



Appeal Decisions

Site visit made on 31 July 2017

by **S J Papworth DipArch(Glos) RIBA**

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

Decision date: 16 August 2017

Appeal A: APP/Y3940/W/17/3169095

The Greyhound, Market Place, Wilton SP2 0HT

- 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 Larasian against the decision of Wiltshire Council.
 - The application Ref 16/04984/FUL, dated 25 May 2016, was refused by the Council by notice dated 12 August 2016.
 - The development proposed is replacement of ground floor courtyard facing windows and doors.
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Appeal B: APP/Y3940/Y/17/3169106

The Greyhound, Market Place, Wilton SP2 0HT

- 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 Larasian against the decision of Wiltshire Council.
 - The application Ref 16/05011/LBC, dated 25 May 2016, was refused by the Council by notice dated 12 August 2016.
 - The works proposed are replacement of ground floor courtyard facing windows and doors.
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Decision Appeal A

1. I dismiss the appeal insofar as it relates to the ground floor courtyard facing windows. I allow the appeal insofar as it relates to ground floor courtyard facing doors and grant planning permission for new doors and side-lights at The Greyhound, Market Place, Wilton SP2 0HT in accordance with the terms of the application, Ref 16/04984/FUL, dated 25 May 2016, and the plans submitted with it, so far as relevant to that part of the development hereby permitted.

Decision Appeal B

2. I dismiss the appeal insofar as it relates to the ground floor courtyard facing windows. I allow the appeal insofar as it relates to ground floor courtyard facing doors and grant listed building consent for new doors and side-lights at The Greyhound, Market Place, Wilton SP2 0HT in accordance with the terms of the application, Ref 16/05011/LBC, dated 25 May 2016, and the plans submitted with it, so far as relevant to that part of the works hereby permitted.

Main Issue

3. In both appeals this is the effect of the works on the historic and architectural significance of the listed building and its setting.

Reasons

4. The building is listed Grade II and that includes the parts that are the subject of the appeal, described by the Council as being ancillary listed buildings, with the works affecting the setting of the host building. Sections 16(2) and 66(10) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
5. Paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. The courts have determined that considerable importance and weight should be given to harm found to the significance of listed buildings. These requirements are reflected in Policy 58 of the Wiltshire Core Strategy '*Ensuring the Conservation of the Historic Environment*'.
6. The proposal appears to be entirely retrospective and involves the installation of a door and side panels described by the Council as a porch, linking the bar area to the courtyard, and the installation of vertical sliding windows to various locations facing onto the courtyard. Whilst not a deciding factor in listed building conservation, the items can be viewed at close quarters by users of the building and at a greater distance by the public walking along Silver Street, albeit this is a busy main road.
7. All of the items are in uPVC material with a slight wood-grain in a matt or satin cream finish, rather than the more usual smooth white finish associated with the material. However, whilst the material on close inspection is clearly not timber, and in fact good quality joinery properly finished should not show grain to even this extent, the detailing of the construction of the windows causes harm to the significance of the listed building as follows;
8. The sash boxes are not correctly formed with no parting bead and the lower parts of the pulley-stiles are blocked-out rather than remaining as a recess for the lower sash down to the cill. From the inside, the lower sash is flush with the frame rather than being behind the staff or stop beads, these being traditionally separate from the frame and removable to allow access to the weights in the event of a pulley cord snapping. The lack of pulley cords is another indication of a non-traditional construction, as are the separate horns and glazing bars clearly not formed or jointed into the main sash frame. Even if acceptable, the horns would have been a continuation of the stile rather than clearly added as here.
9. It is the case that the windows concerned are part of previously approved new works rather than being replacements for original sashes and frames, but on this listed building, which displays architectural and historic significance both inside and out, the choice of material, and particularly the method of construction, causes harm to the significance of the building and detracts from its historic interest. It is the case that double hung sash windows appear elsewhere on the building, and vary in their detailing, but in this location, where close inspection is available, the format of the windows now in position detracts from the understanding and appreciation of the building and they have introduced jarring and unwelcome features.

10. The level of harm is 'less than substantial', a differentiation required between paragraphs 133 and 134 of the Framework. In this case the latter applies and this states that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
11. There are clearly public benefits in the investment in a community and tourism facility in this attractive town, and the range of buildings were previously in a poor state of repair and detracted from the character and appearance of the area as well as from the significance of the listed building. It appears that the originally approved form for these windows was of a timber casement style, a wholly appropriate arrangement for this ancillary building, particularly given its historic use and the thorough refurbishment and alteration being carried out under that approval.
12. The appellant states that '*in August 2015 the agreed drawings were issued to the supplier. The drawings were not absolutely clear and there was some confusion as to what was being requested. The supplier took note of the other existing windows within the listed building and their sash format and assumed that the Appellant would be seeking something to match. The windows were subsequently provided on this basis*'. That explains the current situation, but is not a reason to accept works that cause harm to a listed building. The harm is caused by attempting, but failing, to match what was already in place. There is no benefit sufficient to outweigh the harm and no other considerations to indicate a decision other than in accordance with the 1990 Planning (Listed Buildings and Conservation Areas) Act, Policy 58 and the Framework, to dismiss the appeals with regard to the windows.
13. The doors are a more honest intervention, being clean in their lines and not setting out to be anything but a modern installation to address the new arrangement to the courtyard. They replace an unoriginal and unattractive porch, and they introduce an appropriate, understated entrance, allowing light into the bar and not confusing or eroding the understanding of the building. Their large glass panes are clearly contemporary and the use of uPVC with the accompanying exposed hinges, overlapping door leafs and mitred frames are part of that modern use of materials. No real harm is caused to the significance of the building, and the requirements of statute, Government policy and the Development Plan are met.
14. The conclusion in these appeals is that the harm caused by the window design is unacceptable and unjustified, with insufficient benefits, and both planning permission and listed building consent should be withheld. The doors are acceptable for the reasons set out above, and as a result, a split Decision is justified in each appeal, granting planning permission and listed building consent for the doors and side-lights alone. Since the proposal is retrospective and conditions cannot be utilised to make the windows acceptable, no conditions are attached to the split Decisions.

S J Papworth

INSPECTOR