

Wiltshire Council Planning Consultation Response

9 December 2025

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(South/West)

Officer's Name: Alex Edge
Officer's Title: Planning Officer

Application No: PL/2025/09342
Change of use of first floor level from office space to residential and conversion to 2no residential apartments.
38B Market Place, Wiltshire, BA12 9AN

Please find following comments in respect of the above application(s).

Recommendations:

☐	No comment
☐	Support in principle subject to amendments to the scheme (as set out below)
☐	Support subject to conditions (as set out below)
☒	Object (for reasons set out below)
☐	No objections

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 or enhancing 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 214-16 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 210 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."

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.

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for PP and LBC.

The following points are taken from the Historic England document "The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3" (HE GPA3) that are considered to be particularly relevant:

HE GPA3 Part 1:

"The NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset."

"The extent and importance of setting is often expressed by reference to visual considerations. ...views of or from an asset will play an important part..."

"While setting can be mapped in the context of an individual application or proposal, it cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset. This is because the surroundings of a heritage asset will change over time."

"The importance lies in what the setting contributes to the significance of the heritage asset or to the ability to appreciate that significance."

Site and assets considered:



PHOTO OF EXISTING BUILDING FRONTAGE

38b is a listed building (together with number 40). **It is listed at grade II*.** Grade I and II* buildings make up only about 8% of the listed building stock (92% being grade II).

The list description reads as follows:

'Late C18/early C19. 3 storeys. Bath stone ashlar with rusticated ground floor treatment and full height angle pilasters. Projecting plinth and plain strings at each floor. Triglyph frieze, moulded bracketted cornice and plain parapet. Entablature broken forward over pilasters and central bay which has slight projections. 3 ranges of windows to upper floors, glazing bar sashes. On ground floor, modern bowed glazing bar window replaces door in deep splayed recess with keystones. Modern shop front with glazing bars and fluted pilasters to left. Excellent mid-Victorian polychrome shop front to right; recessed splayed centre flanked by colonnettes with floral caps, plate glass windows with cast-iron fretwork in upper corners, panelled outer pilasters to fascia which has scrolled brackets and modillion cornice. 2 storey lean-to extension to left of one bay with modern 6 panel door in architrave surround and arched fanlight and one window above (later addition, see brick side wall). 3 wide bays at rear. Coursed and squared rubble; low single storey extension links with mid C19 2 storey 5 bay stable building, built of coursed and squared rubble with brick quoins and dressings and, to left, lacing courses; old tile hipped roof.'

It is within the Warminster conservation area.

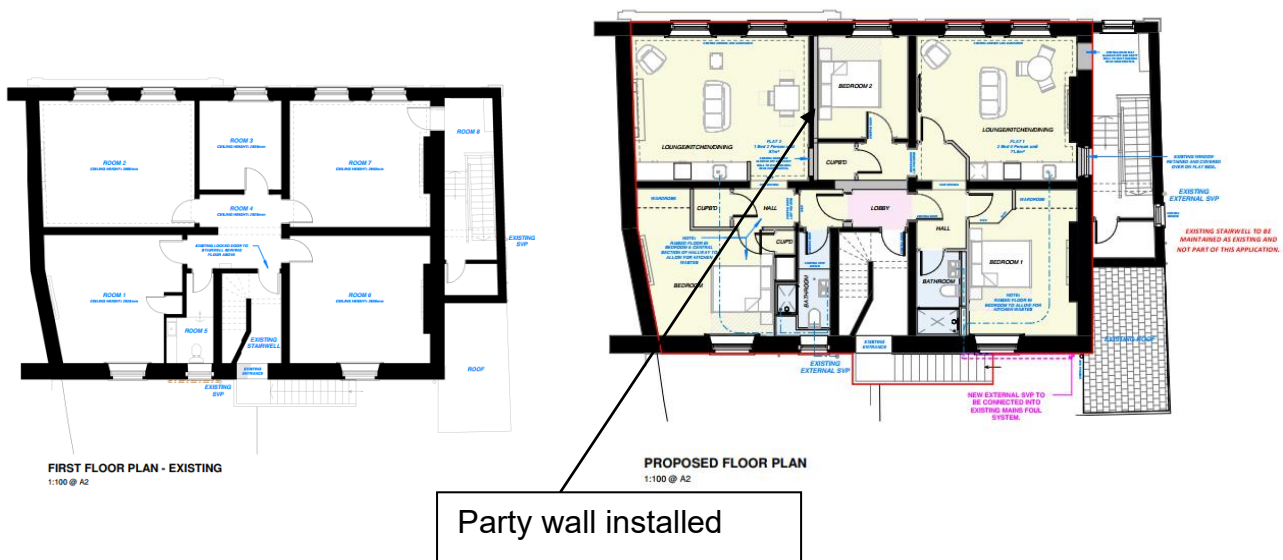
Because the building is grade II*, Historic England should be consulted.

