

Date of Meeting	20 September 2017
Application Number	17/04445/LBC
Site Address	3 High Street, WARMINSTER BA12 9AG
Proposal	Refurbishment of existing frontage building to provide 2 shops with 4 flats above.
Applicant	Mr Huy Nguyen
Town/Parish Council	WARMINSTER
Electoral Division	WARMINSTER EAST - Councillor Andrew Davis
Grid Ref	387369 145088
Type of application	Full Planning
Case Officer	Matthew Perks

Reason for the application being considered by Committee

This application is brought to Committee at the request of Councillor Andrew Davis for the consideration of the scale of development, the impact upon the surrounding area and the relationships with adjoining properties, as well as design impacts. Furthermore, the Warminster Town Council PAC requested that Cllr Davis call in the application.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to recommend that the application be approved subject to conditions. Following on from committee agenda item 7b, this report concentrated exclusively on the proposed works to the listed building at No.3 High Street to which listed building consent is required. Matters relating the ecology, highway safety and car parking, land drainage, impacts on neighbours amenity and trees are not relevant to this application. These details are fully appraised within the committee report item 7b.

2. Report Summary

This report assesses the proposal in terms of the impact on the Grade II Listed Building at No. 3 High Street Warminster.

Neighbourhood Responses: Several items of correspondence were received from the Feoffees (Trustees) of St Lawrence Chapel.

Warminster Town Council: The Town Council did not comment on this listed building consent application but did object to the associated planning application (reference 17/03839/FUL) for reasons summarised in section 5.

3. Site Description

The subject property at No. 3 High Street is a grade II listed building which is in a very poor state of repair and is described as 'derelict' by the applicant and is currently scaffolded without which the building would be at risk of collapse. On the following page, several site photos illustrate the perilous state of this protected building.



