

Wiltshire Council Planning Consultation Response

8 June 2026

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Application No: PL/2025/09523 & PL/2025/09524
Conversion of first and second floors to create two self-contained dwellings (a two bedroom flat and a two bedroom maisonette)
12 Maryport Street, Devizes, SN10 1AH

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

Recommendations:

☐	No comment
☒	Support in principle subject to amendment 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.

These are additional comments following amendments to the scheme.

National Policy and guidance: 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 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.

Chapter 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). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework.”

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 PP and LBC.

Historic England’s “Conservation Principles” provides policy and guidance for the “sustainable management of the historic environment”. Additional guidance is also contained within their publications:

- Historic Environment Good Practice Planning Advice Note 2 – Managing Significance in Decision-Taking in the Historic Environment (2015)
- Historic Environment Good Practice Planning Advice Note 3 – The Setting of Heritage Assets (2nd edition)

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.”

Other HE publications

HE GPAs and HEANs [The Planning System | Historic England](#)

Historic England Advice Note 18 – Adapting Historic Buildings for Energy and Carbon Efficiency provides specific advice relevant to development of this nature.

Local Policy: 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.

The Council’s Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. Proposals are required to “demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) “enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development” and “responding positively to the existing townscape and landscape features in

terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.”

Proposal: Conversion of first and second floors to create two self-contained dwellings (a two bedroom flat and a two bedroom maisonette)

Relevant planning history: E/10/0137/LBC - Internal structural timber repairs on front facade at first floor. Construction of new wall in basement and repairs to basement wall and supporting piers. Local repairs to roof and internal ceiling repairs. Repairs to front parapet gutter. Construction of 60 minute fire retardant wall in roof space. Decoration to front and rear external elevation. (approved);

Issues: impact on the listed building, impact on the setting of neighbouring listed buildings, 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, the applications are accompanied by a “Heritage Statement” which provides some information to understand the impact of the proposals. The Statement identifies that much of the internal fabric is covered with shop displays and therefore it is difficult to fully understand and assess the fabric, but indications of some fabric has been provided where possible. As this is an open shop, intrusive investigation works would be difficult to undertake without disrupting the operation of the shop. The requirements of the NPPF are therefore met in this respect.

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.

The interest may be architectural, or historic as set out in the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 S 1.

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.

The ground floor has been altered to create a large open retail space, though the central spine wall to the rear remains in-situ. It is unclear when the staircase was inserted to create an access between the ground and first floor.

The first floor to the front section of the building retains its floor plan, with separate small staircases to the upper floor, though it appears that the rear wall of the building might have been removed to allow for a larger retail space.

The second floor retains some original floor plan and presumed historic fabric, but with an inserted wall to create a corridor.

Due to the shop fit out, it is not possible to assess the extent of the historic fabric.

Assessment: The principle of the proposed scheme to convert the upper floors into residential spaces is acceptable. However, the creation of two self-contained units, and the requirements of compliance with Building Regulations, in particular fire and acoustic separation, adds to the pressure on the historic fabric and form. These aspects require careful details require careful consideration. The submitted Heritage Statement acknowledges the challenge and offers some principles for the proposed works, with further details to be provided following the removal of the shop fitout.

Front Elevation - Maryport Street

There are no proposed changes to the front elevation. The existing sash windows will remain with secondary glazing inserted. There are no objections to the proposed works.

Rear Elevation - Monday Market Street

The proposed scheme looks to amend the existing tripartite shop window by inserting a door in the central window. The existing shop front responds to other shop fronts along this part of the street, and whilst this is not one of the main retail streets in the town, the loss of the shop front is considered to alter the street scene. The insertion of the door allows the formation of a lobby to provide separate access to a new staircase to the upper floors. This position appears to be a sensible location to allow the retention of the main retail space. The loss of the simple shop front is considered to cause harm to historic fabric and the external appearance of the building. Within the Heritage Statement (para. 4.08) it states that Monday Market Street has the appearance of a 'service yard' which is considered to be incorrect. Whilst this elevation has the appearance of a working elevation at higher level, the shop front relates to others within the street scene. It is recommended that the proposed internal layout is amended to allow the retention of the shop front.

