

APPLICATION FOR LISTED BUILDING CONSENT

OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/00468
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	20/22/24 Market Place, Warminster, BA12 9AN
DESCRIPTION OF WORKS:	Opening up areas of floors and roof to determine extent of damage and repairs required to carry out all essential repairs following approval of detailed specification of works to be carried out.
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

Numbers 22 and 24 Market Place (listed together with numbers 16 and 18 and Malthouse at rear) are grade II listed buildings, added to the list in 1978. The list entry reads as follows:

'Mid-late C18. No 22 of 3 storeys, No 24 of 2 storeys. Painted front of ashlar, now with continuous shop front on ground floor with large fascia, No 22 probably late C19 with spindly colonnettes dividing plate glass windows. Glazing bar sash windows with keystones. No 22 has 2 ranges with band over 1st floor, centre blind. No 22 has hipped old tile roof and hipped return above No 24 which has slate roof. 2 brick chimneys. Nos 16 and 18 are at the rear of Nos 24 and 22 respectively: they form 2 and 3 storey extensions at rear reached from alleyway which starts between Nos 14 and 20 (qv). A variety of maltster's workshops including small scale malthouse of coursed squared rubble form continuous extensions beyond No 18 and have a staggered frontage to the alleyway.'

Number 20 is covered by a separate listing entry which includes numbers 14 and 20, together with a range of buildings at the rear to the south (former stables and maltings). The list entry reads as follows:

*'Early C19 ashlar front with slight set back to right. No 20 has a late C19 sign painted over 1st floor window. 3 storeys with 3 ranges of glazing bar sash windows (single hung on 2nd floor). Plat-band over ground floor. Moulded cornice with astragal below. Parapet. Gable end chimneys. No 14 has moulded wooden strip over plat-band and modern plate glass shop front. No 20 has a small late C19 shop front of 2 windows with barley sugar colonnettes, recessed entrance and arch braces in heads of windows. **Nos 14 and 20 are separated by a wide coach entry with cobble stones.** 3 and 2 storey extensions at rear forming irregular alleyway with extensions to rear of Nos 22 and 24. Entrance to No 14 in a 2 storey building of coursed squared rubble with datestone "W.E" over "1825". The rest of the alleyway is formed of former stables and maltings of different builds and dates.'*



The buildings are within the Warminster conservation area.

PROPOSAL

Note: site plan does not include the court ie the first and second floors over the lane.

The heritage statement (2.1.2-2.1.3) says:

*'The applicants seek Listed Building Consent for opening-up works necessary for investigation and diagnosis of possible structural failures identified by visual survey, **and subsequent repairs, yet to be specified** by others.*

The position, extent and nature of those opening-up works are presented in the structural engineer's drawings included within the LBC application, to which this report is appended. The likely nature of the repairs are also indicated on those drawings but cannot be specified in detail at this stage. Nonetheless, visual inspection and received understanding of building conservation suggests the defects and repairs will be generic to buildings of this age and type: decay of roof timbers, particularly within valleys, at connections and in exposed positions; decay of suspended floor timbers, particularly at wall bearings; decay of lintels; decay of lath and-plaster elements such as ceilings and partitions; and de-lamination of renders'

The proposals relate to investigatory works but include some proposed repairs. Detailed drawings of the areas of proposed investigation have been supplied by Mann Williams consulting engineers.

