
Appeal Decisions

Site visit made on 2 August 2016

by J E Tempest BA(Hons) MA PGDip PGCertHE MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7th February 2017

Appeal A: Ref: APP/Y3940/W/16/3150550

Milbourne House, Milbourne Lane, Milbourne, Wiltshire SN16 9JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Johan Brunnberg against the decision of Wiltshire Council.
 - The application Ref 15/11987/FUL, dated 3 December 2015, was refused by notice dated 11 March 2016.
 - The development proposed is renovation, alteration and extension to outbuildings.
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Appeal B: Ref: APP/Y3940/Y/16/3150551

Milbourne House, Milbourne Lane, Milbourne, Wiltshire SN16 9JD

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Johan Brunnberg against the decision of Wiltshire Council.
 - The application Ref 15/12157/LBC, dated 3 December 2015, was refused by notice dated 11 March 2016.
 - The works proposed are renovation, alteration and extension to outbuildings.
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Decisions

Appeal A

1. The appeal is allowed and planning permission is granted for renovation, alteration and extension to outbuildings at Milbourne House, Milbourne Lane, Milbourne, Wiltshire SN16 9JD in accordance with the terms of the application, Ref 15/11987/FUL, dated 3 December 2015, subject to the attached schedule of conditions.

Appeal B

2. The appeal is allowed and listed building consent is granted for renovation, alteration and extension to outbuildings at Milbourne House, Milbourne Lane, Milbourne, Wiltshire SN16 9JD in accordance with the terms of the application Ref 15/12157/LBC dated 3 December 2015 subject to the attached schedule of conditions.

Main Issues

3. These are whether the proposals would preserve the curtilage listed buildings of the coach house and stables, byre and log store and any features of special architectural interest they possess and whether the proposals would preserve the listed building known as Milbourne House and its setting.
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Reasons

4. Milbourne House is a Grade II listed building set within its own grounds and occupied as a family house. The evidence indicates the house dates from the 17C with additions in the 18C and 19C as well as alterations and small additions from the 19C and 20C. The proposals seek to renovate, alter and extend detached outbuildings to be used as ancillary accommodation for the dwelling. The Council does not dispute the proposed use of the development.
5. The proposals relate to three separate outbuildings. One building is the former coach house and stables. The other two buildings comprise a building used as a log store and a former byre or implement shed. The proposals are accompanied by a Statement of Significance and Heritage Statement, together with extracts from a report prepared by the Wiltshire Buildings Record. These documents suggest a date of around 1800 for the byre and log shed. The coach house and stable block are absent from an 1802 map but shown on a tithe map of 1843.

Coach house and stable block

6. This stone building has a stone tiled roof with ball finial details at each end. The wall which extends beyond the north west end of the building has a swan neck top. The quality of this south west elevation, which is seen in the context of the principal elevation of the house, has been somewhat diminished by an alteration to form a garage within the stable area. This alteration removed one of the three arch headed openings replacing it with a flat concrete beam.
7. The north east elevation includes lean-to extensions of various dates and quality, the lean-to extension to the former coach house having resulted in the removal of part of the rear wall at ground floor level. The building has a first floor above the former stables. Recesses or slots in the north east wall provided for hay to be dropped into the hay racks of the stables below.
8. The building does not appear to be in any active use other than for some casual storage. Despite the alterations which have taken place the building makes a positive contribution to the setting of Milbourne House and to its significance having regard to its use in connection with the house.
9. The proposals show the central arch entrance to the stable block would be reinstated. Each of the three arched openings would retain the timber doors as shutters with glazed timber screens and doors to serve the proposed accommodation. The former coach house would remain open to the roof as now. The evidence indicates that the timber partition within the stable area, which would be retained but repositioned, has been slightly repositioned already and that only part of the partition is original.
10. The current stair to the upper level is modern. The evidence advises that historically, the upper floor would have been accessed via a vertical ladder. Therefore, whilst the proposed stair would not be in a historic location, the position would allow the stairs to benefit from maximum headroom and minimise the loss of historic fabric having regard to the need to replace timbers which are in poor condition. Ground floor finishes are proposed to be lifted and re-used following the installation of underfloor heating.
11. The proposals would result in the loss of one of the recesses between the ground and upper floor in the north east wall to create an internal doorway into

the rear lean-to. The extension to the lean to on exterior north east wall would be in line with the existing lean to, and the end wall which would be lost is predominantly timber doors and boarding and not shown by the evidence to have historic interest. The introduction of a glazed porch of simple design between the two extensions and set behind their north east walls would not detract from the character of this elevation of the building.