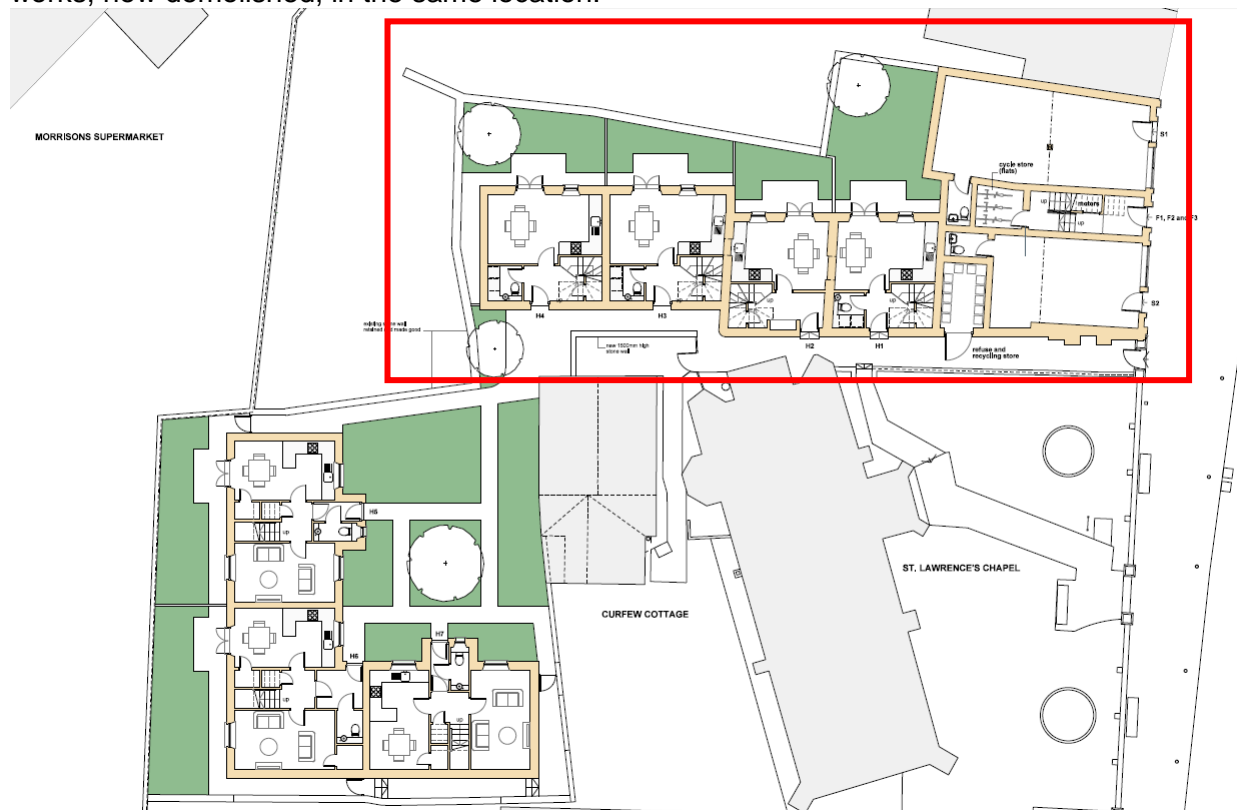
4. Planning History

There have been a number of applications in the last decade relating to attempts to refurbish the building at No. 3 High Street. However, no refurbishment works have been implemented.

The most recent relevant planning applications relating to the site are:- W/12/02179/FUL and W/12/01745/LBC: which comprised the refurbishment of existing building to provide 2 shops at ground floor level and 5 flats to the upper (first and second) floors - which was approved with conditions

5. The Proposal

The proposal is for the restoration of the listed building at No.3 High Street frontage listed internally and externally to preserve its visual role in the High Street and Chapel setting within the Conservation Area and bring it back into a viable and secure future use. Within the existing building, the ground floor would be re-developed to provide two retail units with a new central access directly off the High Street for the upper levels of new residential accommodation (4 flats) in refurbished and converted spaces. The layout has been designed to make use of the original walls and floors where this is possible. The application proposal also comprises erecting a 2 storey extension to the rear of No.3 to accommodate 2 houses which would be designed to follow the pattern of the existing rear wing and replace earlier works, now demolished, in the same location.





The application is supported by the following documents:

- A Design and Access Statement
- A Heritage Statement and an Assessment of Significance
- Structural Inspection Report
- A Financial Statement

6. Planning Policy

Wiltshire Core Strategy Core Policy 58: Ensuring the Conservation of the Historic Environment.

The 2016 'made' Warminster Neighbourhood Plan is also a material consideration and forms part of the development plan and must be appraised as part of determining planning applications, especially Policy E5 – 'Surrounding Environment' – which requires that new developments should respect local character.

The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) are also material considerations.

7. Summary of Consultation Responses

Warminster Town Council – No comments were provided with regard to this LBC application, however, the Town Council object to the associated planning application (ref: 17/03839/FUL) citing concerns about the need for development to be done sensitively, taking in all the surrounding area. Refusal of planning permission is recommended by the Town Council on the grounds of gross overdevelopment and the setting of the site in a conservation area.

Conservation Officer – No objection. The building is in a very poor condition and clearly earns the 'building at risk' label. The retention and conversion of the existing building, albeit with considerable rebuilding, would be costly and deliver little in the way of profit to act as an incentive. The previous owner did not implement the 2012 consented scheme which is summarised within section 4 of this report and financial viability has been mooted as being part of the reason, which is not disputed. Whilst the proposed new building to the rear is not "enabling development" as envisaged by development policies in the WCS, the proposed new

building element of the project would nevertheless 'enable' the restoration of the Grade II listed building as part of a viable scheme.

The proposal represents a reasonable and proportionate amount of new development in order to secure a viable future for this long-neglected building. The proposals, if consented, would deliver considerable enhancements to the street scene and improve the setting of the neighbouring chapel and the jeweller's shop. Additional conservation based commentary is provided within section 9 of this report.

