

Date of Meeting	27 th August 2015
Application Number	15/05689/LBC
Site Address	14 The Market Place, Devizes, Wiltshire, SN10 1HX
Proposal	Conversion of first floor of former print works to 1 apartment; Alterations to ground floor of print works to retain B1 office use; Demolition of single-storey buildings at rear of site
Applicant	Clenche Properties
Town/Parish Council	DEVIZES
Division	DEVIZES NORTH
Grid Ref	400314 161539
Type of application	Listed Building Consent
Case Officer	Jonathan James

Reason for the application being considered by Committee

This is the listed building application for the works required to implement the planning application reported earlier in this agenda. The planning application has been called to committee at the request of Council member, Cllr. Evans. The key issues for justifying the call in are concerns at the structural stability of the wall to the rear of the site and potential impact on this feature from the proposed development and the risk to potential occupants from fire.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal and the recommendation that planning permission be granted.

2. Report Summary

The main issues to be considered are the potential impact on the historic fabric, character and setting of the listed building and the conservation area.

3. Site Description

The application site now forms part of the existing curtilage of number 14 The Market Place, Devizes. The land lies within the Devizes Conservation Area and number 14 is a Grade II listed building.

It is bordered to the south-west by the gardens of the existing residential dwellings at "Carriage Court". Number 14 The Market Place forms part of a terrace looking out on to the Market Place at the centre of Devizes. The properties to the north-west and south-east have an existing mixed use. There is no vehicle parking or vehicle access to the site. Pedestrian access into the site runs along the south-eastern boundary.



Site location plan

The building fronting the Market Place is a grade II listed early 19th century building. The building immediately to the rear of the principal building was used as the print works to the Gazette and Herald Newspaper. This building is considered to be curtilage listed due to its association with the principal listed building.

The existing buildings onsite are considered to be in a poor condition. The site has also undergone some clearance following approval for the conversion of the principle building at the front of the site into two apartments.

The site slopes gently down to the south-west and ends at a high brick wall, which forms a boundary with the gardens to the rear of the site belonging to Carriage Court. The levels then drop vertically by approximately 2.8 metres.

4. Planning History

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| 13/01528/LBC | Alterations to facilitate conversion of first and second floor to two apartments, including demolition of single storey rear extension. Approved 16/09/2013 |
| 15/00012/LBC | Alterations to ground floor of former print works to retain B1 office use. Conversion of first floor of former print works to two bedroom apartment. Demolition of single storey buildings at rear of site and erection of 3 two bedroom townhouses. WITHDRAWN |

15/05550/FUL

Conversion of first floor of former print works to 1 no. apartment;
Alterations to ground floor of print works to retain B1 office use;
Demolition of single-storey buildings at rear of site and erection of
replacement single-storey building containing 2 dwellings;(1one bed &
1 two bed) – reported earlier on this agenda.

5. The Proposal

The proposal is for the conversion of first floor of the former print works to create one new apartment, alterations to the ground floor of the former print works to retain a B1 office use, and the demolition of the single-storey buildings to the rear of the site to facilitate the erection of a replacement single-storey building to create two new dwellings (1 one bed & 1 two bed).



6. Local Planning Policy

The Wiltshire Core Strategy (2015) is the determining development plan for the area. It was formally adopted in January 2015 and has been found sound and robust by the Inspectorate. The site is located within the settlement limits of development (LoD) of Devizes. The following policies are pertinent to the determination of applications at this site:

- Core Policy 57 Ensuring high quality design and place shaping
- Core Policy 58 Ensuring the conservation of the historic environment

National Planning Policy context

The NPPF describes the presumption in favour of sustainable development to be the “golden thread” running through plan-making and decision taking. The following paragraphs are considered pertinent from the National Planning Policy Framework (NPPF) (2012):

- Section 12 Conserving and enhancing the historic environment

7. Summary of consultation responses

Devizes Town Council – Objects to the application on the grounds that it is over development and out of keeping within the conservation area and there is concern regards to emergency evacuation from the proposed premises, the narrow passageway which enables access to the property would make this difficult. Also there is concern regarding the integrity of the existing retaining wall. *(NB- these objections are more properly addressed under associated planning application)*

Wiltshire Council Conservation Officer – Support subject to conditions.

Historic England (*formerly English Heritage*) – our specialist staff has considered the information received and do not wish to offer any comments on this occasion. It is recommended that the application(s) should be determined in accordance with national and local policy guidance, and on the basis of Wiltshire Councils specialist conservation advice.

8. Publicity

The application has been advertised with the associated planning application by site notice, letters to neighbouring properties and within the local press; the following is a summary of the comments made on the applications, some of which relate to issues that are the subject of the planning application, rather than the listed building application (eg comments on the new dwellings).

