

# APPLICATION FOR LISTED BUILDING CONSENT

## OFFICER DELGATED REPORT

|                               |                                                         |
|-------------------------------|---------------------------------------------------------|
| <b>APPLICATION REFERENCE:</b> | PL/2026/01237                                           |
| <b>APPLICATION TYPE:</b>      | Listed building consent (Alt/Ext)                       |
| <b>SITE ADDRESS:</b>          | 11 Hill Street Court, Hill Street, Trowbridge, BA14 8LB |
| <b>DESCRIPTION OF WORKS:</b>  | Replacement of window                                   |
| <b>RECOMMENDATION:</b>        | Approve with Conditions                                 |

### SITE DESCRIPTION/CONTEXT

The property in question is an apartment within a larger building which is listed at grade II. The rear ranges (in which this property lies) date from the 17<sup>th</sup> and 18<sup>th</sup> centuries, largely in brick with stone mullioned windows. These ranges lie to the rear of and attached to a separately listed (Grade II) early C19 building (separately listed) which fronts the roadside and was constructed for one of the wealthy clothiers for which this part of the town was notable. The building housed offices and warehouses during the C20 but was converted to residential use in the early 2000s.

The list description for the rear buildings (which house the apartment) reads as follows:

*HILL STREET 1. 5411 (West Side) Buildings at rear of No 12 ST 8558 4/33B II*

*2. As the courtyard at rear of No 12 is now filled in, these are part of No 12. Mostly late C17 or early C18 with 2 and 3 light mullion windows, mixed brick, English bond, and stone. Central low entrance to west with segmental arch and fine stone architrave and cornice to window on left. The building of 3 storeys with 1/2 hipped roof was presumably once a stable: 4 segmental arched doorways leading into former courtyard. Former, and older, weavers' workshop at right angles to north west; built of brick and rubble with ashlar quoins. 2 ranges of 2 light mullion windows.*

*Listing NGR: ST8536858089*

### PROPOSAL

The application proposes the replacement of a single modern window in poor condition.

### RELEVANT PLANNING HISTORY

| <b>Proposal / Summary</b>                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| W/04/01209/FUL - Full planning permission Decision - Approve with Conditions Date: 3/10/2005 – Revised proposals to form three additional 1 bed flats |
| W/04/01210/LBC - Listed building consent Decision - Approve with Conditions Date: 12/5/2005 – Alterations to form three additional 1 bedroom flats    |
| W/04/00289/FUL - Full planning permission Decision - Approve with Conditions Date: 12/4/2005 – Alterations to form two additional flats               |

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| W/04/00290/LBC - Listed building consent Decision - Approve with Conditions Date: 8/4/2004 – Proposed alterations to form two additional flats                                                                                                                               |
| W/99/00707/FUL - Full planning permission Decision - Approve with Conditions Date: 27/12/2000 – Conversion to 24 flats and use of roller blade arena as warehouse and shop                                                                                                   |
| W/99/00708/LBC - Listed building consent Decision - Approve with Conditions Date: 27/12/2000 – Conversion, demolition and alteration of existing building to 24 single person starter flats                                                                                  |
| W/97/01184/FUL - Full planning permission Decision - Approve with Conditions Date: 10/11/1997 – Alterations to car park                                                                                                                                                      |
| W/03/01030/FUL - Full planning permission Decision - Approve with Conditions Date: 20/1/2004 – Proposed 9 flats by conversion and alteration of existing buildings                                                                                                           |
| W/03/01032/LBC - Listed building consent Decision - Approve with Conditions Date: 20/1/2004 – Proposed 9 flats by conversion and alteration of existing buildings                                                                                                            |
| W/96/00601/FUL - Full planning permission Decision - Approve with Conditions Date: 16/6/1997 – Change of use, alterations, highway works and parking to form social club/nightclub/public house/restaurant/function suite/rollerblade arena/creche/arts centre and take-away |
| W/96/00602/LBC - Listed building consent Decision - Approve with Conditions Date: 17/7/1997 – Rear staircase, extension to first floor, new external doorways and internal alterations                                                                                       |
| W/89/01363/FUL - Full planning permission Decision - Approve with Conditions Date: 19/9/1989 – Demolition of existing walls and storage building, erection of temporary chain link fence, relocation of existing gates, temporary storage of materials in disused garage     |
| PL/2025/08343 - Listed building consent (Alt/Ext) Decision - Withdrawn by Council Date: 20/1/2026 – Replacement of single glazed window with timber frame                                                                                                                    |
| PL/2023/02535 - Listed building consent (Alt/Ext) Decision - Approve with Conditions Date: 18/5/2023 – Proposed repairs to existing listed buildings including stonework replacement to parapets and window surrounds                                                        |
| PL/2026/01237 - Listed building consent (Alt/Ext) – Replacement of window                                                                                                                                                                                                    |

