

APPLICATION FOR LISTED BUILDING CONSENT

OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/01888
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	6 Portway, Warminster, BA12 8QD
DESCRIPTION OF WORKS:	Replace frame to rear bathroom window
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The building is listed (within a terrace) and within the Warminster Conservation Area.

Numbers 2-6 Portway (and including 54 High Street) was listed at grade II on the 31/7/1978. The list entry, for means of identification purposes only, provides the following description:

'Circa 1832. 3 storeys brick with ashlar quoins, moulded cornice, cope to brick parapet and lintels (grooved as brick). No 2 has extension to right (No 54 High Street) angled 3 times and joining Nos 50 and 52 High Street. Glazing bar sash windows, 2nd from left blind, grouped 2+2+1+1 (on centre facet of No 54). No 2 has a 6 panel door (fielded panels) with narrow overlight. Nos 4 and 6 paired 6 panel doors. No 54 has shop front with central entrance.'

The building, in respect of its front elevation, retains its original small pane sash windows. Some characterful glass is also evident in the ground floor front window. The rear elevation is more altered.

PROPOSAL

The proposal relates to the replacement of the rear first-floor bathroom sash window frame (W2).

The Design & Access & Heritage statement says:

'following detailed inspection by the appointed specialist window supplier, it has been confirmed that the existing timber window frame is in a significantly deteriorated condition, with advanced decay particularly evident to the lower internal sections. The supplier has advised that the frame is structurally unsound and incapable of adequately supporting replacement sashes, and that retention of the existing frame would be likely to result in continued water ingress, ongoing deterioration of the surrounding fabric, and reduced lifespan of any new sashes installed within it.'

RELEVANT PLANNING HISTORY

Proposal / Summary

PL/2022/01977 - Listed building consent Decision - Refuse Date: 25/4/2022 – Replace existing windows and doors with new timber and UPVC double glazed windows
W/06/00267/PDENQ - PD Enquiries – Re grant
W/92/01083/LBC - Listed building consent Decision - Approved Date: 1/12/1992 – Installation of satellite television on outside rear of property
W/84/00854/LBC - Listed building consent Decision - Approved Date: 14/8/1984 – Kitchen extension and new dormer window
PL/2022/03422 - Listed building consent Decision - Approve with Conditions Date: 13/6/2022 – Replace existing modern windows and door to the rear of the property with new UPVC and Timber double glazed windows.
PL/2022/03691 - Listed building consent Decision - Approve with Conditions Date: 20/6/2022 – Replacement of existing front door
PL/2025/04339 - Listed building consent (Alt/Ext) Decision - Approve with Conditions Date: – Proposal is to replace existing sash windows with timber constructed replacements intended to match as much as is possible to the original appearance.
14/12123/PREAPP - Pre-Application enquiry Decision - Pre-App Response Date: 26/1/2015 – Demolition of lean to workshop and development of former brewery yard for residential use including four x 3 bed dwellings on High Street frontage, 2 x 3 bed dwellings on Portway frontage and 2 x mews cottages.
15/04564/FUL - Full planning permission – Change of use from transport yard to car valeting business (renewal of temporary permission W/11/01485/FUL).
20/04368/FUL - Full planning permission Decision - Approve with Conditions Date: 18/8/2021 – Redevelopment of the site involving the demolition of the boundary wall to High Street, existing garages and workshop, the erection of a part three, part four storey building fronting High Street with two ground floor retail units and four flats above, t
20/06331/PDENQ - PD Enquiries Decision - Pre-App Response Date: 29/7/2020 – Change UPVC windows, currently fitted, for wooden sliding sash
PL/2026/01888 - Listed building consent (Alt/Ext) – Replace frame to rear bathroom window
W/11/01485/FUL - Full planning permission Decision - Approve with Conditions Date: 25/8/2011 – Change of use from transport yard to car valeting business
W/81/00420/HIS - Historic apps 1974 to 1983 Decision - Approved Date: 28/4/1981 – Change of use from offices to private residence

