Wiltshire Council Planning Consultation Response

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Officer's Title: Planning Officer

Application No: **PL/2023/07197**
Conversion of section of old shop into a 2 bed dwelling with dormer window
Phil Stokes Motorcycles, West End, Westbury, Wilts, BA13 3JF

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

Recommendations:

	No Comment
	Support
	Support subject to conditions (please set out below)
X	Object (for reasons set out below)
	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 unlisted building located within Westbury Conservation Area at the rear of listed buildings and in the immediate setting of a number of other listed buildings.

Proposal: The proposal seeks the conversion of a section of an old shop into a 2 bed dwelling with a large box dormer window to the front elevation

Relevant planning history: PL/2023/03615

Issues: Impact of setting of listed buildings; impacton 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, the application is not accompanied by a "Design, Access and Heritage Statement" and fails to provide any objective assessment of the impact of the proposals on the heritage assets 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 site is within the Westbury Conservation Area and is located behind a group of Grade II listed buildings which front on to the Westend.

In this case the significance of the adjacent listed building lies largely with its historic fabric and architecture - its form, layout and architectural expression/detailing and use of high-quality design materials which have significant aesthetic and architectural interest and which contribute to the character of the conservation area. The rear of the building has, however, been compromised by extension and alteration during the modern period and is of lesser interest. Despite these alterations the site retains evidence of its origins as a simple mews style building.

The proposed Dormer is considered be visually intrusive and overly dominant for the scale of the

existing utilitarian mews building. Such Dormer are not native features of the Westbury Conservation Area and thus would read as discordant element in this particular context harming local character and distinctiveness failing to preserve the existing setting of the listed buildings in the locality and the character and appearance 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 proposals will result in harm to the setting of nos 28 and 30 Westend (Grade II listed buildings) and the Character and Appearance of the Westbury Conservation Area due to the incongruous nature of the proposed additions.

The proposals involve only part of the Conservation Area and part of the wider setting and could therefore be considered as causing 'less than substantial harm' for the purposes of interpreting the NPPF, but they involve the loss of important structural historic fabric and should not be seen as being of lesser consequence. Indeed, the wording of the NPPF and the 'special regard' by Sections 76 and 66 of the Act requires that any level harm caused should be taken seriously. Whilst paragraph 202 allows that a level of harm may be offset by public benefits, which could include conservation benefits, in this case no objective justification has been provided for the works and the proposals are articulated as being primarily for the convenience of the occupants i.e. a private benefit. As a result, the proposals fail to meet with the requirements of current conservation legislation, policy or guidance and I therefore recommend refusal.