

## Wiltshire Council Planning Consultation Response

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**Application No:** PL/2026/04403  
**Change of use from residential, equestrian and dog kennel to residential use only, including the redevelopment of the kennels and associated buildings to provide a self-contained dwelling with guest accommodation, wellness facilities, landscaping, and associated works.**  
**Avon Vale Hunt Kennels, Spyre Park, Lacock, Chippenham, SN15 2PR**

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

### Recommendations:

|                                     |                                                                             |
|-------------------------------------|-----------------------------------------------------------------------------|
| <input type="checkbox"/>            | No comment                                                                  |
| <input type="checkbox"/>            | Support in principle subject to amendments to the scheme (as set out below) |
| <input type="checkbox"/>            | Support subject to conditions (as set out below)                            |
| <input checked="" type="checkbox"/> | Object (for reasons set out below)                                          |
| <input type="checkbox"/>            | No objections                                                               |

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

**National Policy and guidance:** 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 or enhancing listed buildings, their settings or any features of special architectural or historic interest which they possess.

Paragraph 58B of the Planning Act 1990 requires that in considering whether to grant planning permission or permission in principle for the development of land in England which affects a registered park and garden, the LPA must have special regard to the desirability of preserving or enhancing the asset or its setting.

The NPPF (August 2026) sets out Government planning policy for England. Chapter 20, *Conserving and enhancing the historic environment*, recognises heritage assets as an irreplaceable resource. Heritage assets should be conserved in a manner appropriate to their significance, with harm avoided unless there is a clear and convincing justification. Decision-makers are required to apply a balanced approach, giving substantial weight to the conservation of heritage assets and weighing any harm to significance against the public benefits of the proposal.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for PP and LBC.

**Historic England’s “Conservation Principles” provides policy and guidance for the “sustainable management of the historic environment”. Additional guidance is also contained within their publications:**

- **Historic Environment Good Practice Planning Advice Note 2 – Managing Significance in Decision-Taking in the Historic Environment (2015)**
- **Historic Environment Good Practice Planning Advice Note 3 – The Setting of Heritage Assets (2nd edition)**

The following points are taken from the Historic England document “The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3” (HE GPA3) that are considered to be particularly relevant:

HE GPA3 Part 1:

“The NPPF makes it clear that the setting of a heritage asset is 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.”

“The extent and importance of setting is often expressed by reference to visual considerations. ...views of or from an asset will play an important part...”

“While setting can be mapped in the context of an individual application or proposal, it cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset. This is because the surroundings of a heritage asset will change over time.”

“The importance lies in what the setting contributes to the significance of the heritage asset or to the ability to appreciate that significance.”

Other HE publications

HE GPAs and HEANs [The Planning System | Historic England](#)

**Local Policy:** 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.

**Proposal:** The proposed scheme looks to re-build the existing Stables, and convert into additional private guest accommodation, convert the existing Kennels into additional private guest accommodation, and convert the existing Puppy Kennels into Wellness facilities for the private guest accommodation. Landscaping works, including the creation of new parking spaces and the removal of more modern structure will be undertaken to support the new private guest accommodation.

**Relevant planning history:** NA

**Issues:** impact on the registered Park & Garden, impact on the setting of neighbouring listed buildings, and the impact on the curtilage listed buildings.

**Information considered/provided:** Policy HE5 of the NPPF requires applicants to assess the significance of any heritage assets affected by a proposal, including the contribution made by their setting, and to identify the likely effects of the development on that significance. Sufficient information should be provided to enable a clear understanding of the significance of the heritage asset and its setting, and the impact of the proposal upon it.

Decision-makers must be satisfied that assessments accurately reflect the effects on heritage assets caused by development proposals and in this case, the application includes a Planning Statement which includes some discussion on heritage (related purely to the existing buildings) and provides the listing description for the Registered Park and Garden.

At the time of writing, a site visit has not undertaken, but a review of the Case Officers site photographs has been.

**Significance of assets and contribution of setting:** The NPPF defines significance 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**. Significance derives not only from a heritage asset’s physical presence, but also from its setting.” Historic England assesses significance in a similar manner, referring to evidential, historic, aesthetic and communal values of a place.