8. Publicity

Following the display of a site notice and individual neighbour notifications, the Feoffees (Trustees) of St Lawrence Chapel were the sole respondents and raised the following objections/queries which relate to LBC considerations.

- The applicant's reference to discussions held between the applicant and Feoffees are not accurate. Permission would be required to use the access.
- The indicated dimensions of the proposed buildings to the rear are queried.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. The Council has a statutory duty to protect the historic environment. This is the primary consideration when determining this application. Section 16(2) of the Planning (Listed building and Conservation area) Act 1990 states that the Local Planning Authority has a duty to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when determining an application for listed building consent.

Furthermore, Core Policy 58 of the Wiltshire Core Strategy aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life. Whilst noting the call-in reason and the representation received from the Feoffees, the relevant determining issue for this report to consider is the impact the development proposal would have on the fabric, character and appearance of the listed building. The other issues raised are addressed separately by the corresponding committee report item 7b which relates to the accompanying planning application.

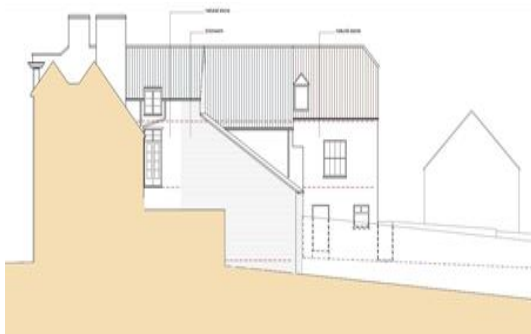
9.1 The Impact on the fabric, character and appearance of Listed Building – The existing building sits between St Lawrence Chapel and the Grade II Listed buildings at No. 5-17 High Street, which are all within the Warminster Town Centre Conservation Area. The proposed development would structurally correct and repair the front elevation which without the significant amount of scaffolding would be at serious risk of collapse. As illustrated below, the proposal seeks to restore and preserve the essential character of the building and in turn, would enhance the character and appearance of the Conservation Area and neighbouring settings of listed buildings. The insert plan below illustrates the existing scaffolded and proposed High Street frontage.



With regard to the heritage considerations, a Design and Access Statement, a Heritage Statement and an Assessment of Significance on the existing building and proposed development to the rear, as well as a Structural Inspection Report on the building were all submitted in support of the application and these have been carefully appraised. The following extracts of the submitted plans show the existing and proposed elevations to the refurbished and extended Listed Building element:

The following extracts illustrate the existing and proposed elevations:

Existing West Elevation and Section



Proposed West Elevation Plan



The building would be extended with the addition of the double storey element extending off the existing southern rear elevation. Historic maps show a previous range of buildings attached to the rear of the original building as illustrated in the reproduced historic mapping inserts below. The range of buildings at the rear of No. 3 were demolished at some point after 1952 as they don't appear on the 1952-1992 epoch mapping database available to officers. The parcel of land to the immediate rear of No. 3 High Street is now used as a parking area to the rear of no 5 High Street. Along the eastern and southern part to the rear of No. 3, another range of buildings have since been demolished. An existing lean-to extension would be demolished and replaced by the proposed double storey rear extension.



1868-1899 historic map of No. 3 High Street



1924-1952 historic map



Existing (above left) and Proposed (above right) plans of South elevation and sections (Main Building)



The Conservation officer has carefully appraised this application in terms of considering the effects it would have on the listed building and conservation area heritage assets and advises that: The application is supported by An Assessment of Significance which draws on the previous historical report by Compass Archaeology (submitted in respect of the previous application)...which identifies that the significance of the [host] building is:

- Its historic value as a timber framed house for a prominent local;
- The variety of traditional materials and detailing;
- The rear wings reflecting the historic burgage pattern of development;
- Its relationship with the Chapel of St Lawrence.

As noted in the report, the work of the mid-19th Century (converting a house into shop) and again in the mid-20th century, has compromised the interest of the interior such that the interior is now of 'low interest' – a statement, officers fully concur with.

