Our ref: DS/SCHornby

15th December 2023

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Development Management
Wiltshire Council (North)
Monkton Park
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Dear Sir/Madam,

Town and Country Planning Act 1990
Conversion of offices to 4no residential flats at 56 & 57 Market Place, Chippenham, Wiltshire SN15 3HL.

Introduction

1. We are instructed by S. C. Hornby Ltd. to prepare and submit these full planning and listed building applications for the conversion of offices to 4no residential flats at the above location. This is an update to the previous application for the *conversion of offices to 5no residential flats*. Along with the previous documents submitted, please find enclosed in support of this application:
   - The updated Design, Access and Heritage statement (this letter); and,
   - The revised third floor plan, as proposed, numbered SC-JH-05.5 rev A.

Site Description

2. The three and a half storey Grade II listed building is located within the Chippenham Conservation Area, towards the top end (south east) of the town centre, in the main retail area. The site, subject to this application, sits on two and a half floors above Esquires Barber Shop (56) and Hughes & Hughes Estate Agents (57).

3. The first and second floors, are constructed in Bath stone and have four sets of twin sash windows looking onto Market Place, adjacent St Mary's Street. To the rear there are four sash windows to the first floor and four sash windows to the second floor as well as 2 smaller windows on this level.

4. The uppermost floor has a hipped, slate tiled roof with dormer windows to the front of the building, two above each of nos. 56 and 57, four dormers in total. In addition to this, there are two dormer windows to the rear, which faces onto a pedestrian walkway known as The Shambles.

5. The current use of the upper floors of the building is office use, within Class E(c)(i) and (ii) (Financial and Professional Services). However, the offices

have been only used occasionally since the beginning of lockdown, March 2021 due to staff working from home. The tenants ended their lease in December 2022 as it was more cost effective to work from home on a permanent basis.

6. The site was recently subject to planning and listed building applications (PL/2023/02914 and PL/2023/03166 consecutively) for the change of use of offices to 3 residential units. These applications were approved with conditions (and granted consecutively) on 26th June 2023. The permissions have not yet been implemented. The applicant is looking to purchase the site and increase the number of residential units from 3 to 4.

Planning History

7. **N/87/02497/FUL** - Change of use from shop/residential to office (56) - approved February 1988
N/99/02167/COU - Change of use from A1 to A2 use (57) - Approved with conditions - October 1999
N/99/02321/LBC - Internal alterations (form opening between 57 and 58 Market Place) - Approved with conditions November 1999
N/09/00236/LBC - Internal alterations, including lowering cellar floor, raising ground floor & inserting new staircase (56) - Approved with conditions - April 2009
N/09/00990/LBC - Alterations to shop front (56) - Approved with conditions - July 2009
PL/2023/02914 - Change of Use of Offices to 3 Residential Units - Approved with conditions - June 2023
PL/2023/03166 - Listed building works associated with Change of Use of Offices to 3 Residential Units - Approved with conditions - June 2023

The Proposal

8. The conversion of offices to 4no residential flats will create; 1 x 2 bedroom flat on the first floor, 2 x 1 bedroom flats on the second floor and 1 x 1 bedroom flat on the third floor.

9. The ground floor shop premises will be retained. The tenant who owns the barber shop business intends to expand, using some of the space on the first floor for the purposes of their business. This will be accessed via the staircase that is access via the lobby of no.56, the barber shop.

10. The remainder of the first floor will be accessed via the staircase in the lobby of no. 57 and will lead up to an entrance lobby to the flat, leading into an open plan living room/kitchen. It will also consist of 2 bedrooms, one of which will have an en-suite and there will be a separate shower room.

11. The two accommodation units on the second floor will each consist of a shared entrance lobby, a bedroom, a shower room and an open plan kitchen/living room.

12. The accommodation unit on the third floor will be accessed via the staircase and will contain; a bedroom, shower room, a kitchen, a living room and a study.

13. Entry to the apartments will be via the remaining existing stairwell which is accessed via the lobby at 57 Market Place. This stairway will serve all three of the floors in relation to this proposal.

14. The majority of the structural walls will remain, apart form the inclusion of doorways, as shown on the plans. Stud walling will be added where necessary to form the rooms of the accommodation.

15. There are no further changes proposed for the ground floor or the exterior of the building.

Relevant Planning Policies

16. Under the provisions of Section 16(1) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990, Section 70(1) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, applicants for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application comprises of the National Planning Policy Framework (NPPF) (Revision July 2021), the Wiltshire Core Strategy (adopted January 2015).

