CASE OFFICER'S REPORT

Application Reference:	PL/2023/06236
Application Type:	Listed building consent (Alt/Ext)
Site Inspection:	
Consultation ends:	12 October 2023
Case officer:	Fiona Webb

Site Address:	Town Bridge, Bath Road, Devizes, SN10 2BB
Proposal:	Town Bridge graffiti removal (Grade II Listed Heritage Assets) Kennet & Avon Canal, Devizes, SN10 1JS)
Recommendation:	Approve with Conditions

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.

Site: The structure is a Grade II listed building located within Devizes Conservation Area.

Proposal: The proposal seeks the removal of graffiti

Relevant planning history: N/A

Issues: Impact on the significance of a listed building. 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, the application is accompanied by a “Design, Access and Heritage Statement” which provides sufficient information to understand the impact of the proposal and is proportionate to the scope. The requirements of the NPPF are therefore met in this respect.

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.

This Listed Building Consent application follows previously consented works (Ref: 20/09833/LBC) using the same specification and methodology to other Grade II Listed bridges in Wiltshire. These graffiti removal works are part of the Trusts efforts to remove graffiti from the heritage structures on the Kennet & Avon Canal and to improve the amenity value of the historic waterways environment for its users and local residents.

The Trust has experienced a rise in similar incidents along the Kennet & Avon and so have purchased specialist graffiti removal equipment and set up a specially trained selected team of operatives who have undergone training on the use of the specialist cleaning equipment using `Therma-Tech`system. Trust staff have attended the Historic England webinar training and attended specialist on site training days for its local operatives using this equipment and trained directly by highly experienced staff from the Therma Tech team.

Therma Tech is a modular range of super-heated water cleaning equipment, producing a liquid spray at 150°C. It is highly effective at melting and removing many paints, surface treatments, chewing gum, wax, oil/bitumen and organic matter from a wide range of substrates, often without the addition of chemicals. Trained Trust operatives will use heated pressurized water spray to gently remove soiling, thus reducing the need for the use of chemical treatments. Only trained personnel will operate the cleaning equipment. Where soiling cannot be removed by use of pressurized heated water alone (after trial areas tested) a proprietary graffiti remover product shall be tested for dwell time & efficacy. Therma Tech treatment will then be repeated to remove.

The proposed works are to address vandalism to the heritage asset which has been damaged and defaced with offensive graffiti. The aesthetic value of the asset has been negatively impacted by successive vandalism incidents. Every effort will be taken to protect the substrate of the asset and to ensure that surface materials are not further damaged by the graffiti removal works. Operatives have undergone specialist training to ensure the risk of `over cleaning` or `gun shadowing` is mitigated as far as is practicable.

The proposed works are considered justified and will have a beneficial effect on sustaining and enhancing the heritage value of the designated heritage asset.

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.

CONSULTATION RESPONSES:
Devizes Town Council – Supports this application

REPRESENTATIONS:
Trust for Devizes – supports this repair/refurbishment

RECOMMENDATION:
Consent

REASON FOR GRANTING ~~PERMISSION/~~CONSENT/~~REFUSAL~~:
The proposed works would preserve the special historic interest of the heritage assets in accordance with Sections 16(2) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990 and NPPF section 16, because these works would have no detrimental impact on the historic fabric and would be of an appropriate cleaning technique.

Conditions: (2)

1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The works hereby granted consent shall be carried out in accordance with the following approved plans and documents:
Location Plan – dated 20/07/2023
Photographs showing area of Grafitti – dated 14/09/2023
Grafitti Removal Specification – dated 3/08/2023
Design, Access & Heritage Statement – dated 20/07/2023

REASON: For the avoidance of doubt and in the interests of the significance of the heritage

assets.