DELEGATED REPORT

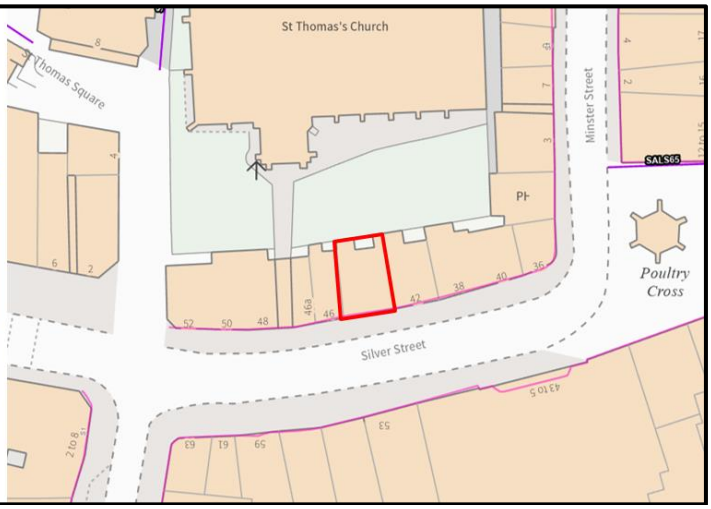
Application Reference:	PL/2023/05066 & PL/2023/05303
Application Type:	Full Planning Permission & Listed Building Consent
Site Address:	44 Silver Street, Salisbury, SP1 2NE
Proposal:	Change of use of upper floors to hairdressing salon; alterations to front façade including replacement shop front; installation of rear, 2nd floor external balustrade; replacement staircase; and other internal alterations
Recommendation:	Planning Permission & Listed Building Consent be GRANTED

SITE DESCRIPTION/CONTEXT

The site is situated within the settlement boundary of Salisbury, which is designated as a Principal Settlement by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP20 (Salisbury Community Area). It is also situated within Salisbury Central Area, as defined by WCS policy CP22 (Salisbury Skyline) and saved Salisbury District Local Plan (SDLP) policies S3, H7 and E3); and is within the designated Primary Frontage and Secondary Shopping Areas, as defined by saved SDLP policies S1 and S2 (the Primary Shopping Area is shown as a pink line on the Retail Designation Plan identified in PLAN A below).



