

Wiltshire Council Planning Consultation Response

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Application No: PL/2026/04874
Erection of 7 No. residential dwellings and associated works
Former Kings Arms public house car park, 79 Wyke Road, Trowbridge BA14 7NZ

Please find following comments in respect of the above application(s).

Recommendations:

☐	No comment
☐	Support in principle subject to amendments to the scheme (as set out below)
☐	Support subject to conditions (as set out below)
☒	Object (for reasons set out below)
☐	No objections

Scope of comments: the following comments relate to the built historic environment.

National Policy and guidance: 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 66 (PP) require that **special regard** be given to the desirability of preserving or enhancing listed buildings, their settings or any features of special architectural or historic interest which they possess.

The NPPF (August 2026) sets out Government planning policy for England. Chapter 20, Conserving and enhancing the historic environment, recognises heritage assets as an irreplaceable resource. Heritage assets should be conserved in a manner appropriate to their significance, with harm avoided unless there is a clear and convincing justification. Decision-makers are required to apply a balanced approach, giving substantial weight to the conservation of heritage assets and weighing any harm to significance against the public benefits of the proposal.

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 PP and LBC.

Historic England's "Conservation Principles" provides policy and guidance for the "sustainable management of the historic environment". Additional guidance is also contained within their publications:

- Historic Environment Good Practice Planning Advice Note 2 – Managing Significance in Decision-Taking in the Historic Environment (2015)
- Historic Environment Good Practice Planning Advice Note 3 – The Setting of Heritage Assets (2nd edition)

The following points are taken from the Historic England document “The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3” (HE GPA3) that are considered to be particularly relevant:

HE GPA3 Part 1:

“The NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset.”

“The extent and importance of setting is often expressed by reference to visual considerations. ...views of or from an asset will play an important part...”

“While setting can be mapped in the context of an individual application or proposal, it cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset. This is because the surroundings of a heritage asset will change over time.”

“The importance lies in what the setting contributes to the significance of the heritage asset or to the ability to appreciate that significance.”

Other HE publications

HE GPAs and HEANs [The Planning System | Historic England](#)

Local Policy: The Council’s Core Strategy Policy CP58 ‘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.” It is also required that distinctive elements of Wiltshire’s historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced.

The Council’s Core Strategy CP 57: Ensuring high-quality design requires a high quality of design in all new developments. Proposals are required to “demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) “enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development” and “responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.”

Proposal: The rear car park of the public house (vacant) has been sub-divided, and the submitted scheme looks to erect 7 No. residential dwellings and associated works, including a new access.

Relevant planning history: The public house has been subject to several applications regarding extensions and signage, but none that relate directly to the proposed site.

Issues: impact on the setting of neighbouring listed buildings.

Information considered/provided: Policy HE5 of the NPPF requires applicants to assess the significance of any heritage assets affected by a proposal, including the contribution made by their setting, and to identify the likely effects of the development on that significance. Sufficient information should be provided to enable a clear understanding of the significance of the heritage asset and its setting, and the impact of the proposal upon it.

Decision-makers must be satisfied that assessments accurately reflect the effects on heritage assets caused by development proposals. In this case the application was submitted with a Heritage Statement which considered the site and assessed that the loss of space would result in ‘less than substantial harm’ due to the loss of the open space, and mitigation was undertaken by reducing the proposed scheme from 8

