

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	19 th May 2010		
Application Number	10/00825/FUL and 10/00826/LBC		
Site Address	The Mansells, Upper Minety, Malmesbury, Wiltshire, SN16 9PY		
Proposal	Extension to existing south elevation to create 2-storey bay.		
Applicant	Mr O Malik.		
Town/Parish Council	Minety Parish Council		
Electoral Division	Minety	Unitary Member	Carole Soden
Grid Ref	400614 171373		
Type of application	Full and listed building consent		
Case Officer	Andrew Robley	01249 706659	Andrew.Robley@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Mrs Soden has requested it be called to committee if the recommendation is for refusal for the following reasons -

To consider the effect of the proposals on the character of the building.

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED.

2. Main Issues

The application is for the removal of two original windows and fabric below and between them from the 1700 wing and the construction of a two storey bay. The key points to consider are as follows:

- Implications on DC Core Policy HE3
- The irreversible loss of original fabric
- The justification in respect of residential amenity.

3. Site Description

The Mansells forms part of a small historic group which includes Mansells Coach House to the north and a separately listed barn to the west. From the outside, the house is a picturesque mix of stone, plaster and half timbering in a roughly "H" shaped plan form of blocks of varying height under steeply pitched stone roofs. The variety of form, detail and materials displayed within the house is fundamentally representative of the three main historical phases but also to an extent due to the somewhat whimsical and eclectic nature of the north (Victorian) wing.

Historically the most significant part is the central 1656 linear core which runs roughly north south and the 1700 east addition to it. The Victorian north wing is less significant in historical terms but has more architectural pretensions rather than the earlier parts which are more simple and vernacular. However, the Victorian wing does internally contain some introduced historical fabric including a C15th traceried timber ceiling which although out of context is clearly a significant historic feature.

Externally, the windows to the north Victorian wing are generally relatively large and of varying architectural styles from the 3 light stone mullioned window on the north elevation to the very large 5 light oriel window on the east elevation.

The early central core retains original window openings at first floor and attic level, but ground floor windows are largely not original, having largely been deepened or replaced with gothic style traceried bays.

The 1700 range alone retains all its original windows. It comprises a single room on each of its three floors and each room has a complete set of three original windows, one on each external wall. These are described in the list description as 3-light oak mullions with small leaded pane casements. Close inspection shows them to be good quality heavy section hand carved oak ovolo moulded mullions, subtly lighter in section on the first floor, the mouldings matching those on the main interior beams, also of heavy section and good quality. There is no doubt that these are the original frames and thus over 300 years old. It is understood that there is no dispute in this regard by the applicant. It is understood that the leaded lights have been progressively reglazed during the owner's tenure and that there is now little or no original glass. It is not disputed either that the bottom rails and lower sections of the frames have been attacked by death watch beetle. However, it is stated in the design and access statement which accompanied the application, that they are capable of repair, although in a later supplementary statement it is stated that the ground floor window is not capable of repair.

4. Relevant Planning History		
Application number	Proposal	Decision
N.87.517.LB. and 0458.F	Erection of bay window.	Granted
N.87.1318.LB	Alterations.	Granted
N.87.2007.LB	Extensions and alterations.	Granted
N.94.0543.LB	Alteration of drawing room window on west elevation.	Granted
N.94.2105.LB	Alterations to glazed frontage of garden room/conservatory.	Granted
99.01455.FUL and 01456.LBC	Demolition of modern porch and erection of new porch.	Granted

5. Proposal

The proposal is for a two storey flat roofed bay window 2.275 M wide by 1.510M deep by 4.63M high. This would be situated on the south elevation of the 1700 range. It would be constructed of lime roughcast pillars and spandrel panels onto a stone plinth and under a stone cornice. The windows at first floor would comprise a 3- light casement to the front with 2No single light casements to the sides. On the ground floor, the arrangement would be similar but the windows would be taller, each having transom lights at high level. The window frames would be of oak, glazed with leaded lights in metal frames.

In order to accommodate the new bay, two of the original windows would be removed and the fabric beneath and between them (0.6 M thick presumed plastered stone) would be removed (total area removed approximately 3.68 sq.m).

6. Consultations

Minety Parish Council - No objections

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

A letter of support was received from Mr & Mrs. A Turner of Mansell's Cottage which is two properties to the south.

8. Planning Considerations

Policy and Legislative Background

Policy HE4 requires that alteration affecting a listed building will only be permitted where it preserves or enhances the building and any features of special architectural or historic interest that it possesses.

Government advice is now under the new PPS5 and accompanying Practice Guide by English Heritage which replace PPG15.

Particularly relevant sections are HE7, HE9 of PPS5 and clauses 72, 79,178,179,180 and 186 of the practice guide.

Discussion

The reasons for the proposal are stated in detail in the applicant's design and access statement.

The primary reason is to improve the levels of daylight and sunlight into the ground floor room of the 1700 wing. The applicant works from home and uses this room as his study/office. He argues that there is insufficient natural light by which to work and insufficient sunlight which would help to heat the space by solar radiation.

The secondary reason is that he considers that the south elevation of the house is undistinguished and would benefit from the addition of the bay as an architectural feature. A further reason is the decay that is in the base of the ground floor windows particularly, although the statement acknowledges that they are repairable.

It is argued in the statement that the building has several different historical phases and has had a number of later additions and alterations particularly to windows, that have enhanced the house, the proposals are described as another such addition which would enhance this part of the house. The agent has submitted a supplement to the design and access statement to argue that there is no suitable alternative room within the house which could serve as the office. It also states that the first floor window to be removed as part of the application is beyond repair. This is inconsistent with the original statement, and moreover officers consider them to be repairable. The agent also argues that the special character of the building derives from the eclectic mix of later variations rather than in any of the original fabric. These arguments were re stated in a further e mail from the applicant following officer's suggestions that other options be considered.

