Wiltshire Council Planning Consultation Response

12 October 2023

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Officer's Title: Planning Officer

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Wiltshire Council Conservation (South and West - part)

Application No: **PL/2023/08259**
Retrospective Application for the Erection of lightweight canopy porch and new fencing
THE COACH HOUSE, 5C ASH WALK, WARMINSTER, BA12 8PY

Please find following comments in respect of the above application(s).

Recommendations:

	No comment
	Support in principle subject to amendments to the scheme (as set out below)
	Support subject to conditions (as set out below)
x	Object (for reasons set out below)
	No objections

Scope of comments: the following comments relate to the built historic environment.

Policy: From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Sections 16 (LBC) and 66 (PP) require that **special regard** be given to the desirability of preserving listed buildings, **their settings** or any features of special architectural or historic interest which they possess.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay **special attention** to the desirability of **preserving or enhancing** the character or appearance of designated Conservation Areas.

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraphs 201-3 of the NPPF require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 197 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance." It is also required that distinctive elements of Wiltshire's historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced.

Wiltshire Council's Core Strategy Policy CP57 'Ensuring high quality design and place shaping': A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a **strong sense of place** through drawing on the local context and being complementary to the locality.

Site and assets considered:

The Coach House is to the rear of 5 Ash Walk which is a grade II listed building. The list description (it was listed in March 1978) reads as follows:

'The Old Police Station. Formerly a pair of houses. Early C19. 2 storeys. Ashlar Bath stone. Projecting plinth and let floor string. Flat eaves. flipped slate roof with central ashlar chimney. Each half of front has a slight break to central bay. Glazing bar sash windows, 6 single hung 1st floor, 5 on ground floor (originally 4) and modern door in centre bay of right hand part. The windows in projecting bay are narrower (2 panes wide). Dwarf stone wall with rounded capping and 2 pairs of small gate piers to the road. ***Stable block detached at rear***.'

Buildings within the curtilage (historic curtilage) of a listed building that pre-date July 1948 are deemed to be covered by the listing for the principal building (in this case, 5 Ash Walk) and as such, the former Coach House is a listed building (curtilage listed). Unusually the list description in this case specifically mentions the stable block at the rear.

Historic mapping shows the stable block prior to July 1948:



1844-1888 OS map

Background to the application and proposal:

An enforcement case was opened as some works did not accord with the approved plans.

The application seeks retrospective consent for: the retention of the porch and the close boarded fencing as constructed.

Issues: impact on the listed building (the former Coach House), the setting of 5 Coach Walk (the principal listed building) and the Warminster conservation area.

Information considered/provided: Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This includes conservation areas which are heritage assets. In this particular case, the application is accompanied by a design, access and heritage statement. However, notwithstanding this, paragraph 195 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.

Assessment of significance of the former stable block

A list description is there to identify a building, it is not intended as a catalogue of all that is of significance about a building, hence the requirement of paragraph 194 of the NPPF.

My assessment of significance of the stable block is that:

It has historic and social interest, as a characteristic stable block evidencing the original form of transport for occupants of the main house and indeed the police in the 19th century.

It is constructed of quality local materials;

That its simple linear form and is sited to the rear and side of the principal building, again pointing to its ancillary use and access to the road;

That the disposition of original openings provides evidential value of its former use;

That the lack of domestic features ie footscraper, dormer windows etc underline its ancillary role;

That the setts in front of the stables are historic and linked to its former use.

Assessment:

In justification for the unauthorised works, the agent says:

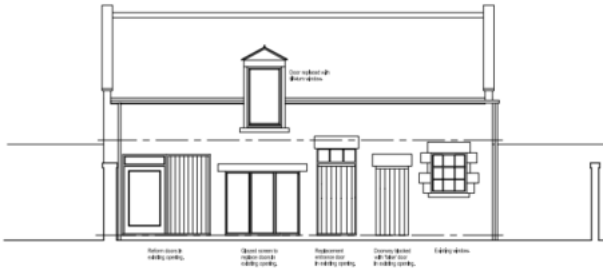
'The Council has therefore accepted that the use of the building as a residential dwelling is acceptable from a heritage perspective, and as such it must be accepted that certain alterations are necessary in order for the building to function as a dwellinghouse.'

