

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09419
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Weymouth Street, Warminster, BA12 9NP
DEVELOPMENT DESCRIPTION:	Erection of a detached storey and a half four bedrooms dwelling with associated works (materially different to approved application PL/2024/00190)
RECOMMENDATION:	That Planning Permission be GRANTED

SITE DESCRIPTION/CONTEXT

The proposal site is a car park accessed from Weymouth Street as it runs south from central Market Place. The site is within the medieval core of Warminster and is within the Conservation Area.



Location Plan and Site Photo

The site extends to circa 330m² and is used as a car park for 8 cars with access and small spurs of land stretching to the north and south. The site is surrounded by listed buildings.

To the north (left of access), is the grade II designated The Bunch of Grapes, now known as nos. 5,7 and 9 Shaftesbury House; 3 separate shops with flats above, and which extends to the rear to abut a modern infill structure.

The John Barelycorn public house used to occupy the basement and ground floor areas of no.3 further to the north, stretching to function rooms to the rear.

To the east, at the rear of the site is the grade II listed Chins Court, which were once stables and a malthouse, which extend as a linear form from Market Place parallel to Weymouth Street.

Grade II listed Weymouth House, no.11, is to the south (right of access), and is now converted to flats. The listing notes that the building is '3 storeys with ashlar frontage, with a 7ft wall to

the left, and presumably once connected to no.7' – creating a terrace where now the proposal site lies.

To the rear of Weymouth House, and beside the proposal site at the rear, lies a Council operated public car park.



Site Photo showing the proposal site from the adjacent car park to the south.

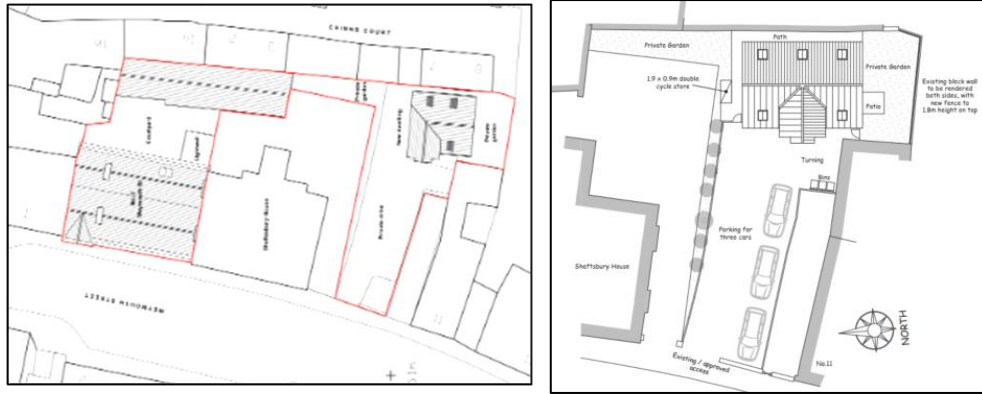
Historic maps (1st epoch mapping above) show gardens on the proposal site.

The site is located within the Secondary Retail Frontage of Warminster Town Centre.



The site (starred) is surrounded by listed buildings (hatched) and is within the Warminster Conservation Area (shaded green). 1st epoch mapping shows a garden.

The previously approved application PL/2024/00190 was for the 'Conversion of the former public house (The John Barleycorn – no.9), to form 9 apartments over ground, first and second floors, demolition of the link building, continued Class E Use within the basement area and the development of a detached 2 storey townhouse within the existing car park area, with associated car parking, refuse and cycle parking storage.



Previously approved and proposed Site Plan

The application was amended during its lifecycle to a 3-bed dwelling.

The land registry title was then split, reducing the limits of the site for this application, which seeks amendments to the approved detached dwelling.

The site is within Flood Zone 1 of lowest risk, but with additional ground water flood risk, between 50%-75%.