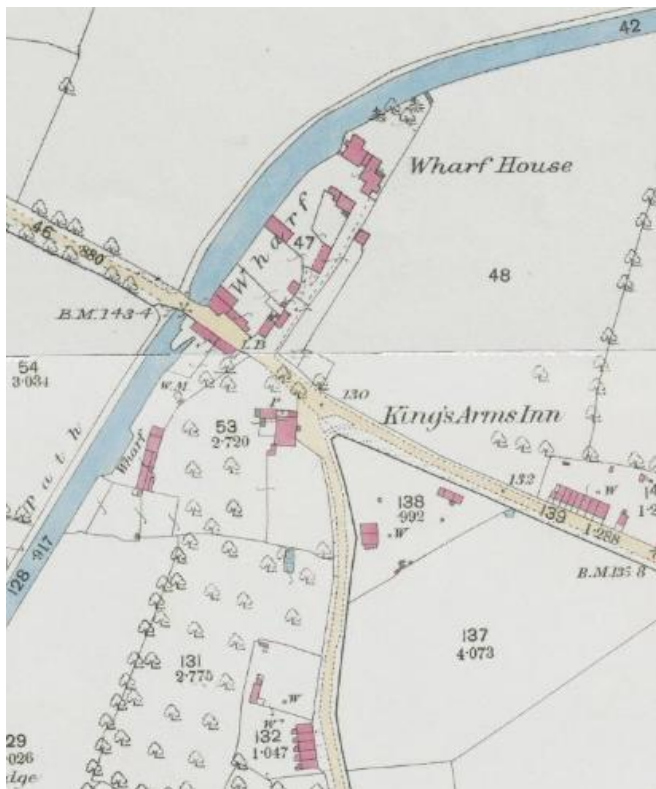
dwelling to 7 dwellings. There are some concerns over the further assessment of the significance of the site and its relationship with the wider group of buildings.

The following heritage recommendations are therefore made on the basis of the local planning authority's own assessment of the significance of the heritage asset and the impact of the proposals.

Significance of assets and contribution of setting: The NPPF defines significance 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 assesses significance in a similar manner, referring to evidential, historic, aesthetic and communal values of a place.

The interest may be architectural, or historic as set out in the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 S 1.

In this case the significance of the building lies largely within its vernacular group of (former) working buildings that supported the function of the canal. The historic OS maps show that the listed buildings were under the same ownership, with the site being an orchard. The public house was identified on the 1st OS map (1844-1888) as ‘King's Arm Inn’. An inn offered accommodation and food and were generally of slightly higher social status than a public house or ale house. The group of buildings are noted in the listing description as early C19, and there is no reason to dispute this as appear to be contemporary with the Kennet and Avon Canal, which was constructed between 1794 and 1810 to link two rivers to provide an east-west transport link. The construction of canals resulted in other development, including locks, wharfs and facilities such as inns and pubs. The Kings Arms Inn would have also supported the road network as it was on the main road heading north out of Trowbridge. The historic group retains a strong group setting and relationship to each other and the canal. The significance of Kings Arms Inn is its function to support the trade and commerce of the area, which responds to the growth of Trowbridge.



1st Ed. OS map (1844-1888)

The public house has been subject to several alterations to support the changing functions of a public house, as seen within the planning history.



Setting of the King's Arms pub with the open space (now separated by the 1.8m close boarded fence): the view down Hammond Way, with the open space, once an orchard, and the GII Kennet Cottage roof; view of the rear of the pub from Marsh Road, with the heavily reduced grounds and the view over the bridge & 4 Marsh Road (both GII) to the open space at the rear of the pub.



Google images (July 2024) showing the open nature of the site, retaining its rural appearance.

Assessment: The proposed scheme looks to retain the close boarded fence and develop the 'former' car park to create 7 No 2 & 3 bedroom two-storey dwellings.

As acknowledged within the submitted information, the current dividing 1.8m close boarded fence has been erected without consent following the sale of the car park to separate ownership. The sub-division of the site reduces the historic curtilage of the public house which already has been subject to sub-division and loss. The sale of the land has created a very small curtilage for the listed building, and this raises concerns due to the negative impact on the setting of the listed building but also the potential viability of the pub for future use as the pub has a much-reduced area for parking and/or beer garden/ external space. Any potential access is now focused on the front elevation which has potential to cause further harm to the setting of the listed building and to raise Highway concerns for joining the busy road network. Without suitable parking or access to the building, it reduces the potential for any other 'commercial/ retail purpose, especially as in close vicinity is a garage that offers retail. The loss of the pub would be considered to be a negative impact on the significance of the building. Therefore, the sub-division of the site has placed the listed building at greater risk of harm from long-term redundancy through being unviable as a pub or other retail/ commercial space.

The creation of a close boarded fence has acted as a screen to the open space behind the pub, forming a visual separation from the listed buildings beyond and the grounds it has been connected with since construction. Other tall boundary treatments and planting have started to separate these assets visually, but the closeness of the fence to the pub and the height has reduced all visible connection when viewed from the front or side elevations. This is considered to cause harm to the setting of the listed buildings.

