
Appeal Decision

Site visit made on 21 February 2017

by J J Evans BA (Hons) MA MRTPI

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

Decision date: 14 March 2017

Appeal Ref: APP/Y3940/Y/16/3163454

Yatesbury Manor South, Yatesbury, Calne, Wiltshire SN11 8YE

- 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 & Mrs George Hotham against the decision of Wiltshire Council.
 - The application Ref 16/06534/LBC, dated 10 August 2016, was refused by notice dated 6 October 2016.
 - The works proposed are described as "to install part partition with sliding doors into the conservatory space. This will replace the consented "bi fold doors" in the space. The doors are Victorian in style and in keeping with the listed building."
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Decision

1. The appeal is allowed and listed building consent is granted for the installation of two stud partition walls with half glazed Victorian style sliding doors subdividing the conservatory into three sections, at Yatesbury Manor South, Yatesbury, Calne, Wiltshire SN11 8YE, in accordance with the terms of the application Ref 16/06534/LBC, dated 10 August 2016 and the plans submitted with it, and subject to the following condition:
 - (1) Notwithstanding the approved drawings, no new doors shall be installed in the partitions within the conservatory until details of the following have been submitted to and approved in writing by the local planning authority: large scale details of the new internal doors shown on elevations at a scale of not less than 1:10, and vertical and horizontal sections including setbacks and reveals at a scale of not less than 1:5. The works shall be carried out in accordance with the approved details.

Procedural Matters

2. Yatesbury Manor South is a grade II listed building. As required by Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
 3. The proposed works are for the installation of two stud partition walls with half glazed sliding doors. The drawings submitted for the appeal showed these works and also other works to the house that are not consistent with the application description. The Council and appellants have confirmed that the application was for the internal partitioning of the conservatory and the provision of sliding doors, and the Council considered the application on that basis. Following this confirmation from the parties, the description in the
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banner heading above is that from the original application form, whilst for clarity and accuracy I have cited the description on the Council's decision notice and that referred to within Part E of the appellants' appeal form in the consent.

4. From my visit it was apparent that the conservatory and internal partitions had been constructed, although the proposed sliding doors had not been installed. The Council have also confirmed that the part glazed external door erected on site has been approved as a conditional requirement. For the avoidance of doubt, I have determined the appeal on the basis of the submitted drawings, having regard to the external door as approved by the Council.

Application for Costs

5. An application for costs was made by Mr & Mrs George Hotham against Wiltshire Council. This application is the subject of a separate decision.

Main Issue

6. The main issue is whether the partitions and internal doors would preserve the special architectural or historic interest of a listed building and its setting.

Reasons

7. Yatesbury Manor South is part of a large house that lies within a countryside position. Set within extensive gardens, the property was formerly known as The Manor House, and this two storey house with attic, is constructed of a mix of materials, including rendered chalk rubble and painted brick under a slate roof. The imposing size and height of the house, its rich architectural detailing both internally and externally, its historic social status, and its positioning within the landscape, are important elements of the special interest and significance of this listed building.
8. The existing conservatory was permitted by the Council in 2014, and is a replacement for the large slate roofed and mostly glazed walled veranda that was added to the property in the twentieth century. Notwithstanding the disagreement between the parties as to whether the replacement is described as a conservatory or an extension, the provision of painted brickwork beneath the windows, the brick and timber corner piers, the stone architrave to the new door, and the shallow pitched slate roof, have a substantial and solid appearance. Nevertheless above the walls of the conservatory the windows provide views of the historic house, although I appreciate that the installation of blinds and screens could reduce this.
9. The 2014 permission and consent allowed the internal subdivision of the conservatory through the provision of bi-fold doors. In the absence of any conditional requirement for the approval of the details of these doors, they could be constructed as solid rather than glazed, thereby subdividing the conservatory into three. Solid doors would effectively form a hallway between the historic door and the new one, albeit a passageway created with adjustable doors rather than walls. Whilst accepting these doors could be left open or shut or indeed partly folded, nevertheless they would sub-divide the internal space, thereby obscuring views of the house. As there remains a genuine possibility that these doors could be erected instead of the appeal proposal, this is a fall-back situation to which I must have regard.

10. Above the walls and through the part glazed external door approved by the Council for the 2014 scheme there are views into and through the conservatory, and the historic walls, doors and windows of the house remain visible. The proposed half-glazed sliding doors would maintain much of this intervisibility, whether positioned open or shut. Having regard to the fall-back position and the provision of solid bi-fold doors along with the part walled form of the conservatory, the provision of partition walls and sliding part glazed doors would not significantly obscure views of the historic building or therefore harm its special interest or its setting.
11. A local resident has drawn my attention to policies within the Council's development plan. Although these are not determinative in listed building cases, for the reasons given above, the proposal would accord with Core Policy 58 of the Wiltshire Core Strategy (2015). This policy seeks, amongst other things the protection and conservation of the historic environment, reflecting an objective of the National Planning Policy Framework (the Framework).

Other Matters

12. Local residents have pointed out that works have been occurring to the property for which there has been no permission or consent. Such concerns fall to be pursued by other means separate from the appeal process and are not for me to consider.

Conditions

13. I have considered the conditions suggested by the Council against paragraph 206 of the Framework. Where necessary and in the interests of clarity and precision they have been altered to better reflect these requirements. As the partitions hereby approved have been constructed I have imposed a condition requesting further details of the doors to protect the special interest of the listed building.

Conclusion

14. For the reasons given above and having considered all other matters raised, the appeal is allowed and listed building consent is hereby granted.

J J Evans

INSPECTOR