12. I have taken into account that permission has been previously granted to turn the coach house into residential accommodation. The proposals before me differ from the scheme previously permitted in 2007 and 2011 in some key respects, including the nature of the accommodation to be provided. I note that the earlier scheme would have introduced a first floor over part of the coach house. Whilst the earlier scheme did not extend the lean-to extension or provide an external porch, differences between the earlier and present schemes are not in themselves grounds for resisting the current proposals which I have assessed on their own merits. I am satisfied that the appeal proposals would secure a future for this outbuilding and would not result in the unacceptable loss of historic fabric nor detract from the significance of the building.

Byre and log store

13. The byre or implement shed and log store are single storey buildings under clay tiled roofs. The Heritage Statement indicates that, based on map evidence, there was formerly a link between the two buildings. The buildings have been altered and the log store has lost its original roof but retains an original round brick pier. The byre has a much altered roof and rebuilt round piers which lack their stone plinths and capitals. Despite the changes which have taken place, the buildings contribute to the setting and significance of Milbourne House, as they retain a simple vernacular appearance and provide evidence of former agricultural use associated with the house and land.
14. The proposals would lengthen the byre and the roof of the log store to create an L-shaped building. In order to make the existing byre suitable for accommodation, an increase in the internal height is required. The proposals would raise the walls of the building and rebuild the round piers to raise the roof of the building by around 400 mm. The appellant's evidence includes a note on the proposed repairs to the building. This note and the Heritage Statement set out the changes which have taken place to the roof structure of the byre and confirm that the number of historic trusses, formed from half logs, is limited to three and that crude repairs have been carried out where the beams bear on the brick piers. Considerable replacement of rafters and purlins has taken place.
15. Whilst the proposals would effectively entail the construction of a new roof above the raised walls, the evidence states that the appellant intends to carefully dismantle and repair the historic timbers for re-use. Taking into account the extent of work which has already taken place at the byre I am satisfied that the works to alter the byre and to link it to the log store would not result in the unacceptable loss of historic fabric.
16. The proposals also entail a significant extension to the building, which would approximately double the floor area of the byre in its lengthened form. The new building would broadly reflect the length, height and width of the lengthened byre and the proposed raised roof line.

17. The provision of a new building to provide a large single space for entertaining and providing the opportunity to open out towards the grounds of the house is not inappropriate. The mass, scale and overall design of the building, subject to satisfactory control over detailing, would not have an adverse effect on the significance of the byre building.

Assessment of the proposals overall

18. The increase in height of the extended byre would be modest. The ridge height of the extended building would remain lower than that of the coach house and stable block. Views of the coach house and stable block from the gardens, including views from the north east and north west would be altered and the proposed scheme would obscure more of the stable block in views from these directions. Nonetheless, I consider these changes would not be harmful to the setting of Milbourne House. The grounds of the house are spacious and the siting of the extension on the north east side of the byre has been sensitively selected. The hierarchy of relationships between the house, coach house and byre in terms of the refinement of their design and in relation to their mass and scale would remain.
19. Whilst the Council is concerned regarding the loss of historic fabric, these concerns are not set out in detail nor are the findings of the appellant's Heritage Statement challenged. Whilst the proposals would result in some loss of historic fabric, this would be relatively limited and the proposals taken as a whole would secure an appropriate new use for buildings which currently have little active use and would result in their repair and long term retention. Accordingly, taken as a whole I find that the impact of the proposals on the significance of the heritage assets would be neutral.
20. The proposals would preserve the curtilage listed buildings and would preserve the principal listed building and its setting. As such, the proposals would comply with Core Strategy¹ (CS) Policy CP58 which requires development should protect, conserve and where possible enhance the historic environment. The development and works would conserve the heritage assets in a manner appropriate to their significance. For these reasons, the proposals would accord with Section 12 of the National Planning Policy Framework which requires great weight to be given to the conservation of heritage assets. The proposal would also comply with CS Policy CP57 which is a wide ranging policy relating to securing high quality design in all new developments.

Conclusions and conditions.

21. For the reasons given above, I conclude that both the appeals should be allowed, subject to the imposition of appropriate conditions.
22. With regard to Appeal A, in addition to a condition listing the approved plans, I agree that given the location of the site outside the settlement boundary and the relationship between the buildings on the site, a condition is necessary requiring the development to remain ancillary to Milbourne House.
23. With regard to Appeal B, the Council seeks additional control over a number of matters which are not fully detailed or specified on the submitted plans. Whilst the written documentation in the design and access statement and Heritage Statement confirm intent, these matters have the potential to affect the special

¹ Wiltshire Core Strategy adopted January 2015

interest of the buildings and the setting of Milbourne House. Conditions are therefore required to provide control over the details of joinery, external finishes, features and fixtures, rooflights, works to the floors and roofs including details of new, retained and re-used materials. In addition to those matters identified by the Council, and in line with the appellant's stated intentions, I have added a requirement for details of the reuse of the historic timbers in the byre to be provided. I noted during my site visit that an element of the coach house appears to have been incorrectly drawn on the existing and proposed drawings and I have added a condition to address this.

