

APPLICATION FOR LISTED BUILDING CONSENT

OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/00263
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	15 Burnivale, Malmesbury, SN16 0BL
DESCRIPTION OF WORKS:	Proposed replacement of windows Replacement of flat roof covering
RECOMMENDATION:	Approve

SITE DESCRIPTION/CONTEXT

No. 15 Burnivale is mid terrace property built in 1830. It is constructed in limestone rubble formerly limewashed, stone slate roof cladding, with brick ridge stacks. The property is a single window range with double depth plan. The terrace of 4 dwellings are built two storeys to the street front and taking in the sloping ground to form 3 storey and attic with dormers to the rear. The existing windows are two light casements.

Burnivale is a lane cut into the contours of the steep valley slope above the river Avon on the line of the former Town walls, below and running parallel to Gloucester Street and Abbey Row. The site is in the Malmesbury Conservation Area.

PROPOSAL

Proposed Replacement of Windows and flat roof covering to rear extension.

RELEVANT PLANNING HISTORY

Proposal / Summary
17/04224/LBC - Listed building consent Decision - Approve with Conditions Date: 2/8/2017 – Installation of gas supply to the exterior of the building, provision of meter to interior, and provision of the gas-fired boiler including radiators and flue to rear elevation
15/06203/TCA - Work to Trees in a Cons Area Decision - NOOBJECT Date: 21/7/2015 – Fell 2 Lawson Cypress
PL/2025/07825 - Notification of proposed works to trees in a conservation area Decision - No Objection Date: 11/11/2025 – 2 x Goat Willows - Pollard; 2 x Ash - Prune to retain control of size; 1 x Hawthorn - Prune to retain control of size; 1 x Apple - Prune to retain control of size; 1 x Pear - Prune to retain control of size
N/01/02911/LBC - Listed building consent Decision - Approve with Conditions Date: 26/2/2002 – ALTERATIONS - OPEN UP EXISTING FIREPLACE AND REPLACE AND RELOCATE BOILER/FLUE
N/77/00029/F - Historic apps 1974 to 1983 Decision - Approve Date: 14/3/1977 – Alterations and extensions
PL/2026/00263 - Listed building consent (Alt/Ext) – Proposed replacement of windows Replacement of flat roof covering

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 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

At the Malmesbury Town Council Planning and Environment Committee meeting on Tues 17th February 2026 it was resolved to issue 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.

No representations were 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.

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 includes a Heritage Design and Access Statement, Existing and Proposed Elevations, Photographs and Window Details.

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.”

In this case the significance of the building lies largely with its early 19th century vernacular architecture, plan form, materials and architectural expression/detailing that has significant architectural interest and makes a positive contribution to the Malmesbury Conservation Area.

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 replacement of all external windows to the main house and retrospective consent for replacement of the rear modern flat roof, roofing material.

The street frontage (North) had a traditional probably 19th century flush fitting casement with pegged frame in 2015 Google Streetview images. This is considered under the Historic England guidance as a window that made a positive contribution to the significance of the listed building and if beyond repair should be replaced with accurate copies.

It is understood that this traditional casement window was replaced without consent in 2020 for a poor quality two light replacement timber, flush fitting casement with single heavy proportioned horizontal glazing bar and slim double glazing.

The applicant has advised during the application that the original front window was in poor condition and was replaced without obtaining consent in 2020. It is now proposed to be replaced.

The windows to the rear elevation first and second floors, are two light uPVC casement windows with storm profile sections and a timber flush fitting casement to the dormer with a heavy modern glazing bar.

The rear elevation ground floor has a modern block work single storey flat roof extension with modern timber three light storm profile casement. The proposal does not include changing this window but does include the retrospective request for the replacement of the previous felt to a GRP flat roof covering.

This application is seeking to replace this recently fitted, unauthorised casement window to the front elevation and the modern uPVC windows of non-traditional material or design and the dormer to the rear elevation with modern timber replacements of a better-quality traditional style, timber, two light, side opening, flush fitting casement with ovolo moulded through glazing bars and slim double-glazed units.

For the front window while this is not returning to an exact replica of the original casement window it is to be replaced with an improved casement window with traditional joinery. In the round the minimal harm from the change to slim double glazing is in this case balanced against this benefit.

The existing rear windows do not contribute to the significance of listed building. The replacement of the windows to first, second floors and dormer with new windows of a sympathetic traditional joinery, can include slim-profile double-glazing under the Historic England guidance as this will not cause additional harm and will provides an opportunity to enhance the significance of the building, and its thermal performance which is the desired outcome under national policy.

The change of roofing material to the rear modern flat roof extension is considered to have a neutral impact on the rear elevation of the listed building.

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 follow the requirements of current Historic England '*Traditional Windows – Their Care, Repair and Upgrading (2017)*' guidance including minor benefits by virtue of the proposed investment in upgrading the joinery detailing and materials which will help to secure the future residential use of the building

RECOMMENDATION:

That Listed Building Consent be GRANTED, subject to the standard 3 year Listed Building Consent and Plans List condition.

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