

LLOYD MILLS

• HERITAGE CONSULTANCY •



HERITAGE STATEMENT

41 KINGS ROAD,
WINDSOR

DECEMBER 2023

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1. Introduction

- 1.1 This heritage statement has been prepared by Lloyd Mills IHBC in support of applications for planning permission and listed building consent for a single storey rear extension together with internal alterations at 41 Kings Road, Windsor.
- 1.2 This statement seeks to fulfil the requirements of paragraph 200 of the National Planning Policy Framework (NPPF) (2023), which states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It is proportionate to the scale of the development proposed.



Figure 1: Site location (Gateley Smithers Purslow)

- 1.3 The application site is located within the town of Windsor, to the south of the town centre. It is bounded to the north and south by residential development and to the east by Windsor Great Park.
- 1.4 The application building is part of a terrace of 13 properties that was built circa 1800. It is of three storeys with basement and is constructed of brick under a slate roof. The building is included on the statutory list at grade II in recognition of its special interest. In addition, the building forms part of the designated Inner Windsor Conservation Area.
- 1.5 As part of this assessment, Historic England data and the Berkshire Historic Environment Record (HER) have been consulted. The planning history for the site and neighbouring sites has also been reviewed via the Windsor and Maidenhead Council's website.

2. Relevant Legislative and Policy Context

Legislation

- 2.1 The legislation that guides decision making in respect of listed buildings and conservation areas is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.2 Section 16 of the Act states that “in considering whether to grant listed building consent for any works the local planning authority (or the Secretary of State) shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”
- 2.3 Section 66 of the Act imposes a general duty upon local planning authorities to consider the impact of proposals for planning permission upon the settings of listed buildings. It states as follows:

In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 2.4 Section 69 of the Act establishes powers for local planning authorities to designate areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance as conservation areas.
- 2.5 Section 72 establishes a general duty in the exercise of planning functions with respect to any buildings or other land within a conservation area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

National planning policy

- 2.6 National planning policy is set out in the National Planning Policy Framework (NPPF) (Dec 2023). Chapter 16 (paragraphs 195-214) of the document provides policy guidance for development affecting the historic environment.
- 2.7 Paragraph 195 recognises that heritage assets are an irreplaceable resource and should be conserved in a manner that is appropriate to their significance such that they can be enjoyed by existing and future generations.
- 2.8 Paragraph 201 requires local planning authorities to assess the significance of any heritage assets potentially affected to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposed development.

- 2.9 Paragraph 203 states that in determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness.
- 2.10 Paragraph 205 onwards provide guidance for considering the potential impacts. It states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This should be proportionate to its significance: the more important the asset, the greater the weight should be. This is irrespective of whether the harm is substantial, total loss, or less than substantial.
- 2.11 Paragraph 206 goes on to state that any harm to, or loss of, the significance of a designated heritage asset, including through development within its setting, should require clear and convincing justification.
- 2.12 Paragraph 207 deal with instances of substantial harm to a designated heritage asset. Development causing substantial harm should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or other criteria are met. Paragraph 208 guides that where a development would lead to less than substantial harm to a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
- 2.13 Paragraph 209 deals with the effect of an application on the significance of a non-designated heritage asset. It advises that in weighing applications that affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 2.14 Paragraph 212 encourages local planning authorities to look for opportunities for new development within conservation areas and the setting of heritage assets to enhance or better reveal their significance. Those proposals that preserve elements of the setting that make a positive contribution to the asset should be treated favourably.
- 2.15 Interpretation of the NPPF is provided by the Planning Practice Guidance (PPG). This guidance note is divided into a series of chapters which is subject to regular review; the historic environment chapter was last updated in July 2019.
- 2.16 The historic environment chapter guides that understanding the significance of a heritage asset and its setting from an early stage in the design process can help to inform the development of proposals which avoid or minimise harm (paragraph 8). Paragraph 13 provides further guidance on setting, making clear that setting is not only related to visual attributes but other environmental factors

such as noise, dust, smell and vibration as well as the relationship between places.