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's publication 'Traditional Windows – Their Care, Repair and Upgrading (2017)' encourages the retention of windows that contribute to the significance of listed buildings but sets also out their approach to the alteration/replacement of windows where this is acceptable in principle:

1. Where historic windows, whether original or later insertions, make a positive contribution to the significance of a listed building they should be retained and repaired where possible. If beyond repair they should be replaced with accurate copies.
2. Where historic windows have already been replaced with windows whose design follows historic patterns, these usually make a positive contribution to the significance of listed buildings. When they do, they should therefore be retained and repaired where possible. If beyond repair they should be replaced with accurate copies.
3. Where historic windows or replacement windows of historic pattern survive without historic glass it may be possible to introduce slim-profile double-glazing without harming the significance of the listed building. There are compatibility issues to consider as the introduction of double-glazing can require the renewal of the window frame to accommodate thicker glazing, thereby harming significance. These issues are covered in Section 4 of this guidance.
4. Where historic windows have been replaced with ones whose design does not follow historic patterns, these are unlikely to contribute to the significance of listed buildings. Replacing such windows with new windows of a sympathetic historic pattern, whether single-glazed or incorporating slim-profile double-glazing, may cause no additional harm.

It also provides an opportunity to enhance the significance of the building, which is the desired outcome under national policy.

5. Where a new window or re-glazing is agreed, the reflective properties of secondary and double-glazing as compared to modern, polished single-glazing, do not usually harm the significance of the building. But when new multi-paned windows are proposed, the desirability of reproducing broken reflections by individually glazing each pane should be considered. Where the aesthetic value of the building is high, then the impact on the whole of the relevant elevation should be considered, including the desirability of accurately matching other windows.

Historic England Advice Note 18: Adapting Historic Buildings for Energy and Carbon Efficiency, provides advice in support of consistent decision making on approaches to improve the energy efficiency and support carbon reduction of historic buildings, whilst conserving their significance.

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(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.

Below is a summary of the representations received during the consultation period. In accordance with the provisions of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, only matters relevant to the consideration of the building's special architectural or historic interest have been taken into account in the assessment of this Listed Building Consent application.

No responses were received.

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. A Heritage statement was provided in support of the application. In this instance, the statement was sufficient to understand the impact of the proposals on the significance of the heritage asset. 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.

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:

- Its architecture;
- That it is part of a terrace of similar houses;
- The materials ie stone and slate;
- That it has timber sash windows (front and rear);
- Its floorplan;
- Any internal surviving architectural features (not known).

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.

Historic windows are important features of historic buildings. The two rear windows (ground and first) are historic timber sash windows. The windows are in a very poor condition.

Consent has already been approved for the replacement of the sashes. However, on removing the sashes it became evident that the box frame for the first floor rear window was beyond reasonable repair.

The proposal to replace the box frame will clearly result in some harm ie loss of historic fabric, however, the proposals will result in the reinstatement of a feature of significance in a good working condition which will improve the energy efficiency of the building as well as ensure the longevity of a feature (albeit in new materials) that contributes to the significance of the listed building. As such, on balance, the works are considered neutral/positive in respect of the interest of the listed building.

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
(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

Consent has already been approved for the replacement of the sashes on the rear elevation. Closer inspection has revealed that the box frame in respect of the first floor rear window is not capable of 'reasonable repair' as was originally hoped. This application therefore seeks consent to replace the box frame in addition to the sash (already approved).

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 and upgrading/structural repair which will help to secure the future/stability of the building /via facilitating the optimum viable use.

RECOMMENDATION:

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

3 years

Plans

Previous conditions

The proposed sashes will replicate the detailing and proportions of the existing sashes and the glazing will be held on the external face with putty.

Notwithstanding the undated and untitled window details drawing, no works shall commence on site until details of the new windows (sashes only) have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include full elevations at a scale of 1:5 or 1:10 and full sections , both horizontal and vertical, at the same scale. The works shall be carried out in accordance with the approved details