

# STATEMENT FOR DISCHARGE OF CONDITIONS

Statement for the Discharge of Conditions for Listed Building  
Consent at:

Brookfield House, Park Lane, Horton, Berkshire SL3 9PR

Royal Borough of Windsor and Maidenhead Ref: Listed Building Consent  
22/02507/LBC

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# 1 Introduction

- 1.1 A Listed Building Application (22/02507/LBC) for the “Consent for works to the existing roof including removal of the existing roof finishes and replacement of roof tiles, leadwork and parts of the roof structure” (the “Application”) was submitted on the 13 Sept. 2022 for the site entitled Brookfield House, Park Lane, Horton, Berkshire SL3 9PS (National Grid Reference TQ 115 718) (the “Property”) located in the Horton Ward of the Royal Borough of Windsor and Maidenhead (“RBWM”).
- 1.2 The Application was validated by the RBWM Local Planning Authority (“LPA”) on the 14 Sept. 2022 and granted formal consent on the 19 Dec. 2022 [APPENDIX A] subject to conditions.
- 1.3 This Statement seeks to provide further clarity on the works and formally discharge conditions three and four of the Consent:

3.) Prior to the restatement of any roof tiles, a sample of the new roof tiles shall be made available on site for inspection by the Local Planning Authority Conservation Officer. Product details, including manufacturer information of the new roof tile shall also be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details. Reason: To preserve the special interest of the listed building in accordance with Policy HE1 (Borough Local Plan, February 2022) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.) Prior to the installation of any lead work, confirmation of the lead codes to be used shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details. Reason: To preserve the special interest of the listed building in accordance with Policy HE1 (Borough Local Plan, February 2022) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

## 2 Discharge of Conditions

- 2.1 All roofing works would be conducted by Richardson Roofing Ltd. (“Richardson Roofing”)<sup>1</sup> as the designated roofing contractor of Heathrow Airport Ltd. (“HAL”). Richardson Roofing is recognised as a leading tier 1 contractor with 40+ years of experience

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<sup>1</sup> <https://www.richardson-roofing.com>

with countless awards and accreditations.

- 2.2 As per the Applicant's Design and Access Statement [APPENDIX B] and the consent granted, like-for-like replacements will be used at the Property. The works would be confined to only the three and two storey aspects of the Property that are deemed the most vulnerable to Vortex Strikes. Real handmade clay tiles will be used on the Main House; these are to be procured by Richard Roofing. The slate tiles to the rear additions would be replaced like-for-like with Natural Spanish Slate (Contessa) in Blue/Black as per condition 12/02639 [APPENDIX C] that was discharged on the 27 Sept. 2012.
- 2.3 The sarking felt would be renewed and each tile would be mechanically secured by two ring shanked nails to accord with vortex strike specifications. This would afford the maximum protection possible from any future vortex strikes without compromising the historic qualities of the house.
- 2.4 The highest profile Code 8 Lead with a thickness: 3.50mm | Approx. Weight: 40.26 Kg/m<sup>2</sup> would be used throughout the property for all the parapets and abutments. Code 3 Lead with a thickness: 1.32mm | Approx. Weight: 14.97 Kg/m<sup>2</sup> would be used as soaker against any chimney stacks. The selection of lead would ensure the integrity of the roof structure throughout the property.
- 2.5 A sample of handmade clay and slate tiles was submitted and viewed by the Conservation Officer during a site visit on the 22 March 2023.

### 3 Summary

- 3.1 It is considered that the measures detailed above would preserve the integrity of the historic building by using like-for-like materials and the mechanical fixing of each tile would afford the maximum protection from any future vortex strikes. The Applicant therefore respectfully requests conditions three and four be discharged. This discharge of conditions will be considered as formal consent that the (a.) existing handmade tiles can be replaced with new handmade clay tiles, (b.) that each tile would be mechanically

fixed twice and (c.) that any existing sarking felt would be renewed with new breathable sarking felt.