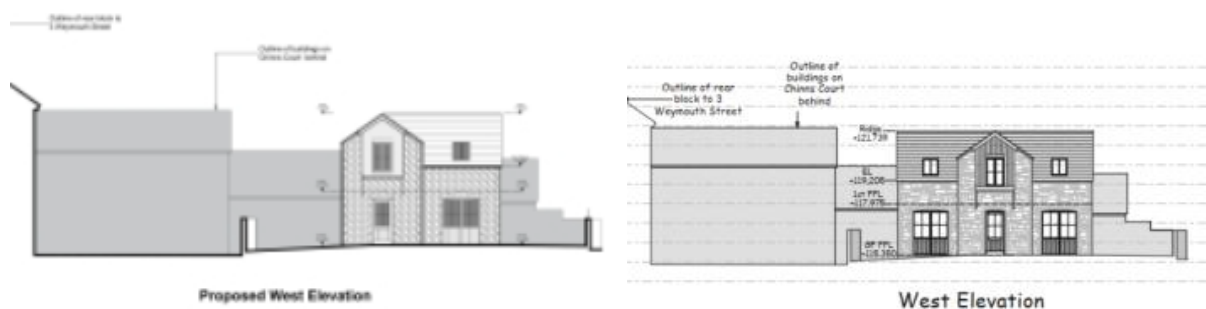
The site is located within the Salisbury Plan SPA buffer and the River Avon SAC catchment such that there is the potential to cause adverse effects through discharge of phosphorus in wastewater.

PROPOSAL

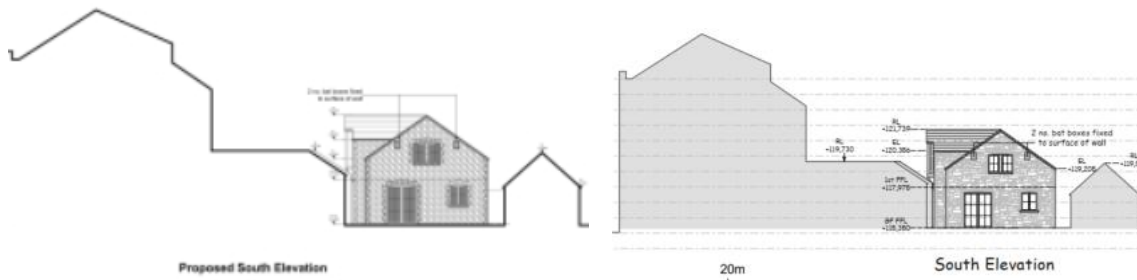
The proposal is a material revision to a previously approved PL/2024/00190 but restricted to only a part of the site that the 2024 related to. This application seeks permission for the erection of a detached dwelling, that is materially different to the previously approved scheme.

The proposal would retain the approved 1½ storey scale, semi-industrial features and materiality, but includes an additional 4th bedroom, separate first floor WC, 2 additional rooflights and a separate lounge, meaning a greater floor area overall, on a square rather than L-shaped footprint, parking for an additional 3rd car, and reduced private amenity space.

Proposed materials include stone with red brick detailing under a plain clay tiled roof, with painted softwood DG doors and windows and black aluminium rainwater goods.



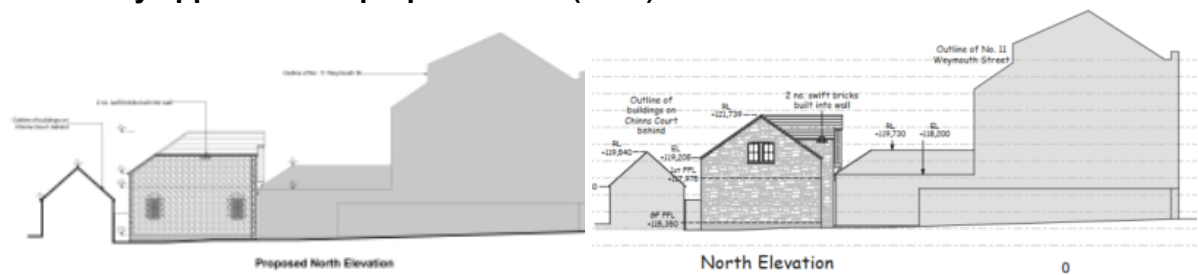
Previously approved and proposed West (Front) Elevations