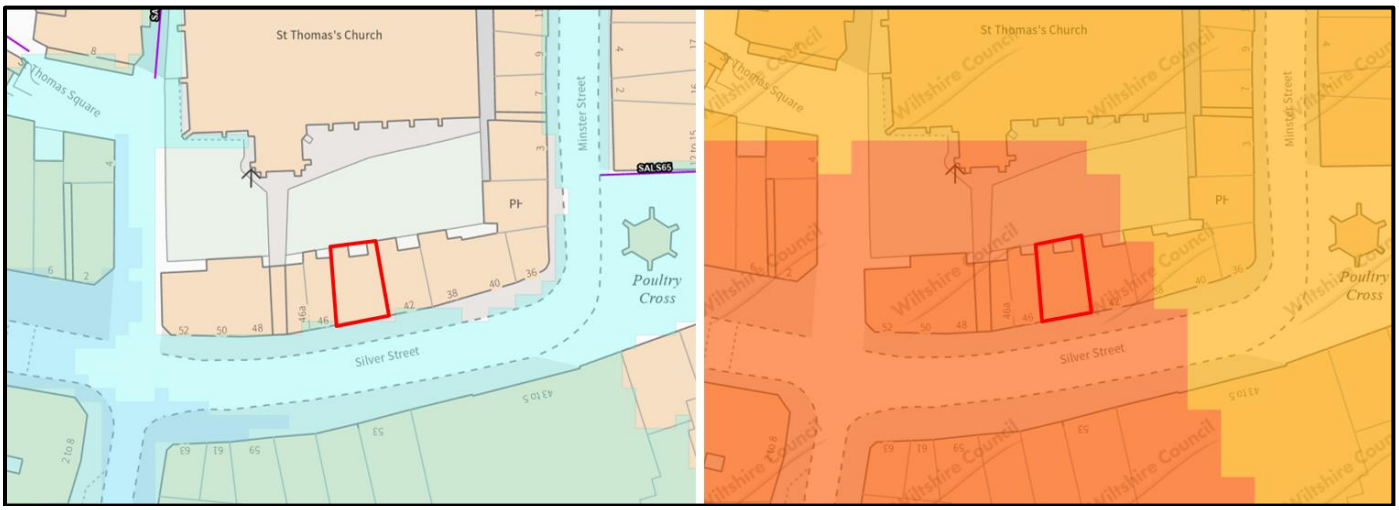
PLAN A – Heritage Constraints Plan



Retail Designation Plan

The site is situated entirely within the Salisbury Conservation Area (shown as a green wash in the Heritage Constraints plan in PLAN A above). Along with the other terraced properties in this row (36-52 Silver Street), the existing building on the site is a Grade II* listed building (identified by black cross hatching on the Heritage Constraints Plan in PLAN A above). St Thomas's Church to the immediate rear of the site, is a Grade I listed building; and the terraced properties opposite the site (37-59 Silver Street) are Grade II listed buildings. Poultry Cross to the east of the site is also a Scheduled Ancient Monument (SAM).

Whilst the site is situated in Flood Zone 1, Flood Zone 2 skirts along the southern elevation of the building and along Silver Street (as is identified by a light blue wash on the Flood Risk Plan in PLAN B below). The site is also situated in an area that is at high risk of ground water flooding (identified as the orange wash on the Ground Water Flood Risk Plan in PLAN B below). The site is also within the catchment of the River Avon Special Area for Conservation (SAC); and is within the 13.8 kilometre recreational buffer zone of the New Forest Special Protection Area (SPA), SAC and RAMSAR sites.



PLAN B – Flood Rosk Plan ***Ground Water Flood Risk Plan***

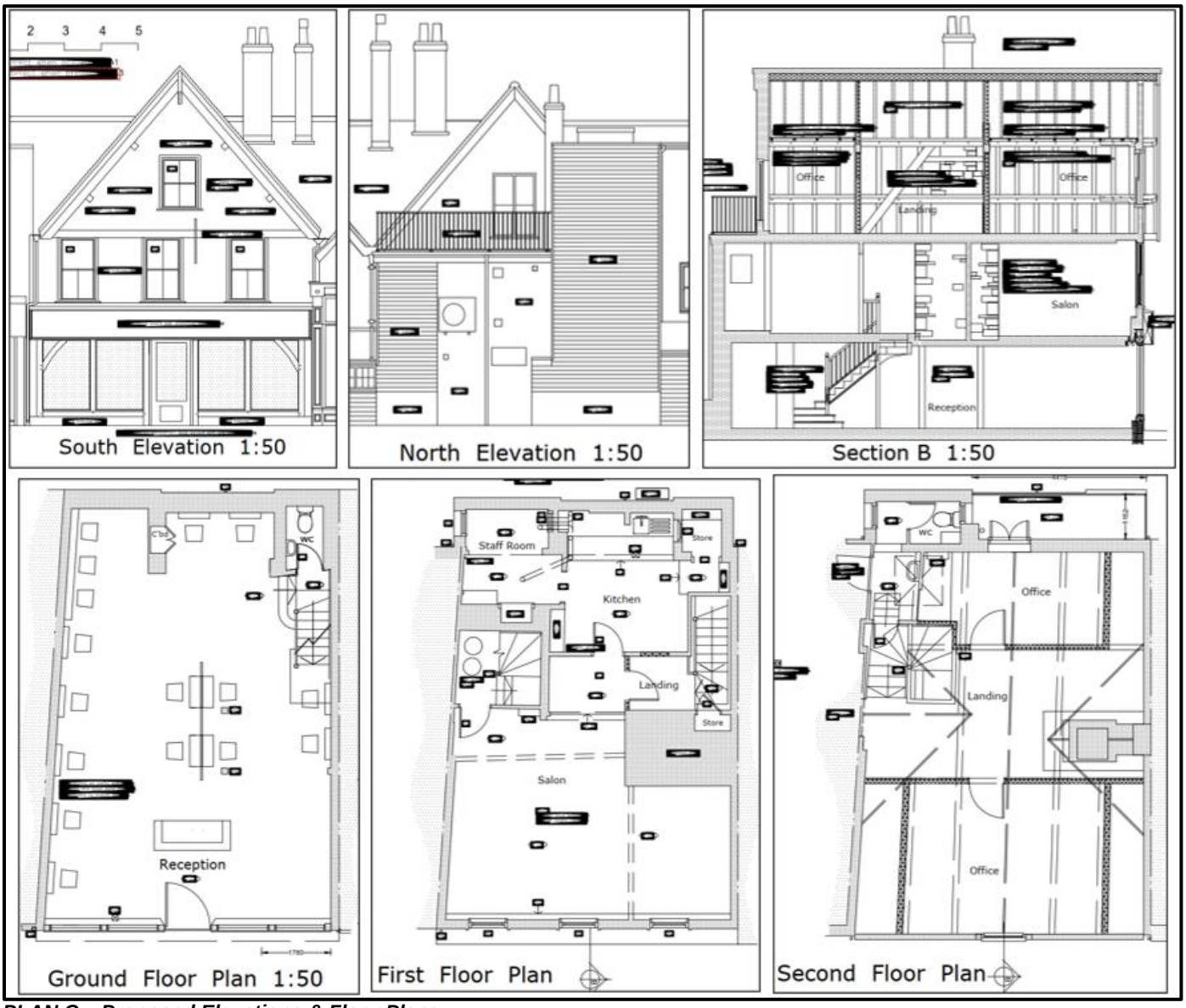
The site currently consists of a terraced, 2.5 storey property that is situated on the hard edge of pavement, fronting onto Silver Street to the south. It presents a gable façade to the street and backs onto the courtyard/graveyard serving St Thomas's Church; and is adjoined to further retail units of 1.5 to 3 storeys in height. It currently consists of a retail unit at ground floor, which is occupied by a hairdressers (use Class E), with ancillary office and storage rooms in the upper floors. PHOTO 1 below shows what the unit looked like in June 2023, before these applications were submitted.



