

Appeal Decision

Site visit made on 4 September 2024

by S Rawle BA (Hons) Dip TP Solicitor

an Inspector appointed by the Secretary of State

Decision date: 20 September 2024

Appeal Ref: APP/T0355/W/24/3346752

Holly Dene, Castle Hill Terrace, Maidenhead SL6 4JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Lloyd Kwaramba of Coghlan Lodges Limited against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 23/02623/FULL.
 - The development proposed is a rear extension/canopy.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have made a minor amendment to the description of development to remove details which related to matters that are not acts of development. That said, I note that the development has already taken place and I have determined the appeal on that basis.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Castle Hill Conservation Area.

Reasons

4. The appeal site is located on the corner of Castle Hill Terrace and College Road within the Castle Hill Conservation Area (CHCA). There are a number of attractive period houses along Castle Hill Terrace which are set back on their plots. Many have trees, hedges and other mature vegetation within their front gardens which when combined with the mature vegetation that separates Castle Hill Terrace from Castle Hill creates an attractive verdant appearance.
5. The significance of the CHCA derives from the enduring historic pattern of development set along Castle Hill and Castle Hill Terrace with period houses many with uniform architectural features. This creates interest in the built form, which provide both aesthetic and historical value.
6. The appeal property is not incompatible with the existing pattern of development as it comprises a period building with some architectural

interest including projecting bay windows on the front elevation at ground and first floor level. The current use of the appeal property is as a residential institution for people with mental health and learning disabilities.

7. The top of the canopy is set down below the first-floor windows on the rear elevation and fits neatly into the existing gap between an existing ground floor extension and that part of the rear elevation that is stepped back.
8. As a result, I do not consider that the scale of the canopy is incompatible with this sensitive setting. However, the same cannot be said for the materials used. I do not have a particular concern about the metal supporting poles as although they are constructed of metal they have been painted and are thin enough so that they do not appear as jarring features. However, the roof of the canopy has been constructed of polycarbonate and appears as a discordant, incompatible feature that does not adequately respect the architectural style of the host building or the wider area.
9. The appellant highlight that the roof of the canopy is almost impossible to detect in any public views. While I agree that that is true from Castle Hill Terrace, it is not the case from College Street. I observed that the top of the canopy and consequently the incompatible polycarbonate roof is clearly visible when walking along College Street and it appears as a discordant feature in the streetscene.
10. Consequently, the development would not preserve or conserve the character or appearance of the CHCA. The Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given the nature of the proposal, I consider the degree of harm to the significance of the conservation area in this case would be less than substantial but as required by the Framework I afford that harm great weight.
11. The National Planning Policy Framework (the Framework) sets out that where development would result in less than substantial harm to a heritage asset this must be balanced against public benefits.
12. As outlined the appeal property provides accommodation for people with mental health and learning disabilities and I observed that the space below the canopy provides space for table tennis, a pool table and table football. I have no doubt that this provides valuable amenity space for existing residents, enhances the useability of the outside amenity space, improves the living conditions of the residents and helps to secure optimum use of the appeal property.
13. However, the appeal property, although within the CHCA is not itself a heritage asset and therefore the proposal would not result in the optimum viable use of a heritage asset. That said, I consider that the contribution that the canopy would have on the living conditions of existing residents and the fact that the canopy does secure optimum use of the appeal property amount to public benefits of moderate weight.
14. I therefore conclude that the development does not preserve or enhance the character and appearance of the Castle Hill Conservation Area and as such would result in less than substantial harm to this designated heritage asset.

The moderate weight I afford to the public benefits is insufficient to outweigh the great weight to be given to the conservation of the designated heritage asset.

15. As a result, the development conflicts with Policies QP1, QP3 and HE1 of the Royal Borough of Windsor & Maidenhead Borough Local Plan 2013-2033 which among other things seek to ensure development should positively contribute to the place in which they are located, should respect the historic character paying particular regard to materials used and should ensure the historic environment is conserved and enhanced in a manner appropriate to its significance. Further, the proposal would also be at odds with the Framework which as set out above requires that great weight should be given to the conservation of a designated heritage asset.

Conclusion

16. The development conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. I therefore conclude that the appeal should be dismissed.

S Rawle

INSPECTOR