RELEVANT PLANNING HISTORY

Proposal / Summary
14/07219/FUL - Full planning permission Decision - Approve with Conditions Date: 23/9/2014 – Provide direct access and alter staircase leading to upper floors to achieve a safe escape route for the existing office accommodation. Alter and improve kitchen and sanitary facilities for the shop and offices.
14/07304/LBC - Listed building consent Decision - Approve with Conditions Date: 23/9/2014 – Provide direct access and alter staircase leading to upper floors to achieve a safe escape route for the existing office accommodation. Alter and improve kitchen and sanitary facilities for the shop and offices.
14/09710/FUL - Full planning permission Decision - Approve with Conditions Date: 25/11/2014 – Change of use of upper floors from office to residential
14/09711/LBC - Listed building consent Decision - Approved Date: 25/11/2014 – Change of use of upper floors from office to residential
15/07464/LBC - Listed building consent Decision - Approve with Conditions Date: 22/9/2015 – Internal alterations to provide for safe access and to enable to change of use of upper floors from office to residential use
15/09429/FUL - Full planning permission Decision - Approve with Conditions Date: 30/10/2015 – Change of use of upper floors from office to residential
15/12654/LBC - Listed building consent Decision - Approve with Conditions Date: 8/2/2016 – Fire safety works and alterations
16/04493/LBC - Listed building consent Decision - Approve with Conditions Date: 5/7/2016 – Fire safety works and alterations
16/09695/PREAPP - Pre-Application enquiry Decision - Pre-App Response Date: 15/1/2021 – Repair and restoration to listed building
17/01931/LBC - Listed building consent Decision - Approve with Conditions Date: 25/4/2017 – Repair and restoration to listed building
PL/2025/09621 - Full planning permission Decision - Approve with Conditions Date: – Demolition of rear (south) modern extension to No. 24 and reinstatement of original lower section of gable wall. Reconstruction of original ground floor internal front section of party wall together with adaptations and repairs to shop windows.
PL/2025/09622 - Listed building consent (Alt/Ext) Decision - Approve with Conditions Date: – Demolition of rear (south) modern extension to No. 24 and reinstatement of original lower section of gable wall. Reconstruction of original ground floor internal front section of party wall together with adaptations and repairs to shop windows.
PL/2026/00468 - Listed building consent (Alt/Ext) – Opening up areas of floors and roof to determine extent of damage and repairs required to carry out all essential repairs following approval of detailed specification of works to be carried out.
W/04/00584/TCA - Work to Trees in a Cons Area Decision - Approved Date: 11/5/2004 – Fell Sycamore tree

W/05/00845/LBC - Listed building consent Decision - Approve with Conditions Date: 14/7/2005 – Alterations and repairs to southern boundary wall and fence
W/05/01612/FUL - Full planning permission Decision - Approve with Conditions Date: 30/8/2005 – Alterations and repairs to southern boundary wall and fence
W/06/02277/ADV - Consent to display an advertisement Decision - Refused Date: 14/9/2006 – Shop front fascia sign
W/06/03848/LBC - Listed building consent Decision - Approve with Conditions Date: 14/2/2007 – Internal/structural repairs
W/07/01881/ADV - Consent to display an advertisement Decision - Approved Date: 5/9/2007 – 1 x illuminated shop front fascia sign and 1 x projecting non-illuminated sign
W/11/01860/PDENQ - PD Enquiries Decision - West Historic PD/PREAPP response Date: 20/7/2011 – Replacement fencing and additional cross section RSJ steel post railing
W/12/01097/FUL - Full planning permission Decision - Approved Date: 3/8/2012 – Change of use from retail (Class A1) to a coffee shop (mixed A1/A3 use)
W/12/01098/FUL - Full planning permission Decision - Approve with Conditions Date: 3/8/2012 – Alterations to shop front associated with the change of use of the premises to Class A1/A3. Display of advertisements consistent with proposed A1/A3 coffee shop use.
W/12/01099/ADV - Consent to display an advertisement Decision - Approve with Conditions Date: 24/8/2012 – 1 No. externally illuminated fascia sign and 1 No. unilluminated hanging sign
W/75/00807/HIS - Historic apps 1974 to 1983 Decision - Refused Date: 18/12/1975 – Residential change of use
W/77/00093/HIS - Historic apps 1974 to 1983 Decision - Approved Date: 22/4/1977 – Change of use of one first floor room and store to offices
W/81/00635/HIS - Historic apps 1974 to 1983 Decision - Approve with Conditions Date: 7/7/1981 – Change of use from storage to single residential dwelling
W/82/00649/HIS - Historic apps 1974 to 1983 Decision - Approved Date: 3/8/1982 – Change of use of first floor room from offices to retail
W/83/00771/FUL - Full planning permission Decision - Approved Date: 13/9/1983 – Subdivision of premises into two retail units
W/83/00772/ADV - Consent to display an advertisement Decision - Approved Date: 13/9/1983 – Illuminated shop fascia and non-illuminated projecting sign
W/84/00960/FUL - Full planning permission Decision - Approve with Conditions Date: 11/9/1984 – Change of use from storage to retail
W/84/01370/FUL - Full planning permission Decision - Approve with Conditions Date: 18/12/1984 – Communal toilet facilities and retail unit
W/86/00116/FUL - Full planning permission Decision - Approve with Conditions Date: 18/3/1986 – Change of use to market hall with ancillary toilets and offices
W/86/00120/LBC - Listed building consent Decision - Approved Date: 18/3/1986 – Change of use to market hall with ancillary toilets and offices, alterations to doors and windows
W/86/01326/FUL - Full planning permission Decision - Approved Date: 25/11/1986 – New shopfront and interior

