

Appeal Decisions

Site visit made on 23 June 2020

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2020

Appeal A Ref: APP/Y3940/W/20/3244907

63-65 Castle Street, Salisbury SP1 3SP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Quigley (MQuigley Ltd) against the decision of Wiltshire Council.
 - The application Ref 19/10361/FUL, dated 28 October 2019, was refused by notice dated 6 January 2020.
 - The development proposed is conversion of ground floor from Class A1 (vacant) to extend an existing dwelling Class C3.
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Appeal B Ref: APP/Y3940/Y/20/3244909

63-65 Castle Street, Salisbury SP1 3SP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr M Quigley (MQuigley Ltd) against the decision of Wiltshire Council.
 - The application Ref 19/10735/LBC, dated 28 October 2019, was refused by notice dated 6 January 2020.
 - The works proposed are external alterations to ground floor shop front, insert 2 sash windows to match existing windows and matching brickwork.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As the proposal relates to a listed building and site located within a conservation area, I shall have special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
 4. Both appeals relate to the same site and raise similar issues, and I shall therefore consider the Council's decisions to refuse planning permission and listed building consent in a single document, in the interests of brevity.
 5. The description of the proposal as stated on the application form has been amended in subsequent documents. I have used the descriptions contained within the appeal forms, which detail the proposed development and works more precisely.
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6. Although works were under way when I visited the site, that is not a matter for me to consider and I shall determine the appeals in accordance with the proposed plans.

Main Issue

7. The main issue is whether the proposed development and works would preserve the special architectural and historic interest of nos.63-65 Castle Street, a Grade II listed building, and the character or appearance of the Salisbury City Conservation Area.

Reasons

8. The appeal site comprises a two-storey timber framed building dating from the early 16th century, the character of which is still apparent, having regard to its modest two-storey form, but also the exposed framing, post and bressumer visible from the adjacent passageway leading to Ivy Place. The frontage to Castle Street dates from the 18th century, whilst a traditional shopfront was added later on in the 19th century. Although the ground floor premises have been vacant for a number of years, they were last used as a bakery, which is notably reflected by the 'Hovis' projecting sign at first floor level. The upper floors have been used as residential accommodation, which is accessed by a separate entrance off Ivy Place.
9. Given the above, I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the traditional appearance of the shopfront, its recessed entrance, flanking pilasters crowned by heavy paired brackets and hanging sign. There is no doubt that the shopfront forms part of the building's history and evolution overtime and reflects the mercantile nature of Castle Street, which is primarily characterised by commercial premises at ground floor level.
10. The site lies within the Salisbury City Conservation Area, which notably includes the main shopping streets and numerous historic properties, including a number of listed buildings immediately adjacent to the appeal premises, with which they form a group. As such, the appeal building and the shopfront make a significant contribution to the character and appearance of the conservation area.
11. The appeal proposal would entail the conversion of the vacant ground floor premises into additional residential accommodation for the dwelling sited above, which would include the removal of the shopfront. The proposed development and works would seek to match the existing brickwork, whilst replicating the detailing and pattern of fenestration of the first floor openings to give the building a more residential appearance. However, this would be at the cost of the traditional shopfront and front entrance, thus resulting in the loss of important historic fabric, albeit not original, which would detract from the special qualities of this listed building.
12. Although the retention of the 'Hovis' hanging sign is welcomed, this would not outweigh the harm caused by the proposal, which would in effect erase the main part of the mercantile activity associated with the appeal building's history. Furthermore, the harm resulting from the removal of the shopfront would be exacerbated by the loss of the shop as a trading entity, which would have a significant adverse impact on the commercial nature of Castle Street

and the character and appearance of the wider conservation area. Whilst it is accepted that the ground floor premises have remained vacant for a number of years, this does not provide justification for the harm which the physical works required to enable the conversion to residential use would cause to designated heritage assets.

13. In accordance with paragraph 196 of the National Planning Policy Framework (the Framework), great weight should be afforded to the conservation of designated heritage assets. The harm to the significance of the listed building and to the character and appearance of the Salisbury City Conservation Area would be less than substantial, a matter to which I attach great importance and weight, having regard to my statutory duties. In such circumstances, the identified harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Although it is accepted that the proposal would provide additional accommodation to the first floor residential premises, I have not been presented with any public benefits which would outweigh the identified harm to the designated heritage assets.
14. The appellant has drawn my attention to the neighbouring building, explaining that it has been recently converted from retail to residential use. However, I have not been provided with the full details of the circumstances that led to this scheme being accepted, particularly regarding the extent of the changes that were required to enable the conversion to residential accommodation, and the effect of the development on designated heritage assets. I cannot therefore be sure that the circumstances of this development represent a direct parallel to the proposal before me.
15. Given the above, the proposed development and works would fail to preserve the special architectural and historic interest of the Grade II listed building, but also the character and appearance of the Salisbury City Conservation Area. This would fail to satisfy the requirements of the Act, paragraphs 194 and 196 of the Framework and conflict with Policy CP58 of the Wiltshire Core Strategy (adopted January 2015), which notably requires development proposals to protect, conserve and where possible enhance the historic environment.

Other Matters

16. The appeal site also lies within an Area of Special Archaeological Significance. No concerns have been raised by the Council in that particular regard, and I see no reason to take a different view.

Conclusion

17. For the reasons detailed above, and having regard to all other matters raised, I conclude that both appeals should be dismissed.

S Edwards

INSPECTOR