National Planning Policy

17. We understand that the NPPF, July 2021, is relevant to new proposals and that the NPPF expects local planning authorities to plan positively for sustainable development. The three objectives for sustainability are economic, social and environmental are reflected in the policies of the NPPF as well as local policies.

18. Paragraph 11 states that planning permission should be granted unless any adverse impacts would be so significant as to outweigh the benefits of the development and places a presumption in favour of sustainable development at the centre of the planning system.

19. Paragraph 38 goes on to say that, ***local planning authorities should approach decisions on proposed development in a positive and creative way.*** It goes on to say that local planning authorities should ***work proactively with***

applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

20. Paragraph 86 puts town centres at the heart of the community and state that planning policies should (inter alia), ***a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters***.

21. Paragraph 189 states that historic assets ***are an irreplaceable source and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.***

22. The existing use of the offices is now redundant and in order to conserve the building, residential use is the most viable option. Increasing the number of residential units from 3 (as previously approved) to 5 will make the building even more viable, whilst also contributing addition accommodation to help meet the housing need in Chippenham. Therefore, the building will contribute to the quality of life of existing and future generations.

23. Paragraph 194 discuses proposals affecting heritage assets; ***In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.***

24. Paragraph 197 goes on to say; ***In determining applications, local planning authorities should take account of:***
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.

25. Paragraph 199 considers the potential impacts on the heritage asset; ***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).***

26. Paragraph 202 continues; ***Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.***

27. Paragraph 208 makes clear that, ***Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.***

28. The proposal may conflict with some policies, however, the conservation of the listed building will be further secured by the increase in residential units, making the use most beneficial for future conservation of the building. Therefore, the proposal outweighs the disbenefits of departing from those policies.

Local Plan Policy

29. The Wiltshire Core Strategy Core Policy 1 is the ***Settlement Strategy identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire.*** Chippenham is classed as a Principal Settlement, which are the Core Strategy's primary focus for development which includes providing a significant level of homes.

30. Core Policy 2, Delivery Strategy - the aim is to deliver at least 42,000 homes within the period of 2006 to 2026, 24,740 of this housing is the minimum requirement for the north and west Wiltshire area.

31. Core Policy 9, Chippenham Central Areas of Opportunity - ***Development will be delivered on opportunity sites elsewhere in the central area in accordance with the key principles listed in paragraph 5.54.*** The most relevant point in this paragraph is; ***a place to live and work – proposals should be for mixed use schemes and incorporate high quality design standards.***

32. Core Policy 10, Spacial Strategy for the Chippenham Community Area and states that the remainder of housing to be identified for the period of 2006 - 2026 in Chippenham town is 2,686.

33. Core Policy 45 - Meeting Wiltshire's housing needs. ***Housing size and type, including any distinction between flats and houses, will be expected to reflect that of the demonstrable need for the community within which a site is located. The Wiltshire Strategic Housing Market Assessment identifies the housing needs of Wiltshire. Any variation to this will need to be justified through the production of new, sound evidence from either an updated Strategic Housing Market Assessment or other credible evidence source.***

34. Core Policy 57 - Ensuring high quality design and place shaping, point v expresses the importance of historic buildings ***being sympathetic to and conserving*** them.

35. Point vii considers ***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 (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter).***

36. The proposed dwellings sit above a barber shop and an estate agents. The impact on these premises and surrounding properties will be negligible and of similar impact to the most recent approval for residential use. Furthermore, the barber shop and estate agents will have no adverse impacts on the dwellings.

37. Core Policy 58 - Ensuring the conservation of the historic environment states that (inter alia), ***Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance, including:***
    iii. buildings and structures of special architectural or historic interest
    iv. the special character or appearance of conservation areas.

38. The proposed change of use to dwellings will ensure the future conservation of the building, as there is no demand for offices in the town. By bringing the interior of the building into residential use will ensure the building is enhanced and suitably maintained, conserving this historic building and respecting the conservation area.

39. Core Policy 60 - Sustainable transport. ***The council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire***.
    This will be achieved by:
    i. planning developments in accessible locations
    ii. promoting sustainable transport alternatives to the use of the private car

40. The site is located in a sustainable and accessible location, with the bus station just around the corner on Timber Street and the train station within walking distance.

41. Core Policy 61 - Transport and new development states that, ***New development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.***

42. As above, being in the town centre is an ideal location for encouraging the use of sustainable transport.

43. Core Policy 67 - Flood Risk. The development falls within Flood Zone 1, therefore a Flood Risk Assessment is not required.

