Wiltshire Council Planning Consultation Response

26 September 2023

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Officer's Title: Senior Planning Officer

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Wiltshire Council Conservation (South and West - part)

Application No: **PL/2023/07485**

90, Market Place, Warminster, Wilts, BA12 9AW

Variation of condition 2 of PL/2023/03394 - to rebuild rather than convert to create plots 1 and 2 of the wider approved scheme of works and raise the floor and ridge level of plot 2

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

Recommendations:

	No comment
	Support in principle subject to amendments to the scheme (as set out below)
	Support subject to conditions (as 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. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 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 Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance." 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.

Wiltshire Council's Core Strategy Policy CP57 'Ensuring high quality design and place shaping': **A high standard of design is required in all new developments,** including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

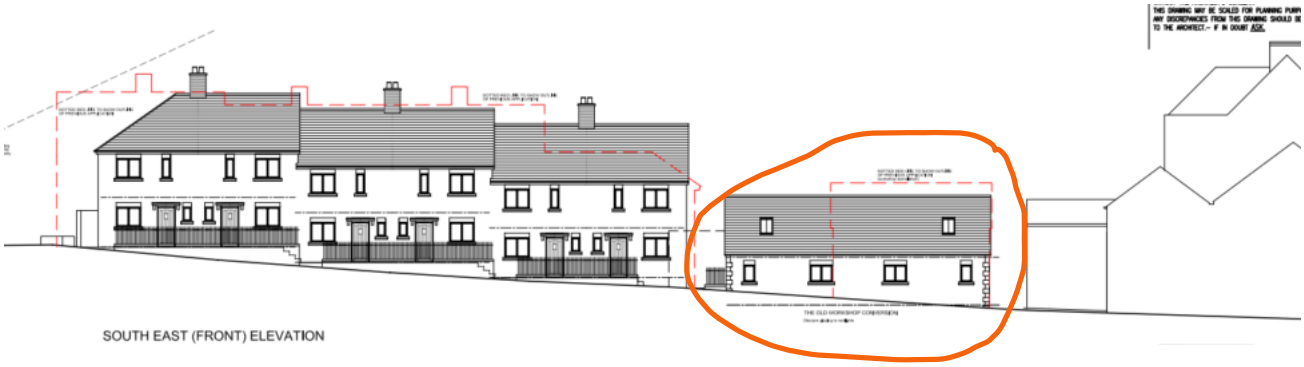
Site and assets considered:

Numbers 82-86 Market Place are not listed building but they are **within the Warminster Conservation Area**, as is the site which is to the rear of numbers 82-86.

Previous planning history

There are two previous applications.

Application PL/2021/05479



My comments followed on from a colleague's and I said:

'To recap, Helen's concern (as mine was previously) was to see the retention of the workshop building to the rear of number 84 and also to ensure that the burgage plots were still legible and respected by any new development, as well as the ***spatial hierarchy*** *respected in any new development.*

The revised proposed site plan (219012/104 22 Jan) appears to show the majority of the workshop building retained and converted. The schedule of demolition on the plan says the following are to be demolished: 'existing garage, attached store to rear of 82, end of workshop'. (The revised extent of demolition is shown on plan 219012/13 Rev B although it is still dated May 2021?).'

The proposals were subsequently amended and the workshop building was to be retained, as such I said:

'I welcome the retention and conversion of the workshop building'

Application PL/2023/03394

This application sought to vary the design of units 1 and 2 (the subject of the current application) by raising the height of the walls using a timber-clad system. My comments in respect of that application were:

'The upper walls are proposed to be timber clad, one assumes to minimise loadings on the existing walls. I have no objection to this on the basis that I do not consider it will have an adverse impact on the character of this part of the Warminster CA and is therefore in accordance with Section 72 of the Planning (LBCA) Act 1990 and core polices 57 and 58'

Approved south-east elevations



Note: Units 1 and 2 (former workshop building). The building was still considerably lower than 84 Market Place and lower than the new terrace so provided a break.

Proposal:

The current application proposes the demolition of the workshop (already carried out) and its replacement with two new 'stepped units'.

No south-east proposed elevations on the web???

As now proposed (rear elevation):



I
ssues: impact on the conservation area.

Information considered/provided: Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This includes conservation areas which are heritage assets. In this particular case, there is no such assessment (although there was a supporting heritage statement in respect of the 2021 application).

Notwithstanding this, 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.