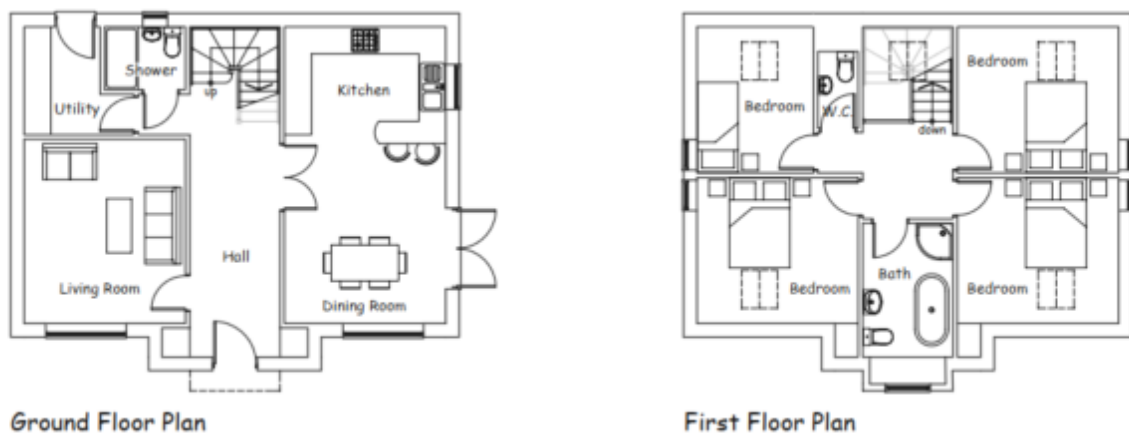
Previously approved and proposed South (facing car park) Elevations



Previously approved and proposed East (Rear) Elevations



Previously approved and proposed North (facing rear Shaftesbury House) Elevations



Proposed Floor Plans



Previously Approved Floor Plans

PLANNING HISTORY

W/81/00031/HIS - Historic apps 1974 to 1983 Decision - Approved Date: 17/2/1981 – Alterations to premises
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/86/00380/FUL - Full planning permission Decision - Approved Date: 27/5/1986 – Conversion of existing public house to two public houses and flat, including alterations and improvements
W/86/00390/LBC - Listed building consent Decision - Approved Date: 27/5/1986 – Conversion of public house back to two public houses and flat, including alterations and improvements
W/86/01103/FUL - Full planning permission Decision - Approve with Conditions Date: 25/11/1986 – Change of use of cellars to wine bar
W/87/00268/FUL - Full planning permission Decision - Approve with Conditions Date: 24/3/1987 – Conversion of ground floor to retail use and division of 1st and 2nd floors into residential
W/87/00843/FUL - Full planning permission Decision - Approved Date: 4/8/1987 – Conversion of rear building into separate town house
W/88/00294/FUL - Full planning permission Decision - Approved Date: 24/5/1988 – Change of use/conversion of existing house into 4 self-contained flats
W/88/00326/LBC - Listed building consent Decision - Approved Date: 26/4/1988 – Works of alteration/conversion of existing house into 4 self-contained flats
W/89/00010/FUL - Full planning permission Decision - Approve with Conditions Date: 21/2/1989 – Conversion to retail units and flats
W/89/00033/LBC - Listed building consent Decision - Approved Date: 21/2/1989 – Conversion of public house to retail units and flats
W/89/00713/FUL - Full planning permission Decision - Withdrawn Date: 4/5/1989 – Conversion of residential flat to dental surgery

W/89/00852/FUL - Full planning permission Decision - Approved Date: 11/7/1989 – Conversion of public house to offices and flats
W/92/00340/FUL - Full planning permission Decision - Approved Date: 23/4/1992 – Change of use from residential to offices
PL/2024/00190 and PL/2024/00571 – Approved. Conversion of the former public house to form 9 apartments over ground, first and second floors, demolition of the link building, continued Class E Use within the basement area and the development of a detached 2 storey townhouse within the existing car park area, with associated car parking, refuse and cycle parking storage.

RELEVANT POLICIES AND GUIDANCE

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)
National Design Guide
Wiltshire Design Guide: Appendix D – Design Guidance for Householder extensions

The Planning (Listed Building and Conservation Area) Act 1990, Section 66: Listed Buildings and Section 72: Conservation Areas

Wiltshire Core Strategy:

- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 58: Ensuring the Conservation of the Historic Environment
- Core Policy 61: Transport and New Development
- Core Policy 64: Demand Management
- Core Policy 67: Flood Risk

Warminster Neighbourhood Plan, made 2016

CONSULTATION RESPONSES

Warminster Town Council: No objection

Archaeology: No objection subject to conditions.