W/86/01327/ADV - Consent to display an advertisement Decision - Approve with Conditions Date: 25/11/1986 – Illuminated fascia and hanging board sign
W/87/00514/LBC - Listed building consent Decision - Approved Date: 26/5/1987 – Alteration to shop front
W/88/00640/OUT - Outline Planning Decision - Approve with Conditions Date: 7/6/1988 – Erection of four terraced mews cottages with parking, extension of previously granted access road with turning area
W/90/00521/TCA - Work to Trees in a Cons Area Decision - Approved Date: 22/5/1990 – Felling of one Laurel
W/96/00891/FUL - Full planning permission Decision - Approved Date: 12/8/1996 – New shopfront and signage
W/96/00892/ADV - Consent to display an advertisement Decision - Approved Date: 12/8/1996 – Fascia sign and hanging sign
W/99/01725/FUL - Full planning permission Decision - Approved Date: 16/2/2000 – Change of use to animal feed store

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Legislation

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. Section 16 requires 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.

National Policy and Guidance

The National Planning Policy Framework (NPPF) sets out government policy, including 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 213-215 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 to 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.

Section 14 of the NPPF addresses the challenge of climate change, flooding and coastal change.

Paragraph 167 advises that "Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings,

both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).

National Planning Practice Guidance provides guidance on interpreting the NPPF.

Historic England Advice Note 2: Making changes to Heritage Assets, illustrates the application of policies set out in the NPPF in determining applications for LBC (and planning permission).

Historic England Advice Note: 'Stopping the Rot: A guide to enforcement action to save historic buildings' (13 January 2023) says: Keeping historic buildings in good repair, and where possible, in use, is the key to their preservation'.

Wiltshire Core Strategy:

Whilst not directly relevant to listed building consent applications, the below policies give an indication of the Council's approach to development affecting heritage assets:

- Core Policy 57 '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.
- Core Policy 58 '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."

ISSUES

Impact upon the preservation of the listed building or its setting or any features of special architectural and/or historic interest.

CONSULTATION RESPONSES

Warminster Town Council: no objection

REPRESENTATIONS

In accordance with the requirements of Section 5(3)(a) of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) publicity is not required for listed building consent to carry out works affecting only the interior of a Grade II (unstarred) listed building.

ASSESSMENT

In accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been given to the significance of the listed building, including its

architectural and historic interest, and the desirability of preserving both the building and its setting. Relevant policies within the National Planning Policy Framework (NPPF), particularly Section 16: Conserving and Enhancing the Historic Environment, have also been taken into account. These policies require that any harm to the significance of a designated heritage asset must be clearly justified and weighed against the public benefits of the proposal.

Information considered/submitted

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.

The application was supported by a Heritage Statement entitled 'Emergency repairs' dated February 2026. The heritage statement is comprehensive in respect of the historic evolution of the building but was 'light' on information regarding current surfaces ie floors and ceilings that are to be disturbed/impacted. As such, clarification was sought.

At 4.3.2-4.3.4 of the report the consultant concludes:

4.3.2 'The bulk of the opening-up and resultant repair would be within the roof structures and is arguably no more intrusive than normal day-to-day repair'¹. In places – for instance C1 – the ceiling structures have already collapsed. Access to the roof structure would be facilitated by surgical removal of ceiling/soffit fabric and or lifting of external roof coverings. Suspended floor structures would be inspected by lifting of floor boards, most of which have already been lifted for services installation {stet}. Beam-wall connections would be inspected by local removal of internal wall finishes. .

