

Application for Listed Building Consent

137 High Street, Marlborough

Statement of Heritage Significance

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Prepared for: James Hay Pension Trustees Ltd

Document Information

About

This document has been prepared for Clarity Building Consultancy, acting on behalf of James Hay Pension Trustees Ltd, by Squires Planning.

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Graphics & Mapping

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1. Introduction

- 1.1. This statement has been prepared by Squires Planning in support of an application by James Hay Pension Trustees Ltd for listed building consent for:

“Internal and external works including replacement of windows, repairs to roof and external hanging tiles, repairs to internal ceilings and walls, installation of replacement staircase, installation of fire protection measures, installation of internal doors and lighting. internal lighting”

- 1.2. This document provides an overview of the site, its context and the proposed development. It provides an overview of applicable legislation, and national and local policy relevant to the proposed works, and:
- Describes the listed building and any other relevant heritage assets
 - Provides an assessment of the significance of the listed building and its contribution to the special historic character of the area
 - Assesses the impact of the proposed works on the significance of the listed building and any other heritage asset having regard to the requirements of applicable policy.

Site & Situation

- 1.3. The application site is within the Marlborough Town Centre, located on the north side of High Street close to its junction with Kingsbury Street. The site currently comprises an art gallery / shop at ground and first floor, with store rooms at basement, second and third floors.
- 1.4. The property is accessed from High Street. There is no rear access to the premises.
- 1.5. The building is within the designated Marlborough Conservation Area and is Grade II listed.
- 1.6. Adjacent to the building are other listed buildings, and Chandlers Yard, which provides pedestrian access to Back Lane.
- 1.7. Previous proposals at the site include:
- Listed building consent, granted in 2012 for the *“Introduction of brick piers and posts to support shop front beam, and other works”*, (LPA ref: E/2012/0126/LBC
 - Listed Building Consent, granted in 2005 for the *“Refurbishment and refitting of interior spaces and new signage”*, (LPA ref: K/53088/LBC).

2. The Proposed Works

- 2.1. This application seeks consent for “*Internal and external works including replacement of windows, repairs to roof and external hanging tiles, repairs to internal ceilings and walls, installation of replacement staircase, installation of fire protection measures, installation of internal doors and lighting.*”
- 2.2. The accompanying ‘Heritage Statement, April 2025’ (produced by OC Architects), confirms that the primary focus of the works is to make the building envelope watertight, to replace deteriorated windows and to provide fire-rated partitions within the building to significantly enhance user safety and the building’s overall fire resilience.
- 2.3. The accompanying ‘Photographic Schedule of Works’ document (produced by Kilpatrick & Co) provides photographic evidence of the existing interior of the building, highlighting the requirement for repair work to the building to address issues of water penetration and damp.
- 2.4. The works, as proposed, are required to:
 - ensure that the property maintains its structural integrity
 - prevent further damage from water ingress.
 - repair internal damage arising from previous water ingress
 - enhance fire safety and overall fire resilience
- 2.5. The submitted Photographic Schedule of Works, alongside the Schedule of Works Notes accompanying the submitted plans and elevations, provides details of the expected works.

3. Legislative and Policy Context

The Planning (Listed Buildings and Conservation Areas) Act 1990

- 3.1. The Planning (Listed Buildings and Conservation Areas) Act 1990, as referred to in the rest of this document as “the Act”, provides the legislation framework for the protection of Listed Buildings and Conservation Areas.
- 3.2. Part I, Chapter II, Subheading 1, Paragraph (3) of the Act focuses on the designation of Listed Buildings and identifies what the significant features of buildings are. It states:

3) In considering whether to include a building in a list compiled or approved under this section, the Secretary of State may take into account not only the building itself but also—

a. any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and

b. the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building consisting of a man-made object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building.