## 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**

Trowbridge 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.

On this occasion no representations have been received during the consultation period.

## **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.

In this case the application is accompanied by a Heritage Statement and Design and Access Statement which are sufficient to allow understanding of the proposals and their impact.

#### 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 special interest of the building lies with its overall architectural character, including its use of vernacular design and traditional local materials and also with its association with the important cloth trade within the town. The flat is located within the earlier rear range of the building and although forward facing, is set back from the street behind the main, and architecturally more polite, street facing range.

#### 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 building was converted c.2004 when it appears that the majority of the windows were replaced in a uniform scheme with well-detailed traditional flush fitting single glazed timber casement windows – some of the openings may also have been new at that time – which are appropriate to the building and enhance its significance via their coherent approach. However, the window subject of the current application is not seen in the same context as other windows in the rear buildings and does not appear to match these. It is a modern, top-hung single-light with panes with an incongruously horizontal emphasis. Adjacent windows within a link structure include a ground floor three-light casement of possible earlier date and a modern four-light window at first floor which appears to be in a modern opening. It is clear that the management regime has been insufficient in the years since conversion and the window is in obviously poor condition and has been partially boarded over for several years.

Ideally, the window might be replaced by a pair of side-hung casements, however, the design of the fenestration has been amended to allow for more appropriate, vertically proportioned, panes and, whilst the top-hung format is retained, the proposed window is otherwise well designed with traditional flush profiles.

The proposed window incorporates slim double-glazed units with plant-on glazing bars over spacer bars within the unit. This solution would often not be acceptable in the context of a listed building where genuine through glazing bars and the broken reflection of individual panes is usually preferable. However, the poor condition, quality and detailing of the existing window currently detracts from the appearance of the building and it is considered that the proposed unit will still provide an overall improvement in appearance such that it meets with the Historic England guidance quoted above.

In dealing with similar proposals in other units within the rear ranges it has also been noted that maintenance is an issue in these managed flats and that many of the windows will be coming up for replacement over the next few years. It is also the case that the flats are modestly scaled and energy efficiency and affordability will be a concern for many of the homeowners. On this basis it has been considered preferable to set a new precedent for a well-designed and easily available window which preserves the essential elements of the historic situation whilst also allowing for improved thermal efficiency. In making this assessment the relatively discreet location of the rear ranges behind the street frontage, the historic status and use of the buildings and their less 'designed' vernacular appearance have been taken into account.

Overall therefore on this occasion it is considered that the visual harm caused by the installation of windows incorporating double glazed units and plant-on glazing bars is offset by the benefits of the improved design and detailing and in providing a solution which will enhance energy efficiency and which can be repeated over the building in a relatively cost-effective format for owners. The impact on the wider conservation area will be minimal as the current appearance will largely be replicated and the area is not prominent within the street scene to allow close comparison with other windows. N.b. it should be noted, however, that a different judgement may be required in the context of the front range, where the fine traditionally glazed sash windows contribute strongly to the overall significance of the building.

Conditions are required in order to ensure that visually intrusive trickle vents are avoided, spacer bars within window are colour matched to the window, glazing traditionally puttied in and the window provided with a painted finish.

#### 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/A        |
| (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): None required.

## **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.

As discussed above, the overall impact on the heritage asset of the proposal for replacing this single window will be neutral. On this basis no specific justification is required however it is considered the works will assist in securing the future of the heritage asset in good condition in support of its long-term conservation. The requirements of current conservation legislation, policy or guidance are considered to be met.