
Appeal Decisions

Site visit made on 10 June 2025

by **H Smith BSc (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 July 2025

Appeal A Ref: APP/T0355/W/24/3356432

Ye Olde Cottage, Oakley Green Road, Oakley Green, Windsor SL4 4PZ

- 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 Legg (Pure Development) against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/01938.
 - The development proposed is single storey rear extension of the existing dwelling. Internal adjustments. New oak framed single bay car port.
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Appeal B Ref: APP/T0355/Y/24/3356435

Ye Olde Cottage Oakley Green Road, Oakley Green, Windsor SL4 4PZ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Legg (Pure Development) against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/01939.
 - The works proposed are single storey rear extension of the existing dwelling. Internal adjustments. New oak framed single bay car port.
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Decisions

1. **Appeal A** is dismissed.
2. **Appeal B** 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 two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.
5. A revised National Planning Policy Framework (Framework) was published in December 2024 after the Council made its decisions. I have had regard to the revised Framework in reaching my decisions.

Main Issue

6. The main issue is whether the proposal would preserve the Grade II listed building, or any features of special architectural or historic interest which it possesses.

Reasons

Special interest and significance

7. The appeal property, Ye Olde Cottage, forms part of a Grade II listed building¹. The listed building is now a pair of separate dwellings, but the appellant's submitted Design and Heritage Statement states that, historically, the building was used as a public house.
8. The listed building comprises the main two-storey building dating from the late 18th century, which is linked to a two-storey cottage by a single storey former stable building. The evidence suggests that the semi-detached cottage may date from the 16th century. All three elements of the listed building have pitched clay tiled roofs, painted brick walls, and timber casement windows of varying sizes.
9. The evidence indicates that the listed building has undergone changes, including the addition of a flat roof single storey rear extension with white painted brickwork. Whilst the building has been extended historically, its linear form is evident, albeit impinged upon by the existing single storey rear extension.
10. The appeal property comprises the two-storey cottage and the former stable link, which were split off from the main two-storey building when the use changed to two residential units. The appeal property has a well-preserved front elevation with vernacular details including irregular fenestration, historic doorway openings, and a wooden hatch feature, which reflects its past usage.
11. Pertinent to the appeals, the rear elevation of the cottage has a modest form and simple design. The rear of the former stable block link is mostly obscured by the existing single storey extension. However, the historic clay tiled roof form is still evident, which contributes positively to the historic merit of the building.
12. The cottage and former stable block are of timber frame construction with painted brickwork. As was typical of such buildings its historic plan form is linear and of shallow depth. It retains much of its historical layout with the timber framing remaining exposed internally.
13. Based on my site visit and the evidence before me, I find that the special interest and significance of this heritage asset largely derives from its historic and architectural interests. In particular, the timber framed construction of the earliest parts of the building, the legibility of its historic plan form, as well as the historic fabric and features that survive from the physical origins of the historic building.

Proposal and effects

14. The proposal seeks to add a contemporary, single storey extension to the rear of the appeal property. However, the proposed rear extension would give rise to a significant increase in the size of the appeal dwelling, despite the separating device of the proposed glazed link.
15. Specifically, it would project out beyond the rear of the existing extension and although its width was reduced during the course of the applications, it would still take up a considerable portion of the rear elevation of the cottage. The scale of the proposed extension would therefore form a prominent and dominant addition.

¹ List Entry Number: 1117472

16. Moreover, in combination with the existing rear projection, the proposal would result in the whole of the ground level of the rear of the listed building being obscured by extensions. It would also result in the last remaining section of the historic rear wall of the cottage being hidden. This would further diminish the simple form and architectural integrity of the listed building.
17. Design details such as the aluminium flat roof form and rectangular plan form would pay little attention to the historic building and appears to be dictated by functional requirements and the design of the existing extension. The proposed extensive glazing, in terms of its location, proportions and reflective nature would also add to the disparity.
18. The submitted evidence indicates that the proposal's elevations would be of vertical black timber cladding, bringing in a modern element which would not be seen from the street-scene. However, the introduction of cladding would be an unfamiliar material to the listed building and thus not sympathetic to its historical design. I am not persuaded that the harm could be addressed with a planning condition.
19. I accept that the existing rear additions to the listed building detract from its special interest. However, the presence of these structures does not provide a precedent for proposals which in themselves are harmful. I find that the proposal would not provide an enhancement to the rear of the building, and overall, the rear extension would represent an overbearing and highly incongruous addition which would harm the character and appearance and special interest of the listed building.
20. The garden is slightly higher than where the extension would sit, but this would not mitigate the covering of the building's rear elevation. I also note the appellant's comments that the rear extension would not be widely visible. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public view of the building can be gained.
21. The proposal would include rooflights, which would be installed on the rear roof slope of the former stable building, and sections of the existing ceiling in this part of the building would be opened up. A glazed link would also connect the cladded structure of the proposed extension to the listed building. However, without a full and detailed understanding of the nature of the necessary works, including details of exactly how the glazed link would be attached to the listed building, a meaningful assessment cannot be made. As such, I cannot be certain that the proposal would not result in the loss of or damage to the listed building's historic fabric.
22. I also have concerns regarding the lack of detail on the layout of the proposed first-floor ensuite and the routing of services such as plumbing, particularly as limited information is before me to justify what would in effect lead to a further loss of historic fabric. In the absence of substantive evidence to the contrary, I find that these internal works would erode the special interest of the listed building and have a harmful effect on its understanding and appreciation. It would not be appropriate to leave such matters to conditions.
23. Furthermore, the replacement of the wooden hatch at first-floor level with glazing would erode the historic features of the building's front elevation.

