



Appeal Decisions

Site visit made on 11 January 2022

by Graham Dudley BA (Hons) Arch Dip Cons AA RIBA

an Inspector appointed by the Secretary of State

Decision date: 8 February 2022

Appeal A: APP/Y3940/F/21/3281709

Former stable, Henley Court, Henley Lane, Box, Corsham, Wiltshire SN13 8BX

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr V Levine against a listed building enforcement notice issued by Wiltshire Council.
 - The enforcement notice was issued on 5 August 2021.
 - The contravention of listed building control alleged in the notice is the creation of a window opening in the first floor north east gable end of the building and 2) The erection of a plastic lean-to roof structure on the north east end of the building.
 - The requirements of the notice are 1) remove the wooden window lintel and wooden window, 2) block-up the window opening with stonework matching exactly the existing surrounding stonework by tying-in and keying-in the stonework so that it blends seamlessly with the existing surrounding stonework and so that the colour, mix, finish and materials of the mortar used in the stonework match exactly the existing surrounding mortar. 3) Remove in full the plastic lean-to roof structure.
 - The period for compliance with the requirements is 6 months.
 - The appeal is made on the grounds set out in section 39(1)(e) and (h) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
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Appeal B: APP/Y3940/Y/21/3278809

Former stable, Henley Court, Henley Lane, Box, Corsham, Wiltshire SN13 8BX

- 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 V Levine against the decision of Wiltshire Council.
 - The application Ref 21/00026/LBC dated 15 April 2021, was refused by notice dated 27 May 2021.
 - The works proposed are creation of window opening in first floor North East Gable End (retrospective).
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed and Listed Building Consent is refused.

Reasons

Ground (e) and listed building consent application

3. The ground (e) appeal is related to the window and not the lean-to structure and is similar to the listed building consent application.
4. The main issues are:
 - The effect on the significance and special architectural and historic interest of the listed building.
 - The effect on privacy.

Special Architectural and Historic Interest

5. Henley Court Stables is a grade II listed former stables building originally associated with Henley Court Farmhouse (also grade II listed). The farmhouse, large barn (grade II listed) and other outbuildings were sold into separate ownership in the late C20th. The former stable building backs onto the land and faces into the farmyard so that the public facing elevations are blank. This was a part of its design and contributes to the significance and special architectural and historic interest.
6. In the list description the building is noted for its group value. It is formed of rubble stone with stone tiled roof and coped gables. There is a central dormer gable with a loading door. Ground floor doors and window are in flush chamfered stone surround. There is a tiled lean-to at the end. The tiled range attached at the other end is not of special interest. The setting of the stable includes its immediate surroundings which have an impact on the way the listed building is perceived. The significance and special architectural and historic interest of the listed building relates in part to its origins and the character of an agricultural building.
7. The appellant contends that the stables were listed purely for the frontage into the courtyard where the main architectural features are to be found. He considers that there is nothing of notable architectural interest or merit on the rear(street) elevation nor on the two gable ends. The subject window is not visible when enjoying the front elevation nor is it visible going down Henley Lane (but it is prominent while coming up Henley Lane). The appellant maintains that it is also invisible from the legal footpath across the owner's land. However, that was not seen to be the case, with some visibility from the footpath.
8. There is nothing to show that the building was listed for the courtyard elevation. It is clear that the elevation to the courtyard is important, but so are the blank elevations to emphasise the arrangement and importance of the courtyard elevation and this the design of this building. Therefore, adding features to the other elevations reduces the importance of the main courtyard elevation and the whole historic design concept of the barn.
9. The opening is in the north gable at high level above a lean-to structure. There is a small 'slit' opening above, which was enlarged and glazed when the building was converted previously, but that remains a relatively small feature. The elevation is prominent when approaching the building along the road from Box.

10. The opening is wide and although would be divided into three parts with framing, is significantly out of proportion with the building. This type of structure could have a hayloft with a gable end door, which might have been part of its character. However, if a hayloft door had been provided it would most likely have very different proportions and impact, and this building has a hayloft type door on the other elevation. The formation of the opening will have removed historic fabric, but the horizontal proportions of the window is completely alien to the character of the building. The fact that the appellant considers that the adjacent building has similar openings is not relevant as one is designed as a house and the other building was a stable.

Privacy

11. The new window is mainly over the rising staircase, and so difficult to approach closely apart from at one end. However, from here there are clear and relatively close views down into the large main 'cart door' window of the converted barn opposite and this would lead to a loss of privacy and a perception of loss of privacy for those occupiers. However, this matter could be resolved by condition and the requirement for obscure glazing. I therefore add little weight in relation to privacy.

Public benefits

12. The appellant requires the window for natural light and ventilation, particularly related to safety of use of the stairs. However, there is a roof window providing some light and ventilation, and the stair can be adequately provided with artificial light if that is required, so I attach little weight to this.
13. The appellant also argues that this would provide a viable future for the building. However, there is no evidence to show its use would not continue in the future, as has been the case since conversion. I attach little weight to this.
14. I have also considered the fire escape argument, but there is a door between the upper rooms leading to another staircase. This is a small domestic building and I do not consider the potential fire escape adds weight in favour, particularly as there is nowhere to escape to, other than the sloping lean-to roof.
15. I conclude that the window design is very poor and out of keeping with the listed building and harms the design that has blank walls, apart from the courtyard elevation. It causes 'less than substantial' harm to the significance and special architectural and historic interest. The benefits put forward by the appellant, whether public benefits or not, do not overcome or outweigh the harm.
16. Appeal A ground (e) and Appeal B are dismissed.

Ground (h)

The appellant is concerned not to have to take action on the lean-to, until the other issues have been decided. These have been decided together, so this is not relevant. The lean-to structure enforced against is of poor design, flimsy construction and out of character with the listed building.

Graham Dudley

Planning Inspector

