



Appeal Decision

Site visit made on 24 June 2024

by H Butcher BSc(Hons) MSc PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2024

Appeal Ref: APP/D1835/W/23/3326788

Cancer Research UK, 27A The Cross, Worcester WR1 3PZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Colliers against the decision of Worcester City Council.
 - The application Ref is 23/00224/FUL.
 - The development proposed is installation of a roller shutter to shopfront.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The roller shutter has already been installed as applied for.

Main Issues

3. The main issues are whether the roller shutter would preserve or enhance the character or appearance of the Worcester Historic City Conservation Area and the effect of the roller shutter on the setting of nearby listed buildings.

Reasons

4. The appeal property is located in the Worcester Historic City Conservation Area. One of the defining characteristics of the conservation area is the rich architectural and historic quality of the buildings within it, which can be appreciated together, as a group of historic civic and commercial properties. This contributes to the significance of the conservation area as a whole.
5. More specifically, the appeal property is located on The Cross, which is a relatively short historic street on which various listed buildings, noted in the list descriptions as having group value, are sited. These include:

2 The Cross (Grade II*)

3 The Cross (Grade II)

Premises occupied by Lloyd's Bank, 4 The Cross (Grade II)

The former Church of St Nicholas, The Cross (Grade II*)

20 The Cross (Grade II)

21 The Cross (Grade II)

28 The Cross (Grade II)

31 The Cross (Grade II)

The appeal site therefore falls within the setting of these listed buildings.

6. This group of listed buildings are significant because, as variously noted in their respective list descriptions, they form an important visual framework at this entrance to the city centre. They are also individually significant in terms of the history and differing architectural styles of the buildings. Notably, the former Church of St Nicholas is in the style of 'classicizing baroque' or Baroque Classicism, with the design of the tower having been taken almost exactly from a published unbuilt version in Gibb's Book of Architecture (1728).
7. The appeal property dates back to the mid-20th century. Nevertheless, it incorporates traditional design features such as window proportion and placement, sympathetic to, for example, 28 The Cross (Grade II), which immediately adjoins it. The shop front is also of a more traditional design despite its age with centrally sited recess entrance doorway, or arcade entrance, and display windows either side. Consequently, the appeal property allows the significance of the various listed buildings surrounding it to be appreciated, as it is a polite and sympathetic addition to The Cross which is loosely in-keeping with its historic surroundings. It therefore preserves the character and appearance of the conservation area and the setting of adjacent listed buildings.
8. When the roller shutter is in an up position it is obscured behind the existing fascia and has no perceivable impact on its surroundings. However, when the roller shutter is lowered it fills the entirety of the shop front, covering the shop frontage including its display windows and infilling the recessed shop doorway, creating a largely obscured, flat, semi-industrial appearance to the frontage of the shop. It is not complementary to the host building other than the colour of the roller shutter is similar to that used in the sign advertising Cancer Research UK. Rather than preserving the character and appearance of the surrounding conservation area and the setting of adjacent listed buildings, when down, it detracts from both.
9. Whilst the roller shutters are only ever in a down position outside of opening hours when footfall in The Cross may be less, this does not negate the harm caused. In a city centre location such as this there is likely to be a nighttime economy but, in any event, significance in respect of heritage assets is not dependent on the numbers of people visiting them.
10. For these reasons I find that the proposed roller shutter would not preserve or enhance the character or appearance of the Worcester Historic City Conservation Area, nor would it preserve the setting of the relevant listed buildings referred to above. It would therefore conflict with Policies SWDP 6 and 24 of the South Worcestershire Development Plan which seek to protect heritage assets. The absence of any specific development plan policy restricting roller shutters on a shopfront in a conservation area does not alter my findings.
11. The harm that I have identified would be 'less than substantial' in the terms of the National Planning Policy Framework para 208. Such harm should be weighed against the public benefits of the roller shutter. The roller shutters in question are no doubt an effective security measure, deterring crime, vandalism, and antisocial behaviour, and I note the property in question has been subject to all of these. The roller shutter protects the shop front thereby preserving local character reducing adverse impacts on trading.
12. None of these benefits are disputed. Nevertheless, alternative options for security which may be more sympathetic to the historic surroundings of the

appeal property, and which maintain the existing shop front, have not been considered such as laminated glass and internal chain link barriers. In this case, therefore, the public benefits do not outweigh the less than substantial harm I have found.

Other Matters

13. The appellant refers to other examples of roller shutters on commercial premises in the wider area, but these do not provide an immediate context for the purposes of this appeal. I note the revised positive comments from the Council's Conservation Officer, but these do not lead me not alter my overall findings.

Conclusion

14. The appeal is dismissed.

H Butcher

INSPECTOR