CASE OFFICER'S REPORT

Application Number: PL/2023/08232

Address: 22 CATHERINES STREET, SALISBURY, SP1 2DA

Proposal: Retrospective application for a new shopfront & fascia

Date of Inspection:	05/10/23
Date site notice posted:	05/10/23
Publicity Expiry	27/10/23

POLICIES
National Planning Policy Framework (NPPF 2021) and the NPPG

Wiltshire Core Strategy
CP57 Design
CP58 Ensuring the conservation of the historic environment

Planning (Listed Building and Conservation Areas) Act 1990
Section 72

ISSUES

- Principle
- Scale, design and impact on the character and appearance of the Conservation Area and impact upon the setting of a Heritage Asset
- Impact on neighbouring amenity

PLANNING HISTORY:

PL/2023/00686 - Retrospective application for a new shopfront & fascia - REFUSED

REPRESENTATIONS :

Salisbury City Council – None received.

Conservation – No Objection, subject to conditions

No further comments received.

ASSESSMENT:

The application site is an existing shop located within St Catherines Street within the centre of Salisbury. The site falls within the Salisbury Conservation Area and although the building itself is not Listed, the properties opposite – 26-28 St Catherines Street are.

The application seeks approval for proposed alterations to the current retrospective installation of a new shopfront and fascia to the 'Cake Box'. The current proposal is a revised scheme to application - PL/2023/00686 which was refused due to visual impact.

1. **Principle**

The application must be determined in accordance with the development plan unless material

considerations indicate otherwise. The NPPF confirms that applications must be determined in accordance with the development plan and that proposals which conflict with the development plan should be refused unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework.

2. **Scale, design and impact on the character and appearance of the Conservation Area and impact upon the setting of Heritage Assets**

Wiltshire Core Strategy Core Policy 57 states:

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 complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire….

Subsection x also states: 'the sensitive design of advertisements and signage which are appropriate and sympathetic to their local setting by means of scale, design, lighting and materials'.

Section 66 of the Planning (LBCA) Act 1990 states:

'In considering whether to grant planning permission for development which affects a listed **building or its setting** , the local planning authority….shall have special regard to the desirability of presering the building or its setting or any features of special architectual or historic interest which it possesses'.

Section 72 states:

'…with respect of any buildings or land in a conservation area...special attention shall be paid to the desirability **of preserving or enhancing** the character or appearance of that area.'

Core Policy 58: (heritage): relates to preserving 'the special character or appearance of conservation areas'.

Due to the nature of the completed works and their prominent position within the Conservation Area the main assessment relates solely to Conservation matters, particularly due to the previous application being refused on Conservation grounds. Therefore, the Councils Conservation Officer was consulted on the works and provided the following comments:

*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. Sections 16 (LBC) and 66 (PP) require 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.*

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraphs 201-3 of the NPPF require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 197 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness.

The Council's Core Strategy Policy CP58 '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." It is also required that distinctive elements of Wiltshire's historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced.

Wiltshire Council's Core Strategy Policy CP57 '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.

Site and assets considered:

Whilst the building is not listed, it is adjacent to a listed building (number 26-28 Catherine Steet) and opposite listed buildings. The building is also within the City of Salisbury conservation area. The adopted appraisal identified 22 Catherine Street as a building that makes a 'positive contribution' to the character of the area (or at least 'did' prior to the unauthorised works), which one would equate with a non-designed heritage asset.

Previous planning history

An enforcement case was opened in respect of the existing shopfront, which was installed without the relevant planning permission.

A previous application was submitted which sought consent for some of the works already implemented but with some proposed changes. That application was refused. The reason for refusal was:

'By virtue of the uncharacteristic features installed and the 'crude' visual appearance of the installed shopfront the works are considered to result in visual harm upon the overall Character and Appearance of the Conservation Area and the negatively impacts upon the setting of nearby Listed properties, contrary to sections 66 and 72 of the Planning (LBCA) Act 1990, core policies 57 and 58 of the Wiltshire Core Strategy and paragraph 197 of the NPPF'

Current proposal:

The existing plans show the current unauthorised works, as such, one must recall the previous situation (ie in affect ignoring what has been implemented).

The unauthorised works are:

Reconfiguring the shopfront, the previous shop had a recessed doorway;
Erecting a large box fascia with backlit lettering in aluminium;
Removal of the brick and timber stall riser;
Replacement of the glass and original door.

The proposals that are the subject of this application area:

- A replacement timber fascia with lettering on pins
- A fascia that is the full width of the property (as viewed at first floor level ie including the side entrance to the flats above);
- A timber hanging sign;
- An awning casing (and awning) painted the same colour as the shopfront;
- The introduction of mullions to divide the plate glass;
- A taller timber stallriser with timber beading mouldings;
- A new door with kickplate

What remains unchanged is the loss of the recessed doorway ie they are seeking to retain the flush arrangement.

***Issues**: impact on the conservation area.*

***Information considered/provided**: Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This includes conservation areas which are heritage assets. In this particular case, the application is accompanied by a Design and Access statement which notes the site is within the conservation area.*

However, paragraph 195 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.

Assessment:

The proposals as presented seek to address concerns raised by myself and other consultees. As such, I welcome the proposed changes which will reinstate some of the lost 'historic' character of the original shopfront and which will be a significant enhancement in respect of the existing unauthorised shopfront.

I regret the loss of the recessed doorway – characteristic of a traditional shopfronts and 'flagged up' in our Shopfronts leaflet. I consider the loss of this feature continues to cause some harm to the conservation area, although the proposed changes to the stallriser, door and division of glazing, lessen that harm. The harm in any case should be balanced against the perceived public benefits (ie paragraph 202 of the NPPF).

Summary & conclusion:

Section 72 of the Planning (LBCA) Act 1990 requires that works preserve or enhance the character of the conservation area. The current unauthorised works have a significant adverse impact on the character of the conservation area. The proposed changes would ameliorate those 'harms', although the recessed doorway would not be re-introduced. On balance, taking into account the shabby character of the original shopfront, I think the proposals would have an overall neutral impact (overall preserving the character of the CA) in accordance with Section 72 of the Act and therefore I raise no objections.

Therefore, due to above the proposed alterations from the previously refused scheme to rectify the current unauthorized situation is deemed more appropriate and would be a benefit to the overall streetscene and character and appearance of the Conservation Area.

2. Impact on neighbouring amenity

Policy CP57 also states:

vii. Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)

Due to the position and nature of the proposed works in relation to any neighbouring properties, the proposals would not result in any harm.

Therefore, it is considered that the proposal does not adversely affect the residential amenities of any neighbouring properties, In line with Core Policy 57.

Conclusion:

The revised application to works to the shopfront are considered is considered an overall improvement to the current on site situation and would improve the overall visual appearance of the unauthorized shopfront arrangement and not result in any harm upon the overall Character and Appearance of the Conservation Area or the setting of a Heritage Asset, which would warrant a

refusal. Therefore, the current scheme is considered to be in accordance with sections 66 and 72 of the Planning (LBCA) Act 1990, core policies 57 and 58 and paragraph 197 of the NPPF.

RECOMMENDATION: Approve, with conditions.