National Planning Policy Framework

- 3.3. The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these should be applied. Paragraph 1 of the NPPF confirms it is a material consideration in decisions on development proposals.
- 3.4. Paragraph 15 of the NPPF outlines that the purpose of the planning system is to contribute to sustainable development, and paragraph 17 confirms that sustainable development includes an environmental objective, which includes “*to protect and enhance our natural, built and historic environment*”.
- 3.5. To support the conservation of heritage assets, **Policy HE4** expects development proposals to avoid or minimise harm to the significance of heritage assets, and any harm to the significance of a designated heritage asset to have a clear and convincing justification.
- 3.6. **Policy HE5** expects development proposals affecting a heritage asset to be accompanied by an assessment of significance of the asset affected and an assessment of the potential effect of the proposal on that significance, which should identify:

whether proposals would be likely to:

- a. Have a positive effect, which is where the significance of a heritage asset would be enhanced, or better revealed; or*
- b. Have no effect on the significance of a heritage asset; or*
- c. Result in harm to the significance of a heritage asset, either from work affecting the asset itself or from development within its setting. The degree of harm should be*

identified: substantial harm would occur where the development proposal would seriously affect a key element of the asset's significance; or

d. Cause the total loss of the significance of a heritage asset.

- 3.7. **Policy HE6** requires substantial weight to be given to an assets' conservation, *"irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance"*. Proposals that have a positive effect on a designated heritage asset are expected to be supported, and *"Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal"*.
- 3.8. **Policy HE9** supports development proposals within a conservation area that retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area.
- 3.9. The NPPF therefore requires a description of the significance of the heritage asset and an assessment of the impacts of the proposed development.

Development Plan

- 3.10. In this case the development plan comprises:
- Wiltshire Core Strategy, Jan 2015
 - Marlborough Neighbourhood Plan, Mar 2023

Wiltshire Core Strategy

- 3.11. The Core Strategy (WCS) was adopted in January 2015 and sets out a strategic vision for delivering sustainable growth over the plan period up to 2026.
- 3.12. **Policy CP58 'Ensuring the conservation of the historic environment'** states that *"Development should protect, conserve and where possible enhance the historic environment."* Further it states *"Heritage assets at risk will be monitored and development proposals that improve their condition will be encouraged"*.

Marlborough Area Neighbourhood Plan 2021-2036

- 3.13. The Marlborough Neighbourhood Plan was 'made' and became part of the development plan in March 2023.
- 3.14. Key objectives of the plan include *"Conserving and enhancing our special heritage assets and the landscape and scenic beauty of the North Wessex Downs Area of Outstanding Natural Beauty"*, and *"maintaining and enhancing the Town Centre as a successful service centre"*.
- 3.15. **Policy MARL9** expects development proposals within the Marlborough Conservation Area to *"sustain and enhance the special architectural and historic significance"* of the conservation area.

4. Marlborough Conservation Area

- 4.1. The site is within the Marlborough Conservation Area. The Conservation Area was first designated in 1971.
- 4.2. A 'Marlborough Conservation Area Statement' was adopted in June 2003. It aims to provide an assessment of the Marlborough Conservation Area for use by all those involved in influencing the management of change in its built and living form.
- 4.3. The Marlborough Conservation Area Statement provides a detailed description of the conservation area's (and the town's) origins and development. It provides specific reviews of four distinct areas within the conservation area, these being: High Street, The Green, The Parade, and Marlborough College.
- 4.4. Of particular relevance, given the site's location, is the architectural and historical character of the High Street.
- 4.5. The Marlborough Conservation Area Statement notes that *"Marlborough High Street's most striking characteristic is the great width between the continuous built up tall frontages on either side combined with a hardly perceptible curve along its length. The width at the eastern end between opposite buildings is attributable to the 32 metres of the original 12th century Norman 'planned' Street."*
- 4.6. It is noted that *"The fundamental architectural character of the street can be attributed mainly to the survivors of the fires from the 16th and 17th century. These are timber framed buildings with steep pitched gable roofs facing the street. These have characteristic casement windows at each floor level originally extending across the whole facade to gain maximum advantage from the relatively narrow frontage. In contrast a great depth of structure was possible by building down the length of the burgage plot."*
- 4.7. In respect of listed buildings within the High Street, with the Marlborough Conservation Area Statement notes; *"In the High Street many facades of listed buildings are of the 18th century, in a markedly consistent architectural style. Behind almost all though are older timber structures of the 15th, 16th and 17th century. Parapet walls of timber were added to conceal many of the main roof slopes and a particular and special feature are the pentroofs that form a continuous cover over the footway for long stretches of the north and parts of the south side. In some instances they are part of the main structure but more often are attached to the ground floor front of each building. The oldest have supporting posts turned and shaped into simplified Doric columns. To most buildings there is a consistency of fenestration and a limited pallet of walling and roofing materials."*

