Wiltshire Council

Wiltshire Council Planning Consultation Response

4 October 2023

Jocelyn Sage
Senior Conservation Officer
Wiltshire Council Conservation (South and West - part)

Officer's Name: Angela Ellis
Officer's Title: Senior Planning Officer

Application No: **PL/2023/07879 and PL/2023/08051 (LBC)**
30 Portway, Warminster, Wilts, BA12 8QD
Work to existing boundary wall to provide 2 off street parking bays

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)
x	Support subject to conditions (as set out below)
	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.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

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.

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 (amongst other things) "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" and "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."

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for PP and LBC.

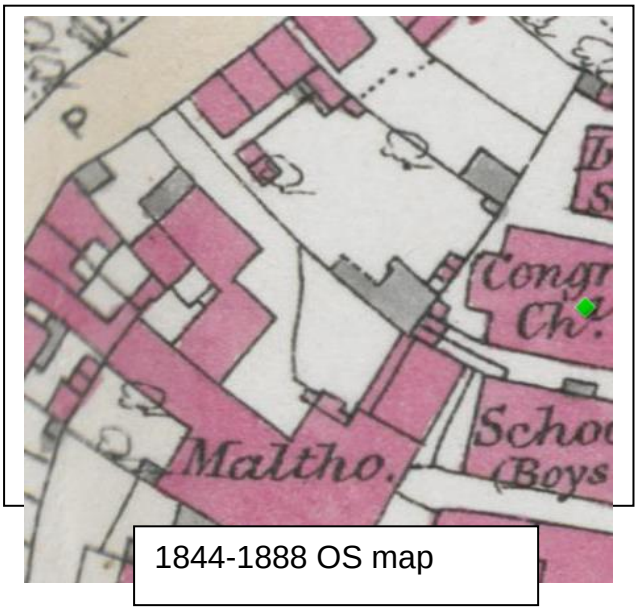
Site and assets considered:

30 Portway is a grade II listed building within the Warminster Conservation Area. The list description reads as follows:

'Set back behind Nos 26 and 28. Main front to east at rear of the New Meeting Schoolroom, Common Close. Late C18 or early C19. 2 storeys and attic. Coursed and squared rubble. Old tile roof with gable end chimneys. 2 ranges of tripartite glazing bar sash windows with chamfered stone drips over. Central flush panel door with narrow overlight of 4 pairs and segmental wooden hood. Victorian foot-scraper to right on pitched brick front path. Garden (west) front of 2 windows with narrow 1st floor window of less interest.'

Historic structures (ie structures that pre-date July 1948) within the curtilage of the listed building are also covered by the listing.





1844-1888 OS map

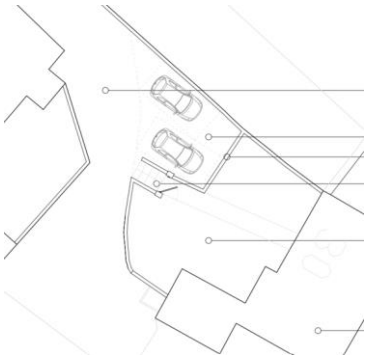
Number 30 – possibly the maltsters house? The line on the map indicates a wall corresponding with the existing. As such, we would treat the wall and metal railings as curtilage listed.

The site is within the Warminster Conservation Area.

Proposal:

The application seeks to excavate the garden to reduce its size, pushing back the stone wall and railings in the process, in order to provide a parking area.

The elevation drawings evidences that the same features will be 'lifted and moved'.



Issues: impact on the setting of the listed building, the wall and railings (curtilage listed) and 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 a design, access and heritage statement which includes the list description but does not set out how the works will impact on the setting of the listed building nor the wall. There is no mention of the site being in a conservation area.

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:

Parking provision is always tricky in an urban situation, however, it does not justify harm to the setting of a listed building.

In this case, the house is set back from Portway and is glimpsed between buildings. The low stone wall and railings provide an appropriately traditional boundary treatment for the listed building and as such, are key features of its setting. The local stone wall also resonates with this part of the conservation area where stone walls are a feature.

The proposal to reduce the size of the garden is not considered to harm the setting of the house, provided that the new stone wall is built of the salvaged stone and that the railings too are salvaged. So long as the new arrangement reflects the appearance and character of the existing, then the setting will not be harmed. Mortar should be carefully considered and applied such that the stone, and not the mortar, is the key feature as it is at the moment. Any new stone or sections of railings should match the existing salvaged and re-used stone/railings.

Summary & conclusion:

Section 66 of the Planning (LBCA) Act 1990 requires that *'development which affects a listed building or **its setting**, the local planning authority ……..shall have **special regard** to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*.'

Section 72 of the Planning (LBCA) Act 1990 requires that works enhance or preserve the character of the conservation area.

Provided that the existing materials (stone, railings and steps) are salvaged and re-used, the proposals would preserve the setting of the listed building and have a neutral impact on the conservation area.

As such, I consider the proposals would be in accordance with Sections 66 and 72 of the Planning LBCA Act 1990 as well as chapter 16 of the NPPF and core policy 58.

Suggested conditions

That the existing materials: stone, railings and steps will be carefully lifted and set aside for re-use;
That the stone wall will be laid to 'match in character' the adjacent untouched section of wall;
That the railings will be reset;
That any new materials will match the existing in material and appearance (and geology in the case of the stone).