Wiltshire Council Planning Consultation Response

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Application No: **PL/2023/05084**
Change of use of the land from agriculture to a mixed use of agriculture/domestic and retrospective permission for a polytunnel and associated structures/buildings.
Land to the rear of Little Paddock House, 48 High Street, Littleton Panell, Devizes, SN10 4ES

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

Recommendations:

	No Comment
	Support
	Support subject to conditions (please set out below)
	Object (for reasons set out below)
X	No objections

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

Policy: 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 listed buildings, their settings or any features of special architectural or historic interest which they possess.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay **special attention** to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraphs 201-3 of the NPPF require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 197 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness.

The Council's Core Strategy 'Core Policy 58: Ensuring the conservation of the historic environment' requires that designated heritage assets and their settings will be conserved and where possible enhanced. 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.

The Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. Proposals are required to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:

i. enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development…
ii. the retention and enhancement of existing important landscaping and natural features…
iii. responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

Site: The site is an area of agricultural land separated from the main house by a track. The plot is adjacent to the corner of the boundary of West Lavington & Littleton Panell Conservation Area.

Proposal: Change of use of the land from agriculture to a mixed use of agriculture/domestic and retrospective permission for a polytunnel and associated structures/buildings.

Relevant planning history: N/A

Issues: Impact on the character and appearance of the conservation area.

Assessment: Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance. In this case, whilst the application is not accompanied by a "Heritage Statement" and fails to provide any objective assessment of the impact of the proposal and, as a result, it fails to meet the requirements of the NPPF.

However, paragraph 195 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.

The proposal seeks a mixed use of agricultural and domestic for polytunnels and associated structures. The proposal has a market garden character which is considered similar to agricultural in the wider landscape.

In conservation terms this use will have little impact on the significance of the conservation area. The setting of the nearby listed building would not be affected by this proposal.

As such in heritage terms this proposal is considered acceptable. I would however suggest that pd rights be removed for the erection of any new buildings/structures in order to protect the setting of the conservation area.

Summary & conclusion: The NPPF confirms 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 (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 impact of the proposals on heritage assets will be neutral and the requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application.