

APPLICATION FOR LISTED BUILDING CONSENT OFFICER DELGATED REPORT

APPLICATION REFERENCE:	PL/2026/03120
APPLICATION TYPE:	Listed building consent (Alt/Ext)
SITE ADDRESS:	36 High Street, Malmesbury, SN16 9AT
DEVELOPMENT DESCRIPTION:	Internal and external refurbishment works to the listed building including new flooring, removal of existing display unit, and installation of new non-illuminated fascia lettering and projecting sign for the proposed nail salon.
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The application site comprises a 2No storey corner property located on the junction with the High Street and St Dennis Road which in turn leads off the Cross Hayes Car Park.

The property is grade II listed its listing as follows;

Pair of houses, now one shop. Dated 1763, C20 shop front. Rendered brick front, limestone rubble return and rear, and limestone dressings, brick gable stacks and stone slate roof. Double-depth plan. EXTERIOR: 2 storeys and attic; 4-window range. Full-width shop front; rusticated quoins above and to right-hand jamb of shop front recess; keyed 6/6-pane sashes in exposed boxes, the middle pair closer together, and 2 gabled dormers with metal leaded casements, the N one inscribed AGI/1763. Rear right-hand range, with No.50 St Dennis Lane (qv) extending from the rear left. INTERIOR: details include a rear right-hand stair, central attic winder stair, and roof with through purlins.

Listing NGR: ST9335087076

The site lies within the Malmesbury Conservation Area well utilised by both pedestrians and vehicles.

PROPOSAL

The application seeks listed building consent for new lettering to be applied to the existing front and side fascia boards which replaces the former livery of the previous business. In addition to the fascia signage, 1No hanging sign is proposed at a height of 3m measuring approximately 500mm by 650mm on a bracket of approximately 700mm. All signage is to be non-illuminated.

Following concern raised as to the extent of internal works, in particular works to the existing ceiling, the proposal works have been revised and limited to the following;

- Proposed new tiled flooring throughout the shop in light beige porcelain tile.

- Install pedicure spa chairs and associated plumbing/drainage connections within the salon area.
- Removal of the existing display unit adjacent to the shopfront window to create additional usable floor space and improve the internal layout of the premises.
- Proposed to repaint the internal walls of the shop in grey.
- Proposed to repaint the side window frame to match the colour of the front window frame for a consistent appearance.

Not all of the above require express listed building consent however are included for clarity.

RELEVANT PLANNING HISTORY

Proposal / Summary

PL/2026/03121 Advertisement consent for the Installation of new non-illuminated fascia lettering and one non-illuminated projecting sign associated with the proposed nail and beauty salon. PER

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) August 2026 sets out government policy, including in respect of the historic environment.

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.

Chapter 5 of the NPPF sets out policies for *Meeting the challenge of climate change* and gives substantial weight to the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources (including through the 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's *Conservation Principles, Policies and Guidance* (2008) provides policy and guidance for the "sustainable management of the historic environment". Additional guidance on the application of policies set out in the NPPF is 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* (2017)
- Historic England *Advice Note 2 – Making changes to Heritage Assets* (2025)
- Historic England *Advice Note 18 – Adapting Historic Buildings for Energy and Carbon Efficiency* (2026)
- *Traditional Windows: their care, repair and upgrading* (2017)

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

Conservation Officer: Comment

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.

Below is a summary of the representations 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 20: *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

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 a design access and heritage statement along with suitable accompanying plans has been submitted.

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.

The listing description for 36 High Street Malmesbury provides a good assessment of the significance of the street frontage and its 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 policies HE4-9 of the National Planning Policy Framework (NPPF), and relevant local heritage policies and guidance.

Signage

The new signage is for individual lettering to the fascia board and a new small hanging sign both non illuminated.

The High Street is within the Conservation Area and the impact on the character and appearance of the Conservation Area and the impact on the Listed Building significance are considered.

The Conservation Officer has identified that the new signage would harm the significance of the listed building and would not preserve the existing character and appearance of the lettering on the High Street within the Conservation Area. They have gone on to say that the proposed signage should be altered to non-illuminated painted lettering, signage to both fascia boards and hanging sign so that the signage would have a neutral impact.

It is noted that the signage is non illuminated therefore no harm is identified in this respect. In terms of the lettering, the used of painted signage rather than applied lettering is more commonly found throughout the locality and objection has been raised in this respect.

As noted by the Conservation Officer the proposal aims to support local employment opportunities, improve the vitality of the town centre, and enhance the overall appearance and condition of the premises. Taking into account that the harm is restricted solely to the applied lettering and not any illumination it is considered that the low level of harm identified is outweighed by the continued occupation of the unit and its resulting long term maintenance.

Internal works.

Following concerns raised as to the scope of internal works the proposal has been revised and internally the works consist of the laying of tiles over the existing concrete floor, installation of pedicure chairs with the associated plumbing and the removal of modern shop fittings.

The proposed flooring will be fixed to the existing concrete floor and as such is considered to have a neutral impact on the significance of the listed building. The installation of the chairs along

with associated plumbing is considered to be similarly neutral having regard to the lack of impact on historic fabric and their installation being fully reversible.

The removal of the modern shop unit is considered to have a neutral impact as is the internal painting of the building. Externally the painting of the window to the side of the property, to match all the other windows is considered to be beneficial.

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 against Natural England's standing advice) and where species are likely to be found?	N
(b)	If yes, has a protected species survey been submitted?	n/a
(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?	n/a

CONCLUSION

The NPPF confirms that when considering the potential impact of a development proposal on the significance of a designated heritage asset, substantial 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 will be a matter of considerable importance and weight which requires clear and convincing justification.

In this case, the impact of the proposals on heritage assets will be largely neutral / positive with the exception of the lettering on the fascia board.

The proposed lettering will result in harm to the building via the loss character and original external form. However, in this case the proposals will also result in considerable heritage benefits by virtue of the proposed investment in repair and upgrading/structural repair which will help to secure the viability and future of the building. Taking into account the substantial weight to be given to the conservation of the asset, these public benefits are considered to be sufficient to offset the harm caused.

RECOMMENDATION:

That Listed Building Consent be GRANTED, subject to the following conditions:

The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

280726.1 (Revised)

Received 29.07.26

Proposed block plan

Received 02.06.26

Location plan

Design, access and heritage statement

Received 14.05.26

REASON: For the avoidance of doubt and in the interests of proper planning.