The proposed scheme looks to add in an additional sash window to the first floor, but this is an existing sash window that appears to have been missed on the existing drawing.

Within the existing Sack door, it is proposed to insert a laminated safety glass balustrade and rehang the sack doors to allow for the insertion of the balustrade, to allow the doors to open inwards. The principle is acceptable, but details of the design and connection details will need to be provided.

Rooflights

The proposed scheme looks to insert 3No. rooflights to allow natural light and ventilation into the rear of the building. The scale of the rooflights are quite large but as this is a former industrial building, the principle of a larger rooflight is considered acceptable. Details of the proposed installation should be provided.

Internal Layout

Ground Floor

As discussed in the proposed in the Rear Elevation – Monday Market Street section above, the proposed layout could be amended to retain the existing shop front, which would protect the street scene, and offer separation between the domestic access and the retail unit without causing impact on the retail space.

The proposed loss of the large rear staircase has been accepted and would further open the retail space for potential retail/commercial use. It is unclear if this is the original position for the staircase to the rear building, but the fabric does appear to be a modern replacement. It would not be possible to create a corridor to retain the function of the staircase without loss of retail space which could make the space unviable for retail or for any other alternative uses that are being introduced into high streets.

The creation of new WC and facilities for the retail space is acceptable as this ensures that the space can be used. Consideration for the position of the SVP should be undertaken, as whilst Monday Market Street is more of a subsidiary street, they are still considered as front elevations and the placement of a SVP would be considered to cause harm to the setting of the listed buildings and the character of the conservation area.

First Floor

The existing first floor is formed of two rooms to the front elevation, with two, small separate staircases behind to the upper floor. The rear of the building an open plan space with a large staircase to the ground floor. The loss of the staircase has been discussed in the ground floor section.

The proposed scheme looks to retain the floor plan to the front of the building and create a kitchen and living room for the maisonette. Consideration of the waste services to the kitchen will need to be undertaken to ensure that they do not penetrate the front elevation but also do not cause disturbance to the open retail space. As part of the proposed plan, a WC and the main entrance door to the maisonette are within the rear building. Due to the position of the staircase and access, this arrangement is logical. The waste from the WC, including the SVP should be considered.

The rear unit will be sub-divided to create a 2-bedroomed flat with entrance hall, separate WC and bathroom. It is likely that this space was an open space and used as a warehouse. The proposed sub-division is considered to result in the loss of the open plan, but some intervention is acceptable to find a long term, sustainable use for the space. Due to the scale of the space and the proposed position, it is unlikely that an open plan, 'loft inspired' space would be viable, and therefore this level of intervention is considered to be acceptable in this town centre location. The proposed layout, including placing the WC & bathroom in the centre of the space adds to the consideration of SVP and services to the retail unit.

Second Floor

The existing second floor is formed of two rooms off a small corridor at the front of the building. The smaller room has an existing sink. The proposed layout looks to alter the floor plan to create two bedrooms. This will require the insertion of a new stud wall, and the insertion of additional services. The placement of the bathroom is away from the other proposed new WC/ bathroom and kitchen spaces and adds to the pressure of pipe runs and SVP's.

General

The submitted Heritage Statement provides some assessment of the proposed works, including high level possible specifications for sound proofing and thermal insulation. It is proposed that internal insulation will be applied, which can cause other issues with historic fabric, and may not be the most appropriate solution. Historic England refer to this in their guidance:

In some buildings, installing insulation can help improve energy efficiency and reduce the energy demand of the existing heating system. It can also positively impact the size, capital or operational cost, and carbon emissions of heating systems. However, if insulation is not properly considered and installed, or if inappropriate materials are used, it can make a building less energy efficient. It can also undermine climate resilience, risk the health of occupants, cause the building fabric to deteriorate and harm the significance of the building. A thorough risk-based assessment and robust design are key to success.

Further harm to the significance of the building through the loss of joinery details. There is no understanding if there are existing historic joinery details due to the current shop fitout.

