# CASE OFFICER'S REPORT

| | |
|---|---|
| **Application Reference:** | PL/2023/09620 |
| **Application Type:** | Full planning permission |
| **Site Inspection:** | |
| **Consultation ends:** | 21 December 2023 |
| **Case officer:** | Jane Sanger |

| | |
|---|---|
| **Site Address:** | 121 Southbroom Road, Devizes, SN10 1LY |
| **Proposal:** | Repairs to boundary wall located to the rear and alterations to the gutter |
| **Recommendation:** | Approve with Conditions |

**POLICIES**

The National Planning Policy Framework (NPPF) 2023:
Chapter 4 – Decision Making
Chapter 9 – Promoting Sustainable Transport
Chapter 11 – Making Effective Use of Land
Chapter 12 – Achieving Well Designed Places
Chapter 16 – Conserving and Enhancing the Historic Environment

The Wiltshire Core Strategy, Adopted January 2015:
Core Policy 57 – Ensuring High Quality Design & Place Shaping
Core Policy 58 – Ensuring the Conservation of the Historic Environment

Planning Policy Guidance (PPG).

Sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Devizes Area Neighbourhood Plan July 2015 Referendum Version.

**CONSULTATION RESPONSES**

Devizes Town Council - no objections to the first and second consultation periods.

Conservation Officer – First consultation – comment only, missing structural report to support the proposals, which was submitted at pre application stage; and it is further missing a Heritage Statement.

The Trust for Devizes – no objections.

**REPRESENTATIONS**

No third party representations have been received.

**KEY ISSUES:**

• Relevant planning history.
• Impact upon neighbour amenity.
• Impact upon the significance of the setting of the listed building and the character and appearance of the conservation area.

## ASSESSMENT

The application site relates to the wall enclosing the courtyard along the south-western boundary, to the rear of Bikes N Boards, No. 121 Southbroom Road, Devizes. The courtyard is laid to tarmac and is used for car parking. Vehicular access is in between numbers 107-113 Southbroom Road and Lemon Plaice (the fish and chip shop). The existing wall is built from a proliferation of materials including brick; concrete blocks, stone and render, with copings stones on top. The mortar between the bricks is weathered and non-existent in some places and is the most dilapidated on top of the wall and between the wall and the adjacent building. The cement render is not bonded to the masonry and is visually bowed in places. There are timber planks surrounding the base of the wall. The wall is leaning away from the adjacent building by between 75-80mm in places. There is a stepped lead gutter in between the adjacent building and the wall to the south of the adjacent building; and an existing pvc gutter and timber fascia board from the mid-point of the wall to the northern end. This gutter is blocked. A section of the wall has collapsed.

The application site lies within the Development Boundary for the Market Town of Devizes; it is within the Devizes Conservation Area; and is an unlisted building, within the setting of listed buildings.

<u>The proposals:</u>

The application proposes the repair and strengthening of the existing wall and alterations to the gutter.

The principal works will involve the following:

• Installation of a new gutter and fascia board extending the full length of the building, type and colour to match the existing;
• New coping to be installed along the length of the wall where the upper section is removed and will be slanted to allow surface water run off towards the car park;
• The collapsed section of the wall will be infilled with Bath stone to match the surrounding;
• The cement render will be removed and the stonework will be repointed or re-rendered depending on the condition;
• New lead flashing will be installed along the length of the wall (6.5m) to prevent water ingress between structures, and will be lapped into the brick course on the building and laid over new coping;
• The gap referred to above will be infilled with timber support for lead flashing and screwed into the brickwork;
• Minor repointing and repairs to the existing coping as required;
• Some courses of slate will be need, to be beneath the stepped lead gutter to match those existing; and
• Use of LBC single clay brick, thick leaf facing, with round edge and frosted bricks to be applied where indicated on the proposed plan and section of wall will be infilled with Bath stone to match those existing.

Certificate B has been signed and the requisite notice served on the relevant parties, to reflect the different ownerships.

A structural report and Heritage Statement were received during the application process.

Relevant planning history:

ENQ/2023/00463 – Advice requested on how to proceed with a collapsed section of wall on rear of building – Further information required.

Impact upon neighbour amenity:

The wall is already existing, therefore its repair and proposed alterations are not considered to cause any harm to neighbour amenity in terms of loss of light, or have an overbearing impact.