The interest may be architectural, or historic as set out in the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 S 1.

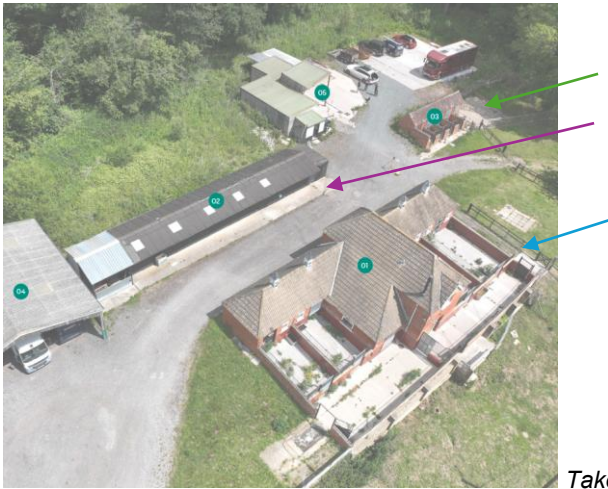
In this case the significance of the building lies largely with the connection to the functions of the operation of a country estate, and in particular to the recreational past times of the Country Gentleman. Whilst the buildings have limited architectural appeal, they were built with functionality and of a standard suitable for their use.

The proposed site forms part of the Spye Park. The main house, completed in 1871, replaced a manor house contemporary to the Stables, but was demolished following a fire (c.1990s). The former stables and coach-house now form the main residential dwelling (GII, mid C17, listed in 1987). Within the curtilage of the estate is the former Game Larder for the demolished main house (GII, c.1870, listed in 1987), and Elfin Cottage (GII, C14 origins, with C16 & C18 alterations, extended in C20, listed in 1962, amended 1987). Within the curtilage is a SM of Roman road. The park and garden is registered as Grade II (listed in 2002), with a comprehensive listing description, but in summary, the landscape is the remains of an early C18 garden by Stephen Switzer, set in later C18 pleasure grounds and a landscape park, with later C19 landscaping.

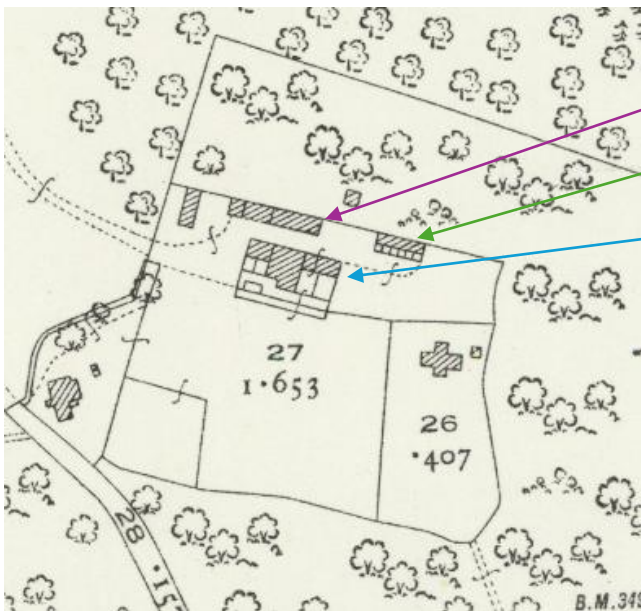
The application site focuses on a group of estate buildings to the south of the estate, between the Diary Farm and the Walled Garden, indicating that these were working buildings. Working buildings on historic country estate have often been overlooked, but the whole estate was integral to allow for the operation and up-keep of the estate, and, particularly in the Victorian period, for the up-keep of Gentlemanly pursuits, such as hunting. Whilst the some of the buildings may be of a more utilitarian appearance, they still retain historic significance.

**Assessment:** The proposed scheme looks to convert the Kennels and Stable into additional private guest accommodation to support the estate. The submitted Planning Statement (para.6.5) concludes that the buildings are not designated heritage assets and are not considered non-designated heritage assets as it is believed that they are of no ‘archaeological, architectural, artistic or historic interest’ (NPPF wording). There is no discussion on why the buildings are not considered to be of significance, or how they relate to the Estate.

