The Planning Inspectorate

Appeal Decision

Site visit made on 7 November 2023

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 22 November 2023

Appeal Ref: APP/T0355/Y/23/3316216
3 Pamela Row, Ascot Road, Holyport, MAIDENHEAD, SL6 2JJ

- 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 Sian Pearce against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
- The application Ref 22/01658, dated 16 June 2022, was refused by notice dated 8 September 2022.
- The works proposed are described as 'replacement of 2 front elevation sash windows (lounge and bedroom). Remedial timber repairs. Replace supporting timber post to porch. Replace angled braced timber to porch. Replace rotten skirting board to front room. Replace rotten timber to side of cupboard in front room. Remove front door, plane down door edges to stop from sticking to door frame. Repaint front door on completion of remedial works with colour to match existing. Fit new front door frame draught excluders. Repaint (concrete) block supports for posts with colour to match existing. Repaint supporting timber post to porch with colour to match existing. Repaint angled braced timber to porch with colour to match existing. Repaint skirting board with colour to match existing'.

Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal upon the significance of the grade II listed building known as 1-12 Pamela Row[1].

Reasons

3. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

4. The appeal building is part of a terrace of cottages that are included in a single list entry. The terrace dates from the early 19th century and comprises a row of modest workers cottages. Together the terrace has a picturesque quality that is derived from its modest form, and simple and consistent use of traditional materials. The original part of the terrace is symmetrical, which is emphasised by the slight stepping forward of the middle cottages. These characteristics are primary contributors to the special interest of the listed building.

5. The proposal includes the replacement of the two timber sash windows at the front of the cottage. I do not dispute the fact that they warrant attention.

[1] Ref 1312796

However, there is nothing before me, such as an assessment from a conservation minded joiner, to show that they are beyond repair. Although they have previously been repaired the windows appear to be original and it is therefore appropriate to firstly consider whether they can be repaired, to safeguard historic fabric. Timber sash windows are often repairable. Sashes that do not open properly or are fixed shut can usually be addressed without the need for replacement.

6. Without anything to show that the repair of the existing windows has been properly considered I cannot accept their replacement. This is the case even though like for like replacements are proposed, as the loss of the existing windows would result in the loss of historic fabric and would thereby cause harm, and that harm has not been justified.

7. The appellant refers to replacement windows elsewhere within the terrace. Whilst I understand that this would be a matter of frustration to the appellant, details of these cases are not before me. I cannot therefore compare these with the appeal proposal, to see whether the circumstances were similar. Therefore, these previous decisions have had no bearing on my assessment of the appeal.

8. The application includes various other works of a repair nature that appear to be necessary and justified. Spliced repairs to the original door frame could be conditioned if the appeal is allowed, to safeguard historic fabric.

9. In the context of the terrace, a moderate level of harm would arise from the loss of two original windows. In terms of the National Planning Policy Framework (the Framework) the harm to the listed building would be less than substantial. Paragraph 199 of the Framework establishes that great weight should be given to the conservation of a heritage asset, and paragraph 202 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.

10. Matters such as the safety issues arising from the difficulty of opening the current windows can be addressed through an appropriate scheme of repair. Therefore, I give this matter little weight.

11. The appellant refers to the environmental benefits of replacing the existing windows. However, there is nothing to suggest that the new windows would be more thermally efficient than the existing windows, so this is a matter to which I also attached little weight.

12. Together the public benefits carry limited weight and are insufficient to outweigh the level of harm identified.

13. In summary, the proposal would fail to meet the requirements of the LBCA as it would harm the special interest of the listed building. Although development plan policies do not strictly apply to applications for listed building consent, the proposal would also fail to accord with the Policy referred to in the Council's decision.

Other Matters

14. The appeal building is within the Holyport Conservation Area (HCA). Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

The Council's conservation officer referred to harm to the HCA although this was not explained and was not referred to in the Council's refusal reason. The external work to the building would be like for like. On this basis I am satisfied that the character and appearance of the HCA would be preserved, and that this should not form a main issue of the appeal.

Conclusion

15. For the reasons above, the appeal should be dismissed.

A Tucker

INSPECTOR