# APPENDIX A



Daljit Bhail  
Brookfield  
Park Lane  
Horton  
Slough  
SL3 9PR

## **Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended)**

### **Notice of Decision**

**Appn. Date:** 14th September 2022 **Appn. No.:** 22/02507  
**Type:** **Listed Building Consent**  
**Proposal:** **Consent for works to the existing roof including removal of the existing roof finishes and replacement of roof tiles, leadwork and parts of the roof structure.**  
**Location:** Brookfield Park Lane Horton Slough SL3 9PR  
**Parish/Ward:** Horton Parish/Datchet Horton And Wraysbury

The Council of the Royal Borough of Windsor and Maidenhead GRANTS LISTED BUILDING CONSENT for the above development to be carried out in accordance with the application submitted by you on the above date, subject to the following conditions:

- 1 The works/demolition shall commence not later than three years from the date of this consent.  
Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to avoid unimplemented consents remaining effective after such lapse of time that relevant considerations may have changed.
- 2 Any damage or disturbance caused to the building in execution of the approved works shall be made good to match the existing within three months of the approved works being completed.  
Reason: To preserve the special interest of the listed building in accordance with Policy HE1 (Borough Local Plan, February 2022) and the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3 Prior to the restatement of any roof tiles, a sample of the new roof tiles shall be made available on site for inspection by the Local Planning Authority Conservation Officer. Product details, including manufacturer information of the new roof tile shall also be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.  
Reason: To preserve the special interest of the listed building in accordance with Policy HE1 (Borough Local Plan, February 2022) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 4 Prior to the installation of any lead work, confirmation of the lead codes to be used shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.  
Reason: To preserve the special interest of the listed building in accordance with Policy HE1 (Borough Local Plan, February 2022) and the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5 Following the removal of the roof tiles and prior to any further works to the roof commencing, a full schedule of repair works to the existing roof structure including a methodology statement for the works, shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall detail the extent of the tiles to be re-used and those to be replaced including how they are to be fixed to the battens, and any other relevant further works to the roof. Works shall be carried out in accordance with the approved details.  
Reason: To preserve the special interest of the listed building in accordance with Policy HE1 (Borough Local Plan, February 2022) and the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6 The existing roof tiles shall be removed by hand and securely stored in a dry place on site in preparation for re-use as part of the consented works.  
Reason: To preserve the special interest of the listed building in accordance with Policy HE1 (Borough Local Plan, February 2022) and the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7 The development hereby permitted shall be carried out in accordance with the approved plans listed below.  
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

#### **Approved Plan Reference Number(s):**

S01, version no.: , received on 15th September 2022  
FE02, version no.: , received on 15th September 2022  
EE01, version no.: , received on 15th September 2022

#### **Informatives**

1. This decision has been made in accordance with the requirements of the National Planning Policy Framework. The Local Planning Authority has sought all reasonable measures to resolve issues and found solutions when coming to its decision. For further details please see the Officer's report and the Council's decision by following this link [R.B.W.M. | Planning - Public Access Module](#) and entering the application number, or contact the Council's Customer Service Centre on 01628 683800 and quoting the application number.

**This consent does not relieve the applicant from responsibility for obtaining any necessary approval which may be required under building control legislation or Section 32 Berkshire Act 1986 (access for fire appliances). For advice on building control regulations, please contact the Authority's Building Control Service on 01628 796915. THIS CONSENT DOES NOT OPERATE AS A PLANNING PERMISSION, for which a separate application may necessary.**

**The applicant is advised that all works to which this consent relates must be carried out strictly in accordance with the plans, drawing and other relevant supporting material submitted as part of this application and hereby approved as such and in full compliance with all conditions set out above. The Development Control Group must be immediately advised of any proposed variation from the approved documents and the prior approval of the Council obtained before any such works are carried out on site. Failure to comply with this advice may render the person carrying out and/or**



authorising the works liable to enforcement proceedings, which may involve alterations and/or demolition of any unauthorised building or structures and may also lead to the possibility of prosecution.