4.3.3 None of this would affect the aesthetic significance of the ensemble because the external Market Place elevations would remain unaffected. Internal fabric such as floor coverings, panelling, ceiling and wall renders would be re-instated on a like-for like basis. The work would not affect the character of the buildings as buildings of 'special architectural or historical interest'.

4.3.4 The detailed inspection of structural fabric facilitated by the opening-up and repairs would enhance the archaeological and historical significance of the buildings by facilitating the archaeological recording and publication of significant details, thus augmenting current understandings of the buildings' structural and decorative development and their relationship to the principal historical themes of Warminster.'

The buildings are of significance for more than just their aesthetics. Also, whilst the consultant claims '*floor coverings, panelling, ceiling and wall renders would be re-instated on a like-for like basis*' this is not specified on the plans.

¹ Whether consent is required for the repairs is dependent on their extent and nature and will be determined by the Council.

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.

Assessment of significance:

According to the National Planning Policy Framework (NPPF), significance is defined 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 further categorises significance into four key values:

- *Evidential* – the potential of the asset to yield evidence about past human activity.
- *Historic* – the ways in which the asset illustrates aspects of history.
- *Aesthetic* – the sensory and design qualities of the asset.
- *Communal* – the meanings and associations attached to the asset by people.

In so far as it relates to the current application, I consider that the significance of the building lies largely with its floorplan and the historic materials used in its construction and decoration which contribute to the different character of the spaces and an understanding of the evolution of the building (evidential). There are clearly areas of low significance – such as the ground floor of all three buildings (although this does not necessarily include the shopfronts which are not part of this application). The first floor, particularly those rooms to the front, hold greater significance. The former maltings retains fabric of historic interest and is of particular significance to Warminster as a vestige of a once important business in the town.

Impact of proposals on the significance and setting of the building/structure:

The building is in a poor condition. The proposals are for opening up works and some minor repairs as indicated on the structural engineer’s drawings.

On opening up, more extensive repairs might be necessary and as such, these may need a separate listed building application.

However, on balance, the works are necessary and proportionate to ensuring that the buildings are put into a good state of repair thereby ensuring their longevity and their continued positive contribution to the Warminster conservation area.

Impact on Ecology

While Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 do not explicitly reference protected species, Local Planning Authorities have a statutory duty to consider potential impacts on protected species when determining applications. This responsibility arises from broader environmental legislation and national planning policy, and must be taken into account where relevant.

		Y / N / NA
(a)	Does the site or proposed development possess/impact on any of the features where protected species are likely to be present (assessed against Natural England's standing advice) and where species are likely to be found?	N/A
(b)	If yes, has a protected species survey been submitted?	
(c)	If yes, does the survey show a detailed consideration of ecological impacts, wildlife mitigation and the creation, restoration and enhancement of wildlife corridors to preserve and enhance biodiversity in accordance with the standing advice?	

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 proposals will also result in considerable heritage benefits by virtue of the proposed investment in repair which will help to secure the future/stability of the buildings.

The repaired buildings will also continue to make a positive contribution to the Warminster conservation area.

RECOMMENDATION:

That Listed Building Consent be GRANTED, subject to the following conditions:

Prior to the commencement of any of the approved opening-up or repair works for any individual room or area within the buildings, a photographic record/survey of the area shall be completed which shall then be included in a schedule of proposed works for the area. Each repair schedule shall be submitted to the LPA for approval in writing following the completion of the opening up works and prior to the commencement of any permanent repairs for the individual room/area (nb the scheduled should be referenced to a clearly numbered floor plan to indicate their location). Thereafter the repairs should be undertaken in accordance with the approved schedules.

Where floorboards are to be lifted, they (and any other historic joinery features such as skirtings or panelling) will be carefully lifted and set aside. Once the repairs have been undertaken, the

floorboards and decorative joinery will be reinstated and made good to match, within one month of the works being completed.

Where ceilings are taken down, or have collapsed, they will be reinstated. Ceilings on the first and second floors will be lathe and plaster. The ceilings will be reinstated within one month of the completion of the repairs approved under Condition 1, unless otherwise agreed in writing.

Informative – this application approves specific works. Significant additional repair works which affect the special architectural or historic interest of the building (as judged by the LPA) may require a separate application for listed building consent.

Informative re asbestos

Informative re ecology