

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	26 th January 2011		
Application Number	N.10.03885.FUL and N.10.03886.LBC		
Site Address	The Mansells, Upper Minety, Wiltshire, SN16.9PY		
Proposal	Extensions to existing south elevation to create 2 storey bay (resubmission of 10.00826.LBC)		
Applicant	Mr. O. Malik		
Town/Parish Council	Minety		
Electoral Division	Minety	Unitary Member	Carole Soden
Grid Ref	400614 191374		
Type of application	Planning and Listed Building Application		
Case Officer	Andrew Robley	01249 706 659	Andrew.robley@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Soden has requested that the Committee consider the effects of the proposal upon the character of the building.

These applications were considered at the Northern Area Planning Committee on 15th December 2010. Due to a technicality in the voting rules the procedure for determining the application was not followed correctly and it is therefore necessary for it to be reconsidered by the committee.

The following report is exactly as reported to the meeting on 15th December, except that two further letters of support have since been received and some formatting changes have been introduced to improve consistent presentation of reports across the Council.

1. Purpose of Report

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

Minety Parish Council support the application and no letters of support or objection have been received.

2. Report Summary

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 HE4, PPS 5 policy HE9, PPS 5 English Heritage Guidance
- The irreversible loss of original fabric
- The justification in respect of residential amenity.

The proposal is identical to the applications that were refused planning permission and listed building consent at the Northern Area Planning Committee on 19th May 2010. A revised justification statement has been submitted.

The Parish Council support the application and two letters of support have been received.

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 gothick style traceried bays. The Victorian and later additions are not all well conceived.

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 to each external aspect. 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 was stated in the earlier refused application design and access statement which accompanied the application, that they were capable of repair, although in a later supplementary statement it is stated that the ground floor window was not capable of repair. The current design and access statement now categorically states that neither the ground floor window nor the first floor window on the south elevation are capable of repair although all the other windows in the two affected rooms are.

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
N.10.00825.FUL and 00826.LBC	Extension to existing south elevation to create 2 storey bay	Refused

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 2 No. 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. Planning Policy

Policy HE4 of the North Wiltshire Local Plan 2011(Development, Demolition or Alterations involving Listed Buildings)

PPS5 and accompanying Practice Guide by English Heritage.

7. Consultations

Minety Parish Council – Support the proposal

8. Publicity

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

No letters of objection have been received. Since the meeting on 15th December 2 letters of support have been received.

9. 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, 149, 152, 178,179,180 and 186 of the English Heritage practice guide to it.

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 that decay that in both the first and ground floor windows to the south elevation renders them irreparable. Appendix 2 of the Design and Access statement contains supporting evidence for this in the form of quotations from two joinery firms.

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. It is further argued that there is no suitable alternative room within the house which could serve as the office. 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.

Clearly the removal of the two windows and the 2.5 sq. Metres of stonework between them would be 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 149 states that " original materials only need to be replaced when they have failed in their structural purpose. Repairing by re-using materials to match the original in substance, texture, quality and colour helps maintain authenticity....."

Clause 152 is specific to repair of doors and windows and states ".....doors and windows are frequently key to the significance of a building. Change is therefore advisable only where the original is beyond repair, it minimises the loss of historic fabric and matches the original in detail....."

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...."

Clause 179 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 proposed 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 would diminish the architectural unity and completeness of the 1700 wing and the other alterations proposed to unify the south elevation could be done whether or not the bay is added and indeed the bay would tend to lead to disunity.

In summary, the evidence in the design and access statement is not that repair of the windows is completely impossible but that it is difficult and not economically viable. It should be noted that both joinery firms have nevertheless offered a quotation for repair.

In view of the revised information regarding the state of repair, the windows were looked at again by the case officer. It was noted that the sills are significantly eroded and that in the first floor window the right hand jamb has been previously splice repaired up to a height of 150mm but not the left hand jamb nor the two mullions, whereas the ground floor window had no previous splice repairs. It is understood from the applicant that the windows were filled and painted internally approximately 4-5 years ago, yet there are no tell tale flight holes. Similarly there are none on the exterior which was decorated 13 months ago. The case officer's view remains that the windows are probably repairable and that therefore this should be attempted before discarding them due to their age and significance.

If indeed it were the case that the windows are completely irreparable, the correct course of action would be to replicate them to maintain the wholeness and reduce the loss of authenticity of the 1700 wing of the buildings. Similarly if one had a circa 1700 table with one irreparable leg, one would not take the opportunity to replace it with a larger leg of different design.

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 in respect of the amount of sunlight that enters the room in February.

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 window glass, which is a relatively poor insulator than would be gained by solar radiation and a room with bigger windows such as the three sided bay proposed will be colder and therefore require more heat input on all but the sunniest days. The 600mm thick walls should serve to retain heat having reasonable 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 more spacious than the existing office (23 sq. M as opposed to 20 sq. M), well located, already well lit from a large 7 light east facing oriel window and a two light south facing 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 to create a room of similar size to the above or a smaller 17 sq.M, would be less damaging than the loss of circa 1700 fabric as proposed (the pantry larder, store and hall are divided by relatively thin partitions, partly of modern blockwork). These options were explored further at a meeting between the case officer and the agent during the first application consultation period and at a site meeting following the new application, (although access to the above first floor room was not available on that day) but regrettably they have proved unacceptable to the applicant. It should be noted that the design and access statement does not acknowledge the proposal for the first floor north east room although this is undoubtedly an oversight.

