

APPLICATION FOR LISTED BUILDING CONSENT OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/00037
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	7, Kingsbury Street, Marlborough, SN8 1HU
DESCRIPTION OF WORKS:	External/internal works; replacing external doorway with window, internal reconfiguration, existing kitchen doorway removed, new kitchen doorway, hatch to basement stairs.
RECOMMENDATION:	That Listed Building Consent is GRANTED subject to conditions.

SITE DESCRIPTION/CONTEXT

The application site relates to the two and a half storey high mid-terrace property known as 7 Kingsbury Street, with a basement level. The ground floor is currently in use as a restaurant, the basement is for storage purposes, and the first and second floors are currently used as bed and breakfast accommodation. There is a courtyard area to the south of the building which is currently used for additional outdoor seating for the restaurant.

The application property, along with no. 4, 5, 6 and 8, altogether form one Grade II listed building, and are situated within the Marlborough Conservation Area.

The listing entry is stated as follows:

KINGSBURY STREET 1. 5407 (West Side) Nos 4 to 8 (consec) SU 1869 1/49 II GV 2. Range of small houses and shops. C16 and C17 altered. 2 storey and attic. Stucco (except No 8) painted. Old tile roof. Church Farm Dairy has early C19 shop front with wide moulded cornice, and panel enriched with acanthus ornament over glazed shop door. No 8 Bath stone gabled front. Some C18, but mainly C91 windows and shop fronts. Nos 1, 2, 4 to 11 (consec) form a group with nos 40 to 48A (consec), opposite, and Nos 1, 17 and 18 Silvester Street.

Listing NGR: SU1884369249

The buildings together are designated for their special architectural interests under the Planning (Listed Buildings and Conservation Areas) Act 1990.

The application property lies on the west of Kingsbury Street. Within the vicinity, there are many other properties along Kingsbury Street, both along the west and the opposite, which are also listed buildings.

The curtilage includes the area highlighted in red within the submitted location that are considered part of the listed building under Section 1(5) of the 1990 Act.

PROPOSAL

This is an application for a Listed Building Consent in conjunction with the full planning application under reference PL/2025/08045 seeking for the change of use of the property at 7 Kingsbury Street to a single Class C3 residential dwelling, specifically from a Class E restaurant use at ground floor level, and Bed and Breakfast (under use class C1) at first and second floor levels.

The proposal includes minor internal alterations to provide additional amenity space and the replacement of a ground floor door with a window.

Further to concerns raised by the Council's Conservation Officer, the Applicant has confirmed that the proposal includes no works to update the building in relation to building and fire regulations.

RELEVANT PLANNING HISTORY

Proposal / Summary
K/83/0497/LB - Listed building consent Decision - Approve with Conditions Date: 26/7/1983 – New bathroom, dormer window and staircase
K/82/0374 - Full planning permission Decision - Approve with Conditions Date: 19/8/1982 – No. 6 - change use 1st and 2nd floors to residential. No. 7 - change use part ground floor shop to residential plus alterations to buildings
K/18007 - Full planning permission Decision - Approve with Conditions Date: 3/10/1991 – ERECTION OF CIRCULAR METAL KITCHEN VENTILATOR SHAFT (INTERNAL) AND TERMINAL (EXTERNAL)
K/18010/L - Listed building consent Decision - Approve with Conditions Date: 3/10/1991 – ERECTION OF CIRCULAR METAL KITCHEN VENTILATOR SHAFT (INTERNAL) AND TERMINAL (EXTERNAL).
K/77/0229 - Full planning permission Decision - Approved Date: 26/5/1977 – Change use of 1st and 2nd floors of No. 6 to residential, change use of part ground floor of No. 7 to residential together with alterations to both buildings including new windows and doors and removal of outbuildings at rear
K/84/0680 - Full planning permission Decision - Approve with Conditions Date: 13/9/1984 – New shop front
K/84/0681/LB - Listed building consent Decision - Approve with Conditions Date: 13/9/1984 – New shop front
K/82/0484/LB - Listed building consent Decision - Approve with Conditions Date: 19/8/1982 – No. 6 change use 1st and 2nd floors to residential. No. 7 - change use part ground floor from shop to residential
K/84/0034 - Full planning permission Decision - Approve with Conditions Date: 22/3/1984 – C.u from retail shop and diary office to wine bar, including new shop front
K/84/0035/LB - Listed building consent Decision - Approve with Conditions Date: 22/3/1984 – C.u from retail shop and diary office to wine bar, including new shop front
K/86/0113/LB - Listed building consent Decision - Approve with Conditions Date: 4/4/1986 – Alterations to provide restaurant in first floor
K/86/0116 - Full planning permission Decision - Approve with Conditions Date: 5/2/1986 – C/U first floor residential accommodation to restaurant