- 2.17 Paragraph 18 provides guidance on assessing harm. It is clear that proposed development may have no impact or may enhance an asset's significance such that no harm is caused. Where development would be harmful to a designated heritage asset, this needs to be categorised as either 'less than substantial' or 'substantial' harm. The level of harm can vary within these two categories. It goes to elaborate that substantial harm is a 'high test' and therefore is unlikely to arise in many cases. This harm may arise from works to the asset or from development within its setting

Development Plan

- 2.18 The development plan for the area is made up of the Borough Local Plan 2013 - 2033 (adopted February 2022). The Borough Plan is the key document that provides the framework to guide the future development of the Royal Borough of Windsor and Maidenhead. It sets out a spatial strategy and policies for managing development and infrastructure to meet the environmental, social and economic opportunities and challenges facing the area up to 2033. The relevant policies are discussed below.
- 2.19 Policy QP3 of the plan deals with character and design of new development. This policy states that it expects development to be of sustainable, high-quality design. Development should respect and enhance the local, natural, and historic character of the environment, and should have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties.
- 2.20 Policy HE1 of the plan relates specifically to the historic environment. This policy states that 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. The full policy text is reproduced at appendix one.

Historic England Guidance

- 2.21 Historic England has published a number of best practice conservation guidance documents to assist with decision making. These include:

Historic Environment Good Practice Advice in Planning: 2 (2nd Edition) (2015): Managing Significance in Decision-Taking in the Historic Environment

Historic Environment Good Practice Advice in Planning: 3 (2nd Edition) (2017): The Setting of Heritage Assets

Historic England Advice Note 2: (2016) Making Changes to Heritage Assets

3. The Heritage Assets

3.1 Heritage assets are defined at Annex 2 of the NPPF as follows:

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

3.2 Designated heritage assets include World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields or Conservation Areas designated under the relevant legislation.

3.3 As part of this assessment, heritage assets have been identified by reviewing the National Heritage List for England (NHLE), the Berkshire Historic Environment Record (HER) and data available on Windsor and Maidenhead Council's website.

3.4 There are four separate conservation areas in the town of Windsor. The application site forms part of the designated Inner Windsor Conservation Area.

3.5 The application site forms part of a listed building, Brunswick Terrace, 39-63 Kings Road, which is included on the statutory list at grade II (list entry no. 1319313).

3.6 The application site is located in proximity to a number of listed buildings, as shown at Figure 2 below. These include:

Brunswick Terrace, 29-37 Kings Road – Grade: II – List UID: 1117710

Brunswick Terrace, 65-79 Kings Road – Grade: II – List UID: 1117711

81 Kings Road – Grade: II – List UID: 1117712

Royal Adelaide Hotel – Grade: II – List UID: 1117716

26-34 Kings Road – Grade: II – List UID: 1205258

Pickets House, Kings Road – Grade: II – List UID: 1117715

3.7 In addition to the above, the application site adjoins the park and garden of The Royal Estate, Windsor: Windsor Great Park, which is registered grade I (List UID: 1000592). The Long Walk is a distinctive landscape feature that is part of the park and garden. It was begun by Hugh May for Charles II in 1680, connecting Windsor Castle with the heart of the Great Park. This feature is visible from the application site.

3.8 Owing to the nature of the proposals, the heritage assets that are considered to be impacted are the listed building, the designated conservation area. Therefore, the following assessment focusses on these assets only.