The application for the conversion of the existing building comprises:

- retaining and repairing the frontage (but reconfiguring the ground floor shop front elevation);
- converting the ground floor into two separate shops;
- installing a staircase at ground floor in the centre of the building to create a separate hallway and means of entrance to access the 3 residential units on the first and second floor;

- converting the first floor to two flats and the second to one flat – all accessed via the central staircase;
- converting the existing rear element into two x 2 bed units over 3 floors (ground to second floor level); and,
- extending the rear extension to the west to create two further houses (each 1 bedroom over two floors).

In terms of the proposed works on the character and interest of the building, the works to the frontage would repair the main elevation (upper levels) and reinstate a traditional shop frontage with a central doorway, which would be much more in keeping with the historic character of the building than the recent past configuration. The installation of a staircase would reinstate the arrangement that formerly existed.

Officers conclude that the proposal represents a reasonable and proportionate amount of new development in order to secure a viable future for the long-neglected building at No. 3 High Street. The proposals, if consented, would deliver considerable enhancements to the street scene and improve the setting of the neighbouring chapel and the jewellers shop.



It must be recognised that No.3 High Street is in very poor condition and has scaffolding in place to prevent the collapse of the building (as certified by Building Control). The submitted proposals would see the building retained, repaired and reinstated (in terms of the ground floor). The rear extension is considered an appropriate and sympathetic addition which would reflect the historic character and previous 19th Century development of the building and the site and would be in keeping with the character of the listed building. The proposals would enhance the significance of the listed building and accord with paragraph 131 of the NPPF and Section 66 of the Planning (Listed Building and Conservation Area) Act 1990. The proposals, by virtue of the repair and reinstatement of the principal elevation would enhance the setting of the adjacent Chapel of St Lawrence and would consequently be in accordance with paragraph 137 of the NPPF and the relevant development plan policies.

Should members be minded to support this application, the Councils conservation officer recommends planning conditions in relation to detailing on the refurbished frontage, an internal survey of retrievable fabric and additional details.

In view of the officer considerations above it is considered that the application can be supported on heritage grounds.

10. Conclusion (The Planning Balance) - The proposal accords with relevant National and WCS Policies in relation to the preservation and enhancement of Listed Buildings.

11. RECOMMENDATION:

It is recommended that listed building consent is granted, subject to the following conditions.

Conditions:

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

1364/P/LOC received on 25 July 2017; 1364/P/01 P3 received on 25 July 2017; 1364/P/02 P2 received on 18 April 2017; 1364/P/03 P2 received on 18 April 2017; 1364/P/04 P2 received on 18 April 2017; 1364/P/05 P2 received on 18 April 2017; 1364/P/06 P3 received on 25 July 2017; 1364/P/07 P2 received on 18 April 2017; 1364/P/08 P2 received on 18 April 2017; 1364/P/09 P3 received on 25 July 2017

[insofar as they relate to the Listed Building No.3 High Street Warminster].

REASON: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence on site until the following details have been submitted to and agreed in writing by the Local Planning Authority:

In respect of alterations and conversion of 3 High Street:-

Detailed drawings of the ground floor shop front at a scale of no less than 1:50;

A repair schedule for all the existing windows with sash windows to be repaired or be replaced on a like-for-like basis;

Details of conservation style roof lights, timber French doors and other new external doors and any canopies, natural slate roofing materials and new stone copings;

Details of the design of the new stairs at ground to the first floor level; and

A room by room survey of all surviving historic features (i.e. doors, skirtings, cornices etc.) and that such features identified are suitably reinstated; and,

In respect of the 2 residential units to be provided by the extension to the rear of No 3 High Street:-

A sample panel of the proposed Flemish bond brickwork and mortar colour;

New window details at a scale of 1:5 including horizontal and vertical sections, and detailing windows with rubbed brick arches and Bath stone cills.

REASON: In the interests of visual amenity and the character and appearance of the area.

Planning informative:

1. This decision should be read in conjunction with the planning application decision issued for application 17/03839/FUL and the conditions attached thereto.