Impact upon the significance of the setting of the listed building and the character and appearance of the conservation area:

In terms of the historic environment the primary consideration is the duty placed on the Council under sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990, to 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(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 the Conservation Areas.

The National Planning Policy Framework NPPF Feb 2023 outlines government policy towards the historic environment. Section 16 “Conserving and Enhancing the Historic Environment” sets out an overall aspiration for conserving heritage assets. In particular paragraph 205 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Wiltshire Core Strategy Policy C58 relates to Ensuring the Conservation of the historic environment. And states that designated heritage assets and their settings will be conserved.

**Site and assets considered:** The main property to which this proposal relates is an unlisted building located in Devizes Conservation Area. The boundary wall to which the application relates forms the south western wall of the site. The proposal also affects the setting of two neighbouring listed buildings.

**Proposal:** The proposal seeks the repair and strengthening of the wall and alterations to the gutter.

**Issues: i**mpact on the setting of neighbouring listed buildings, impact on the conservation area.

**Assessment:** The Council’s Conservation Officer comments: “This is my second consultation response and follows on from the submission of a Heritage Statement and visual structural survey of the wall (February 2023)”.

“The boundary wall is the south-western boundary of 121 Southbroom and the neighbouring property at 1 Sidmouth Street. The wall and both buildings to which application relates to are not listed. However, the wall is situated within Devizes Conservation Area as well as on the back of listed buildings at 117 & 119 Southbroom Road and 20, 21& 22 Sidmouth Street”.

“The site itself is situated in the courtyard accessed, but not visible from the Southbroom Road. The site is hidden from the eye of the general public and visible from the back of the adjacent properties only”.

“The wall is proposed to be partially deconstructed and consolidated. The upper 215mm thick portion of the wall is currently unstable and needs to be carefully taken down for safety reasons. This portion of the wall is not proposed to be reinstated, as it offers no structural benefit, and would decrease the load on the lower portions of the wall. The roof profile also requires minor alterations at eaves level to allow a traditional eaves gutter to be installed. The lower portion of the wall requires careful repairs to consolidate the existing. Where loose or lost masonry is recorded this needs to be reinstated. New masonry units to visually match the existing (Bath-stone), will be laid in a breathable lime mortar. Where timber plank elements are currently present in the wall these will be carefully removed and replaced with suitable masonry units. The exact extent of these works will only become clear once the existing render is removed”.

“Local repointing works will also take place as required where existing joints are weathered. All pointing works will use a breathable lime render, the colour to match existing elsewhere on the wall. The repaired wall will then be left as exposed rubble Bathstone. New copings and lead flashings will also be provided to the new top face of the proposed lowered wall”.

“In heritage terms, there is no in principle objection to these works and these works represent a positive and sympathetic repair to the existing fabric and structural condition of the wall”.

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 Conservation Officer continues: “The impact of the proposals on heritage assets will be positive 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 applications”.

Recommended conditions include: materials to match existing and mortar mix. All repointing will use breatheable lime render.

Conclusion:

In consideration of the above it is concluded that the development would be in accordance with the development plan. With no circumstances warranting otherwise the application is recommended for approval subject to the conditions outlined below.

**RECOMMENDATION:** Approve with conditions.

---

**Conditions:** (3)

1 The development hereby permitted shall be begun before the expiration of three years from

the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning 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 and documents:

Application Form
Drawing Nos:
3919-000: Location Plan
3919-BP Rev A – Block Plan
3919-EX-001 – Plan, Elevations and Section of Wall As Existing
3919-PR-001 – Plan, Elevations and Section of Wall As Proposed
All received on 07.11.2023.

3919-R01-Rev B – Visual Structural Survey, Car Park Boundary Wall, 121 Southbroom Road, Devizes, Wiltshire, Dated February 2023.
Heritage Statement
Both received on 06.12.2023.

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

3 The new masonry units (repairs) to the wall hereby permitted, shall be constructed from exposed rubble Bathstone and shall match those existing in material, colour and texture. All repointing works required to the wall shall be laid using breatheable lime mortar, in a colour to match those areas existing. The wall shall remain as such for the lifetime of the development.

REASON: In the interests of visual amenity; the character and appearance of the conservation area; and the setting of the listed buildings.