Significance

- 4.8. The Marlborough Conservation Area Statement does not provide a specific assessment or comment on 'significance' but rather sets out consideration of 'significance' throughout the statement.
- 4.9. The statement provides various maps of the conservation area, which detail listed buildings, significant unlisted buildings and walls, key buildings, significant trees, hedges, green spaces, the River Kennet and use of natural stone or brick surfaces.

- 4.10. The Conservation Area Statement indicates that the significance of the High Street area of the conservation area is framed by its historic, and purposeful, wide High Street which is bounded on either side with historic buildings, many of which are three-storey with plots widths reflective of historic burgage plots. There are a network of listed buildings and other important buildings which are of a form, style and design that make an important contribution to the historic character of the High Street. Moreover, there are key views looking into the Conservation Area, particularly along the historic routes and there are key landmarks which further contribute to this character.
- 4.11. The statement provides some commentary on 'building materials and details', recognising timber-framed buildings with tile hung facades, steep gabled roofs, and sash windows as a common characteristic.

Impact

- 4.12. Proposed external works, include roof repairs and the replacement of existing windows at first, second and third floors. The specified repair/replacement works will provide like-for-like replacement in terms of both structure and materials, thereby ensuring the works will not fundamentally change or affect the character and appearance of the building within the conservation area. The works therefore have no impact on the significance of the conservation area.
- 4.13. The restorative works are designed to ensure the building does not fall into a worsening state of disrepair and thus will help to ensure that the listed building is appropriately maintained for future generations. As an integral part of the conservation area, the buildings retention and upkeep is an important factor that will be achieved via these works. This has a positive impact on the conservation area as a whole.

5. Listed Buildings

- 5.1. 137 High Street is a Grade II listed building. It is one of numerous listed buildings fronting Marlborough High Street, including the neighbouring buildings Nos 136 and 138, and the majority of the frontage within which the application site sits (virtually all properties between 131 and 144 High Street, being either Grade II or II*).
- 5.2. The works are solely to no.137 and whilst the works include external works involving roof repairs and replacement windows, those works will be on a like-for-like basis, including materials, and will not therefore impact on the setting of any other listed building.

Description

- 5.3. The application site, No. 137 High Street, was first listed on 18 July 1949 (List entry no. 1258296). The list entry is as follows:
- HIGH STREET 1. 5407 (North Side) No 137 SU 1869 1/44 18.7.49. II GV 2. Cl6 altered C18. 4 storey. Tile hung with shaped tiles. Old tile roof. Single gabled front with curved and moulded barge boards. 1 window on 3rd floor. 2 storey angular bay window on 1st and 2nd floors with Palladian window at 1st floor level. Cl9 shop front on ground floor under pent roof (altered) on Doric columns. Nos 131 to 144 (consec) and Midland Bank form a group, with the Town Hall and Nos 1 to 12 (consec), opposite.*
- 5.4. The application site is currently vacant, having previously been used as a retail shop / art galley ('Nova Fine Art'), providing customer floorspace at ground and first floor, with the second and third floors plus the basement used as store rooms.