The proposed development site lies to the rear of Market Place so close to the core of the planned medieval settlement of Warminster. An archaeological evaluation to the rear of 60-66 Market Place identified 13/14th century features. As such, there is the potential for archaeological remains to be impacted by the proposed development, and so a planning condition is required for monitoring of groundworks.

Conservation: No objection, subject to conditions.

It is noted that the D&A Statement does not assess the significance of the site and surrounding listed assets. Examples are given of stables/workshops to the rear of principle buildings, with the significance of these structures relating to their original function; discerned through their appearance by use of traditional materials, siting behind dwellings, subservient scale, hard surfaces where they survive.

The proposal retains the same semi-industrial appearance of the previous approved application but is of a more conventional shape. Additional information is requested regarding the proposed landscaping.

Drainage: The proposal relies on the previously approved FRA and Drainage Strategy, of PL/2024/00190, noting the site as being at high risk of surface water flooding and ground water flooding, with mitigation dependent on SuDS measures, permeable surfacing and raised FFL.

The revised scheme would see an increase in impermeable areas and increase of surface water run off potential. The proposal does not include updated drawings or calculations to confirm that drainage storage and infiltration capacity remain adequate for an enlarged dwelling, meaning further clarification is required, which can be conditioned.

Ecology: No objection subject to conditions.

The Nutrient Neutrality Assessment has been confirmed as correct, with submitted mitigation meaning operational impacts are not predicated. These mitigations (SUDS and water usage) must therefore be secured by condition. An AA concluded no adverse effects on the integrity of the Salisbury Plan Special Protected Area, reliant on the council's mitigation strategy. Two swift bricks and two bat boxes provide a welcome potential increase of biodiversity.

Highways Department: No objection subject to conditions.

The proposed 3 parking spaces meets Wiltshire's current parking standards. An informative is required regarding the existing partial dropped kerb which will need to be extended full width of the access.

REPRESENTATIONS

25 neighbours consulted. No third-party comments were received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Heritage, Design and Impact upon the character and context of the area

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 of the aforesaid Act 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 Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The Council's Core Strategy Policy CP58 '*Ensuring the conservation of the historic environment*' requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

The Council's Core Strategy Policy CP57: *Ensuring high quality design requires a high quality of design in all new developments* requires applicants to "*demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes.*

Development is required to respond positively to the existing 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.

The NPPF outlines government policy for planning. Chapter 16 of the NPPF titled '*Conserving and enhancing the historic environment*' sets out the Government's high-level policies concerning heritage and sustainable development.

As the Conservation Officer notes, the application is not supported by an assessment of significance of the various heritage assets.

In the absence of the applicant's assessment, it falls to officers to record that the site was once amongst a crowded range of buildings not designed to be seen but instead as working yards, and gardens, behind the frontages of Market Place and Weymouth Street.

The site is largely set back from Weymouth Street, behind the retained gate pier and intervening modern boundary wall, accessed between tall 3-storey dwellings, and has a limited public presence in the streetscape or setting of the listed buildings.

The fresh proposal would retain the 1½ storey scale for the new detached dwelling on the site – just as it was previously proposed and approved, and would have working-yard aesthetic and materials, with alterations to footprint and layout, increased car parking and a reduced amenity area. These changes have nominal further impacts on the setting of neighbouring listed buildings or the character of the Conservation Area, compared to that which was assessed and considered to be acceptable under the previous application.

The revised site plan shows that the curtilage gate pier would remain, and the modern boundary wall would also be retained and to be rendered with a fence above, which is acceptable and considered appropriate. The proposed bin area would be appropriately sited.

The Conservation Officer's comments regarding a request for additional information regarding the proposed landscaping was noted which resulted in an amended Landscape Plan being submitted and that has been assessed as being appropriate.

The proposal, by virtue of its scale, design, and use of materials, is considered to preserve the character and appearance of the Conservation Area and setting of the neighbouring listed buildings.

The revised details do not seek to undermine the previously approved aesthetic, scale or character of development.

The proposal site has the potential for archaeological remains such that a planning condition is required for monitoring of groundworks.