24. As the existing outbuildings largely lack services and the introduction of services has the potential to affect the character of the buildings I consider the Council's requirement for a condition relating to service routes is justified. The appellant has suggested some amendments to the Council's proposed conditions. I am mindful of the advice in Planning Policy Guidance regarding the use of pre-commencement conditions. As the detailed matters which require further approval relate to works to three separate buildings and extensions to them, it is not necessary to preclude any commencement until all these details have been resolved. I have therefore imposed one pre-commencement condition on the listed building consent which would allow the appellant and Council to confirm the manner in which the necessary details should be submitted. I have also made some adjustments to the wording of the Council's suggested conditions in the interests of clarity and consistency. I have omitted specifying the scale of drawings to be submitted as I consider this would be excessive in some cases. However, this would not preclude the Council from seeking such information as part of the process of considering the discharge of conditions.

Jennifer Tempest

INSPECTOR

Attached – Schedules of conditions.

Appeal A – Schedule of conditions relating to planning permission.

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1108 EX00 Location Plan; 1108 PL00 Proposed Block Plan; 1108 PL01 Stables and Logstore Proposed Plans and Section; 1108 PL02 Coach House Proposed Plans; 1108 PL03 Proposed Elevations; 1108 PL04 Proposed Elevations; 1108 PL05 Proposed Elevations.
- 3) The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling known as Milbourne House and it shall remain within the same planning unit as the main dwelling.

Appeal B: Schedule of conditions relating to listed building consent.

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) The works hereby permitted shall be carried out in accordance with the following approved plans: 1108 EX00 Location Plan; 1108 PL00 Proposed Block Plan; 1108 PL01 Stables and Log store Proposed Plans and Section; 1108 PL02 Coach House Proposed Plans; 1108 PL03 Proposed Elevations; 1108 PL04 Proposed Elevations; 1108 PL05 Proposed Elevations.
- 3) The works hereby permitted shall be carried out in accordance with the works described in the Design and Access Statement and the Statement of Significance and Heritage Statement.
- 4) Prior to the commencement of any works authorised by this consent a schedule defining the relevant part of the works in respect of each of the buildings and extensions to be addressed in relation to the matters set out in condition 5 shall be submitted to and approved in writing by the Local Planning Authority. The details required under condition 5 shall be submitted in accordance with the schedule thereby approved.
- 5) Notwithstanding the approved drawings, prior to the commencement of the relevant part of the works, details of the following shall be submitted to and approved in writing by the Local Planning Authority:
 1. all new and replacement external doors, windows and shutters including vertical and horizontal cross sections through openings to show the position of joinery within openings, depth of reveal, heads, sills and lintels;
 2. proposed eaves and verges including any valley gutters and intersection with existing walls and roofs;
 3. any new or replacement internal doors, staircases, partitions and skirtings;
 4. external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
 5. all proposed rooflights including their position in relation to the plane of the roof covering;

6. existing flooring materials which are to be re-used including their proposed location and details of the method and materials for any new flooring including impact on the footings of the existing structures;
7. the works to raise the roof over the building for which the floor plan is shown on drawing no. 1108 PL01 including details of works to the existing walls and round piers and the re-use of existing timbers;
8. proposed internal service routes;
9. the method and materials for any treatment and works to roofs, ceilings or upper floors including insulation and identifying existing timbers and joinery and confirming to be retained;
10. works to the south west elevation of the stable block relating to the reinstatement of the arched head to the central opening;
11. new or replacement rainwater goods (which shall be of cast metal) and their finish and means of fixing to the building.

The works shall be carried out in accordance with the details thereby approved.

- 6) No works to the external walls or roofs shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
- 7) No walls shall be constructed on site until a sample wall panel not less than 1 metre square has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall be left in position for comparison purposes whilst the works are carried out and the works shall be carried out in accordance with the approved sample panel.
- 8) No paint or stain finish shall be applied to external timber (including window joinery) until details of the paint or stain to be applied have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
- 9) Notwithstanding the details shown on drawing PL04 which show a level top to the wall at the north western end of the coach house, this consent does not permit any alterations to the existing wall.

End.