PHOTO 1 – Front Façade as of June 2023 (Taken From Google Street View)

PROPOSAL

These tandem applications seek both planning permission *and* listed building consent for a change of use of the upper floors of the existing building to a hair salon use; and alterations to the existing shop unit both externally and internally. During the course of the applications a number of changes have been made to the proposals in response to consultation responses. Numerous amended plans have been received and the scheme has been significantly paired back. Many of the works still proposed have also now been undertaken by the applicant during the negotiations and discussion stages and so these applications are now considered to be retrospective.



PLAN C – Proposed Elevations & Floor Plans

In detail, as can be seen in PLAN C above, the proposals now involve the following works:

- Changes to the front façade of the building including exposing the purlins and painting the render white
- New shop front with oak frames and beading and new wooden fascia
- Repair the roof of the building and replace any broken plain clay tiles
- Creation of second floor balcony and insertion of steel balustrade on rear elevation
- Replacement of existing second floor window on the rear elevation with one with a deeper cil to allow access to the new balcony

- Replacement staircase between ground and first floors, with a more traditional design in the same location
- Expose brick work and repair at ground floor
- Removal of modern stud walls and plasterboard at first floor
- Relocation of hot water cylinders in kitchen at first floor
- Expose chimney breast at first floor
- Chimney stack repairs at first and second floors
- New stud walls at first and second floors
- Expose rafters at second floor
- Improve insulation in the roof



PHOTO 2 – Front Façade Now

The application is accompanied by a Heritage Statement and a Design & Access Statememt.

PLANNING HISTORY

S/1985/0768	Advertisement Consent – Illuminated shop fascia sign. Consent – 26.08.1985
S/1991/1487	Replacement of shopfront. Permission – 27.11.1991
S/1991/1488/LB	Listed Building Consent – Replacement of shopfront. Consent – 01.03.1992
S/2003/0752/LB	Listed Building Consent – Installation of 80cm satellite dish at Toni & Guy Salon for instore television channel T&G TV. Refused – 30.06.2003

POLICIES
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide (January 2021) (NDG)

Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy) (SDLP):
E3 – Office Development, Central Area
S1 – Primary Frontages
S2 – Secondary Shopping Areas
S3 – Central Shopping Areas