The considerations need to be undertaken to fire and acoustic separation. These elements could be conditioned to allow for a better understanding when they building has been stripped of the modern shop fittings. Concern is raised over the impact of Building Regulation requirements on the historic form and fabric of the building, including the proposed means of escape & travel distances, protection of communal staircase, and whether there is a requirement of AOV, especially as one unit has the bedrooms on the third floor.

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 proposals will result in harm to the building via the loss of historic fabric and character and via change to its layout and original external form. The proposals involve only part of the building and could therefore be considered as causing 'less than substantial harm' for the purposes of interpreting the NPPF, but they should not be seen as being of lesser consequence. Indeed, the wording of the NPPF and the 'special regard' by Sections 16 and 66 of the Act requires that any level harm caused should be taken seriously.

Paragraph 215 allows that a level of harm may be offset by public benefits, which could include conservation benefits. Whilst harm has been identified, the conversion of the upper floors into residential use, reverting the use from retail to its former function and creating a sustainable use is considered a heritage benefit. The creating residential spaces within town centre locations will bring vitality and activity into towns where many have lost their residential aspects, which is considered to be a positive to the character of the conservation area.

In this case the proposals will also result in heritage benefits by virtue of the proposed investment in repair and upgrading/structural repair which will help to secure the future.

Recommended Amendment

Retention of the shop front to Monday Market Street.

Conditions

WL1 - FURTHER DETAILS REQUIRED

Notwithstanding the approved drawings, no works, apart from the removal of the modern shop fittings shall commence until details of the following matters have been submitted to and approved in writing by the Local Planning Authority:

- ~~(i) Large scale details of all external joinery including metal framed glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;~~
- (ii) Large scale details of all internal joinery (1:5 elevation, 1:2 section);
- (iii) Full details of proposed rooflights, which shall be set in plane with the roof covering;
- (iv) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
- (v) Full details of proposed meter and alarm boxes;
- ~~(vi) Large scale details of proposed eaves and verges (1:5 section);~~
- (vii) Full details of proposed internal service routes;
- (viii) A full schedule and specification of repairs including:
- (ix) a structural engineer's report setting out the nature of, and suggested remedial work to, structural defects – if required
- ~~(x) proposed timber and damp proof treatment~~
- (xi) proposed method of cleaning/paint removal from historic fabric
- (xii) a full schedule of internal finishes to walls, ceilings and floors
- (xiii) Full details of external decoration to render, joinery and metalwork; and
- (xiv) Full details and samples of external materials.

The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

WL16 FIRE & SOUNDPROOFING/INSULATION DETAILS & IMPLEMENTATION

No works shall commence on site until details of the methods of fire protection, sound proofing and insulation for the walls, floors, ceilings and doors, including 1:5 sections through walls and ceilings, 1:20 elevations of doors and 1:1 scale moulding sections have been submitted to and approved in writing by the Local Planning Authority. All existing original doors shall be retained and where they are required to be upgraded a schedule and specification of works shall be submitted to and approved in writing by the Local Planning Authority. Self-closing mechanisms, if required, shall be of the concealed mortice type. The works of fire protection, sound proofing and insulation shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

POLICY-[number & purpose]

WL17 SURVEY / PHOTOGRAPHIC RECORD

No works shall commence on site after the removal of the modern shop fitout until a full survey, including analysis, and photographic record of the listed building(s) has been submitted to and approved in writing by the Local Planning Authority.

REASON: To secure the proper recording of the listed building.

POLICY-[number & purpose]

WL23 SAFEGUARD EXISTING BUILDING(S)

The works hereby granted consent shall be carried out in such a manner as to ensure that the existing building(s) is/are preserved and not structurally or superficially altered in any way whatsoever, save in accordance with the approved plans and the said building(s) shall be structurally supported and weatherproofed at all times during the construction period in accordance with established building practice.

REASON: To preserve the special architectural and historic interest of the listed building.

POLICY-[number & purpose] and PPG 15 'Planning and the Historic Environment'.