

Wiltshire Council Planning Consultation Response

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Officer's Title: Planning Officer

Application No: **PL/2026/05176 and PL/2026/05621**
38B Market Place, Wiltshire, BA12 9AN
Change of use of first floor level from office space to residential and conversion to 2no residential apartments.

Please find following comments in respect of the above application(s).

Recommendations:

☐	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. Sections 16 (LBC) and 66 (PP) require 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.

The NPPF (August 2026) sets out Government planning policy for England. Chapter 20, *Conserving and enhancing the historic environment*, recognises heritage assets as an irreplaceable resource. Heritage assets should be conserved in a manner appropriate to their significance, with harm avoided unless there is a clear and convincing justification. Decision-makers are required to apply a balanced approach, giving substantial weight to the conservation of heritage assets and weighing any harm to significance against the public benefits of the proposal.

Chapter 5 of the NPPF sets out policies for "Meeting the challenge of climate change" and gives substantial weight to the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources (including through the 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's Conservation Principles, Policies and Guidance (2008) provides policy and guidance for the "sustainable management of the historic environment". Additional guidance on the application of policies set out in the NPPF is contained within their publications:

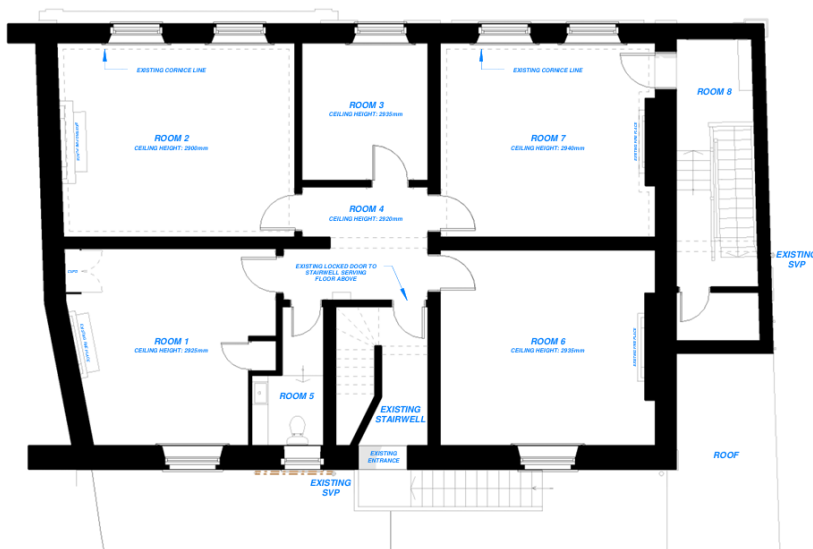
- Historic Environment Good Practice Planning Advice Note 2 – Managing Significance in Decision-Taking in the Historic Environment (2015)
- Historic Environment Good Practice Planning Advice Note 3 – The Setting of Heritage Assets 2nd edition (2017)
- Historic England Advice Note 2 – Making changes to Heritage Assets (2025)
- Historic England Advice Note 18 – Adapting Historic Buildings for Energy and Carbon Efficiency (2026)
- Traditional Windows: their care, repair and upgrading (2017)

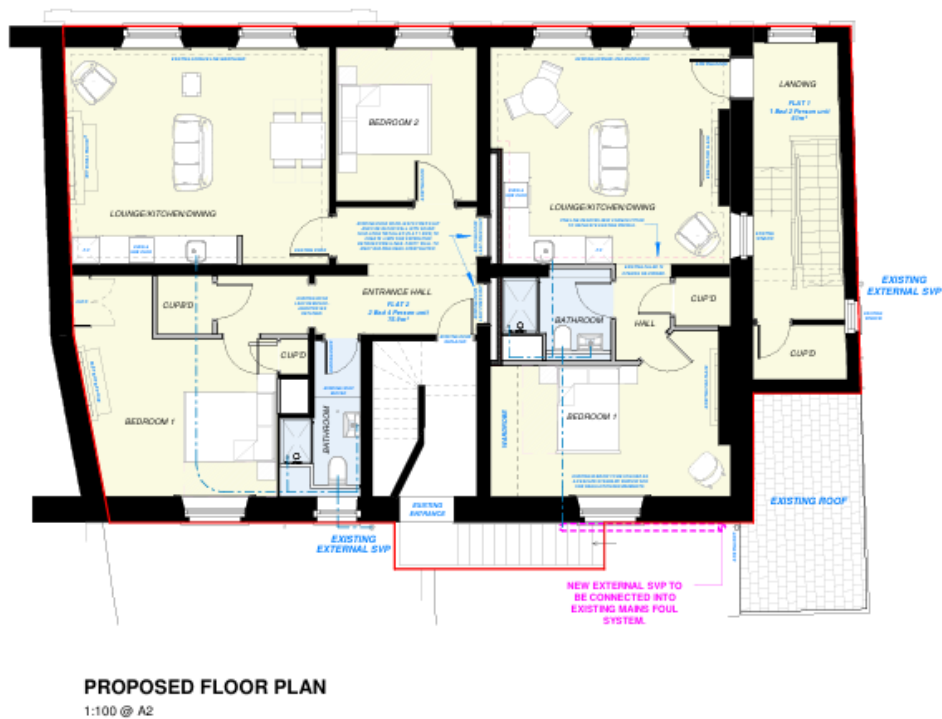
Local Policy: The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."

Wiltshire Council's Core Strategy Policy CP57 '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.

