

APPLICATION FOR LISTED BUILDING CONSENT OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/00989
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	43 Herd Street, Marlborough, SN8 1DG
DESCRIPTION OF WORKS:	Structural repair of timber floor following extensive water damage caused by a leaking water tank, inclusive of repair of internal walls and wall finishes. Fire boarding proposed to 3no. partywall locations to protect property from spread of fire.
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

No.43 Herd Street is a grade II listed building dating from the 18th or early 19th century, apparently a rebuilding of earlier cottages on this site. No.43 is covered by the same listing as Nos.39-43 inc, and they are all brick, Sarsen and timber frames buildings under a clay tiled roof. No.43 consists of two storeys with an attic, and is the end of a row of historic cottages that line this Street on its approach to The Green. The site lies within the Marlborough Conservation Area.

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

Early C19 rebuilding of older cottages. Part 1 storey and part 2 storey and attic. L-shaped group with Nos 39 and 43 facing street, remainder in wing at back approached by central passage. large coursed rubble stones with brick surrounds to openings, the southern half all brick. Old tile roof. 2 gabled dormers. Left hand half has one 2-light and one 3-light casement and C19 central door. Right hand half, 2 storey and attic, has 2 gabled dormers, two 3-light leaded casements and central 2-light on 1st floor. Similar windows with C19 light on ground floor, central passage entry and one house door. A picturesque block.

PROPOSAL

Structural repair of timber floor following extensive water damage caused by a leaking water tank, inclusive of repair of internal walls and wall finishes. Fire boarding proposed to 3no. partywall locations to protect property from spread of fire.

RELEVANT PLANNING HISTORY

Proposal / Summary
ENQ/2025/01718 - PD Enquiries Decision - Pre-App Response Date: – Structural repair of a listed building following extensive water damage caused by a leaking water tank

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 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 objections.

REPRESENTATIONS

Internal works to Grade II:

In accordance with the requirements of Section 5(3)(a) of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) publicity is not required for listed building consent to carry out works affecting only the interior of a Grade II (unstarred) listed building.

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
- Structural report

The Heritage Statement is an extremely thorough document, and provides an in-depth assessment of the building and impact of the works on existing fabric. This, when combined with the structural report, more than adequately meets the requirements of the NPPF.

In addition, 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 on the 4th December 2025 to see the damaged fabric in situ, which enabled an understanding of the building, the proposed works and how these will impact on the fabric of the building.

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 vernacular architecture and historic fabric, being part of a traditional row of cottages that are characteristic of this part of the Marlborough 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 covers various structural repairs to the building following long-term water damage caused by leaking pipes and water tank, whilst the owner was away. This caused traditional plaster to fall off the walls and ceiling, and some decay to structural timbers.

The works will involve rehangng existing timbers, providing new timbers, and replacing lath and plasterwork where it was present. A small area of plasterboard is also proposed to be replaced. These works are specified within the structural report and clearly detailed on plan ref. 14638.S01.

Whilst the damaged plasterwork was being removed, the works uncovered additional structural issues, mostly focused on the joists around the staircase and first floor structure. The concerns were due to decayed fabric and shifted mortice joints, which the structural engineer assessed and concluded that there was structural movement within the floor, and the situation potentially dangerous. The proposals will address this major structural concern, and an element of the historic staircase will be rebuilt with new timber (as confirmed on the plans).

The opportunity is also being taken to add in fibre fire insultation between party walls on the first floor and attic space – this seems a sensible and proactive proposal, to improve fire safety (and prevent fire spreading between the properties), and the works are acceptable.

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	N

	against Natural England's standing advice) and where species are likely to be found?	
(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.

It is acknowledged that some historic timber will be lost from the building, causing some harm, however considering the structural issues and potentially dangerous situation that has been identified, addressing these is paramount to secure the continued habitation of the building, and secure its long-term future and viability as a designated heritage asset. The harm therefore is fully justified as necessary repairs to the building.

In this case the proposals will result in considerable heritage benefits by virtue of the proposed investment in structural repair which will help to secure the future and stability of the building, enabling its continued use as a dwelling, thereby performing at its optimum viable use. 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 ref.