

APPLICATION FOR LISTED BUILDING CONSENT

OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/00087
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	29 Kingsbury Street, Marlborough, SN8 1JA
DESCRIPTION OF WORKS:	Replacement of two complete windows at second floor level. Replacement of three individual sliding sashes at first floor level.
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

No.29 Kingsbury Street, Marlborough is a grade II listed building dating from the early 19th century. Built of brick under a slate roof, it is one of a row of three houses, including No.30 and 31, which are all covered by the same listing. It is a good example of a simply detailed Georgian house, and is one of a fine row of traditional brick houses that positively contribute to the character and appearance of this part of the Marlborough Conservation Area. Classical details, such as the round-arched doorways with fanlights, gauged window lintels with voussoirs, and deep eaves give these houses a more reserved formal status.

The list entry, for means of identification purposes only, provides the following description:

Early C19, Red brick. Pitched slate roof with overhanging eaves. Brick stacks. 2 storeys and basements. 6 ranges of sashes with glazing bars. 3 modern doors in original openings with semi-circular fanlights. Simple iron railings with spear and urn finials. Nos 17 to 34 (consec) form a group.

PROPOSAL

Replacement of two complete windows at second floor level. Replacement of three individual sliding sashes at first floor level.

RELEVANT PLANNING HISTORY

Proposal / Summary
K/54440/LBC - Listed building consent Decision - Approve with Conditions Date: 26/7/2006 – Replacement front door.

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.

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).

Historic England's publication 'Traditional Windows – Their Care, Repair and Upgrading (2017)' encourages the retention of windows that contribute to the significance of listed buildings but sets also out their approach to the alteration/replacement of windows where this is acceptable in principle:

1. Where historic windows, whether original or later insertions, make a positive contribution to the significance of a listed building they should be retained and repaired where possible. If beyond repair they should be replaced with accurate copies.
2. Where historic windows have already been replaced with windows whose design follows historic patterns, these usually make a positive contribution to the significance of listed buildings. When they do, they should therefore be retained and repaired where possible. If beyond repair they should be replaced with accurate copies.
3. Where historic windows or replacement windows of historic pattern survive without historic glass it may be possible to introduce slim-profile double-glazing without harming the significance of the listed building. There are compatibility issues to consider as the introduction of double-glazing can require the renewal of the window frame to accommodate thicker glazing, thereby harming significance. These issues are covered in Section 4 of this guidance.
4. Where historic windows have been replaced with ones whose design does not follow historic patterns, these are unlikely to contribute to the significance of listed buildings. Replacing such windows with new windows of a sympathetic historic pattern, whether single-glazed or incorporating slim-profile double-glazing, may cause no additional harm. It also provides an opportunity to enhance the significance of the building, which is the desired outcome under national policy.
5. Where a new window or re-glazing is agreed, the reflective properties of secondary and double-glazing as compared to modern, polished single-glazing, do not usually harm the

significance of the building. But when new multi-paned windows are proposed, the desirability of reproducing broken reflections by individually glazing each pane should be considered. Where the aesthetic value of the building is high, then the impact on the whole of the relevant elevation should be considered, including the desirability of accurately matching other windows.

Historic England Advice Note 18: Adapting Historic Buildings for Energy and Carbon Efficiency, provides advice in support of consistent decision making on approaches to improve the energy efficiency and support carbon reduction of historic buildings, whilst conserving their significance.

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 57 '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.
- 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

Marlborough Town Council – no objection.

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:

None 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.

- Heritage Statement and Existing Joinery Condition

The heritage statement and condition report is considered to be sufficient information to support the application, and an adequate assessment of the significance of the windows and their contribution to the overall significance of the designated heritage asset.

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 its architectural style, features and detailing. It is a fine example of an early 19th century townhouse, built of traditional brick under a slate roof, and Georgian details such as the round-arched doorways with fanlights, gauged window lintels with voussoirs, sash windows, and deep eaves that give these houses a more reserved formal status.

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 199–208 of the National Planning Policy Framework (NPPF), and relevant local heritage policies and guidance.

The proposal is for the repair and partial replacement of certain windows on the rear elevation only:

First floor (windows F3 & F4) – these are both sliding sash windows – F3 only requires the replacement of the lower sash, whilst F4 requires both sashes to be replaced. The external box frames will be retained and repaired as necessary. Both windows show signs of poor condition and rot due to lack of routine maintenance. F3 is an historic window and has generally fared better than the other window. F4 appears to have been replaced at some point, with non-traditional horns, and has signs of past repair, including a crudely replaced bottom rail. Whilst repair should be considered as the first option, this has been looked into, and due to the amount of rot, would not preserve a significant amount of fabric. In this instance, the elements proposed for replacement do appear to be beyond reasonable repair. Therefore the replacement of the identified elements is accepted as the reasonable option. As the windows will be exact copies of the existing, there will not be any harmful impact on the overall significance of the designated heritage asset.

Rear dormers (windows S1 & S2) – these dormer windows are a later 20th century additions to the rear roof slope, and have later 20th century joinery (flush casements). These windows are modern feature with modern joinery and the replacement of the whole window joinery is proposed with matching timber joinery: the full replacement of this window will not result in the loss of historic fabric and no harm to significance is identified.

It should be noted that the listing covers a row of buildings, and therefore, whilst obviously assessed against the individual building and its features of interest, the impact on the significance of the row as a whole also needs to be considered. The replacement of the windows, whilst some historic fabric will be lost, due to its condition, is not considered to negatively impact the listed building or the whole row covered by the listing.

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?	

Comments (if any):

N/A

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.

In accordance with the above assessment the proposed works are considered to preserve the special interest of the listed building, in the effort to provide sensitively and appropriately detailed replacement window joinery. These will ensure the preservation of the building for the long term, thereby enabling it to perform at its optimum viable use. In this case, the overall impact of the proposals on the designated heritage asset will be neutral and it is considered the works will assist in securing the future use of a heritage asset in support of its long-term conservation. The requirements of current conservation legislation, policy or guidance are considered to be met.

RECOMMENDATION:

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

- Time limit
- Approved Plans
- Painted finish