Assessment:

I and my colleague have previously opined that the workshop building, a historic building, contributed to the interest of this part of the conservation area (historic interest as well as contributing to the character of the burgage plot arrangement).

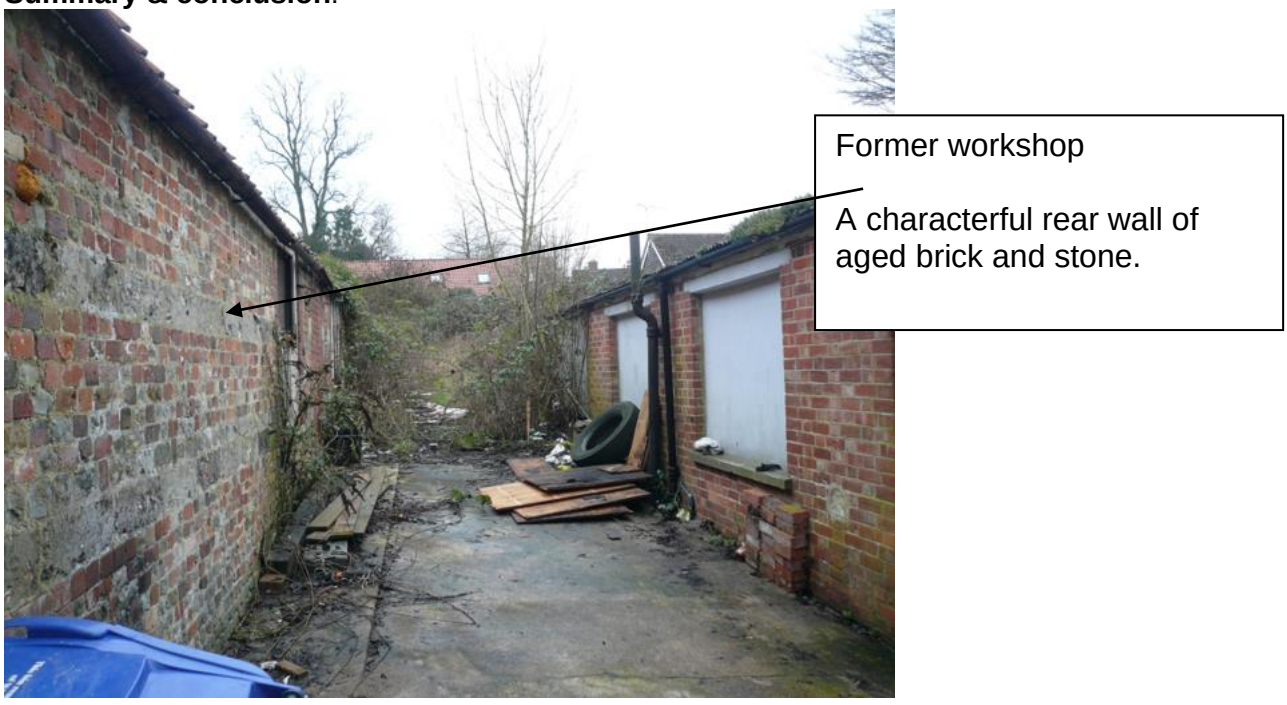
Given that we both sought for it to be retained and converted, I am very disappointed that the developer has gone ahead and demolished the building. I note that the planning statement refers (and includes) a dangerous structure notice, which perhaps could have been anticipated given the developer had removed the roof and exposed the foundations.

The letter does not say '*you should demolish the building'*. The prudent route would have been for the developer to have stabilised the remaining structure and then entered into negotiations with the planning authority, having sought the advice of a structural engineer (and I note that the application is NOT supported by an structural engineer's assessment of the building).

A less charitable interpretation could be that the developer wantonly undertook works that resulted in the de-stablisation of the building to achieve their original objective – namely the demolition of the former workshop building and its replacement.

I consider that the loss of this building denudes this part of the conservation area of some interest. The former workshop was an attractive building of brick and stone (photograph of its rear elevation following). A historic building converted, is not only a more sustainable approach, but retains character that the new building will not have. As such, I consider the proposal fails to preserve the character of the conservation area and results in some harm (less than substantial). Therefore I am unable to support the current application and consider the demolition of the building not to have been justified.

Summary & conclusion:



Section 72 of the Planning (LBCA) Act 1990 requires that works enhance or preserve the character of the conservation area. I consider the proposals harm the character of this part of the conservation area.

In terms of the level of harm, I would assess it as being ‘less than substantial’ using the NPPF terminology.