The proposed scheme looks to create a pedestrian access to the site from Marsh Road. This would result in the partial loss of the low-level stone wall which appears to be contemporary with the listed buildings and therefore would be considered as curtilage listed. Within the submitted information there is no justification for the requirement of an additional access point here.

The proposed scheme looks to relocate the existing access to the site from Hammond Way and create a new 2m wide footpath. This will also require the loss of an older brick wall. By bringing the existing access closer to the listed building (to allow Plot 07) to be constructed, it brings the main access road to run behind the listed building and making the pub become an island surrounded by road. This is considered to cause harm to the setting of the listed building, and its relationship with the group of listed buildings. There is also the potential that this will add to the viability of the pub either to be opened as a pub, or as a commercial/ retail function.

The proposed scheme looks to create 7 No new houses, with Plot 7 being a detached dwelling at the boundary edge with the gable end facing the main road. Plots 3 & 4 & 5 & 6 are semi-detached and are parallel to Hammond Way. The construction of these 5 dwellings screens the King's Arms and Kennet Cottage. The property has a tall boundary treatment and established hedges, but the roof of the building can be seen, retaining some visual connection between the two listed buildings. The submitted heritage statement advises that to protect the setting, 1 No. house has been removed from the scheme, but makes no assessment of the group setting and the views through.

The proposed design of the new dwellings is more generic 'Estate' types houses, and have not considered the group relationship, form or layout of the group of listed buildings that the new development will be set within. The proposed design has not taken into account the character of the listed buildings. This includes the gable ends, the use of double roman tiles or the use of stone. The proposed design and layout are considered to cause harm to this relationship which has been noted within the listing description.

The proposed design has considered the visual link between the King's Arm and the group setting of the bridge, 2 Marsh Road and Wharf Cottage. This is not considered to be sufficient enough to reduce the harm of the overall scheme or to the group setting.

The proposed boundary treatment of 1.8m close boarded fence is considered to close the site off from the current open views that the site currently offers.

The proposed scheme looks to create new dropped kerb crossing point between the existing footpaths to Marsh Road and add tactile paving to the front of the listed building. Despite the traffic, Marsh Road retains a more rural appearance with the narrow footpath over the bridge (GII), and the hedges which contrast with the built form of the listed buildings. This group setting has had little change since the time of development, though the wider setting has changed. The introduction of Highways requirements to support the scheme is considered to cause harm to the group setting of the listed buildings.

The principle of sub-dividing the site is considered to cause harm to the listed building and would appear to make the building unviable due to the loss of curtilage that offers parking and outdoor space. This places the future of the listed building at risk as a public house or other 'commercial/ retail' use. Under the new NPPF (2026) public houses have additional support to ensure their longer-term protection. Whilst this application is not directly connected with the King's Arms, the loss of the car park and grounds is considered to limit the potential of continued use as a public house and therefore make it unviable.

The proposed layout and design are considered to cause harm to the traditional group of the buildings and the architectural design of the dwellings. If the principle of development on the site is considered acceptable, then the extent of the harm could be reduced by providing a more sympathetic design and layout that responds to the historic layout and form of the listed buildings.

Summary & 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 proposals will result in harm to the setting of the listed buildings as it would result in a loss of a substantial part of its curtilage of a listed buildings, with the installed 1.8m close boarded fence to the rear of the building disconnecting the building from the wider setting of the listed buildings, which the listing description states 'Arms Public House forms a group with Nos 1 and 3 and Nos 2 and 4 Marsh Road.'

The proposals involve only part of the setting, but they impact on the setting and should not be seen as being of lesser consequence. Indeed, the wording of the NPPF and the 'special regard' by Section 66 of the Act requires that any level of harm caused should be taken seriously.

Policy HE6 allows for harm caused to be weighed against the public benefits resulting from the proposal. However, in this case it has not been demonstrated that the works will result in any public benefit which would outweigh the harm caused, or that suitable mitigation has been undertaken to reduce the harm, such as a sensitive design and layout that is inspired by the group of listed buildings.

The proposals therefore conflict with the requirements of current conservation legislation, policy or guidance and the application is recommended for refusal.