Objections

- Concerned at the potential structural impact on the Carriage Court boundary wall;
- Concerned at any proposed lighting of the site;
- All the buildings on the site are curtilage listed/heritage buildings;
- There is no justification for the demolition of the single storey buildings, they are of a considerable age and, although some alterations have been made over recent years, largely original. They form a group of out-buildings historically important in their own right;
- The whole of the site is within the Devizes Conservation Area. This area of land and buildings provides the setting for the one or two principal listed Market Place buildings to which it originally belonged and is at least of equal importance to the principal buildings;
- The application refers to the single-storey buildings as derelict, but this in itself does not justify the proposal to demolish them;
- This site is the town’s most precious heritage asset; there is no overriding reason to damage it and go against the principles set out in the 1990 Act;
- The Devizes Neighbourhood Plan confirms that Devizes’s Core Strategy housing quota to 2026 has already been more than met by existing and identified housing;
- The site is not viable, for various reasons, the main one being complete lack of vehicular access. This is a small, constrained, land-locked site, immediately adjacent to important listed buildings;
- The proposed development will have a significant and lasting impact on biodiversity;

- The proposed development would result in two single storey dwellings and three apartments, with potentially upwards of 10 occupants, all on an enclosed site with one narrow exit. The serious risk to life in the event of a fire is completely unacceptable;
- The proposed dwellings cannot be regarded as compatible with the adjacent historic buildings and their setting. The new build development will inevitably damage the special interest of the listed buildings, their settings and the character and appearance of this part of the conservation area;
- The application gives no information as to how the building work required in any development can be carried out, but the extreme limitations of the site make it inevitable that there would be substantial obstruction to Market Place over an extended period;
- The application proposes demolition of a range of curtilage listed 19th Century buildings. The site has been family owned for many years and allowed to deteriorate. The applicant should not be allowed to use the present condition of the buildings as justification for demolition;
- The older two-storey building on the site is the more important heritage asset of the present buildings. The proposal would leave it with no amenity land or setting and it would be prejudiced by the close proximity of the new-build proposal. Further, the new-build units are to be constructed of lightweight materials;
- The proposal would result in overdevelopment of a small restricted site;
- All the proposed units would be heavily compromised by the physical limitations of the site as well as conservation and planning considerations. All would be small, restricted and claustrophobic, with limited windows, light and sunlight, lacking adequate amenity land and with too many units in a small area. Such a cramped and compromised development should not be permitted anywhere, and certainly not in a conservation area.
- The proposed development is not viable and it cannot therefore be considered sustainable;
- Allowing this development would create a precedent for inappropriate development in other parts of the Conservation Area;
- Disposal of surface/storm water drainage, application proposes via a '*sustainable drainage system*', this is not acceptable all surface and storm water should be disposed of direct to the main sewer;
- Impact on trees on the site;
- The application is misleading in describing the site as part of 14 Market Place, as it has been in separate ownership for many years. Whilst part of the site may once have been part of the rear gardens/yards of no 14 Market Place, it was more recently wholly attached to no 13 Market Place;
- None of the buildings has any permitted or established use for planning purposes;
- Impact on the adjacent listed buildings.

Support

- Application seeks to establish a mixed use and retain a substantial heritage structure of the old print works;
- Proposal finds alternative use for dilapidated building;
- Proposal provides for affordable dwellings within the town, thus helping to reduce traffic and related problems;
- Application meets the requirements of the Devizes Neighbourhood Plan and the Wiltshire Strategic Plan and should therefore be supported;
- Support the proposal to restore and bring back into use the two-storey building as a single dwelling.

9. Planning Considerations

The only issues that can be considered in this application relate to the impact on the historic fabric, character and setting of the listed building and the conservation area. Matters such as the impact on amenity; highway considerations; parking and the stability of adjoining land are not material considerations in relation to this listed building application.

The building fronting the Market Place is a grade II listed early 19th century building. The building immediately to the rear of the principal building was used as the print works to the Gazette and Herald Newspaper. This building is considered to be curtilage listed due to its association with the principal listed building. It is a brick building with slate roof. The interior is simple and was clearly a place of work. Its significance lies in the building type as a print works, its fabric and its historical value as part of the newspaper industry and the local community of Devizes. The building has been further extended at the rear; this part is in very poor condition and a later addition, except for the western side wall which was the historic garden wall between this property and the neighbouring house No16 which is a grade II* listed building. The whole site lies within the Devizes Conservation Area.

The key issue is the impact of the proposals on the special interest of the listed buildings and character and appearance of the Devizes Conservation area.

In considering applications for listed building consent the Council has a statutory duty, under section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990, to have special regard to the “desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. In addition, the policies in Chapter 12 of the NPPF and Core Policy 58 of the Wiltshire Core Strategy (2015) are relevant in the determination of this application.

The main considerations are;

- the impact of conversion of the print works on the special interest of the listed building,
- the demolition of the remaining buildings to the rear of the site which all fall within the curtilage of the listed building
- the demolition and rebuilding of the listed garden wall.

