

Wiltshire Council Planning Consultation Response

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Application No: PL/2026/02436
Erection of timber steps at the top of the garden adjacent to rear public pathway (retrospective)
36-37 Newtown, Bradford On Avon, BA15 1NF

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.

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. Section 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.

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.

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](#)

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.

Proposal: Erection of timber steps at the top of the garden adjacent to rear public pathway (retrospective)

Relevant planning history: Application via an Enforcement case.

Issues: impact on the setting of 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 were not accompanied by any Heritage or Planning Statement, and therefore the application 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.

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.

Bradford-on-Avon Conservation Area retains a high quality of listed and non-listed buildings which contribute to the towns character. The core of the town lies to the north side of the River Avon and formed of a cluster of small streets and buildings, which contrasts with the later industrial buildings which front the riverside, and the larger polite buildings built from the industrial wealth of the town. The cluster of narrow public passageways and steps contribute to the character of this part of Bradford-on-Avon which is set on the hillside overlooking the valley and the river. The site forms part of this group, with the rear garden connecting to the passage.

Bradford on Avon has retained much of its historic environment, which has had great local support since the formation of the Bradford-on-Avon Preservation Society in 1959, with Lord Methuen as President. Initially set up to help protect and conserve through lobbying for the protection and saving of Middle Rank and Tory, it was soon providing hands-on assistance with buying and restoring buildings, starting with Priory Barn (1964).

Assessment: The cluster of narrow public passageways and steps contribute to the character of this part of Bradford-on-Avon which is set on the hillside overlooking the valley and the river. The site forms part of this group, with the rear garden connecting to the passage. Whilst most of the gardens along this path are partially screened by low level stone walls which allow wider views over the valley, the application site has a simple metal handrail and tall bamboo fencing attached which block any views out. The bamboo fencing stops at the location of the steps which therefore highlights their presence. The different material (the bamboo screen attached to the railing) which blocks the long views is considered to cause harm to the character of the conservation area and should be removed. This could be replaced with a more appropriate, lower height screen or fence, or ideally replaced with a stone wall to match the adjoining properties.

The lightweight and open nature of the staircase is considered to cause no impact on the setting of the listed building or to the character of the conservation area as it allows the views through.

The application form notes that the neighbours have a similar staircase, and the creation of the steps does replicate the adjoining owners. However, due to the stone wall and the slightly taller pedestrian gate, it screens the stairs from the public realm unless specifically looking for them. The gate, whilst taller than the stone wall does create a limited blocked view of the wider vistas when standing at the gate, but this is considered a brief restriction as the wider views when walking along the path are retained.

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 staircase which is the subject of this application is considered to have a neutral impact on the character of the conservation area, as its form and design is relatively lightweight and does not screen or block the views and vistas from the public footpath across the valley. However, the bamboo screening attached to the metal handrail, which does not form part of this application, is considered to cause harm to the character of the conservation area as it prevents views out across the wider countryside and introduces an alien material

to the conservation area. The requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application.

Condition

Following approval of this application, the bamboo screening applied to the handrail should be removed within 3 months of consent.

Reason: To protect the character of conservation area and the setting of the listed building.