Indeed we have accepted the principle of residential development but it is only acceptable on the proviso that the special interest of the building is preserved and that the setting of the main house is not harmed. As such, a scheme was negotiated on that basis. Indeed the agent goes on to quote from the original officer report (the key word being 'negotiated'):

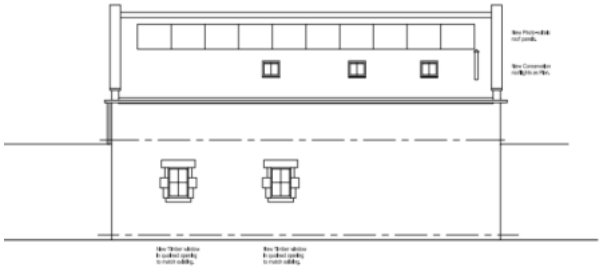
"The proposals have been ***negotiated with a view to ensuring that the heritage asset is not harmed*** *whilst providing for bringing the structures back into functional use as a functional dwelling for the applicant.'*

In respect of the original proposals (applications 16/07604/FUL and 16/07965/LBC) I raised no objection to the principle of residential development but concerned myself with the detailing of the scheme and the retention of features of significance such as the treatment of the openings, retention of the setts to the front

of the building **and retaining the intervisibility between principal listed building and this ancillary building**.

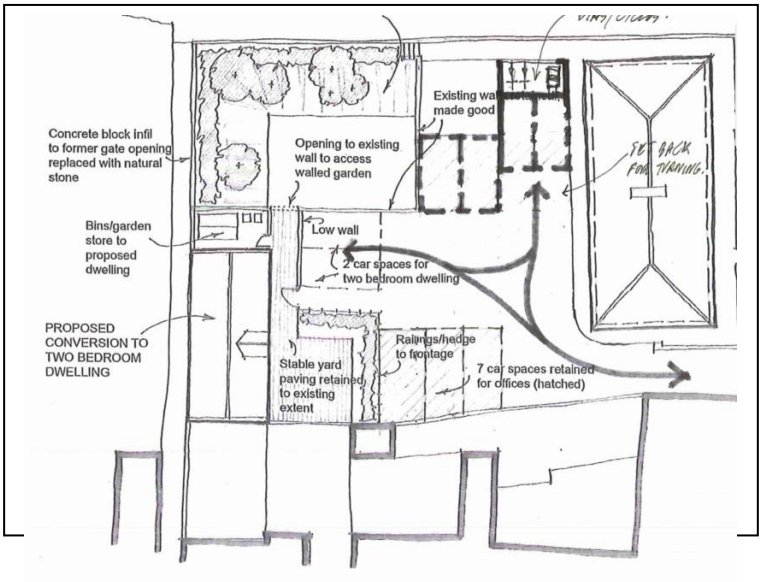


FRONT EAST ELEVATION



REAR WEST ELEVATION

As previously approved



The approved elevation did not include a porch as this is an overtly domestic feature which would erode the ancillary stable qualities of the existing building. As such, I consider the porch causes **harm** to the appearance of the building.

Nor did the approved proposals allow for a close-boarded fence. The objective was to retain the visual linked relationship between the main house and the ancillary building and to preserve a sense of the courtyard and access drive being one space, as originally conceived. It was felt that the negotiated low stone wall would preserve a view of the building from the road, that the railings would allow a greater degree of security to the space and that a hedge behind (something over which we would have little planning control) would enable the occupant to achieve a degree of privacy. It should be remembered that this is effectively a 'front garden' and very few standard front gardens achieve privacy (they have a private garden to the side).

In respect of the trellis, we did approve trellis (for the wall to the side and also to the **rear** of the dwellings in converted number 5). However, the trellis approved was not to be sited in front of a principal elevation. To reiterate, the approved trellis in respect of the main building was only at the rear. That said, the existing developer (not the original applicant) is not intending to erect trellis but rather metal black railings, as were originally approved for the Coach House!



Rear of main building. Note new low stone walls now to be topped with black metal railings to retain courtyard character

Summary & conclusion:

Section 66 of the Planning (LBCA) Act 1990 requires that *'in considering whether to grant planning permission for* ***development which affects a listed building or its setting****, the local planning authority …..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……..'*

Section 72 of the same act requires that works enhance or preserve the character of the conservation area. However, paragraph 206 of the NPPF requires that new works enhance the significance of heritage assets (the CA).

In respect of listed buildings, the devil is in the detail which is why listed building consent is required for most works of alteration to a listed building. The planning history of the site (both buildings) evidences considerable officer involvement, working closely with the original architect and subsequently the owner of the principal listed building to negotiate a scheme that does not harm the character or setting of both buildings.

I consider that the porch is an overtly domestic feature that detracts from the stable-like qualities of this curtilage listed building and thereby erodes its essential character. In respect of the close boarded fence, its solid non-permeable character inhibits views towards the stable block and disrupts the views between it and the principal building, thereby eroding the historic interdependent relationship and introducing a too domestic feature, out of character with the site.

For these reasons, I am unable to support the application.

In terms of the level of harm, I would assess it as being 'less than substantial' using the NPPF terminology and at the lower end of the scale.