44. In the **Chippenham Conservation Area Management Plan** (adopted April 2010), Market Place falls into Area 14. The Development guidelines state in point 7; ***Give favourable consideration to proposals for better use of upper floors of buildings, particularly for residential use and encourage 'living over the shop'.***

Heritage Justification

45. The building 56 and 57 Market Place are listed jointly. The list official list entry is as follows:
    Heritage Category: Listed Building
    Grade: II
    List Entry Number: 1268011
    Date first listed: 16-Sep-1996
    Date of most recent amendment: 01-Dec-2008
    List Entry Name: 56 AND 57, MARKET PLACE
    Statutory Address 1: 56 AND 57, MARKET PLACE

46. **Details:**
    930-1/10/131 MARKET PLACE 16-SEP-96 (North side) 56 AND 57 (Formerly listed as: THE SHAMBLES 57 AND 59) (Formerly listed as: MARKET PLACE 57 AND 59)

    GV II

    Also Known As: 56 AND 57, THE SHAMBLES

    Two shops. Mid/late C19. Limestone ashlar, half-hipped slate roof with moulded ashlar stack to the left. Double-depth plan. EXTERIOR: 3 storeys with attic; 4-window range. Plate-glass sash windows; 4 gabled dormers with sashes; paired windows in raised eared and shouldered architraves to each side of both upper floors; stone console eaves cornice; platbands over lintels. C20 shop fronts.

    INTERIOR: not inspected. REASONS FOR DESIGNATION: The facade makes a strong contribution towards a fine group of listed buildings in the centre of Chippenham.

    Listing NGR: ST9215873245

47. The listing confirms that the reason for the Grade II designation is for the exterior façade, strongly contributing towards a fine group of listed buildings in the town centre. The proposal does not include any changes to the exterior of the building. Therefore, the façade will remain unchanged and will maintain its fine appearance.

48. Changes will be made to the interior of the building to convert it to dwelling spaces. The majority of structural walls will remain in place and minor adjustments made for the addition of doorways. Stud walls be used to form some of the rooms, as shown on the floor plans. Fire doors and a fire/smoke alarm system will also be installed in order to comply with Building Regulations.

49. In regards to heating, to eliminate the need for flues running through to the exterior of the building, electric boilers will be installed which will maintain the quality of the façade of the listed building. Electric heaters will also be used for space heating.

50. The staircase that leads from the ground floor lobby of 56 Market Place and rises to the first floor, will now remain. It was proposed to remove it in the previous application. This staircase will be used to access the area on the first floor, above the barber shop, for the purposes of the barber shop business. The staircase to the rear of the barber shop, which leads down to the basement, will remain unaltered.

51. Due to the interior of building being modernised over the years in order to host the office use, there are no significant original features remaining in the building. The exterior of the building will remain unchanged, maintaining its historical façade that represents its Grade II listing and contribution to the Conservation Area.

Planning Considerations

Principle of development

52. The principle of residential units on the site is already considered to be acceptable, as approved in the previous application. Furthermore, residential units are also considered to be acceptable in this location according to the Chippenham Conservation Area Management Plan.

53. This is also supported by the NPPF that encourages a mix of uses in town centres, including housing. It also aims to sustain and enhance the heritage assets and putting them to viable uses, therefore, positively contributing to the local character and distinctiveness of the Conservation Area.

54. Converting the offices to 4no flats will secure the optimum viable use of the building above the shops. The increased number of dwellings will also help to meet the housing need of the residents of Chippenham.

5 Year Housing Land Supply

55. The Housing Land Supply Statement (May 2023) states that Wiltshire Council have a 4.60 years of deliverable supply to meet the Local Housing Need. In these circumstances paragraph 11 (d) of the NPPF states that, [8]*for*

applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74). Presumption in favour of sustainable development should be applied unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

56. The proposal does not quite meet Nationally Described Space Standards, however, the accession of the additional residential units will help to meet the five year housing supply.

Visual Impact

57. The site is located in the Chippenham Conservation Area where the majority of the buildings surrounding the site are Grade II listed. As there are no exterior alterations being made, there will be no detrimental visual impact on the Conservation Area.

58. Furthermore, in the previous application, the Case Officer stated that the visual impact of the development was acceptable due to the outward appearance of the site being *largely unchanged*. We consider this proposal is not significantly different from the previous proposal, therefore the visual impact of the development is acceptable.