Wiltshire Core Strategy (WCS):
CP1 (Settlement Strategy)
CP2 (Delivery Strategy)
CP3 (Infrastructure Requirements)
CP20 (Salisbury Community Area)
CP22 (Salisbury Skyline)
CP38 (Retail & Leisure)
CP50 (Biodiversity and Geodiversity)
CP57 (Ensuring High Quality Design & Space Shaping)
CP58 (Ensuring the Conservation of the Historic Environment)
CP60 (Sustainable Transport)
CP61 (Transport & Development)
CP62 (Development Impacts on the Transport Network)
CP64 (Demand Management)
CP67 (Flood Risk)
CP69 (Protection of the River Avon SAC)
Wiltshire Housing Site Allocations Plan (February 2020) (WHSAP)

Supplementary Planning Documents:
Wiltshire Design Guide (March 2024)
Creating Places Design Guide SPG (April 2006)
Shop Front Design in Salisbury SPG
Achieving Sustainable Development SPG (April 2005)
Wiltshire Climate Strategy 2022-2027
Wiltshire Local Transport Plan – Car Parking Strategy

ISSUES
The main considerations which are material to the determination of this application are listed below:
- Principle
- Heritage, Character & Design
- Neighbouring Amenities
- Highway Safety

CONSULTATION
Conservation – No Objection
- The proposals have been significantly scaled back since the original submission.
- The current proposal involves no works to existing staircases nor formation of new.
- The shopfront alterations offer a pleasing improvement over the existing and cause the loss of no historic fabric.
- Works to the upper front elevation have been completed and have tidied it greatly without significant change of character or intervention with historic joinery.

- The small roof terrace to the rear would not be accessible to customers and should not accrue the clutter associated with a residential balcony, and associated with substantial screening by the adjacent tree, it is considered that this would fall at the lower end of 'less than substantial' harm to the character of the building and to the setting of the grade I church.
- The investment in the maintenance and improvements to the property is significant and is considered to outweigh the harm.
- I am satisfied that the applications satisfy the aims of sections 16 and 72 of the PLBCA Act 1990 with regard to the character and setting of the listed building and its listed neighbours, and the character and appearance of the CA.

Highways – No Objection
- There is no highway objection to the proposed change of use of the upper floors to be used for a hairdressing salon.
- It is not clear whether the proposal includes a change to the structure of the building resulting in the second floor overhanging of the public highway.
- I note that the public highway extends up to the building
- I am making an assumption that the proposed alterations will not result in any part of the building overhanging the public highway (footway).
- If scaffolding is required to be erected on the footway then a licence will be required - https://www.wiltshire.gov.uk/licences-permits-building.

Public Protection – No Objection subject to Conditions
- With any permission granted, a condition limiting construction hours should be added
- Please condition any plant and external lighting proposed.

Historic England – No Objection
- 44 Silver Street was originally constructed in the 17th century and is listed at Grade II*.
- As such it is of national importance and of more than special interest.
- It is located in the centre of the Salisbury City Conservation Area
- It is a timber-framed building, of two storey and attic under a tiled, double-pitched roof with a wide gabled stuccoed front, relieved by flush framed sash windows and a modern shopfront on the south elevation, and a large stuccoed gable and a narrow two storey extension of the rear elevation.
- Built originally as one house with no 42, documentary evidence show that the buildings have been separate premises since at least the 19th century, when no 44 accommodated both some commercial and residential functions.
- It has though at some point acquired a passage through no 46, at upper level.
- Whilst earlier fabric is still found within no 42, the oldest fabric within no 44 has been dated to the first half of the 17th century - part of the roof structural timbers (up to the collar/upper purlin level), some areas of the north gable wall timber frame, the large clunch-stone chimney stack appear to date from this early phase.
- Some 18th century fabric is also present, mainly at roof level.
- However, it is the late 19th century that brings about major alterations to the building, possibly following a fire that developed within the building - the extension on the northern side, some internal partitioning, the main south elevation and some of the internal cladding and decorative scheme are all considered to belong to the 1880's campaign of alterations.
- The high historic and evidential value of no 44 is contributed to by the surviving historic fabric, the legibility of the historic development of its plan form, and the significant presence it has within the historic core of the city, to which it offers a large, active, vibrant frontage on Silver Street and a blank, restrained and functional rear elevation, overlooking the churchyard of the grade I listed Church of St Thomas.

- On the basis of this information, we consider that the concerns that we have previously raised with some elements of the scheme have been largely addressed in line with our advice, providing clear heritage benefits to both the building per se and the way it contributes to the historic streetscape and the wider Conservation Area.
- Where some harm remains, mainly associated with the negative physical and visual impact of the widening of the gable end window and installation of railings on the rear elevation, we suggest that you seek the views of your specialist conservation adviser to assess this within the wider planning balance.