The Act 1990 considers the 'special architectural or historic interest' of a building. Historic England's guidance on curtilage listed structures advise that a 'curtilage listed building may also have its own 'special architectural or historic interest' or may contribute to the special interest in the principal building as part of the group.' It recommends that guidance on whether a building would be considered as curtilage should be sought from the local planning authority. There is no reference within the submitted application or on the planning history that this discussion has been undertaken. It is therefore important to establish if these buildings should be considered as curtilage listed or contribute to the significance of the designated heritage assets.



*Taken from the submitted DAS*



*3<sup>rd</sup> Edition OS Map, (1898-1939)*

***Building One (Blue arrow) – The Kennels***

A red-brick building, of one and two storeys, built to house dogs and their handler(s).

***Building Two (Purple arrow)- The Stables***

This is a narrow, single storey, timber clad building which forms the current stables.

***Building Three (Green arrow) – The Puppy Kennels***

This is a small brick structure

## *Buildings Four, and Five – Barn & Ancillary Farm buildings*

These are modern agricultural/ equestrian buildings and have limited significance.

As shown on the 3<sup>rd</sup> Edition OS map, Buildings One, Two and Three are identifiable and appear to retain their original footprint. The boundary walls to the complex appears to have been removed, but the sub-division within the Kennels remains. These buildings also appear on the First Ed. OS map (1844-1888). The Case Officer photographs show that the building retain many of their original plan form and fixtures & fittings for building constructed in the early-mid 1800s.

## *Curtilage listed*

A listed building is commonly identified in the National Heritage List for England by an address only, although more recent entries contain a plan showing a blue line around the principal listed building. In either case, unless the list entry explicitly says otherwise, the law (section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990) says that the listed building also includes ‘any ancillary object or structure within the curtilage of the building, which forms part of the land and has done so since before 1st July 1948.’ The curtilage of a building (the principal building) is in general terms any area of land and other buildings that is around and associated with that principal building. Spye Park has three listed buildings, including the former Stables & Coach House (GII).

To qualify as curtilage-listed under UK planning law, a structure generally must meet these tests:

- Location: It sits within the immediate curtilage (grounds or yard) of the main listed building.
- Age: It was built or formed part of the land before July 1, 1948
- Ownership: their ownership, both historically and at the date of listing; and
- Function: the use or function of the relevant buildings, again both historically and at the date of listing.

The submitted information is relatively limited, but the historic maps and the information provided would indicate that Buildings One, Two and Three should be considered as Curtilage Listed.

- Location – the site is clearly within the curtilage of the Estate, and within the Registered Park and Garden,
- Age – Buildings One, Two and Three are shown on the first and second edition OS maps, and therefore the buildings formed part of the estate before 1948,
- Ownership - the ownership at the time of listing (1987) is unknown. Reviewing the previous applications (PL/2023/05076), the application form includes Certificate B, which notes the owners as The Meadow Brook Trust, which would indicate that the ownership has remained within the same ownership as the main estate. The submitted information indicates that the site has ‘reverted back to the estate’ (Planning Statement para 2.2) which also implies that it retained the ownership of the site.
- Function – The buildings formed part of the country estate, housing the dogs owned by the owner of the house. It would appear that until relatively recently that they have retained a similar role of being used as kennels, even if not used by the owner of the estate.

The submitted plans and the Case Officers photographs show that they appear relatively intact and unaltered from their original construction.

Therefore, Buildings One, Two and Three are considered to be curtilage listed, and as such, should be considered to be Grade II listed. Therefore this application should be supported by a Listed Building Consent application.

### *Proposed works*

The submitted application looks to convert the Buildings One and Three, which would include the demolition of some internal walls and alterations to the external appearance. Building Two is proposed to be replaced with a similar scale and form of building, retaining the openings but changing the cladding.

### *Building One – The Kennels*

This is the most dominant building of the group. As discussed in the application, it was formed to provide kennels to the ground floor and accommodation to the first floor.