Proposal:

Change of use of first floor level from office space to residential and conversion to 2no residential apartments.

The ground floor is in commercial use and that remains unchanged. The second floor is divided into 4 bedsits.

First floor plan – existing and proposed



Because the ground floor is commercial and the first floor is being subdivided into two residential units, there will be requirements from Building Control that will impact on the historic fabric and floorplan. As such, these must be factored into the proposed drawings as part of the listed building consent process.

Relevant planning history:

I am not aware of any recent planning history, nor a pre-application enquiry.

Issues: impact on the listed building, impact on the conservation area.

Information considered/provided:

Paragraph 207 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, whilst the applications are accompanied by a "Planning Design and Access Statement" the document provides limited information about the building and fails to provide any objective assessment of the fabric affected, its date or significance or of the impact of the proposals. As such it fails to meet the requirements of the NPPF.

However, paragraph 208 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.

Significance of assets and contribution of setting

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 have significant aesthetic and architectural interest and which contribute to the character of the conservation area.

In particular, the proposals relate to the piano nobile – typically a 'grand' suite of first floor rooms common to Georgian buildings. As such, the floorplan is of significance.

I would also anticipate the following features:

Timber floorboards;

Joinery such as the staircase, skirtings, doors and their architraves;

The small-pane sash windows with narrow glazing bars are an important feature;

Cornicing in significant rooms;

The fireplaces, hearth, surround and mantle, as well as their position within a room are features of significance;

Historic partitions (which would likely be timber-framed with lathe and plaster);

Lathe and plaster ceilings.

In terms of the elevations, the front (street facing elevation) is particularly pleasing with its sash windows with fine glazing bars and ashlar stone, but the rubblestone rear is attractive too, particularly the arched doorway (presumably formerly an arched staircase window?).

Negative elements are the treatment of the rear 'arched doorway'. The small PVCu second floor window; the pipework across the rear; the modern red brick external staircase and a roof of what appears to be concrete tiles?

Assessment:

The two proposed first floor flats would be accessed via the red brick staircase at the rear. The elevations say '*all building externals to remain as existing*'. This is a missed opportunity for enhancing the rear elevation – for example, the existing rear first floor door is not of historic interest and could be replaced with something more appropriate and the porch removed.

The only exception to the 'no change' statement is a new soil pipe which tracks across the back of the house, cutting across the string course in a crude fashion, replicating the existing ungainly pipework serving the second floor. **This is a harmful alteration.**



Inappropriate door and porch

Floorplan

Focusing on the front three rooms (room 2, 3 and 7). The existing plan has a dotted line around the perimeter of rooms 2 and 7. Having visited the site today, this I believe indicates an existing cornice. Rooms 2 and 7 have fireplaces. The D&A&Heritage statement has two photos but doesn't say which rooms they are located in.

EXISTING INTERNAL DETAILS



FIG.7 Fireplace & Surround 01



FIG.9 Central Lobby area



FIG.8 Fireplace & Surround 02



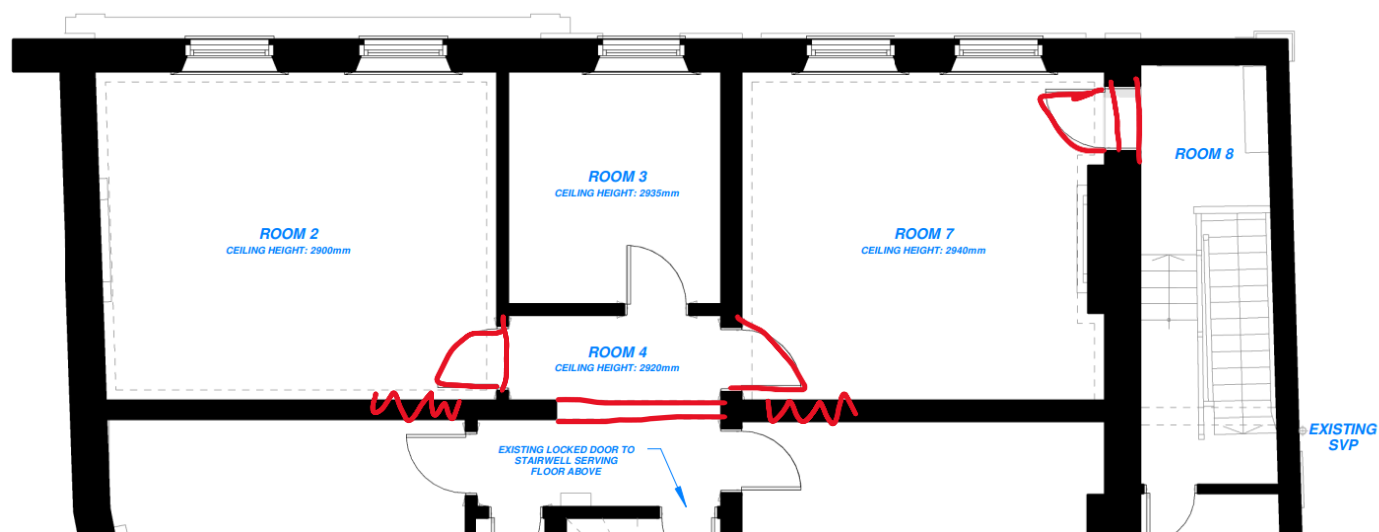
FIG.10 Window decorative surround mouldings