Figure 2: Extract from NHLE mapping

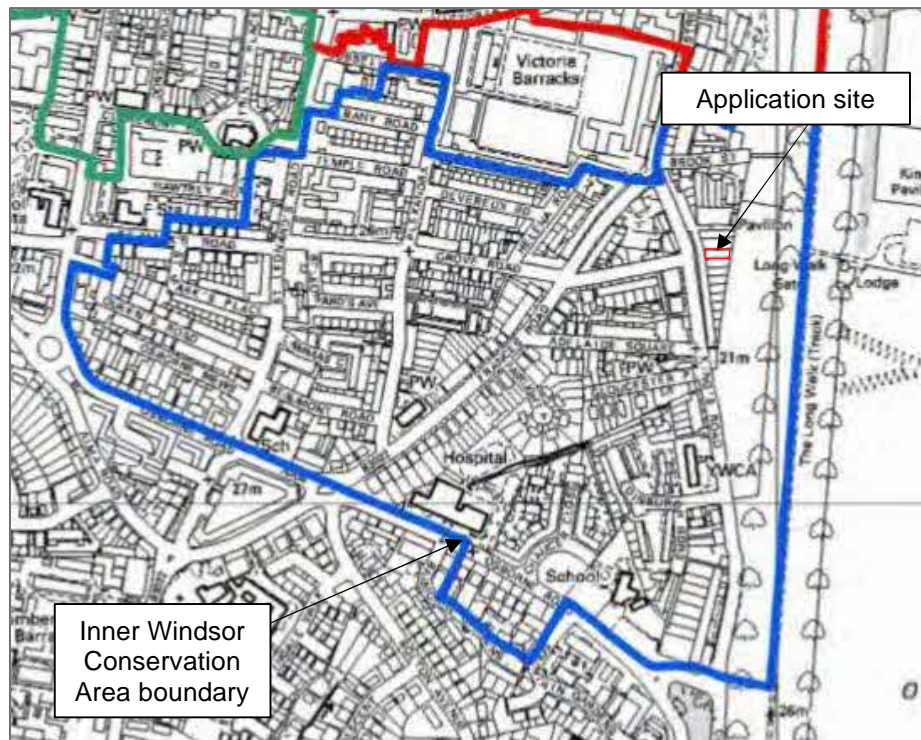


Figure 3: Extract from Inner Windsor Conservation Area Appraisal (2015)

4. Significance of Heritage Assets

Introduction

- 4.1 Significance is described by the NPPF (2023) as the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. The PPG (2021) provides the following interpretation of each element of significance:

Archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

Architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.

Historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

- 4.2 It is acknowledged that significance derives not only from a heritage asset's physical presence, but also from its setting. The setting of a heritage asset is defined by the NPPF as:

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Brunswick Terrace, 39-63 Kings Road

- 4.3 Brunswick Terrace, 39-63 Kings Road was added to the statutory list at grade II in January 1950. It is therefore recognised as being of high significance. The building's list description provides as follows:

5130 (East Side) Nos 39 to 63 (odd) (Brunswick Terrace) SU 9676 SE 6/40 4,1.50. II GV 2. A terrace of 13 houses. Circa 1800, 3 storeys and basements, London stock brick with yellow brick gauged flat window arches; parapet with stone coping and slate roofs. Each house has 2 windows, glazing bar sashes and 1st floor French casements, marginal

glazed with top lights, giving on to Gothic pattern cast iron balcony. 4 paned basement window. 5 panel door to left hand with small, semi-circular, radiating and wreathed fanlight over - steps up. The majority of houses have wood lattice verandahs over balconies with triple arches and panel standards of diamond lattice, leaded tent roofs with scalloped eaves. Some of the houses retain original cast iron spear head railings returned up steps. Nos 29 to 81 (odd) form a group.

- 4.4 The application building is positioned to the north end of the terrace that is orientated north-south and consists of 13 properties. The building is constructed of London stock brick under a slate roof, which is behind a parapet. It is of three storeys with basement. The ground floor is raised above street level, which adds to its grandeur. The ground floor comprises a panelled door under a fan light that is flanked to the right-hand side by two sash windows. At first floor there are two doorways with balconies surrounded by a decorative timber veranda (not all the properties retain their veranda). At second floor there are a further two sash windows.