Amenity

59. The three proposed 1 bedroom flats (shown in green) on the 2nd and 3rd floors, meet the Nationally Described Space Standards, with the an excess of square meters in each flat. The Nationally Described Space Standards (NDSS) of 37m^2 is based on a 1 person, 1 bedroom flat. As shown in the table below:

Floor	Type	NDSS	Actual floor area	Difference
1st floor	2 bedroom flat	61m^2	59.08m^2	1.92m^2 below
2nd floor east	1 bedroom	37m^2	41.96m^2	4.96m^2 over
2nd floor west	1 bedroom	37m^2	48.18m^2	11.18m^2 over
3rd floor west	1 bedroom	37m^2	84.45m^2	47.45m^2 over

60. The first floor 2 bedroom flat (shown in white on the table above) is 1.92m^2 below the minimum space standards. However, the minimal reduction of the NDSS area will not significantly or demonstrably outweigh the benefits of the proposal when assessed against the policies in the NPPF as a whole. The

provision of additional housing will help to meet Wiltshire Council's five year deliverable housing supply.

61. There are no gardens to these apartments, however, the benefit of the town centre location is that it is within a short walking distance to Monkton Park to the north and expanding to the east and includes a children's play area. There is also Westmead open space to the south of the site which contains a climbing centre and skate park.

62. The Case Officer considered in the previous application that the lack of outdoor amenity space was not uncommon for town centre accommodation. Also, there is some degree of overlooking, but not enough to warrant a refusal. They concluded that the *levels of amenity symonymous with town centre living would be achieved within, and adjacent to, the application site.*

Access and Parking

63. There are no car parking facilities included in the scheme, however, the site is in close proximity to public car parking facilities. Additionally, being in the town central location will encourage walking and the use of public transport, rather than journeys by car.

64. This proposal does not comply with residential parking standards, however, the conservation of the building outweighs the disbenefits of departing from this policy, as stated in paragraph 208 of the NPPF. The residential units will ensure the future conservation of the building.

65. In the previous application, the Case Officer stated the the residential development was not considered to be *deemed unsustainable without the cycle provision. This issue would not warrant refusal of the application in this case.*

Waste and recycling

66. The issue of waste in the town is a growing concern due to the fact that many offices in the town are being converted to residential or have the potential to be converted to residential in the future. This is mainly due to the reduced need for office space, especially since lockdown, as a lot of companies work from home and banking services are now moving to online systems.

67. The applicant has discussed this matter with Wiltshire Councillor Ross Henning, who is concerned about the short term and long term plans for waste management in the town centre. For the purposes of the application site, the plan would be to supply 2 x 660 litre communal 4-wheel bin for the occupiers of the flats to dispose of their bagged general waste and the majority of the recycling. This would minimise the number of wheelie bins to the rear of the development. An additional 2 x 2-wheel bin could also be

stored alongside, if necessary, it to meet the requirements if the Wiltshire Council Waste Collection Guidance.

68. Other household recycling could form part of the Council's bagged collection service, stored in the flats until collection day when they will be placed to the front of the building, as currently approved.

69. The long term solution would be to provide a purpose built bin store in the vicinity of The Shambles, where the bins could be hidden from public view, improving the visual appearance of the area. The applicant will be happy to contribute towards this.

Flooding and Drainage

70. The site, which is less than 1 hectare, is located within Flood Zone 1, therefore, there is less than 1 in 1,000 annual probability of river or sea flooding. Surface water will be disposed of via the existing soakaways.

71. Foul water will be disposed of via the existing system which caters for toilets and sinks on the proposed floors of the building. In addition to these, new connections will be made into the system with the addition of shower rooms and kitchens.

Concluding Summary

72. This proposal for the conversion of offices to 4no residential flats will ensure the conservation of the Grade II listed building. There are no external works proposed, therefore maintaining the façade and the visual appearance of the Conservation Area.

73. There are no internal features of historical interest and no significant alterations to structural walls. The proposed internal works will be carried out in a sympathetic manner and will ensure the future of the Grade II listed building.

74. The proposed dwellings in the centre of Chippenham will have a positive impact on the five year housing supply and will encourage travel by public transport.

75. The proposal complies with the majority both national and local policies and where it does not, the importance of conserving the listed building and the increase in housing supply outweighs the impact of departing from these policies.

76. We trust that you have all the necessary information that you require to validate and determine this application and if the officer does require any

information or clarification on any element of the proposals we invite a discussion during the determination process.

Yours faithfully,



Marc Willis BTP MRTPI FBIAC