18/01873/FUL - Full planning permission Decision - Approve with Conditions Date: 31/8/2018 – 7 Kingsbury Street - Erection of single storey extension and alterations to refurbished barn to form dining room and formation of 4 no. letting rooms to first and second floors. 8 Kingsbury Street - Change of use from Use Class C3 dwellinghouses to Use C1

18/02496/LBC - Listed building consent Decision - Approve with Conditions Date: 31/8/2018 – 7 Kingsbury Street - Erection of single storey extension and alterations to refurbished barn to form dining room, refurbishment of restaurant and formation of 4 no. letting rooms to first and second floors with associated internal alterations to include f

PL/2025/06785 - Full planning permission Decision - Approve with Conditions Date: 5/12/2025 – Change of Use from B&B (Use Class C1) to Residential (Use Class C3)

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).

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 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

WC Conservation (Initial consultation): Comment

- Submitted information are contradictory as to what alterations are proposed;
- Further information and LBC application required.

WC Conservation (re-consultation): Comment

- An LBC application has been received;
- Clarifications required regarding the fire risk safety and Building Regulations measures;
- The loss of a doorway on the external side elevation would not harm to building's special interest, subject to the conditions requiring joinery details.

WC Conservation (update): No objection subject to conditions

- Clear that the only external alterations proposed is included in the application;
- Revert to previous comment.

Marlborough Town Council: No objection subject to the satisfaction of the conservation officer and concerns regarding fire regulations are resolved.

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 representations received from the public consultation.

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.

The application is supported by plans of the existing building, a Heritage Statement, and Design and Access Statement. Following concerns raised by the Council's Conservation Officer, additional clarifications have been provided by the applicant. Therefore, it is considered that the level of detail submitted is sufficient to enable a full assessment.

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 architectural or aesthetic interests as described in the beginning of this report.

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 affects a Grade II listed building within the conservation area of Marlborough, specifically involving a change of use from tourist accommodation and a restaurant to a residential dwelling, involving the proposed physical works of the replacement of an external door at ground floor level with a window on the side (south) elevation. The proposal has been assessed by the Council's Conservation Officer.

It is stated within the application details that the replacement is required to accommodate the resultant residential use. The application is not supported by joinery details of the proposed window, and it is reasonable to impose a condition to require such details prior to the removal of the external door.

The external door in question is confirmed to be a modern addition and therefore the proposal would not result in the loss of historic fabric. The applicant has confirmed that the materials for the proposed window would match the existing fenestration. It is reasonable to impose a condition to ensure the materials would match the existing. Due to these considerations, it is considered that the proposal would not result in harm to protected interests of the listed building subject to these recommended conditions.

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?	N/A
(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?	N/A

See linked planning application under reference PL/2025/08045 for information regarding the proposal's impacts on ecology, where the proposals was concluded to result in no harm and fall within the exemptions from BNG requirements.

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 this case, the impact of the proposals on heritage assets will be largely positive and 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:

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:

Application form & Certificate; received 5 January 2026

Location Plan; TQRQM25336100655447; received 5 January 2026

Proposed Ground Floor Plan; Rev A; received 13 January 2026

Proposed Side-South Elevation Plan; dwg no. MFgodotEL; received 14 January 2026

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

3. Prior to the removal of the door and installation of the replacement window hereby approved in accordance with the approved Proposed Side-South Elevation Plan (dwg no. MFgodotEL; received 14 January 2026), full details of the new external window, including its design, materials, method of opening, finish, and the depth of reveal, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include scaled elevation drawings at no less than 1:10 and vertical/horizontal sections at no less than 1:2. The development shall be carried out in accordance with the approved details and retained as such thereafter.

REASON: In the interest of preserving the character and appearance of the listed building and its setting.

4. The materials to be used in the construction of the external surfaces of the replacement window hereby approved in accordance with the approved Proposed Side-South Elevation Plan (dwg no. MFgodotEL; received 14 January 2026), shall match in material, colour and texture those used in the existing building.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

INFORMATIVE NOTES:

Linked Planning Permission

This decision grants listed building consent only and does not confer any form of planning permission. The conditions of the linked planning application PL/2025/08045 must be complied with in addition to the conditions of this consent.

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. For further information on exempt developments please refer to:

<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.

Building Regulations

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.