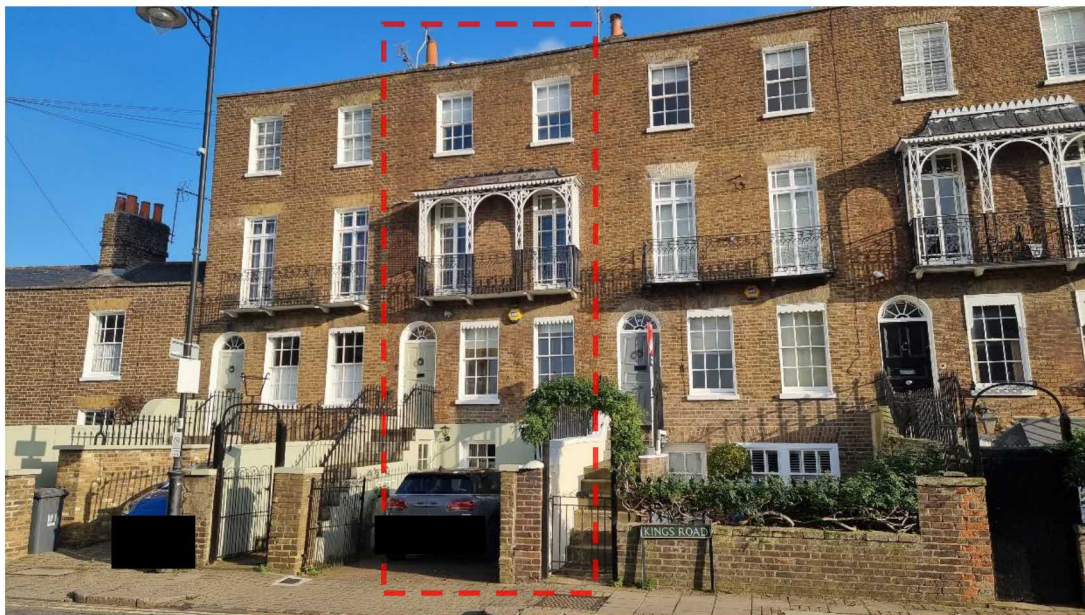


Figure 4: Principal elevation of terrace at north end looking east (application building in red hatched area)

- 4.5 The building's rear elevation is somewhat more utilitarian in character, reflecting the hierarchy of the spaces. The roof is visible at the rear since there is no parapet. There are eight-over-eight sash windows at differing heights at each level. The majority of the properties benefit from extensions. A number have a lean-to extension of one bay rising two or more floors, but it is noted that there is a variety of designs across the terrace. The application property has a two storey, flat roofed outrigger. This addition is part brick, part pebble-dash in finish, and is of low architectural quality. There is a modern conservatory at garden level.



Figure 5: Rear elevation of terrace at north end looking west



Figure 6: Rear elevation of application building at north end looking west

- 4.6 Internally the building is two rooms deep, separated by a central spine wall. The historic plan form remains legible; however, it appears to have undergone some alteration over the years. For instance, a corridor appears to have been removed at basement level.
- 4.7 The heritage significance of the structure is principally derived from its architectural and historic interest as a relatively high-status urban building that was constructed during the early part of the 19th century as part of the expansion of Windsor. The building was likely occupied by people serving the Crown, or drawn to Windsor by the presence of the Court.
- 4.8 The setting of the building, alongside buildings of a similar age, design and construction, contributes a great deal towards its significance.

Inner Windsor Conservation Area

- 4.9 The Inner Windsor Conservation Area was designated in September 1990. Part of it previously formed part of the Windsor Town Centre Conservation Area that was designated in 1969.
- 4.10 The conservation area lies directly south of Windsor town centre, separated in part by Victoria Barracks and is bounded to the east by the Long Walk. It covers an area of some 3.85 hectares. The conservation area focuses largely on terraced rows of houses (some grand, some modest) including Sheet Street, King's Road, Alexandra Road, Helena Road, St Mark's Road and Queen's

Road. It also includes the grand villas and their mews along Osborne Road and the workers' dwellings at Prince Consort Cottages. St Leonard's Road commercial shopping street also provides important historical character in the area.