24. The appellant indicates that the proposed extension would be reversible without causing any physical harm. However, it is likely that it would become a fixture of some considerable permanence. It would also cause harm when in situ.
25. The proposed oak framed carport would be tucked to the side of the front driveway and would be a single bay construction with an open structure that is detached from the listed building. Nevertheless, these acceptable aspects do not overcome the harm identified above.
26. Drawing the above together, the proposal would not preserve the Grade II listed building, or any features of special architectural or historic interest which it possesses. In doing so, it would harm the significance of this designated heritage asset.

Public benefits and balance

27. With reference to paragraphs 214 and 215 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the extent and fairly localised nature of the proposal, I find that the harm to the significance of the designated heritage asset assessed above would be 'less than substantial' but nevertheless of considerable importance and weight. Paragraph 215 of the Framework requires this harm to be weighed against the public benefits of the proposal, including where appropriate, securing the asset's optimum viable use.
28. In this case, economic benefits would be delivered through the construction phase and the general investment into the property. Social benefits would be generated by an improvement to the local housing stock and bringing a vacant property back into use. There would also be environmental benefits from the use of solar panels. These outcomes would be moderated by the extent of the scheme, but still weigh in favour of the appeals. However, the proposed extension to allow for additional accommodation and facilities for family use, would primarily be a private benefit to the occupants of the property.
29. I am not persuaded that the only way of securing the benefits identified would be via the appeals proposal. Additionally, it has not been demonstrated that the property would not be usable or viable as a dwelling or that its future would be at risk if the appeals were to fail and the development and works as proposed were not implemented. In these respects, the identified harm to the significance of the listed building has not been clearly and convincingly justified as required by paragraph 213 of the Framework.
30. On balance, in giving considerable importance and weight to the harm to the significance of the listed building, I find that this would not be outweighed by the small public benefits arising from the proposal.
31. I conclude that the proposal would not preserve the listed building, or any features of special architectural or historic interest which it possesses. It would therefore fail to satisfy the requirements of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment. It would also conflict with Policies HE1 and QP3 of the Borough Local Plan 2013 – 2033 (adopted 2022). These policies, amongst other things, seek to ensure developments preserve or enhance the character, appearance and function of heritage assets, and achieve high quality design.

Other Matters

32. The Council has not raised concern regarding the appeal site being located in the Green Belt and has stated that there would be no harm in this regard. However, these comments do not relate to the consideration of whether the proposal would preserve the listed building, or any features of special architectural or historic interest which it possesses.
33. I am also aware that the appellant has engaged in pre-application discussions with the Council, and that significant revisions have been made to earlier proposals. Nevertheless, these points do not lead me to a different conclusion.
34. The appellant has raised concern regarding the Council's approach to dealing with the applications. However, that is not a matter for my consideration in the context of these appeals.
35. Although the proposal would not result in unacceptable adverse impacts on any neighbouring amenities, this is a neutral consideration and does not weigh in favour of the proposal.
36. My attention has been drawn to previous permissions (refs 12/01768/FULL and 12/01770/LBC). I do not have the full details of these schemes before me. However, from the evidence available to me, these other developments and works relate to a differently configured building within a different site context to the appeal building. Thus, these other scheme effects are not directly comparable to the proposal before me, which is for a listed building with its own specific characteristics. I also note these previous permissions were approved by the Council in 2012, before the adoption of the Borough Local Plan 2013 – 2033 (adopted 2022). In any event, I have determined these appeals on their own merits based on the information before me and my own observations.
37. The appellant states that the Council is unable to demonstrate a 5-year housing land supply. However, footnote 7 of the Framework confirms that the policies referred to within paragraph 11d) i. include designated heritage assets. I have found that the public benefits of the proposal would not outweigh the harm that would be caused to the significance of the designated heritage asset. This provides a strong reason for refusing the proposal. Therefore, the presumption given by paragraph 11d) is not triggered in this case.

Conclusions

38. **Appeal A:** The proposed development would conflict with the development plan when taken as a whole. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that Appeal A should be dismissed.
39. **Appeal B:** For the reasons given, I conclude that Appeal B should be dismissed.

H Smith

INSPECTOR