It is implied in the design and access statement that the elevation most affected by the proposals is relatively unimportant because it is not readily visible from the public road and is not the principle entrance elevation. That it is not readily visible from the public road or indeed neighbouring properties is undisputed but it is nevertheless important because this elevation contains both the early phases of the building and is relatively simple and uncluttered by later additions and because the 1700 phase is the most complete and original part of the building.

10. Conclusion

The proposed two storey bay would result in disruption to the 1700 wing, which at present has survived largely in its original form, unlike other parts of the building. 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 two quotations now supplied by the applicant indicate that repair would be difficult and that much of the original timber would be lost. The officer view remains that they are probably reparable and PPS 5 guidance advises that in cases of total loss of windows, they should in any case be replicated to the same design and in the same material.

The justification put forward is that the windows are too small and that there is insufficient daylight or sunlight and that the bay would constitute an enhancement . 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. The existing south elevation is a pleasing amalgam of historical periods as part of a vernacular building and the proposed two storey bay is over dominant and would not achieve the harmonisation of the facade as suggested in the statement.

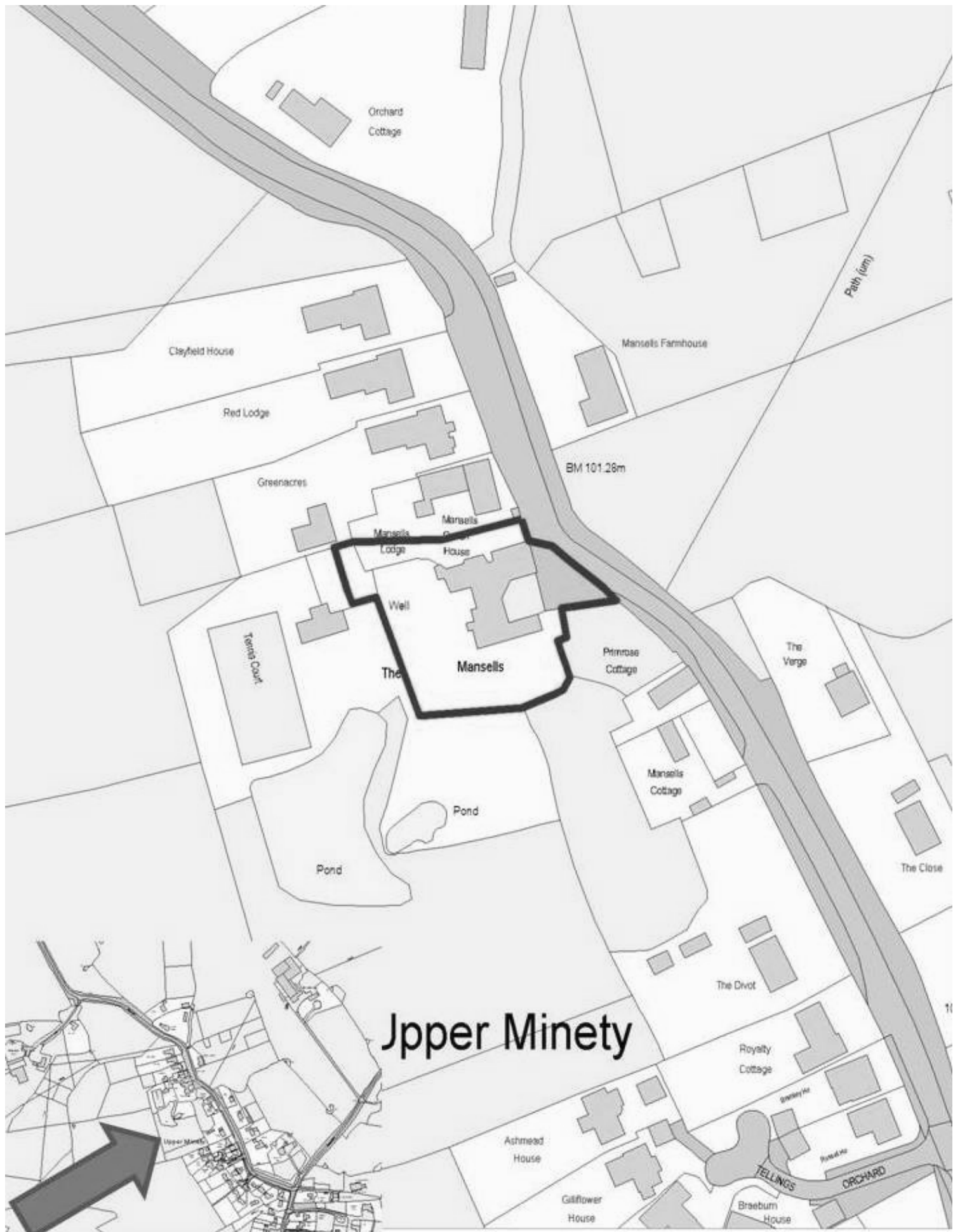
This proposal is not adequately justified, given that the rooms remains useable and that there are other alternative rooms within the house with larger windows or which are capable of being equipped with larger windows with less damage to significant features.

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. the loss of 2 No. 1700 window frames and associated stonework between them 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.

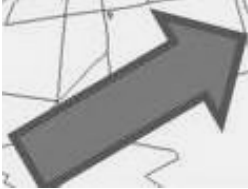
11. Recommendation

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

1. The proposals would damage the listed building and features of special architectural and historic interest without sufficient justification and is therefore not in accordance with the Planning (Listed Building and Conservation Area) Act 1990.



Upper Minety



TELLINGS
ORCHARD