Room 2

Fig.9 is the view of the lobby area at first floor looking front to back ie to the stairwell door (closed) and the toilet door (room 5) which is open

Room 7

Room 4 is the lobby with a wide decorative arched opening (see above Fig.9). There is a door each into room 2 and room 3. Most of the doors are the original 6 panelled doors. Room 7 has two doors – one accessing the side stairwell (the stairwell being a later addition which I am guessing is likely Victorian and would correspond with other Victorian features at first floor).



Red = demolitions

There is no mention of the construction of the floors in the heritage statement and most of the rooms are carpeted. However, at least one room has no carpet and plyboard is evident. I recommend that some opening up/revealing works are undertaken to establish the floor structure.

Proposals – piano nobile

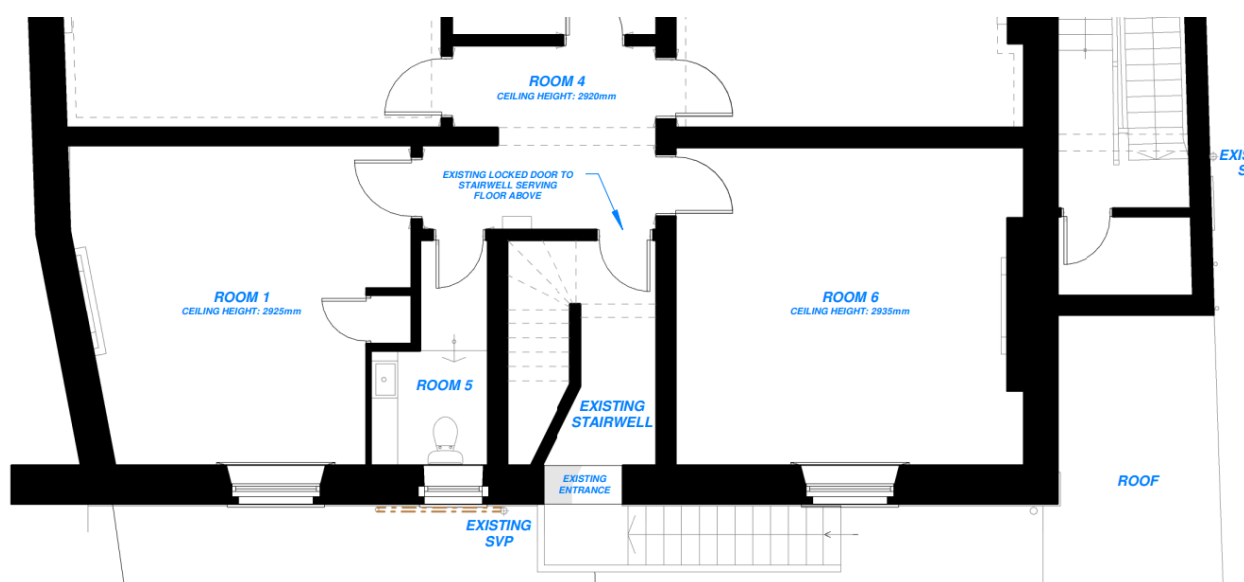
Room 2 (flat 2) – lounge/kitchen diner. Existing door blocked with the associated impact on the historic door and decorative architrave and a new opening would be formed in rear wall. No details on how this would be treated – either the blocking or the new doorway.

The proposals would result in the erosion of the floorplan as the existing central circulation space would be eroded. There is also the issue of services. And would there need to be fire separation from the commercial ground floor unit? I don't think this is mentioned.

New party wall inserted within lobby/room 3¹. This room is relatively plain (it has a picture rail that appears to be a much later addition).

The hall archway is infilled and a cupboard formed. There are no details about how the archway would be filled ie would the feature be entirely removed and flush plasterboard walls installed? Clearly the proposal would have a significant harmful impact on the appreciation of this attractive decorative feature.