Significance

- 5.5. As is evident from the list entry (above) the significance of the building derives from its historic nature and external architectural details, in combination with the row of listed buildings within the High Street (nos. 131 to 144). It is notable that the list entry makes particular reference to this consecutive row of buildings, each of which shares design characteristics, but each of which is distinctly different from its neighbour.
- 5.6. Arguably, the most important factor is the building's relationship with the adjoining and neighbouring listed buildings along the High Street, and its contribution to the historic streetscene provided by the collective row of properties and as part of the overall High Street, and its historic and architectural significance as a whole.
- 5.7. That notwithstanding, the key architectural elements, referenced by the list entry, are the building's roof and front gable, including barge boards, and front windows. There is evidently no reference within the listing to internal features.
- 5.8. The significance of the building is therefore principally derived from its position within the High Street in association within the architectural form and detail of the building's frontage to the High Street, and particularly its fenestration.

Impact

- 5.9. The accompanying photographic schedule of works provides a photographic and descriptive assessment of current failings of the building fabric, which has resulted in significant water ingress and penetration to the property and consequential damage. In addition to the damage to the building envelope, concern has been raised in respect of the adequacy of some elements of the building's fire-protection measures.
- 5.10. The proposed works are intended to address these failings, by making the building envelope watertight, replacing damaged and/or deteriorated building fabric, including the replacement of windows, and provide fire-rated partitions within the building to significantly enhance user safety and the building's overall fire resilience.
- 5.11. The proposed works are restorative, designed to ensure the existing structural failings which have led to water ingress and damage are addressed and existing damage within the building corrected. Failure to undertake the works will result in further damage and degradation of the building fabric, with increased risk of the building becoming unusable.
- 5.12. The proposed repair works are intended to be on a like-for-like basis, including materials, appropriately respecting and maintaining the integrity of the building's design and features, whilst the fire safety works and will ensure appropriate fire protection (and provision of an acceptable means of escape).
- 5.13. The works therefore, are principally designed to repair, protect and conserve the listed building, and as such will have a positive impact on the listed building.

6. Conclusion

- 6.1. This application seeks consent for *‘Internal and external works including replacement of windows, repairs to roof and external hanging tiles, repairs to internal ceilings and walls, installation of replacement staircase, installation of fire protection measures, installation of internal doors and lighting.’*
- 6.2. Policy CP58 of the WCS expects development to *“protect, conserve and where possible enhance the historic environment”* and encourages development proposals that improve the condition of heritage assets.
- 6.3. The proposed works accord with the requirements of Policy CP58. The primary focus of the works is to make the building envelope watertight, to replace deteriorated windows and to provide fire-rated partitions within the building to significantly enhance user safety and the buildings overall fire resilience. Repair work to the building to address issues of damage from water penetration and damp is also proposed.
- 6.4. The works, as proposed, are designed to provide renovations to the property while maintaining the historical character of the building.
- 6.5. The works will maintain the appearance of the building by replacing features and materials which have deteriorated with materials that will maintain the visual appearance of the structure and preserve the integrity of the building. In accordance with Policy CP58, the proposal seeks to protect the historical assets and to conserve the building to prevent any further deterioration of the building or its assets.
- 6.6. In the context of national policy, the proposed works, by conserving and enhancing the building, are on-balance considered to have a positive effect on the significance of the asset. In such circumstances, NPPF Policy HE6 expects substantial weight to be given to an assets’ conservation and for proposals that have a positive effect to be supported.
- 6.7. Similar support is given by NPPF Policy HE9, to proposals within a conservation area that retain and conserve buildings which make a positive contribution to the character or appearance of the conservation area.
- 6.8. Notwithstanding the above, Policy HE6, in any event, requires that where a development proposal would harm the significance of a designated heritage asset, then its significance should be weighed against public benefits resulting from the proposal. The public benefits associated with this proposal would include the continued viable use of the premises and its contribution to the social, cultural and economic vitality and viability of Marlborough High Street and the continued contribution of the property as an integral part of the historic frontage to the High Street.
- 6.9. The works will cause no harm to the listed building or the conservation area in which it is sited. There is no harm to any adjacent listed buildings and/or their settings. Conditions can be imposed on the listed building consent to ensure all works are carried out in line with good heritage practice.
- 6.10. We conclude therefore that listed building consent should be given for the proposed works.



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