Proposal:

Residential conversion of first floor into two flats. One accessed from rear (existing access) and one from the side (also existing access).





Relevant planning history:

PL/2025/09342

Change of use of first floor level from office space to residential and conversion to 2no residential apartments.

Issues: impact on the listed building, impact on the conservation area.

Information considered/provided:

Policy HE5 of the NPPF requires applicants to assess the significance of any heritage assets affected by a proposal, including the contribution made by their setting, and to identify the likely effects of the development on that significance. Sufficient information should be provided to enable a clear understanding of the significance of the heritage asset and its setting, and the impact of the proposal upon it.

Decision-makers must be satisfied that assessments accurately reflect the effects on heritage assets caused by development proposals and in this case the applications are accompanied by a "Heritage Statement" dated July 2026 which provides sufficient information to understand the impact of the proposals and is proportionate to their scope. The requirements of the NPPF are therefore met in this respect.

Decision-makers must be satisfied that assessments accurately reflect the effects on heritage assets caused by development proposals.

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.

In this case the applicant's heritage consultant has assessed the significance of the building as (at 5.2):

- *The property is a good example of a Regency/early Victorian townhouse and shop, distinguished by an unusual and ornate original shopfront at ground floor level;*
- *The property is of historic value for its association with a notable local retailer.*
- *The front façade is of substantial aesthetic value for the high-quality Bath stone walls, bracketed cornice, ornate shopfront having pilasters with scrolled brackets and cast-iron fretwork to the glazing, and the pleasing disposition and detail of the multi-pane sliding sash windows with slender glazing bars;*
- *The quality of the frontage reflects the original high status of the property within the town;*
- *The quality of the interior and proportions of the rooms reflect the hierarchy between the principal reception rooms at the front and the bedrooms at the rear;*
- *The interior of the first floor (38B) and original main living space contains a good proportion of architectural features including (but not exclusively) the panelled basket arch within the first-floor landing, grey marble fireplace with deep console brackets (Room 2), reeded cornices (front reception rooms - Rooms 2 and 7), windows shutters, historic built-in cupboards (Room 1), and six-panel doors (Rooms 6 and 7 having panelled reveals);*
- *The original plan form remains legible - central landing area with rooms accessed directly off it.*

In respect of the Warminster conservation area, the heritage consultant has assessed the building's contribution as being (5.4):

'Nos. 38 & 40 Market Place provide a good illustration of Warminster's early- to mid 19th century built heritage and reflect the town's transition from cloth manufacturing towards retail, grocery and other commercial uses.'

Having previously visited the building in conjunction with the previous application, I consider this a good assessment of the interest of the building and its contribution to the CA.

Assessment:

The current applications propose changing the use of the first floor. Historically this was residential and as such, I have no objection to its reversion to residential (I believe there are flats on the second floor).

To quote from the heritage consultant:

'The main aspects of the proposals are:

- *The subdivision of the first floor along an existing wall line to create two flats – Flat 1 to the east and Flat 2 to the west – Flat 1 to be served by the existing side entrance and Flat 2 to be served by the existing rear entrance;*
- *Internal doors retained in situ and visible from the landing; doors fixed shut and lined out on the party wall line with sections of 60-minute fire-rated wall with acoustic insulation on the room side to meet the Building Regulations;*
- *The cornice in the proposed Lounge/Kitchen/Dining of Flat 1 to be retained but new matching section formed where wall is to be built out and where missing (south wall) (Note, no cornice exists in the existing rear room);*
- *Reopening part of the blocked opening between the front and rear rooms;*
- *Rear room of Flat 1 subdivided at the northern end to create Bathroom, Hall and Cupboard, existing fireplace and window shutters retained;*
- *First-floor landing and archway retained open and six-panel doors retained in situ;*

- *Front rooms of Flat 2 to remain unaltered including the retention of the picture rail and window shutters in Bedroom 2 and the grey marble fireplace, window shutters and cornice in the Lounge/Kitchen/Dining;*
- *Lobby and Cupboard formed at the northern end of the rear room in Flat 2 for Bedroom 1*
- *Replacement of the flush fire door off the existing stairwell (front door of Flat 2) with a timber panelled fire-rated door;*
- *Removal of the existing canopy and replacement with a flat-roofed canopy on brackets set at door-height level to expose the fanlight;*
- *New soil vent pipe to serve Flat 1 (emerging from above the string course between the ground and first floor).'*

The current proposals overcome the concerns I expressed in relation to the previous proposals, and indeed, the heritage consultant points out the changes in section 6.3 of their report.

Summary & conclusion:

The NPPF confirms that when considering the potential impact of a development proposal on the significance of a designated heritage asset, substantial 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 will be a matter of considerable importance and weight which requires clear and convincing justification.

The existing first floor is unused. The proposals would see the re-use of this space in a manner for which it was originally designed/created ie residential. Whilst there would be some harms arising from the proposals (the subdivision of the space and the need to meet current building regulation requirements and associated impacts on historic fabric), it is considered the benefits of the space being used; the investment in repair and reinstating some features, would considerably outweigh any modest harm.

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 from the point of view of the built historic environment.

Suggested conditions

Protection of architectural features during course of works;

Existing windows to be repaired and retained (no objection to secondary glazing subject to details);

Flat 1 – details of new (or modifications to existing) rear window to act as means of escape;

Flat 2 – details of new rear canopy over door entrance

Party Wall line between the flats. Details of how the wall (to be installed on Flat 1's side of the wall) is to be upgraded to be provided and the impact on existing historic features ie skirting/ceiling/architraves etc