Signed            Dated: 19th December 2022



Adrien Waite  
**Head of Planning**

## APPENDIX B

# Design & Access Statement

*Brookfield House, Park Lane, Horton, Berkshire SL3 9PR*

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## 1. Introduction

- 1.1. This Design & Access Statement (DAS) has been drafted in support of a Listed Building Consent application at the planning unit entitled Brookfield House, Park Lane (National Grid Reference TQ 115 718) located in the settlement area of the Horton Ward of the Royal Borough of Windsor and Maidenhead (RBWM). The application relates specifically to a replacement roof using like-for-like materials following a vortex strike.
- 1.2. This document may refer to other reports or statements which are either included within the appendix or referred to separately by title.
- 1.3. The statement has been drafted in accordance with the Government Circular 01/06 “Guidance on Changes to the Development Control System” and reflects the steps that are set out in the Commission for Architecture and the Built Environment’s (CABE) document entitled “Design and access statements. How to write, read and use them”; these are:
  - o Assessment
  - o Involvement
  - o Evaluation
  - o Design
- 1.4. This statement is structured as follows: the ‘Site Characteristics and Historical Significance’ (Para. 2) are outlined initially under the categories of Assessment and Involvement; the statement then goes on to fully assess the merits of the proposed development regarding the ‘Planning History’ (Para.3), ‘Proposals’ (Para.4) and relevant ‘Planning Policies’ (Para.5) under the final categories of Evaluation and Design.

## 2. Site Characteristics and Historical Significance

- 2.1. Brookfield House is a Grade II listed Georgian Country House set in approx. 3.45 acres (1.4 hectares) of private grounds located in a designated settlement area of the Green Belt within the Horton Parish of the Royal Borough of Windsor and Maidenhead (RBWM).

2.2. The building was officially listed on the 23 September 1955:

*C18. Handsome small country house of grey and red brick dressings, old tile hipped roof. Three storeys, slight central projection, 1:1:1 double hung sashes with glazing bars in reveals with cills and flat arches. Harmonious central modern closed porch, round headed second floor window above. Left hand second floor casement. Modillion brick cornice and open pediment, parapet. West side elevation C19, two storey semi-octagonal bay. East side elevation modern, one storey outshot. Interior: plain C19 staircase.*

2.3. The main accommodation (“Main House”) is located towards the north of the site alongside an ordinary watercourse (Horton Drain); an ordinary watercourse is defined as any watercourse that does not form part of a river. This in turn divides the property with access to land on either side via both a pedestrian and vehicular bridge.

2.4. Vehicular access to Brookfield House is from a driveway leading from Park Lane just south of its junction with the Datchet Road. There is extensive parking at the property towards the north and northeast of the site with a turning circle located in front of the main house.

2.5. The property shares four boundaries; Kingfisher House, alongside the driveway, to the far east; Park House to the southeast; Royal Fisheries to the south of the site; agricultural land to the west; Brookfield Lodge, a rental property which is also in the ownership of the applicant, on Datchet Road alongside the northern perimeter.

2.6. The site is defined by a garden wall on its northern perimeter and close-board fencing on the remaining perimeters.

2.7. The extensive longstanding mature, semi-mature and specimen trees within and around the perimeter of the site which together with vegetation (shrubs and bushes) screen the site from the neighbouring properties, public vantage points and highway.

2.8. In view of the spacious plot size, mature trees/vegetation and set back location of the dwelling, public views of the dwelling are extremely limited.

2.9. The property is in flood zone 1, an area with a low probability of flooding and therefore no further assessment is required. An Environment Agency Flood map for planning enclosed with this application.

