CASE OFFICER'S REPORT

Application Reference:	PL/2023/08702
Application Type:	Listed building consent (Alt/Ext)
Site Inspection:	
Consultation ends:	17 November 2023
Case officer:	Helen Garside

Site Address:	26-28 TORY, BRADFORD ON AVON, BA15 1NN
Proposal:	Relocation of existing heating boiler (installation of new balance flue and condense drain pipe to rear of property
Recommendation:	Approve with Conditions

POLICIES
Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 - requirement to have special regard to the desirability of preserving or enhancing the building or its setting or any features of special architectural or historic interest which it possesses.

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). English Heritage's "Conservation Principles" provides policy and guidance for the "sustainable management of the historic environment".

Core strategy Policy CP58, whilst primarily relevant to planning applications, gives an indication of the Council's aspirations for the historic environment. The policy requires that designated heritage assets and their settings will be conserved.

ISSUES
Impact upon the preservation of the listed building, its setting and features of special architectural and/or historic interest. Impact on the conservation area.

REPRESENTATIONS
Bradford on Avon Town Council – no objection.
Bradford on Avon Preservation Trust – no objection.
Historic England – no comment but note that the LPA should "seek the views of your specialist conservation and archaeological advisers".

SITE
The NPPF defines significance as the "value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting." Historic England assesses significance in a similar manner, referring to evidential, historic, aesthetic and communal values of a place. In this case the significance of the building

lies largely with its historic fabric and architecture - its form, layout and architectural expression/detailing and use of high-quality design materials which speak of its development over time, have significant aesthetic and architectural interest and contribute to the character of the conservation area. As the application states: The building concerned represents a surviving example of a townhouse development of later Georgian date. The significance of the house and other nearby historic structures lies separately in each as well as in the wider context through association over time and, as noted in the Historic England listing details, represent a contextual group.

The building is described in the List description as follows:
Terrace of 3 storey late C18 or early Cl9 houses in ashlar, designed to form complete architectural unit. The centre house (No 29) breaks forward slightly and the end ones (Nos 26 and 32) form end units by projecting forward slightly and have shallow angular bays rising through all floors. The windows of the central and end houses are grouped in 3's, with glazing bars plain reveals. Square-headed doors in plain openings with steps up to each. Plain strings at 1st floor level and at 1st and 2nd floor window sill levels, moulded continuous cornice and plain parapet. Included as Grade II* for group Value.
All the listed buildings in Tory form a group with Budbury House, Budbury Place.

PROPOSAL
The current application proposes the re-siting of the boiler that runs the existing central heating and hot water system. This involves the provision of a new flue and condensate pipe.

RELEVANT SITE HISTORY
• W/97/00227/LBC: Installation of alarm box (approved)
• W/82/00392/LBC: Alter solar panels on roof (approved)
• W/80.00571/LBC: Reconnect Nos. 26, 27 & 28, installation of roof windows solar panels & window to rear of No. 26
• W/77/00018/LBC: Re-roofing and install windows to No. 26
• W/76/00004/LBC: Amalgamation of Nos. 27 & 28 (approved)

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 has been accompanied by supporting statement which in providing sufficient information to allow analysis of the impact of the works.

The existing boiler has to be replaced due to its age and condition. A replacement boiler is required which, under current regulations, needs to be a condensing type which will require a different location to meet requirements for the flue and condensate drain. The new boiler will be fitted in an existing second floor cupboard alongside a hot water cylinder and use existing pipe runs. There is therefore no impact on the interior of the building. A new flue will be located at second floor to the rear. Whilst this elevation borders a footpath, the flue will be at higher level and not prominent within the conservation area. It is tucked under the gutter and closely grouped with an existing alarm and pipework. Whilst a small area of stonework needs to be removed to

create the opening for it, this has been kept as small as possible and is located in a secondary elevation in stone rubble rather than the polite ashlar elevations.

Overall, the modest level of harm from the siting and installation of the flue are considered to be offset by the benefits of allowing the continuing use of an existing established heating system and minimising impact internally for replumbing. The drawings refer to the condensate pipe being white but it would actually be more discreet if coloured black to match adjacent plumbing – this will be secured via a condition.

SUMMARY AND 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.

In this case the works are required in order to allow for the continuing use of the heating system and have been specified to minimise harm so far as possible. Any harm that will result from the installation and siting of the flue (including the limited visual impact in the conservation area from a flue on a rear elevation at higher level) is considered to be offset by the benefits of allowing the continuing use of the heating system rather than requiring the disturbance which would result from installing a new system – on this basis the requirements of current conservation legislation, policy or guidance are considered to be met and there is no objection to the application.

RECOMMENDATION:
Approve.

Conditions: (3)

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 development hereby permitted shall be carried out in accordance with the following approved plans:

Title	Description	Received Date
Location Plan, Block Plan and Existing and Proposed Plans	4134-01.pdf	9 October 2023

REASON: For the avoidance of doubt and in the interests of proper planning.

3 The proposed condensate pipe shall be finished in black to match adjacent plumbing.

REASON: in the interests of preserving the character and appearance of the listed building.