- 4.11 The adopted Inner Windsor Conservation Area Appraisal (Windsor and Maidenhead Council 2015) provides the following summary of its special interest:

Location and development: The Inner Windsor conservation area is outside the likely prehistoric, Roman and mediaeval core of the town and, following new land ownership resulting from the Enclosure Act 1819, land was developed during the 19th century for housing to provide for an increasing population, supported by new rail travel.

Architectural character: There are a variety of styles within the area including restrained Georgian terrace dwellings, modest Victorian terraces and workers dwelling, newly wealthy middle class semi-detached houses and grand Victorian villas. There are also decorative Victorian shops and public houses, one elaborately tiled on the exterior.

Use: The area is predominantly residential, and is inclusive of a variety of building sizes from modest cottages to grand detached villas. There are also some commercial uses, a handful of pubs and health services. The historical uses within the conservation area resulted from travel along historic routes such as inns, and later retail and other commercial units together with small workshops and public houses to serve the increasing population linked to the military presence in the town and those associated with the royal court.

- 4.12 The conservation area is divided into six separate character areas. The application site is located within the Major Streets/Routes sub area, which is described as follows (Windsor and Maidenhead Council 2015):

The more important streets that serve the area. Such as Clarence Road, Frances Road, and Kings Road contain larger properties with larger frontages and buildings set back from the road. ...These streets are wide and have a grand scale in terms of large trees and buildings and form the principle routes through the area. Between these roads the area has been in-filled with the smaller side streets

- 4.13 The application site contributes a great deal to the significance of the Inner Windsor Conservation Area. In terms of future development opportunities, the adopted conservation area appraisal (2015, p29) states: "the rear elevations of individual buildings and terraced rows may also be visible from public vantage points and some are especially visible, such as Brunswick Terrace visible from The Long Walk. Care must be taken when considering planning applications that will alter the uniformity of rear terraced elevations and all roofscapes."

5. Impact of Application Proposals

- 5.1 The proposals seek permission/consent for a single storey rear extension, together with internal alterations at 41 Kings Road, Windsor.
- 5.2 The extension proposed to the ground floor would be of a flat roof design and would extend some six metres from the rear elevation of the main part of the building. This would involve the removal of the existing conservatory structure. The design of the extension would incorporate plateau rooflights, which would be hidden from view by a parapet wall. A four-light bifold door, which would include small panes to match the existing building, would form the centre of the east-facing elevation. The brickwork of the proposed structure would match that of the rear elevation of the house, in terms of colour, texture, bond and mortar mix.
- 5.3 The principle of extending to the rear of the properties that make up the terrace is already well established, as is evidenced at figures 7 and 8 below, which show a variety of designs across the block. The design of the proposals closely follows the recently approved alterations at no 39 and 47 Kings Road (ref 19/01848/FULL/19/01849/LBC and 18/02164/FULL/18/02165/LBC). The proposed single storey element would project as far as the extension at no. 39, as is demonstrated by the proposed plans.



Figure 7: View of rear of terrace looking west, with no. 47 to the right-hand side



Figure 8: View of rear of terrace at southern end looking west showing a variety of rear extension designs

