



Appeal Decision

Site visit made on 15 July 2025

by **C Skelly BA (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th August 2025

Appeal Ref: APP/V2004/W/25/3363979

45 King Edward Street, City of Kingston Upon Hull HU1 3RW

- 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 Prospect 2024 Ltd against the decision of Kingston-Upon-Hull City Council.
 - The application Ref is 24/01022/FULL.
 - The development proposed is external alterations to the ground floor shopfront.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council confirm that its Decision Notice did not refer to any specific policies in error and that the relevant policies are 14 and 16 of the Hull Local Plan 2016 to 2032 (2017) (LP), which were referred to in the Delegated Report. As the appellant was made aware of this as part of the appeal, I have determined the appeal on this basis.
3. Because the appeal site lies in the Paragon Conservation Area (CA), I have had special regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA).

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Paragon Conservation Area.

Reasons

5. The appeal site is a ground floor shop unit located in a curved building, known as the Fletcher's Building, which turns the corner of Jameson Street and King Edward Street in the pedestrianised city centre shopping area. The building, constructed in the 1950's, is three storeys in height with a setback fourth floor level. It has a high curtain wall glazing to masonry ratio and concrete columns that span three storeys.
6. The existing shop front has a recessed doorway with wooden door and window frames with white finish and external security shutter. It is not clear from the submitted evidence whether it is an original shopfront. Due to the curved appearance of the building the shop front reads as separate sections divided by the concrete columns which run from the second storey. These columns visually connect the ground floor to the first and second floors and provide a uniform appearance to the building.

7. The CA covers the commercial and retail core of Hull City Centre. Its significance lies with the different periods of development which bring together a street pattern which is both organic and planned and a mixture of 19th and 20th century commercial architecture in a high density built urban environment.
8. According to the Paragon Conservation Area and Management Plan (2024) (CAMP) the scale and material of the Fletcher's Building is the most sympathetic example of where a modern building has responded to the scale of the area. The building is identified in the CAMP as a focal building and thereby contributes positively to the character and appearance of the area and the special interest and significance of the CA.
9. The CAMP recognises that shop fronts contribute highly towards the character and appearance of the area. It goes on to explain that negative shop front characteristics include those which do not respond to the architectural style of the building. The monitoring notes for the Fletcher's Building state that the ground floor of the building has lost its uniformity of design.
10. The Council do not consider that the proportions of the proposed shopfront would cause unacceptable harm, and I agree with this position.
11. I note that the historical photographs of the building illustrate that the frames of window glazing panels at the first and second floor levels were dark grey, however this appears to have changed over the course of time to become all white by 2017. Nevertheless, in these examples the building overall retained a uniform appearance and visual connection between the ground floor and floors above, through the use of similar coloured materials.
12. Whilst a large proportion of the shopfronts within the Fletcher's Building have existing dark grey coloured frames this has resulted in the loss of uniformity of design as noted in the CAMP. The proposed dark grey colour of the new shopfront would further erode the overall visual uniformity of the Fletcher's Building, which comprises white coloured frames at first and second floor level, with white concrete in between. Moreover, the proposed painting of the concrete columns to a similar dark grey would disrupt the visual connectivity between the ground floor and the first and second floors, further eroding its appearance. Cumulatively, the proposed dark grey colour of the window and door frames and concrete columns would undermine the uniform appearance of the building. As the building contributes positively to the CA the proposal would therefore harm the character and appearance of the CA.
13. The appellant contends that the 'Lush' development which has dark grey frames and columns was not considered by the Council to be harmful to the CA, however I note that this permission predates the CAMP. In any event, the fact that apparently similar development has been granted permission, is not a reason, on its own to allow unacceptable development.

Heritage balance

14. The proposal would harm the character and appearance of the host building which contributes positively to the CA. The harm caused to the CA would be less than substantial and in terms of the spectrum of harm within this category would be at the lower end. Paragraph 215 of the Framework states that where harm is

identified to the significance of designated heritage assets and their setting, it should be weighed against the public benefits of the proposal.

15. Whilst the proposal would contribute positively to the local retail economy, this would still be the case if the columns and frames were white and therefore, there are neutral public benefits which is insufficient to outweigh the less than substantial harm to the CA. Given this and the above, I conclude that the proposal would fail to satisfy the requirements of the LBCAA, paragraph 210 of the Framework and conflicts with Policies 14 and 16 of the LP which seek amongst other things to ensure that new development delivers a high-quality environment and does not cause harm to the significance of a designated heritage asset.

Conclusion

16. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Accordingly, for the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR