CASE OFFICER'S REPORT

Application Number: PL/2023/07629 and PL/2023/07480

Address: 28-29 CHURCH STREET, MAIDEN BRADLEY, WARMINSTER, BA12 7HW

Proposal: Reinstate 2 x Dormer Windows of similar shape and form to those fitted when the house was thatched (pre 1953) into the tiled roof, creating light and ventilation into the existing attic storage rooms.

Date of Inspection:
N/A
Consultation Expiry:
06/10/23
Press Advert:
14/09/23

POLICIES
National Planning Policy Framework and the NPPG

Wiltshire Core Strategy
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 24: Spatial Strategy: Southern Wiltshire Community Area
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 58: Ensuring the conservation of the historic environment

Planning (Listed Building and Conservation Areas) Act 1990
Section 72

REPRESENTATIONS :

Maiden Bradley Parish Council – None received

Conservation – No objection, subject to conditions

Third Party Comments **–** None received.

Assessment

- Principle
- Scale, design and impact on the character and appearance of the Conservation Area
- Impact upon a Heritage Asset
- Impact on neighbouring amenity

Scale, design and impact on the character and appearance of the Conservation Area and impact upon a Listed Building

Wiltshire Core Strategy Core Policy 57 states:

> *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 complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire….*
>
> *In addition, The Conservation policies of the local plan and the NPPF seek to ensure that the*

existing significance, character and setting of the Conservation Area and any listed buildings would be preserved or enhanced.

28-29 Church Street forms part of the front range of what was originally South Court Manor, with the rear wing, forming 27 Church Street. The properties are Grade II Listed and fall within the Maiden Bradley Conservation Area.

The proposal seeks approval reinstate two front elevation attic level dormer windows.

From the historic photos supplied within the submitted Heritage Statement it is evident that two dormers were formally present within the proposed position overlooking the highway.

The proposed reinstatement is not considered to pose any visual harm upon the streetscene or negatively affect the wider character of the Conservation Area and reinstate a historic feature of the Heritage Asset itself.

The Councils Conservation Officer was consulted on the proposal and provided the following comments:

***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."

***Issues**: impact on the significance of the listed building and 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, the applicant has undertaken their own assessment based on research into the history of the building, photographic evidence and some physical work (ie removal of lathe and plaster – see historic report).*

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.

***Assessment**:*

It is not clear whether dormers were original to the attic space or a later addition, nevertheless, physical evidence shows their position. As such, given the disturbance (historic) of fabric in the area of the proposed dormers, the principle of two dormers in the suggested locations is not contested.

In terms of their design, the design of the dormers and the windows are considered appropriate to the character of the building and the conservation area.

Section 66 of the Planning (LBCA) Act 1990 requires that new works preserve the significance and character of listed buildings. Section 72 of the Planning (LBCA) Act 1990 requires that works enhance or preserve the character of the conservation area.

I consider the proposals would be in accordance with Sections 66 and 72, as well as core policy 58 and chapter 16 of the NPPF. I raise no objection, subject to conditions.

Therefore, the proposal is acceptable, subject to final details via conditions and is considered to accord with the NPPF and Core Policy 57 and 58.

Impact upon Residential Amenities

Policy CP57 also states:

vii. Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)

The proposed dormers would be serving the attic. In addition, the property is well stepped back from the highways with the dormers outlook being upon the properties front garden and Church Street. The properties along the opposite side of the road are considered to be a sufficient distance away to ensure the additions do not negatively impact upon any residential amenities.

Conclusion:

The proposal, due to its position is considered to sit sympathetically within the plot and would not result in any harm upon the overall character and appearance of the Conservation Area or detrimentally impact any Heritage Assets. Therefore, the application is considered to comply with Section 66, CP57, CP58 and Chapter 16 of the NPPF & Planning (Listed Building and Conservation Areas) Act 1990 Section 72.

RECOMMENDATION: Approve, with conditions.