

APPLICATION FOR LISTED BUILDING CONSENT OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/00163
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	Town Hall, Cross Hayes, Malmesbury, SN16 9BZ
DESCRIPTION OF WORKS:	Remove the existing wooden partition wall and replace with a solid structure with a door that meets fire safety standards and requirements into the kitchen area and a second door into a small storage area.
RECOMMENDATION:	

SITE DESCRIPTION/CONTEXT

The Town Hall has its origin in a 17th century rear two storey tower and basement area. The main building dates from a rebuild in 1854 and this was extended in 1927 in the area of subject of this application.

The prominent two storey right hand side of the south elevation onto the Cross Hayes is in a Tudor Revival style is constructed in squared coursed limestone with coursed rubble stonework with dressings to the three storey left half, returns and rear.

The symmetrical right hand front has diagonal buttresses with first floor drip mould, cornice and central coped gable. The ground floor has three tall arched opening with drips with a central doorway. The mullion and transom windows to the upper floor with a central 12 light canted oriel window moulded base and top. It has a stone slate roof.

The left half has three arched openings on ground floor with three light mullion and transom windows to upper floors.

The interior is largely remodelled in 1927 and includes a first-floor hall with proscenium arch.

The Town Hall is located on a prominent position at the north side of Cross Hayes /Market Lane square to the east and behind the High Street and includes the St Aldhelms Roman Catholic Church of on the east side of the Cross Hayes. The building is in the Malmesbury Conservation Area.

PROPOSAL

Is to adapt the existing wooden partition wall in the rear wing, ground floor events room. A new stud wall is to be introduced behind the screen that meets fire safety standards and requirements into the kitchen area and relocation of the second door into a new storage area.

RELEVANT PLANNING HISTORY

Proposal / Summary
N/91/02468/LBC - Listed building consent Decision - Approved Date: 20/12/1991 – DISPLAY OF HANGING SIGN
N/05/02812/LBC - Listed building consent Decision - Approved Date: 6/2/2006 – Proposed Alterations to External Lighting

N/09/01127/LBC - Listed building consent Decision - Approve with Conditions Date: 19/8/2009 – Internal Alterations to Form WC
13/02514/LBC - Listed building consent Decision - Approve with Conditions Date: 13/9/2013 – Erection of a satellite dish to the rear of the building
N/03/02600/LBC - Listed building consent Decision - Withdrawn Date: 30/8/2005 – INSTALLATION OF HANGING SIGN TO FRONT ELEVATION
13/05837/FUL - Full planning permission Decision - Approve with Conditions Date: 6/2/2014 – Installation of Bronze Resin Statue
13/03627/LBC - Listed building consent Decision - Approve with Conditions Date: 28/3/2014 – Installation of Bird Wires, Spikes & Netting to External Elevations
N/94/00091/LBC - Listed building consent Decision - Approved Date: 20/4/1994 – PROVISION OF D.A.P RAMP TO REAR GROUND FLOOR ENTRANCE PROVIDE D.A.P RAMP
N/91/02054/ADC - Consent to display an advertisement Decision - Approved Date: 20/11/1991 – DISPLAY OF HANGING SIGN
N/11/02703/FUL - Full planning permission Decision - Withdrawn Date: 18/11/2011 – Change of Use Ground Floor Market Room from Community Use to Hairdressing Salon/Beauty Treatments
N/11/02704/ADV - Consent to display an advertisement Decision - Approve with Conditions Date: 24/10/2011 – Erection of Traditional Wooden Painted Sign
N/11/01834/PDEN - PD Enquiries Decision - NOOBJECT Date: 21/6/2011 – Conversion of Ground Floor Room to Hair and Beauty Salon
N/94/02389/LBC - Listed building consent Decision - Withdrawn Date: 30/9/1996 – AFFIX STREET NAMEPLATE AFFIX STREET NAMEPLATE
N/11/00099/PENQ - Pre-Application enquiry – Change of Use
N/07/00251/LBC - Listed building consent Decision - Approve with Conditions Date: 28/3/2007 – Internal and External Alterations Including Removing Toilets and Some Internal Walls, Replacement of Some Windows and Doors and Construction of New Service Block Containing Toilets, Boiler Room, Office and Escape Lobby
N/07/00250/FUL - Full planning permission Decision - Approve with Conditions Date: 28/3/2007 – External Alterations and Construction of an Extension to Contain Toilets, Boiler Room, Small Office and Escape Lobby
N/05/00950/LBC - Listed building consent Decision - Refused Date: 17/6/2005 – Erection of Directional Sign on Town Hall Wall in Market Lane
N/07/02588/FUL - Full planning permission Decision - Approve with Conditions Date: 15/11/2007 – Replacement of Existing External Escape Stair at Rear of Building with New Covered Stair
N/08/00951/LBC - Listed building consent Decision - Approve with Conditions Date: 30/6/2008 – Replacement of Five Windows to the Oxford Room of the Town Hall
N/07/02589/LBC - Listed building consent Decision - Approve with Conditions Date: 15/11/2007 – Replacement of Existing External Escape Stair at Rear of Building with New Covered Stair
N/97/00138/LBC - Listed building consent Decision - Unknown Date: 17/4/1997 – INTERNAL ALTERATIONS INTERNAL ALTERATIONS