- 5.4 Turning to the internal works, at basement/lower ground-floor level it is proposed to remove a section of the central spine wall that incorporates a modern, multi-paned door. While there would be an impact on the building's plan form, it is acknowledged that the plan form at this level has already undergone some alteration. In any case, sections of masonry would be retained in the centre, along with nibs at either end, thereby retaining visual evidence of the wall.
- 5.5 In addition to the above, it is proposed to remove a section of masonry in the rear wall to make a connection through to the proposed single storey extension. This, together with the removal of a section of the central spine wall, would involve a loss of fabric, however, this would represent a minor impact. It is noted that these alterations have recently been consented at no. 39 King's Road (as detailed in the submitted plans). As such, it is therefore considered an acceptable approach.
- 5.6 In terms of the existing outrigger, it is proposed to remove the bathroom fittings at upper ground floor level and construct a small bathroom at lower ground floor level. This would involve the removal of a modern window and a small amount of masonry which is considered of negligible interest.
- 5.7 In light of the above it is not considered that the works proposed would cause harm to the significance of the listed building or the Inner Windsor Conservation Area.
- 5.8 In terms of the impact on the registered park and garden, owing to the considerable distance between the property and the long walk, the presence of trees and vegetation along the site's boundaries (which obscure views of the property) and the small variations in ground levels between the long walk and the site, the extension proposed would barely be visible from public vantage points. It is therefore not considered to cause harm to views from and of the long walk. Once again, it should also be noted that similar extensions have been granted along the terrace, as such the works would be in keeping with the area's character.

6. Conclusion

- 6.1 This report has described the significance of the heritage assets affected and has assessed the impact of the proposals upon their significance. It is considered that the proposals would not cause harm to the significance of the listed building, conservation area or registered park and garden. As such, the proposals are in accordance with the requirements of section 16 of the NPPF.
- 6.2 In addition to the above, the proposals are in accordance with the requirements of the Borough Local Plan 2013 - 2033 (adopted February 2022). Specifically, policy HE1 of the plan, which relates to the historic environment. This policy states that the historic environment will be conserved and enhanced in a manner appropriate to its significance, which this statement has demonstrated. The proposals also accord with policy QP3 of the plan, which deals with character and design of new development. This policy states that it expects development to be of sustainable, high-quality design and that it should respect and enhance the local, natural, historic character of the environment.

Appendix 1: Policy HE1: Historic Environment

POLICY HE1: HISTORIC ENVIRONMENT

1. 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.
2. Heritage assets are an irreplaceable resource and works which would cause harm to the significance of a heritage asset (whether designated or non-designated) or its setting, will not be permitted without a clear justification in accordance with legislation and national policy
3. The loss of heritage assets will be resisted. Where this is proven not to be possible, recording in accordance with best practice will be required
4. Applications for works within archaeologically sensitive areas will be required to include a desk-top archaeological assessment.
5. Applications for works to heritage assets will only be considered if accompanied by a heritage statement which includes an assessment of significance, a heritage impact assessment and, where appropriate, information on marketing and viability.

Appendix 2: NHLE Entry

Official list entry

Heritage Category: Listed Building
Grade: II
List Entry Number: 1319313
Date first listed: 04-Jan-1975
List Entry Name BRUNSWICK TERRACE
Statutory Address 1: BRUNSWICK TERRACE, 39-63, KINGS ROAD

Location

Statutory Address: BRUNSWICK TERRACE, 39-63, KINGS ROAD

The building or site itself may lie within the boundary of more than one authority.

District: Windsor and Maidenhead (Unitary Authority)
Parish: Non Civil Parish
National Grid Reference: SU 96913 76264

Details

1. KING'S ROAD

5130 (East Side) Nos 39 to 63 (odd) (Brunswick Terrace) SU 9676 SE 6/40 4,1.50. II GV 2. A terrace of 13 houses. Circa 1800, 3 storeys and basements, London stock brick with yellow brick gauged flat window arches; parapet with stone coping and slate roofs. Each house has 2 windows, glazing bar sashes and 1st floor French casements, marginal glazed with top lights, giving on to Gothic pattern cast iron balcony. 4 paned basement window. 5 panel door to left hand with small, semi-circular, radiating and wreathed fanlight over - steps up. The majority of houses have wood lattice verandahs over balconies with triple arches and panel standards of diamond lattice, leaded tent roofs with scalloped eaves. Some of the houses retain original cast iron spear head railings returned up steps. Nos 29 to 81 (odd) form a group.

Listing NGR: SU9691576264

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 40473
Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.