

APPLICATION FOR LISTED BUILDING CONSENT

OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/01782
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	2 St Marys Cottages, New Park Road, Devizes, SN10 1EE
DESCRIPTION OF WORKS:	Installation of a boiler flue on the western elevation through ground floor roof
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The application site comprises of a two-storey dwelling that forms the centre property in a terrace of three. The group is known as St. Mary's Cottages, which is a Grade II listed building, located within the settlement of Devizes. The building is designated for its special architectural and/or historic interest under the Planning (Listed Buildings and Conservation Areas) Act 1990.

The site lies within the Devizes Conservation Area and is in close proximity to St Mary's Church and Brownstone House, both Grade I listed building, and 48 New Park Street, which is Grade II listed.

The terrace is a red brick, early 1900s group of cottages that curve around the small front gardens, with their backs facing onto the church yard. The pitched roof is covered with red clay Roman tiles, and large chimney stacks within the party walls. The west elevations have a single storey lean-to formed of brick, which are screened from the public realm with the large brick wall along New Park Road. The group of cottages retain features of special interest that contribute to its heritage significance.

The list entry, for means of identification purposes only, provides the following description:

Early C18 group of cottages on L plan round yard and backing on to the churchyard of St Mary the Virgin New Park Street gv. 2 storeys red brick and grey headers. Steep pitch old tile roofs with hipped gable ends. 3 and 2 light camber headed casements some with original iron frames on churchyard front, segmental header arches. Entrances to yard where on Nos 2 and 3 the ground floor had been built out. Plain cottage doors. Attractive group in relation to the churchyard.

PROPOSAL

Installation of a boiler flue on the western elevation through ground floor roof, due to the required relocation of the old boiler located in the basement. The existing pipework is to be amended to suit the new location.

RELEVANT PLANNING HISTORY

Not applicable

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.

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).

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 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 and its setting including any features of special architectural and/or historic interest.

CONSULTATION RESPONSES

Devizes Town Council and Trust for Devizes responded with no objection.

REPRESENTATIONS

In accordance with the requirements of Section 5(1) of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) the application for listed building consent was publicised by way of:

- A site notice displayed near the site;
- An advertisement placed in the local press.

These methods were used to inform interested parties and to allow a statutory consultation period of **21 days** for representations to be submitted.

No public representations were received during the consultation period.

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.

In order to be acceptable, the application needs to be assessed against the following criteria:

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 submitted application included a Heritage Statement, and a Design & Access Statement would contain sufficient information on the listed building but did not provide details on the need to change of location of the boiler or any consideration for the alterations required to suit the pipework between the existing and new boiler. This was later provided by means of an email.

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 this case the significance of the building lies largely with the architectural and aesthetic interest of the building, and its physical location with St Mary's Church.

The property is the centre dwelling in a terrace of three dwellings. The terrace is formed of red brick with grey headers, with a steep pitched roof with hipped gables. The properties curve, fronting onto a central courtyard, which is screened from the public realm by a tall brick wall. This west, front elevation has a single storey lean to with a simple pitched roof, and it is this part of the building where the proposed new boiler is to be located.

The existing boiler is located within the basement (below ground) and the applicant has been advised by Gas Safe Engineers that the position is no longer suitable for a boiler due to the restricted flue and poor ventilation. Due to changes in boiler technology, a condense pipe is also required, which would not be possible to install within a basement location with no drainage.

Alternative positions were considered for the new location of the boiler, and the proposed position was considered to cause the least harm in terms of flue position and impact on the fabric of the listed building. The creation of any additional drainage within the basement risked disturbing the church yard which is in close proximity. The flue is screened from the public realm and the setting of the Grade I listed buildings due to the position and the brick boundary walls.

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

Understanding the impact of proposed works on a listed building requires a careful and proportionate assessment of how those changes affect the asset's heritage significance and its setting. This includes both the physical alterations to the building itself and any changes to its spatial or visual relationship with surrounding structures or spaces.

The significance of a heritage asset is not static; it is shaped by its architectural, historic, and communal values, and by how these are experienced in context. Therefore, any intervention must be considered in light of the asset's identified significance, with attention given to both potential harm and benefits. Benefits may include repairs that support the long-term conservation of the building, improved energy performance, or enhanced public access and understanding.

This assessment is grounded in the statutory duty under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires special regard to be given to the desirability of preserving the building and its features of special interest. It is also informed by national policy, particularly paragraphs 199–208 of the National Planning Policy Framework (NPPF), and relevant local heritage policies and guidance.

The existing boiler has come to the end of its life and requires replacement. The current location is no longer acceptable due to the changes that have occurred to boilers to make them more energy efficient, and this includes a condense pipe, ventilation for combustion and a balanced flue. As the current boiler is located within the basement, the installation is not viable as it would require substantial digging to create a drain for the condense pipe, require the flue to penetrate through the building or place the flue in a more noticeable position. There are additional

considerations due to the closeness of the graveyard and the need not to disturb the graves. The proposed location, whilst not ideal on the principal elevation of the dwelling, is considered to be in the less harmful position to the host dwelling, the setting of the listed buildings and the character of the conservation area.

The installation of the boiler will require some additional pipework to be run internally which will be surface mounted. It is understood that much of the existing pipework will remain unaltered or become redundant. The proposed internal works are considered to cause no harm to the significance of the listed building.

The insertion of the flue will need to penetrate the roof structure. There are strict guidelines for the position of the flue to ensure that no carbon dioxide can be directed into the building, and therefore the position of the flue is restricted to ensure compliance for safety regulations. The existing structure is likely to date from the C18, but with careful consideration, the main roof structure can remain unaltered, with just the roof covering removed. The tiles can be stored on site, so at a future date they can be reinstated. Whilst there may be a very small loss of fabric, this is limited significance, and clear and convincing justification has been presented.

The replacement boiler will be more energy efficient, reducing the need to burn fossil fuels and reduce pollution. This is considered to be a small public benefit and complies with the aims of the NPPF.

The position of the flue will cause a visual impact to the front elevation of the property, and the adjoining properties, but the proposed position has been carefully considered to cause the least amount of harm possible.

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?	NA
(b)	If yes, has a protected species survey been submitted?	N
(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 impact of the proposals on heritage assets will be neutral, or where there is harm, this has been mitigated and reduced as far as possible, therefore the requirements of current conservation legislation, policy or guidance are considered to be met.

RECOMMENDATION:

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

WA5 LISTED BUILDING CONSENT -COMMENCEMENT 3 YEARS

The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

WL3 EXTERNAL FINISH OF FLUES

The external flue(s) shall be finished in a matt black colour and maintained as such thereafter.

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

POLICY-[number & purpose]

WL15 RETAIN ROOF TIMBERS

The existing roof timbers shall be retained, uncut and unaltered in situ as part of the approved scheme.

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

POLICY-[number & purpose]

WL21 MAKING GOOD

Within 3 month(s) of the commissioning of the new boiler being carried out, all adjoining surfaces which have been disturbed by the works (including brickwork, plaster and floor tiles) shall be made good with materials and finishes to match those of existing undisturbed areas surrounding the new opening.

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

POLICY-[number & purpose]

