darker brick and detailing including toothed and dentilled brickwork beneath verges, segmental arched heads over the sash windows and corbelled elements. A modern single-storey extension with a flat roof and white render finish links the two-storey part of the dwelling to a former outbuilding with a hipped roof at its side, and to a further modern extension in buff brick which sits on a perpendicular alignment to the rear of the building.
7. Insofar as it relates to these appeals, I find the special interest of the listed building to be primarily associated with the high quality of its late-Victorian architecture and its legibility as an ancillary lodge to the main house. It also has historic interest as a well-preserved example of a domestic dwelling designed by Alfred Waterhouse who is most commonly known for his public buildings.
8. The proposed door and window would replace a full height window to the rear of the modern link extension and would not affect any historic fabric. I am satisfied that this aspect of the proposal would preserve the special interest of the listed building.
9. The proposed porch would infill part of the space between the modern link extension and two-storey part of the dwelling. It would be of modest scale and glazed to maintain views through to the historic brickwork to the side of the dwelling. However, the roof would be a lean-to design with a shallow pitch that would contrast awkwardly with the steep angle of the host building's roof slopes and which I consider would appear alien against the existing form and architectural style of the dwelling.
10. I acknowledge that the boxy form, flat roof and white render finish to the existing link extension is uncharacteristic but this is not a compelling justification to introduce a further incongruous element to the building. In any event, the form and flat roof of the link extension would not be altered and would remain generally appreciable to the rear of the porch which would be an addition rather than a replacement feature. The introduction of a further anomalous roof form alongside the flat roof of the extension would lend a confused appearance to the building. I agree with the Council that it would integrate poorly with the building and result in visual clutter.
11. The proposal includes the installation of brick slips to the front of the link extension. These would match the feature brick of the main house and would

provide for a more sympathetic appearance than the existing render which is not in particularly good condition and which stands out against the dwelling's exposed brick exterior. However, the significant setback of the link extension from the main front elevation lessens its prominence and visual impact.

12. In contrast, the porch would be only very slightly set-back relative to the adjacent part of the listed building. Though glazed, there would be solid frames, and its structure, including the roof, would be appreciable. In my assessment, its mismatched form in such immediate juxtaposition to the front of the listed building would be similarly if not more conspicuous than the render of the existing link extension. Despite being a fairly lightweight structure, I cannot therefore agree with the appellants that the porch would be more sensitive to the listed building than the link extension. Instead, I find that its incongruous design in combination with the visual clutter that would arise would significantly detract from the architectural integrity of the listed building.
13. Moreover, the set back of the link extension from the front of the building significantly limits opportunities for public views of it. The two-storey part of the building and vegetation would provide screening of the porch, but this would not be complete and from my observations during my visit, there would be some views of at least the front section. Views would be filtered and I accept that it would not be prominent in the street scene, but the visual impact of the proposal would still be increased relative to the existing situation. In any event, listed buildings are safeguarded for their inherent architectural and historic interest which is not dependent upon the availability of public views. For the reasons above, the proposal would fail to preserve the special interest of the listed building and would consequently cause it harm.
14. It is also proposed to replace a section of fencing to one side of the vehicular access from Buckhurst Road. The existing close board fence here is not historic, but the weathered condition of the timber softens its appearance and blends in with the surrounding woodland character. The replacement fence would be of picket style similar to the fencing on the other side of the site access. Nevertheless, the white painted finish of the gate and fence would contrast sharply with the otherwise generally leafy landscaped surroundings to the listed building and would stand out against the muted palette of its historic exterior materials. The gate and fence would also be slightly taller than the fence to be replaced and would be in closer proximity to the listed building than the existing picket fence where they would be seen directly in front of it in views from Buckhurst Road to the north.
15. I note that there would be gaps in the fence allowing some views through, but the above factors would significantly increase the visual presence of the boundary treatment on this part of the site. In my assessment, the proposed fence and gate would be unduly prominent additions that would further distract from the architectural composition of the listed building. Notwithstanding the more consistent appearance of the Buckhurst Road boundary, I find that this would cause further harm to the special interest of the listed building.
16. The picket style fencing would reflect fencing to Silwood Park Garden House and North Lodge which are two of the other lodges to Silwood Park. However, picket fencing is not apparent to all lodges in the group of 5 and while the section on the appeal site may be older than the close boarded fence to be replaced, there is little firm evidence before me to substantiate the assertion

that picket fencing is a historic feature of the Silwood Park lodges. I also saw that the fencing to North Lodge is unpainted timber which provides for a more subdued appearance. The fact that there are existing examples of picket fencing including on the appeal site does not in my view justify the proposal or the harm that would be caused.

17. The National Planning Policy Framework 2023 ('the Framework') advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. It states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
18. In this case, the porch would attach to the listed building but the proposal would not otherwise alter historic fabric. I consequently find that the harm caused to the listed building would be less than substantial in the terms of the Framework, but I nevertheless give it considerable importance and weight.
19. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, the Framework sets out that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing the asset's optimal viable use.
20. The application of the brick slips to the existing link extension would provide for a more sympathetic external finish and would be a public benefit of the proposal. However, the addition of the porch which I have found would overall cause harm to the listed building would outweigh this benefit.
21. The proposal would provide a covered entrance to the property offering some improvement to the living conditions of occupiers. It would also enable pedestrian access to the site without need to open the large vehicular gate. However, these would be mainly private benefits, and there is no firm evidence before me to demonstrate that the continued viable use of the appeal property as a dwelling is dependent on the proposal as the building has an ongoing residential use that would not cease in its absence. There may be some direct and indirect job creation during construction, but this would be likely to be very limited given the small scale of the proposal and would also be a temporary effect. In the context of the varied boundary treatments along Buckhurst Road, the existing mix of fencing types on the appeal site is not unduly conspicuous. Accordingly, the benefit to the street scene of a more cohesive frontage would be limited. Even taken together, I find that the public benefits of the proposal would be insufficient to outweigh the harm that I have identified to the listed building.
22. Given the above, and in the absence of any significant public benefit, I conclude that the proposal would fail to preserve the special interest and setting of the Grade II listed building. It would fail to satisfy the requirements of the Act and the Framework. There would also be conflict with Policy HE1 of the Borough Local Plan 2013-2033 (Adopted 2022) which includes requirements broadly seeking the preservation or enhancement of heritage assets, their settings and the significance of the historic environment. As a result, the Appeal A proposal would not be in accordance with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached.

Conclusion

23. For the reasons given above, I conclude that both appeals should be dismissed.

J Bowyer

INSPECTOR