N/08/02395/ADV - Consent to display an advertisement Decision - Approve with Conditions Date: 26/1/2010 – Erection of Signs to South Elevation
N/08/02437/LBC - Listed building consent Decision - Approve with Conditions Date: 26/1/2010 – Erection of Signs to South Elevation
14/08362/LBC - Listed building consent Decision - Approve with Conditions Date: 13/10/2014 – Erection of Scaffolding to Front & West Elevation & Carry Out Emergency Repairs/Replacement to Stonework
19/05411/FUL - Full planning permission Decision - Approve with Conditions Date: 22/8/2019 – Refurbishmen and alterations to existing WC block.
19/05827/LBC - Listed building consent Decision - Approve with Conditions Date: 22/8/2019 – Refurbishment and alterations to existing WC block.
19/05737/PDENQ - PD Enquiries Decision - PP Required Date: 13/6/2019 – Refurbishment and Alteration of Public Toilets
20/08774/LBC - Listed building consent Decision - Approve with Conditions Date: 30/12/2020 – Proposed Christmas Tree Brackets on north and east elevations
19/12051/LBDC - Listed Building Discharge of Condition Decision - Approved Date: 27/5/2020 – Discharge of condition 3, application reference 19/05827/LBC.
ENQ/2021/03052 - PD Enquiries Decision - PP Not Required Date: 14/4/2021 – Refurbishment of Two Existing Windows
PL/2021/04559 - Listed building consent Decision - Approve with Conditions Date: 10/8/2021 – Repairs to 2x ground floor windows on west elevation
ENQ/2023/00097 - PD Enquiries Decision - Pre-App Response Date: 24/1/2023 – Repair windows
ENQ/2024/00503 - Pre-Application enquiry Decision - Pre-App Response Date: 27/11/2024 – Replacement lintel urgent repair to Listed Building
PL/2024/09048 - Notification of proposed works to trees in a conservation area Decision - No Objection Date: 14/11/2024 – Mixed Group (G1) - Reduce overhanging limbs back to the iron fence, reduce spread of crown; Lime trees x 2 (G2) - Crown Raise/ remove epicormic growth; Cherry/Cotoneaster Group (G3) Reduce Cherry plum by 1-2 meters, Coppice Cotoneaster at 1.5 metres.
PL/2024/09921 - Full planning permission Decision - Withdrawn by Council Date: 12/11/2024 – Area above window facing Oxford Street ; prop area above lintels with Acro props. Remove two rotten oak beams and replace with two new 220mm x 150mm x1500mm oak beams. re build 1 course of disturbed stone above the new lintels. Area above window facin
PL/2024/10179 - Listed building consent (Alt/Ext) Decision - Approve Date: 24/12/2024 – Replacement, like-for-like of broken lintel in basement
ENQ/2024/01736 - Pre-Application enquiry Decision - LBC Required Date: 2/12/2024 – WORKS TO DOORS
PL/2026/00163 - Listed building consent (Alt/Ext) – The existing partition wall between the kitchen area and main hall in the Old school room is not to fire safety requirements. the partition wall is wooden and has double doors that are not the original to the room or building.

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 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

N/A

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 information includes Design and Access and Heritage Statement, Site Plan and Existing Survey and Proposed Floor and Internal Elevation Plan.

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.”

In this case the significance of the Town Hall building lies largely with its mid 18th century Tudor Revival style architecture, plan form and architectural expression/detailing and early 20th century interior that has significant architectural interest. Its prominent location on Hayes Cross adds a positive contribution to the character and appearance of this part of 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 adaption of the existing wooden partition wall in the rear wing, ground floor events room. It has been altered during the application process to retain the full extent of the timber panels screen to the meeting /event room outer side.

The large meeting /events room is in the rear wing form’s part of 1927 internal works. There is a full height timber panel screen with double doors that separates the room from the kitchen/service area to one corner.

The existing panel screen has four panelled timber bays, with a pair of tall (two thirds height) 6 panel doors on decorative pintle hinges and 6 panel timber screens either side of the doors. The upper third of the screen is four fixed four panels per bay.

It is proposed to adapt the existing screen partition to improve its Fire Safety standard. A new stud wall is to be introduced behind the fixed panels to the kitchen side, and the doors will be altered to separate doors with the right-hand door swapped with the panel to move it across to form the new door for a store partitioned off from the kitchen floor plan.

The new stud wall to the kitchen will have two layers of plaster board, skim and paint finished. The meeting/event room side will preserve the panelled screen and doors with Envirograf and intumescent paint upgrade to Fire Door rating.

This adaption will preserve the outer public face of the panel screen and doors which are part of the 1927 interior and of some significance while allowing the partition to be upgraded to modern Fire Safety requirements. The plan form of the main room will remain unaltered, and the kitchen plan altered to accommodate the new store accessible from the meeting events room.

It is considered that while there are some minor alterations the general appearance the screen will be preserved maintaining significance and its appearance from public views while allowing the kitchen to continue to function adhering to Fire Safety standards.

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.

The overall impact of the proposals on heritage assets will be neutral. It is considered that while there is some minor alterations the general appearance the screen will be preserved maintaining significance and its appearance from public views while allowing the kitchen to function to modern Fire Safety standards. On this basis no specific justification is required however it is considered the works will assist in securing the future use of a heritage asset in support of its long-term conservation. The requirements of current conservation legislation, policy or guidance are considered to be met.

RECOMMENDATION:

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