Clearly the removal of the two windows is a significant loss to the historic and architectural character of the building. The window frames are hand made in oak, with good mouldings. They are over 300 years old and contemporary with this wing of the house, which is agreed to be circa 1700. They contribute to the architectural character, which in this wing is remarkably consistent.

PPS5 HE7.1 says that in considering applications, ".... the significance of any element should be taken into account....".

HE9.1 says ".....there is a presumption in favour of conservation of heritage assets..... that once lost they cannot be replaced and that significance can be.... harmed or lost by alteration or destruction..... Loss affecting any heritage asset should require clear and convincing justification."

The Practice Guidance provides further guidance.

Clause 178 says "....It would not normally be acceptable for new work to dominate the original asset or its setting in either scale or material...."

Clause 180 Says "...Where possible it is preferable for new work to be reversible so that changes can be undone without harm to the Historic fabric...."

Clause 186 Says "....New features added to a building are less likely to have an impact on the significance if they follow the character of the Building...."

Most significantly, Clause 179 of the practice guide says "The fabric is always an important part of the asset's significance. Retention of as much historic fabric as possible is therefore a fundamental part of any good alteration or conversion, together with the use of appropriate materials and methods of repair. It is not appropriate to sacrifice old work simply to accommodate the new". The work once carried involves loss of original fabric and is therefore irreversible and thus not in accordance with clause 180."

The applicant and his agent argue that the proposed bay would enhance the building and in particular that the south elevation is plain and undistinguished. In fact this elevation and specifically the 1700 wing is largely unaltered, unlike the majority of the building, having features of overhanging bracketed eaves, boldly ovolo moulded beams and cornices and bold ovolo moulded window frames, all characteristic, of a piece and dateable to the period. The proposed two storey bay is a strong introduction of a major vertical element, whereas clause 186 of the practice note advises that "new features added to a building are less likely to have an impact on the significance if they follow the character of the building.....". Certainly whatever its architectural merits, it diminishes the architectural unity and completeness of the 1700 wing.

The proposed damage to the building has to be weighed against the applicant's justification argument which is made in detail in the design and access statement and summarised above.

The main justification argument is that there is insufficient sunlight and daylight in which to work and that the lack of solar radiation penetration renders the room cold, bearing in mind that the applicant works at home. Supporting information in the design and access statement is given both in respect of the amount of sunlight that enters the room in February and in terms of the comparative inside and outside temperatures at different times of the day in June.

There is no reason to doubt the figures given. However, the room does benefit from triple aspect and two of the three windows, facing south and east do admit sunlight. The windows are small and the area of glass compared to floor area as given in the statement is low by modern standards. There is no doubt that supplementary electric light would be required to work in the room.

The argument over solar radiation is less easy to understand. During winter when more heat is needed, normally, more is lost through windows than gained and a room with bigger windows such as the three sided bay proposed will be colder and require more heat input on all but the sunniest days. The 600mm thick walls should serve to retain heat having good insulation value and high thermal capacity and therefore the room should not be inordinately difficult to heat and would not be improved by addition of the bay.

In summary, the room does receive relatively low levels of sunlight and daylight but can function adequately as an office with supplementary electric light, which is fairly normal. However, the perception of adequacy of daylight and sunlight is a subjective thing and the applicant clearly feels the room is unsuitable as it stands.

The justification for the loss of the first floor original window and associated masonry is less supportable in any case, as this would be to a bedroom, where the need for daylight and sunlight is less. The reasoning in the design and access statement is that a single storey bay would be unsatisfactory in architectural terms. However elsewhere on the building there are several single storey ground floor bays and first floor oriels and only one double storey bay (on the west elevation).

Officers have sought to discuss with the agent alternative proposals that might be less damaging to the building, for example using a room elsewhere in the building as the office. In particular it is considered that parts of the Victorian wing are less important historically. The first floor north east room is spacious, well located, is already well lit from a large 7 light oriel window and has potential for the addition of a further south facing window; the ground floor is currently split into several small rooms and further re-ordering of this 1899 interior would be less damaging than the loss of circa 1700 fabric as proposed. These options were explored further at a meeting between officers and the agent but regrettably have proved unacceptable to the applicant, who wishes the applications to be determined as submitted.

Conclusions.

The proposed two storey bay would result in disruption to the 1700 wing, which at present has survived largely in its original form. In particular, two original 300 year old oak framed windows would be irretrievably lost. The irreversible loss of these very early frames is a serious matter, only to be considered as a matter of last resort. The justification put forward is that the windows are too small and that there is insufficient daylight or sunlight. The windows are typical in size to many rural historic buildings in the district and the rooms concerned do benefit from triple aspect. Furthermore, this is a large house with many rooms on three levels and later wings of less importance. Insufficient consideration has been given to utilising other spaces, which either already benefit from more natural light or could be altered to provide more with much less damage to the significance of the building, particularly the north east first floor room in the Victorian wing. .

This proposal is not adequately justified, given that the rooms remains useable and that there are other alternative rooms within the house with larger windows or which are capable of being equipped with larger windows with less damage to significant features.

It is therefore recommended that the applications are refused in respect of policy HE4 because the proposed extension and alteration would not preserve or enhance the building, its setting or features of special interest that it possesses i.e. 2 No. 1700 window frames and associated fabric and would not be adequately justified. In addition the proposal would not comply with PPS5 policies HE 9.1 , 9.2 and 9.4 and 179 of the practice guide in these respects.

9. Recommendation:

Listed Building Consent and Planning Permission be REFUSED for the following reason:

1. The proposals would damage the listed building and features of special architectural and historic interest without sufficient justification.

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.20, 4.09, 5.01, 6.02