Room 7 (flat 1). A lobby is formed which uncomfortably impacts on the space. The existing door (which is original) is removed. The cornice within room 7 is incomplete in this room (only on 3 sides, not the rear wall) so the lobby wouldn't necessarily have an adverse impact on this feature. The proposals show the existing side window infilled but not how (nor indeed why). A new opening would be formed in the rear wall, setting aside the issue of loss of historic fabric and erosion of the plan form, no elevation details are provided.



Flat 2 (LHS) = would be accessed via a lobby in front of the infilled decorative arch. The plans say that the existing stairwell door is retained, although this is a modern unattractive bit of joinery. A new door leads into Flat 2. There is no mention on whether this needs to be a fire door (but I would assume so) nor what it might look like.

In the rear bedroom, there is an existing historic cupboard which is not shown on the existing plans. It should be. The room is generous enough that it can probably sustain some subdivision but the proposed cupboard should be reconsidered if the historic cupboard is to be retained (which it should be).

¹ The proposed plans say 'existing stairwell to be maintained as existing and not part of this application'. I wonder why? If this were the access to flat 1 (with a lobby at the top of the stairs), then would it not negate the need to create a shared lobby leading off the existing stairwell (shaded purple) and therefore the need to infill the arch as this would all be in flat 2?

The significant issue though is the raised floor level to accommodate the proposed services. This too is replicated in the rear room on the RHS. There are no details about the construction of the existing floor for a start. Then there is the issue of the impact on the fireplace and hearth, skirting boards, doors and door architraves etc. This needs to be carefully considered and precisely articulated with detailed section drawings – all currently missing.

Furthermore, when I visited with the owner he talked about a suspended ceiling, presumably to create fire separation (and noise) from the second floor flats. There is no mention of this on the plans and this would certainly impact the cornices in rooms 2 and 7, and perhaps more significantly, the tops of the window architraves. This too needs to be carefully considered and detailed (fortunately there are no decorative ceilings, ceiling roses etc).

Room 6 (flat 1) – significant subdivision of the space although it would appear large enough to accommodate it?

Again the issue of a raised floor installed (ie impact on fireplace, skirting boards, proportions etc). No elevational details supplied.

Also, a note on the drawing says 'existing door' from lobby into the hall but surely this would need to be upgraded?

Finally, there is no mention of alterations or impacts on the windows although, in my experience, it is possible that our public health colleagues will want some form of secondary glazing for noise attenuation (and a noise assessment)? Given the quality and originality of the windows (including the glass), this really needs to be fully understood.

Summary & conclusion:

In general, we support the use of buildings as their use ensures their continued preservation through a regular programme of timely repairs.

The building in question is a grade II* listed building and the works relate to the first floor, which in Georgian buildings is generally the higher status floor with decorative architectural treatment. In this case, the interest lies in the floorplan, the decorative arch, the doors and architraves, the windows, the fireplaces, joinery elements such as skirting boards etc. The cornices are relatively plain, only in two rooms and incomplete in one. The features suggest to me that changes may have taken place in the 19th century when the side extension was added.

As it stands, there is insufficient information to fully assess the proposals. What is before me suggests a scheme that would be harmful to significant features. There is 'implied' harm to other features such as doors and floors etc. Other alterations are harmful, such as the new pipework on the rear elevation, with no enhancements to the rear elevation offered.

I have suggested to the owner that the application is premature in its current form and that he might consider withdrawing the application to reconsider options (I have advised commissioning a heritage consultant). If he is unwilling to pursue this option, then I recommend REFUSAL of the current application on the basis that the proposals would harm elements of significance of this high-grade listed building which would be contrary to sections 16 and 66 of the Planning LBCA Act 1990 as well as core policy 58.



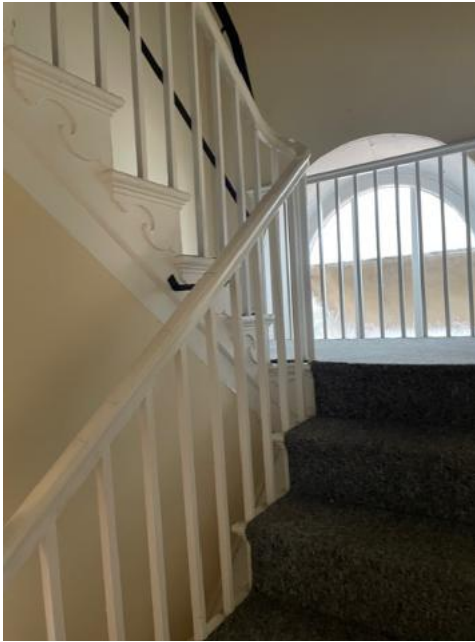
Room 7 looking from
doorway to stairwell



View from lobby into
room 2



Door to
stairwell



Stairs leading to
second floor flats



Room 6 with plyboard floor





doors



Flatter arch at second floor level



Rear first floor door –
access to flats