

APPLICATION FOR LISTED BUILDING CONSENT OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/01593
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	Court House, Court Street, Sherston, Malmesbury, SN16 0LL
DESCRIPTION OF WORKS:	Replacement of lower sash window. Repairs to windows. Replacement of gutter and repairs to rainwater goods. Repairs to porch. (Retrospective)
RECOMMENDATION:	

SITE DESCRIPTION/CONTEXT

The Court House is a section of the former Court House, now a two-storey house that previously served as a house and village store.

The Court House has 16th century origins, was rebuilt around 1680 and altered in the 19th and 20th centuries.

The north elevation onto Court Street has squared and coursed rubble stone, with a 5-bay window range of 4-pane 19th century sashes, to ground floor and to two left bays and upper windows. The right-hand side of the front door a 2-leaf glazed door is the former shop window of three, 4 pane windows. The front door off-set to left, has a large shell hood on ornately carved brackets. The building has a moulded plinth and a coved cornice with guttering projected on brackets. The roof is steeply pitched plain clay tile clad with and two stone stacks.

The east end wall onto Cliff Road has two glazed openings with blocked stone surrounds to left and flush cambered-headed strainer arches above a moulded first floor string course.

The plan form is L-shaped plan incorporating Nos 1 and 3 Cliff Road.

The property is on a prominent corner of Court Street and Cliff Road and located in the Sherston Conservation Area.

PROPOSAL

Replacement of lower sash window. Repairs to windows. Replacement of gutter and repairs to rainwater goods. Repairs to porch.

RELEVANT PLANNING HISTORY

Proposal / Summary

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.

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 and the character and appearance of the Conservation Area

CONSULTATION RESPONSES

Historic England responded to consult 1st April 2026

We refer you to the following published advice which you may find helpful in determining the application.

<https://historicengland.org.uk/advice/technical-advice/retrofit-and-energy-efficiency-in-historic-buildings/resilient-rainwater-systems/upgrades-or-alterations-to-rainwater-goods/>

We also suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. If you would like detailed advice from us, please contact us to explain your request.

Sherston Parish Council on 13th April 2026 It is considered that the Applicants should be firmly reminded of their responsibility to seek permission for any such works prior to implementation in future.

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 the 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 included Existing Plans and Elevations, Proposed Plans and Elevations, Proposed Works Details and Planning Statement with Heritage Impact Assessment

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 building lies largely with its architecture, its plan form, layout, architectural expression/detailing and use of local materials that have significant architectural interest and make a positive contribution to the character and appearance of the 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 212-221 of the National Planning Policy Framework (NPPF), and relevant local heritage policies and guidance.

The proposals are retrospective and include the replacement of the lower sash to Window 4 in the schedule which has deteriorated beyond practical repair due to timber decay.

The applicant justification in planning statement considers the condition of the lower sash in Window 4 risks further fabric loss and water ingress.

The applicant has installed a painted timber lower sash section with single glazed window as detailed in the revised drawings to match existing glazing bar proportions, section profiles and detailing of the existing sash and incorporating a single glazing held with putty. The upper sash and the box has also had associated timber repairs.

The applicant has provided photographic evidence that the replacement sash was installed with single glazing.

The retrospective schedule of the works included the repair of remaining timber windows, with works including localised splice repairs to decayed timber, replacement of rotted cills and beading with matching profiles, and an overhaul of ironmongery and sash mechanisms.

The replacement of an asbestos rainwater downpipe with a cast-iron-effect downpipe and repairs to the other existing rainwater goods.

The existing asbestos downpipe on the East elevation (Cliff Road) is inappropriate in material and appearance. It has been replaced with a black cast-iron-effect rainwater downpipe of traditional profile. The details for the new rainwater goods have been provided in photographs and proposal drawings.

The new rainwater good reinstate the building's visual appearance and remove an unsuitable modern material.

During the application, the applicant has advised that there is a need to introduce additional new gutter brackets to cope with heavy rain downpours as the current brackets had not been providing the correct fall. Further gutter brackets have therefore been added. The brackets proposed are manufactured by Brett Martin round style rise and fall bracket attached to the wall/cornice moulding with a 310 mm spike.

As necessary, decoration and repairs were carried out to existing rainwater goods.

There has also been structural repair and weatherproofing works to the front porch. The works were described as necessary to preserve the fabric of this building and to secure its continued use. The justification for the repair works from the applicant are to prevent further deterioration to the Porch.

The photographs of the Porch submitted with the application are prior to the works and the proposed plans show as repaired.

It is noted that the Parish Council were concerned that the works of repair were undertaken prior to applying for Listed Building Consent.

Most of the works including those to the porch were repairs not requiring consent. Those requiring replacement of the guttering and brackets and the lower sash to the window have been carefully controlled through this application. But it is acknowledged that it is inappropriate to undertake the works and seek retrospective consent. This approach is undertaken under the risk of not gaining consent and having to undertake further works to rectify inappropriate works.

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. The works are either repairs or minor works to replace a sash on a significant window to match the existing and to reinstate cast metal rainwater good to replace cement down pipes. 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.