

APPLICATION FOR LISTED BUILDING CONSENT OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/03687
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	38 High Street, Downton, Salisbury, SP5 3PJ
DESCRIPTION OF WORKS:	Due to the ingress of damp into the properties we must remove and rebuild the chimney to match existing dimensions and style with the addition of lead trays to protect the property can damp.
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT



38 High Street is part of a terrace of listed buildings (36-44 High Street), listed at grade II. The list entry, a means to identify a building, reads as follows:

'Row of five cottages. Late C18. Flemish bond brick, tiled roof, brick stacks. 2-storey, 11-window. 4-panelled door to each cottage, 4-pane sashes in moulded flush architraves. 3-brick plat band has middle course of vitrified bricks. Eleven 4-pane sashes to first floor. Dentilled eaves. Six gables dormers to roof with 2-light casements. Left return is windowless, half-hipped gable. Rear has some lateral brick stacks, C20 windows and small extensions. Interior not inspected.'

The terrace is within the Downton conservation area.

PROPOSAL

The application is for the dismantling, repair and rebuilding of two chimneys which are letting in water. In more detail, the proposal is

- Careful dismantling of the existing chimney where structural instability is identified.
- Salvaging and reusing original bricks wherever possible.
- Rebuilding the chimney to their original design, including:
 - Matching brick bond and coursing.
 - Reinstating original chimney pots (or suitable replicas if necessary).
 - Using lime-based mortar appropriate to the building's age and construction.
- Incorporating discreet modern structural support where required to ensure longevity, without affecting external appearance.
- Installing two x one piece lead trays, upturned on the inside of each flue. The inclusion of these lead trays is imperative to the finished chimney to ensure no further damp ingress to the property.

RELEVANT PLANNING HISTORY

Proposal / Summary
PL/2021/07474 - Householder planning permission Decision - Withdrawn by Applicant Date: 25/8/2021 – Install Replacement Windows to Rear of Property and Secondary Glazing to Loft Window at Front of Property
PL/2021/07990 - Listed building consent Decision - Approve with Conditions Date: 10/11/2021 – Install Replacement Windows to Rear of Property and Secondary Glazing to Loft Window at Front of Property
S/2002/0419 - Listed building consent Decision - Approve with Conditions Date: 22/4/2002 – ERECTION OF SUN ROOM EXTENSION TO REAR OF EXISTING SHED/OUTBUILDING
S/2002/0462 - Full planning permission Decision - Approve with Conditions Date: 22/4/2002 – SUN ROOM EXTENSION TO REAR OF EXISTING SHED/OUT BUILDING
S/2006/2394 - Listed building consent Decision - Approve with Conditions Date: 8/1/2007 – INSTALLATION OF 2 REAR ROOF WINDOWS AND REPLACEMENT FRONT LOUVER DORMER WINDOW WITH CASEMENT WINDOW
14/04801/FUL - Full planning permission Decision - Approve with Conditions Date: 12/2/2015 – Installation of 2 x Velux window in north facing roof slope
18/01646/PDENQ - PD Enquiries Decision - PP Required Date: 28/2/2018 – Construction of a new small extension on a grade II listed property, addition of new kitchen and bathroom extracts. Dismantling and rebuilding of an existing, non listed, structure (former WC outbuilding) within the curtilage of the listed building.
PL/2025/04483 - Householder planning permission Decision - Approve with Conditions Date: 18/7/2025 – Refurbish existing outbuilding to form ancillary accommodation
PL/2025/04490 - Listed building consent (Alt/Ext) Decision - Approve with Conditions Date: 18/7/2025 – Refurbish existing outbuilding to form ancillary accommodation
PL/2025/09109 - Listed building consent (Alt/Ext) Decision - Approve with Conditions Date: 29/1/2026 – Refurbish existing outbuilding to form ancillary accommodation

PL/2025/09313 - Removal/variation of conditions Decision - Approve with Conditions Date: 29/1/2026 – Variation of Condition 2 (Approved Plans) of PL/2025/04483 - Refurbish existing outbuilding to form ancillary accommodation
PL/2026/03687 - Listed building consent (Alt/Ext) – Due to the ingress of damp into the properties we must remove and rebuild the chimney to match existing dimensions and style with the addition of lead trays to protect the property can damp.
S/1996/0568 - Full planning permission Decision - Withdrawn Date: 9/7/1996 – New hipped roof to dormer, and replacement cottage style window
S/1996/0569 - Listed building consent Decision - Withdrawn Date: 9/7/1996 – New hipped roof to dormer and replacement cottage style window
S/1997/1632 - Full planning permission Decision - Approve with Conditions Date: 19/12/1997 – ERECT A DWELLING AND ASSOCIATED GARAGE, INCLUDING FORMATION OF NEW ACCESS AND CONSTRUCTION OF NEW BOUNDARY WALL
S/1998/0448 - Full planning permission Decision - Approve with Conditions Date: 18/5/1998 – ERECT NEW HOUSE WITH ASSOCIATED ACCESS & GARAGING
S/1999/0797 - Full planning permission Decision - Approve with Conditions Date: 10/9/1999 – RETROSPECTIVE APPLICATION VARIATION TO DESIGN OF DWELLING
S/2001/1894 - Listed building consent Decision - Approve with Conditions Date: 28/11/2001 – REPLACEMENT OF CORRUGATED ASBESTOS ROOF WITH MACHINE MADE CLAY PLAIN TILES ON OUTBUILDING TO THE REAR OF THE PROPERTY
S/2002/0520 - Full planning permission Decision - Approve with Conditions Date: 23/4/2002 – CONSERVATORY TO REAR OF PROPERTY

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).

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

CONSULTATION RESPONSES

Downton Parish Council: support

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 comments 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.

In this case a heritage statement was provided in support of the application which was considered sufficient to understand the impact of the proposals on the significance of the building.

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 ...

The significance of the building, in so far as it relates to the current application, derives from:

- Its historic fabric and traditional construction;

- The use of local materials – in particular the red brick characteristic of the area;
- Its four pane timber sash windows and timber panelled door;
- The decorative string course and dentilled eaves course;
- The clay tile roof and large chimney (the chimney providing visual interest to the streetscape and indicative of the internal historic floorplan);
- That it forms part of a group, set hard back of the pavement, that makes a strong contribution to the character of this part of the Downton conservation area.

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 212-221 of the National Planning Policy Framework (NPPF), and relevant local heritage policies and guidance.

Officer assessment of the proposals

The applicant explains:

'The existing chimney stack has deteriorated significantly through age, weathering and the failure of mortar joints and associated brickwork. Defects have developed that compromise its stability and present an ongoing risk of further deterioration to both the chimney itself as well as the interior of the properties due to damp ingress.'

'A detailed inspection has concluded that piecemeal repairs would not provide a satisfactory long-term solution. Consequently, careful dismantling and reconstruction is considered the most appropriate conservation approach to secure the future of the feature and protect the building from further damage.'

Chimneys are vulnerable to the weather and decay. Lead trays are generally recommended for preventing water ingress. The proposals are necessary to prevent damage to internal fabric and as such, are considered proportionate.

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

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 proposed works are essential repairs and minor alterations to the chimney (the insertion of lead trays) to address water ingress. Historic England guidance recommends timely repairs and maintenance to protect historic fabric and avoid the escalation of repair issues.

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.

The proposals would cause no harm to the character of this part of the Downton conservation area.

The proposals are considered to be in accordance with Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the NPPF and core policy 58.

RECOMMENDATION:

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

**Standard 3 years
Plans**

That if any replacement bricks are required, they should match the existing bricks in size, colour and appearance;
That the bricks should be set in a lime mortar