

APPLICATION FOR LISTED BUILDING CONSENT

OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/00830
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	Rainscombe Park, Oare Hill, Oare, Marlborough, SN8 4HZ
DESCRIPTION OF WORKS:	Repairs to cupola.
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

Rainscombe Park is a grade II listed building dating from the early 19th century. It is Georgian country house, sitting nestled into the bowl of natural landscape parkland. A fine symmetrical façade, of two storeys and attic behind the parapet, the building has a double-pile roof structure, to the rear of which the cupola is located, between a break within the second apex roof. Internally, the cupola provides natural light over the main staircase, which is in the centre of the building, to the rear of the main double pile core.

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

House. c1810, by T. Baldwin of Bath. Roman cement on brick, with slate roof. Two storeys, attic and cellars, 5 x 3 bays. Garden front has portico with paired Ionic columns and wide glazed entrance. Central bay has flanking niches and is raised with a cornice. Facade also has slightly raised ends also with niches. Basement rusticated below ground floor windows. Twelve-paned sashes, but 8-paned to centre of first floor which has fascia and cornice. Moulded eaves and double hipped roofs with flat roofed dormers. Side elevation has central entrance with flanking pilasters from C20 portico; now removed. Interior has large hall leading to stair at rear, and flanking reception rooms.

PROPOSAL

Repairs to cupola.

RELEVANT PLANNING HISTORY

Proposal / Summary
19/05769/PREAPP - Pre-Application enquiry Decision - Pre-App Response Date: 23/8/2019 – Installation of replacement cupola on roof and rebuilding of roof valley falls and introduction of second drain outlet
PL/2025/06956 - Listed building consent (Alt/Ext) Decision - Withdrawn by Applicant Date: 14/10/2025 – Repair and replacement of existing windows. Replacement cupola.
PL/2026/00826 - Listed building consent (Alt/Ext) – Repair and replacement of existing windows.

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).

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

Wilcot and Huish Parish Council – no objections.

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

The submitted heritage statement is a thorough document that provides the necessary information, history and heritage impact assessment of the proposals on the significance of the designated heritage asset, in line with the requirements of the NPPF.

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:

- A site visit was undertaken to understand the proposals in relation to the submitted plans and heritage assessment. This, when combined with the application documents was considered to provide the necessary assessment required.

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 Classical architecture, form and style, with features associated with the period of Georgian design. It is a gentleman's country house, made of local materials (brick) and slate (which would have come into the area from the nearby canal), and the Portland cement render on the front elevation gives the appearance of stone, to 'gentrify' i.e. raise the social status of the building within the local area. As a result, it has strong aesthetic qualities in the polite architecture, which it is a fine example of. Built by a more provincial architect from Bath, it exudes the simple qualities of the period, with a rather parred back style than the more ornate examples evidenced in Bath itself.

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 quite extensive repairs to the cupola, which comprise mostly of timber repairs, with some replaced glass and new leadwork if the existing cannot be reused.

Due to the location of the cupola, and its rather awkward positioning on the roof, it has suffered from water ingress over a period of time, causing the timber to rot and water ingress internally, visible from the underside of the lantern above the principal staircase.

The orientation of the lantern has the widest part orientated in the narrowest part of the gap between the rear apex roof – this has impeded water runoff over the years, with the largest area of flat area in the middle of the roof having to funnel water either side of the cupola before it can enter the guttering. This has resulted in water being held for longer than is ideal in this roof valley, accelerating the deterioration of timber where water remain standing.

The cupola is possibly a mid-20th century element, although it is not known whether it is a copy of an earlier feature. The works are routine maintenance of such a feature, as lead will perish over time, especially when in such an exposed position. The works will enable to long-term preservation of the building and its fabric, and the works have been clearly specified so that the cupola can be repaired in situ, without any alteration or impact on overall significance.

Impact on Ecology

While Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 does 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?	Y
(b)	If yes, has a protected species survey been submitted?	Y
(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?	Y

Comments (if any):

The application clearly demonstrates that potential ecological impacts have been considered, and addressed by the commissioning of a site-specific survey by an appropriately qualified specialist.

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 by virtue of the proposed investment in repair of the cupola, to replace deteriorated fabric and address water ingress that is currently causing damage internally. This is essential maintenance that will help to secure the building and its fabric from further deterioration, 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:

- Time limit
- Plans refs.