The agent was advised that a background history to the construction and use of the building to help provide a description of the significance of the heritage asset would be required. Some further information has been provided on the history of printing on the site although the information on the significance of the fabric is limited.

In terms of the change of use of the property, following the relocation of the newspaper and changes in newspaper production, it is clear that a future for the building as a print works is highly unlikely. An alternative use of some form should be sought in order to safeguard the historic fabric of the important listed building.

In considering the change of use, reference to paragraph 89 of the Historic Environment Practice Guide is important, which states: *It is important that any use is viable, not just for the owner but also for the future conservation of the asset. Viable uses will fund future maintenance. It is obviously desirable to avoid successive harmful changes carried out in the interests of successive speculative and failed uses. If there is a range of alternative ways in which an asset could be viably used, the optimum use is the one that causes the least harm to the significance of the asset, not just through necessary initial changes but also as a result of subsequent wear and tear and likely future changes. The optimum viable use is not necessarily the most profitable one. It might be the original use, but that may no*

longer be economically viable or even the most compatible with the long term conservation of the asset.

At pre application stage, when two flats were proposed (one on each floor) concern was expressed that residential may not be very viable as the flats would be dark with limited external amenity and storage space. Also this could be compounded by the location of new houses to the rear. It was therefore suggested that office use of on the ground floor and residential above may be an appropriate way forward. The proposals have now changed to reflect this advice

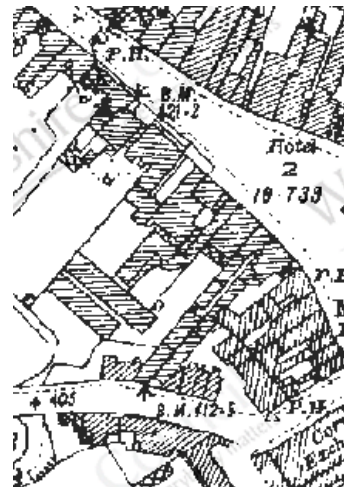
In terms of the changes to the fabric of the building this has been limited, with little subdivision and new windows and doors. Despite this the character and appearance will change from the rather derelict print works with exposed brickwork and timber boarding giving it its industrial appearance in order to upgrade to habitable and re-useable space. However the change is necessary in order to provide a viable use for the building. It is therefore considered that these works will comply with paragraph 134 of the NPPF as whilst there is some harm in terms of the potential loss of industrial character, the changes achieve a beneficial re-use of the building, which is a public benefit.

Demolition of the rear single storey building and demolition and rebuilding of the garden wall.

This building still falls within the curtilage of the listed building and appears to pre date 1948 and was used as an extension of the printing and newspaper production. It is therefore considered to be a designated heritage asset. Its western wall was originally the garden wall between this site and its neighbour No 16 and is therefore considered to be curtilage listed.



1st Edition OS late 19th Century



OS 1908 -33

During the site visit it was evident that the majority of the structure is in very poor condition with the roof collapsing and one of the side walls leaning to a dangerous degree. This application includes an assessment of the condition of the original boundary wall which is also in a poor condition and in need of substantial repair.



Photograph showing condition of garden wall

The main structure of the extension holds little architectural or historic interest. The boundary wall is of some significance and value. It is considered that the demolition of the main structure is uncontentious and it is evident that due to its condition the garden/boundary wall is in need of substantial rebuilding. This work should be carried out by re using the existing bricks and a traditional lime mortar.

10. Conclusion

The conversion of the former print works will safeguard this building from further deterioration and whilst there will inevitably be changes to the fabric of the building these have been limited. It is considered that the change is necessary in this instance in order to provide a viable use for the building. The demolition of the rear single storey building is acceptable as it contains little of historic or architectural interest and is in poor condition. It will allow for the substantial and necessary re-building of the boundary wall which is the most important part of the structure. It is considered that the works will comply with paragraph 134 of the NPPF as whilst there is some limited harm in the alterations to the print works from the loss of industrial character, the public benefits in securing a new use, and the rebuilding of the boundary wall outweigh these.

RECOMMENDATION

Approve subject to 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. No development shall commence on site until the details and, where requested, samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area and on the listed buildings.

3. Notwithstanding the approved drawings, no works shall commence on the new works until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - Large scale details of all external joinery including(1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, cills and lintels;
 - Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
 - A full schedule and specification of repairs to the boundary wall;

The works shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and listed building consent the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

4. The development hereby permitted shall be carried out in accordance with the application form, Heritage Statement (and Design and Access Statement) (MWA 13111 Rev A) (dated 2nd June 2015), Structural Report (dated 29th May 2015) Phase 2 Bat Survey (dated 9th June 2015) and the following approved plans: Site location plan, Proposed Block Plan, Proposed Site Layout (13111.11), Proposed elevations (13111.12), Proposals (existing building) (13111.05A) received on 8th June 2015.

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