The development is therefore considered to comply with Core Policy 57 and 58 of the Wiltshire Core Strategy and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the relevant provisions of the NPPF.

Amenity Effects

Point vii of Core Policy 57 - *Ensuring High Quality Design and Place Shaping* of the Wiltshire Core Strategy seeks to ensure that new development does not adversely affect neighbouring properties.

The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), sets out that planning decisions should ensure new development provides a high standard of amenity for existing and future users.

The proposed development has been assessed in terms of its potential impact on the residential amenity of neighbouring properties, with particular regard to loss of light, overshadowing, loss of privacy, and overbearing effects.

The fresh proposal does not introduce any substantive concern with overbearing or overbearing regarding the increased massing.

The proposed additional window to the north gable elevation at first floor level, would look across parking area at the rear of Shaftesbury House and the orientation of the proposed new dwelling with its proposed fenestration would not result in substantive harm through window - window conflicts. Within urban locations such as this site, some shared overlooking over parts of neighbouring curtilages is to be expected. The level of overlooking would not substantially result in loss of privacy or amenity.

The additional rooflight would be at a height to not impact neighbouring privacy.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Highways Impacts

Core Policy 57 (xiv) of the Wiltshire Core Strategy seeks to ensure that development must meet the requirements of Core Policy 61. This policy requires proposals to be capable of being served by safe access to the highway network. Core Policy 64 seeks to ensure compliance with parking standards set out in the Local Transport Plan.

The National Planning Policy Framework (NPPF), particularly Paragraph 115 and 116, requires that development proposals do not have an unacceptable impact on highway safety and that safe and suitable access to the site can be achieved for all users.

The proposed additional 4th bedroom creates the potential for increased parking demand. The proposed site plan shows 3 parking spaces which meets Wiltshire's current parking standards.

The proposed development would not result in any adverse impact on highway safety. Adequate parking and turning provision are provided in accordance with Wiltshire's adopted parking standards, and access arrangements are acceptable. The Councils highways authority raise no objection.

The proposal is therefore considered to comply with Core Policies 57 (xiv), 61 and 64 of the Wiltshire Core Strategy, the NPPF, and the Wiltshire Local Transport Plan.

Ecology Impacts

Core Policy 50 of the Wiltshire Core Strategy seeks to protect and enhance biodiversity and geodiversity, including through ensuring that development avoids harm to protected species and habitats.

The National Planning Policy Framework (NPPF), paragraphs 193, requires that new development minimises impacts on and provides net gains for biodiversity, including ensuring mitigation is secured where harm cannot be avoided.

During the lifecycle of this application, additional information was required and submitted regarding nutrient neutrality in recognition that this proposal is separate and individual to the previously approved new dwelling within a wider development. Additional information was also required regarding SuDS specifications.

The Nutrient Neutrality Assessment has been confirmed as correct, with submitted mitigation to be secured by condition.

Following the AA concluding there would be no adverse effects on the integrity of the Salisbury Plan Special Protected Area, no objections have been raised by the Council's ecologist.

As such, the development complies with Core Policy 50 of the Wiltshire Core Strategy and the relevant provisions of the NPPF.

Drainage and Flood Risk

Core Policy 67 of the Wiltshire Core Strategy and paragraph 181 of the NPPF requires that all new development avoids increasing flood risk on-site or elsewhere and, where appropriate, incorporates sustainable drainage measures. Development must also comply with national policy on flood risk management and drainage design. Paragraph 176 (via footnote 62) of the NPPF states that householder development should not be subject to the sequential test, nor the exception test.

The revised scheme would see an increase in impermeable areas and increase of surface water run off potential. Updated drawings or calculations are required to confirm that drainage

storage and infiltration capacity remain adequate for an enlarged dwelling and as such are conditioned.

The proposal therefore complies with Core Policy 67 of the Wiltshire Core Strategy and the policy in the NPPF, ensuring that flood risk is not increased and that surface water drainage is appropriately managed.

Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

CONCLUSION

The proposed development is considered to be acceptable in terms of its design, scale, and relationship with the surrounding area. It would not result in any unacceptable harm to the character of the locality, the amenities of neighbouring occupiers, or the interests of highway safety, heritage, or ecology.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the Wiltshire Local Plan, and the National Planning Policy Framework. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: That Planning Permission be GRANTED subject to conditions.