### 3. Planning History

3.1. The most recent planning history relating to the property is detailed as follows:

Reference	Description	Decision and Date
11/00340/FULL	Two storey side extension and single storey side extension, swimming pool enclosure plus metal entrance gates and piers.	Permitted 14/04/2011
11/00346/LBC	Two storey side extension and single storey side extension, swimming pool enclosure plus metal entrance gates and piers.	Permitted 14/04/2011
11/02868/LBC	Two storey side extension and single storey side extension, swimming pool enclosure plus metal entrance gates and piers. (Amendment to consent 11/00346)	Permitted 06/12/2011
12/02759/FULL	Construction of a driveway gates and piers. Insertion of a pedestrian wooden footbridge across the Horton Drain located in the garden.	Permitted 04/12/2012
12/02784/TPO	Removal of 1 x multi-stemmed Sycamore.	Permitted 23/11/2012
12/00041/FULL	New Stable Block	Permitted 22/04/2021
21/02299/NMA	Non-material Amendment: Change in Roof from hipped to gable ends and reduce columns to Stable Block	Withdrawn 23/08/2021
22/01898/FULL & 22/01899/LBC	Consent for a first floor extension to the West elevation, new solar panels above the existing single storey element on the North/West elevations and alterations to the stable block to include; change from hipped to gable ends with pitch, new slate tiles to match the main dwelling, new solar panels to the West elevation, bird/bat boxes to the North and South elevations	Pending

and reduce the number of columns on the East elevation from 5 to 4.

## 4. Proposals

- 4.1. The property is under the flight path to London Heathrow. The application relates specifically to a replacement roof at Brookfield House using like-for-like materials following a Vortex strike that was reported to Heathrow Airport Ltd. on the 26 Aug. 2022. A Vortex is a circulating current of air generated by planes. It can sometimes strike and damage the roofs of houses located under a flight path. Pitched roofs with loose-laid tiles are prone to vortex damage.
- 4.2. The roof was inspected by Heathrow Airport Ltd. through their appointed agent Richardson Roofing Company Ltd. on the morning of the 26 Aug. 2022 where it was formally confirmed that the property had been subject to a Vortex Strike. Richardson Roofing Company Ltd. Richardson's are fully accredited members of CHAS (Construction health & safety), SSIP, members of British Safety Council & National Federation of Roofing Contractors.
- 4.3. Remedial repairs were conducted shortly afterwards by Richardson Roofing Company Ltd., and the property owner was swiftly sent a Vortex Strike Pack/Contract for completion by Heathrow Airport Ltd. on the 26 Aug. 2022 entitling them to a complete roof replacement to minimize such incidents happening again.
- 4.4. A replacement roof is a necessity for the safety of the occupants at Brookfield House and to secure the integrity of the roof which has been compromised. Legal responsibility for damage caused by aircraft, including vortex damage and ice falls, rests with the operator of the aircraft concerned; this is governed by Section 76 (2) of the 1982 Civil Aviation Act.
- 4.5. The Vortex strike was reported to a RBWM Conservation Officer during a site visit relating to the planning application 2/01899/LBC on the 12 Sept. 2022; the Property Owner was advised to submit a Listed Building Consent.
- 4.6. The roof tiles are of different age, type and material; some have a lip that sit unsecured on the roof battens whilst others have screw holes that again are unsecured or worn. At some point in the past (before 2001) the entire roof had been overhauled with new lead to the parapets, introduction of undercloak, new roof battens and a mixture of roof



tiles. The inner section of the roof, which is not visible, has large grey unsightly concrete tiles with a small Velux window accessible from the roof which no doubt provides service access to clear out the central valley and parapets.

- 4.7. The proposal, as detailed within the Vortex Strike Pack, involves (1.) erection of scaffolding around the property (2.) removing all the existing roof tiles (3.) removing and replacing all the modern roof battens and undercloak (4.) removal and replacement if necessary of any damaged rafters using like-for like material after roof has been exposed allowing for a detailed visual examination (5.) removal and replacement if necessary of any lead to the parapets and flashing to chimney stacks etc. (6.) replacement of roof tiles with handmade clay tiles to match existing subject to the Conservation Officers consent which can be secured by condition and (7.) removal of all debris & scaffolding from the site on completion.

## 5. Planning Policies

- 5.1. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard shall be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses. Section 70 of the Town and Country Planning Act 1990 and 38(6) of the Planning and Compulsory Act 2004 requires that planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise.