The proposed works include:

- External
  - North Elevation
    - Form new openings and doors, infilling the existing openings.
  - West Elevation
    - Form new openings within the former kennel wall and alter external wall to allow for the proposed conservatory extension.
  - South Elevation
    - Remove all existing openings and relocate to create three large openings, installation of a roof light and enlarge first floor window.
  - East Elevation
    - Form new window opening in the kennel and replace existing windows.
- Internal
  - Ground floor
    - Demolition of part of the external boundary walls, partial demolition to part of the external wall, removal of internal walls and removal of internal staircase.
  - First floor
    - Removal of internal walls but retaining the central chimney stack

The proposed works look to alter much of the external appearance, in particular to the south elevation where the formation of the openings will be substantially altered. This will alter the appearance of the building and will disrupt the rhythm of openings. The extent of the proposed demolition is considered to result in a change of floor plan. The floor plan was formed for a specific use and therefore has significance.

To support the change of use, it is proposed to create a new conservatory, creating a large open area to the ground floor, referred to as Kitchen in the application documents to provide facilities for the private guests. In addition, it is proposed to create a veranda. These works result in a change of appearance and a loss of fabric.

Whilst the original function of the building appears to be redundant, and finding a long-term sustainable use is supported, the extent of the works proposed to this simple building is considered to cause harm to the significance of the designated heritage asset.

Whilst this is a planning application, no details have been submitted on the proposed services to support the conversion (such as SVP) or how the building fabric will be improved to allow for thermal/ acoustic/ fire separation. The LBC application should provide details on the proposed works to the floors which retain their original finish.

## *Building Two – Stables*

The proposed scheme looks to demolish this building and replace with a new structure of the same footprint and scale, but with horizontal cladding, rather than traditional horizontal cladding. The information submitted notes that this building is in poor condition and not suitable for conversion, but no further evidence has been provided. The loss of the building would be considered to cause substantial harm, and it has not been clearly evidenced that the building is in poor condition to justify its loss.

The proposed replacement building retains the appearance of the stable and looks to re-use the doors and windows. The proposed design is considered to be acceptable in principle if the existing building is beyond repair and conversion.

## *Building Three – Puppy Kennels*

The submitted information shows that the existing roof will be replaced and the existing openings will be altered to provide wider openings, together with the removal of some external and internal separation walls. The proposed scheme looks to installed large Crittall style doors and fixed glazing to allow for the conversion into a Wellness building for the private guests. This will include the insertion of sauna / steam room.

The proposed works would result in a loss of fabric and a change of appearance. As the space is proposed to be used as Sauna/ steam, it is unclear why the existing opening need to be enlarged. There are no details on how the existing fabric will be upgraded.

Whilst the works here are limited, they would result in some loss of form and fabric, which requires clear and convincing justification for the loss.

## *Landscape*

The existing setting is formed of hardstanding, offering a functional, though un-attractive appearance. The proposed layout creates a parking area and then provides paths and soft landscaping to the buildings. This will offer a softer appearance. The proposed landscaping works are considered to cause no harm to the setting of the listed building, or the significance of the Registered Park & Garden.

**Summary & conclusion:** The NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset requires clear and convincing justification.

The proposals will result in harm to the building via the loss of historic fabric and character and via change to its layout and original external form. The proposals involve only part of the building and could therefore be considered as causing 'harm' for the purposes of interpreting the NPPF, but they involve the loss of important structural historic fabric and should not be seen as being of lesser consequence. Indeed, the wording of the NPPF and the 'special regard' by Sections 16 and 66 of the Act requires that any level harm caused should be taken seriously.

Policy HE6 allows for harm caused to be weighed against the public benefits resulting from the proposal. However, in this case no objective justification has been provided for the works and it has not been demonstrated that the works will result in any public benefit from a heritage perspective. The application information does suggest that there is a tourism benefit, but also strongly indicates that the accommodation is for the private guests of Spye Park, which therefore would suggest that this is for private use as an annexe and not as holiday accommodation for the public to rent/ use.

As a result, the proposals fail to meet with the requirements of current conservation legislation, policy or guidance and it is unlikely that we would be able to support an application should it be submitted in this form.