### Adopted Borough Local Plan Policy HE1 'Historic Environment'

- 5.2. Local Plan Policy HE1 (adopted 8 Feb 2022) states '*The historic environment will be conserved and enhanced in a manner appropriate to its significance. Development proposals would be required to demonstrate how they preserve or enhance the character, appearance and function of heritage assets (whether designated or non-designated) and their settings, and respect the significance of the historic environment*' [sic]. This is reiterated in Paragraph 194 of the NPPF which further states that an applicant describes the significance of the heritage asset.
- 5.3. In accordance with Paragraph 11.2.6 (Conservation & Heritage) of the Local Plan and Paragraph 194 of the NPPF a Heritage Statement accompanies this application. The Heritage Statement details that the central core of the original house is of deemed of High Significance and rightfully so. The significance of the heritage asset is in the main,

locked into its built form and fabric. The aesthetic value of the dwelling is evident through architectural detailing to the front (south) elevation. The Heritage Statement describes several additions of various dates to the central core of the house including a pediment porch (south elevation), a two-storey canted bay (west elevation), and two separate square shaped bays (east elevation); these parts are not of any Architectural Merit but are deemed to be of Moderate Significance. The Heritage Statement states in Paragraph 5.11 '*all the other parts of the building apart from the main house are of low significance in historic building terms*' [sic]. This equally applies to the modern/new additions that were approved planning and listed building consent in 2011.

*This central core of the original house, certainly dating from before 1781, is a good example of a small, essentially detached, Georgian country house. Its early listing at Grade II in 1955 is amply merited, and in significance terms this part of the house is of high significance.*

[sic] [Paragraph 5.5 Heritage Statement 2010 Victor Belcher]

- 5.4. The proposal seeks to repair and secure the roof using like-for-like materials. No other changes are sought nor proposed.
- 5.5. Paragraph 206 of the NPPF states that proposals that make a positive contribution to the heritage asset should be treated favourably.

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably

[sic] [Paragraph 206 NPPF]

- 5.6. The proposed development would also constitute a public benefit. The Government's Planning Practice Guidance<sup>1</sup> (PPG), states that benefits do not always have to be visible or accessible to the public in order to be genuine public benefits and may include heritage benefits, such as *sustaining* or enhancing the significance of a heritage asset or the contribution of its setting. This is clearly the case in this instance.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They

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<sup>1</sup> At Paragraph 020 Revision date: 06 03 2014

should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit

Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

[sic] [Planning Practice Guidance (PPG): Historic Environment Paragraph: 020 Reference ID: 18a-020-20190723]

5.7. The proposals comply with the Framework and Historic England advice on the significance and setting of heritage assets. Consequently, the proposals would not result in any harm to the setting or significance of the Heritage Asset concerned. As such, s.66(1) of the planning (Listed Buildings and Conservation Areas) Act 1990 is not engaged, and there would be no conflict with Local Plan Policy HE1 or the NPPF.

## 6. Conclusion

6.1. The proposal merely seeks to repair and secure the roof structure at Brookfield House. It is considered that there is no direct conflict with policies in the adopted local plan that requires this consent to be refused. This weighs in favour of the proposal. Furthermore, the proposal is not considered to conflict with the NPPF which is a material consideration.

6.2. The property owners of Brookfield House are fully aware of their responsibility to preserve the Heritage Asset and will ensure all works are of the highest quality in terms of both material and workmanship.

## APPENDIX C



The applicant's attention is also drawn to the requirements of the Party Wall Act 1996, which may affect your submitted proposals. The applicant must notify all affected neighbours if work, which you are intending to carry out, falls within the Act. This may include work on an existing wall shared with another property, building on the boundary or excavating near a neighbouring property. However, the applicant is advised that this is not a matter dealt with by this Authority and it is recommended that you seek suitable professional advice.

Signed

Dated: 27th September 2012



Simon Hurrell

**Head of Planning & Property Services**