Salisbury City Council – No Comment

REPRESENTATIONS
Letters – None

ASSESSMENT
Principle:
The site is situated within the City Centre and within the Primary Frontage Area, as defined by saved SDLP policy S1. The building is already in use as a hairdressers at ground floor with ancillary office and storage at upper floors. The principle of the proposed change of use of the first floor to allow additional hairdressing uses at upper floors is therefore considered to be appropriate in this area.

However as is also identified above, the existing building is a Grade II* listed building and is attached to a number of other Grade II* listed buildings. It also backs onto the grounds of the Grade I listed church to the north; and is in the immediate vicinity of a number of other Grade II listed buildings and a SAM to the south and east. It is also within the Salisbury Conservation Area. It is therefore in a particularly sensitive, heritage rich area. The application is accompanied by a Heritage Statement accordingly.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) requires '*special regard'* to be given to the desirability of preserving a listed building or its setting. Section 16 of the Act further states that in considering whether to grant listed building consent for any works, the local planning authority shall have '*special regard'* to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In addition Section 72 of the Act states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, *'special attention'* shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In having 'special regard' and/or in paying 'special attention' the NPPF requires a specific assessment to be undertaken as to whether the proposal causes 'substantial harm', 'less than substantial harm' or no harm to the asset.

At a local level, WCS policy CP58 (Ensuring the Conservation of the Historic Environment) aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are '…*protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life'*. However it also states that '…*the designation of a heritage asset does not preclude the possibility of new development'* and confirms that the Council is committed to '…*working pragmatically'* with owners to find positive solutions which will allow adaptation of such buildings to reflect modern aspirations. It is however expected that the form, scale, design and materials of new developments are complementary to the historic context.

The principle of external and internal alterations to the existing building could therefore be accepted subject to an assessment of the potential for harm to the significance of the building and the surrounding assets; and implications for neighbouring amenities and highway safety. The matters of heritage, character of the area, neighbouring amenities; highway safety and flooding will therefore be considered in more detail below.

Heritage, Character & Design:
Historic England has confirmed that 44 Silver Street was originally constructed in the 17th century and is of national importance and of more than special interest. It is a timber-framed building, of two storey and attic under a tiled, double-pitched roof with a wide gabled stuccoed front, relieved by flush framed sash windows and a modern shopfront on the south elevation; and a large stuccoed gable and a narrow two storey extension off the rear elevation. Whilst some 17th and 18th Century fabric remains, the building was subject to major alterations in the 19th century, possibly following a fire. It is however confirmed that the high historic and evidential value of no 44 Silver Street is contributed to by the surviving historic fabric, the legibility of the historic development of its plan form, and the significant presence it has within the historic core of the City, to which it offers a large, active, vibrant frontage on Silver Street and a blank, restrained and functional rear elevation, overlooking the churchyard of the grade I listed Church of St Thomas.

The proposals have been significantly scaled back since the original submission. The current proposal involves a replacement of the existing modern staircase in its current position; the removal and insertion of modern stud partitions and plasterboard at upper levels; a new shop front and front façade alterations; as well as the provision of a new balcony at the rear. The shopfront alterations offer a pleasing improvement over the existing and do not cause the loss of any historic fabric. Works to the upper front elevation have been completed and have tidied it greatly without significant change of character or intervention with historic joinery.

The small roof terrace to the rear is the most contentious element of the remaining works, but this too has undergone significant change during the course of the application and is now to be defined by an understated black railing rather than a glazed balustrade. This element of the proposal would not be accessible to customers; and as the second floor is to be used as ancillary offices for the owner of the business (rather than as a dwelling), should not therefore accrue the clutter that would be associated with a residential balcony. As can be seen in PHOTO 3 below, this element is also substantially screened from the adjacent church yard by the existing, adjacent tree. Any glimpsed view of this element will also be seen in the context of the 'service' elevations of the adjacent commercial properties and their associated flues, air conditioning units etc. The Council's Conservation Officer therefore considers that this element of the remaining proposals would fall at the lower end of 'less than substantial' harm to the character of the building and to the setting of the Grade I church. It is confirmed that the investment in the maintenance and improvements to the property is significant and is considered to outweigh any harm, and therefore the Council's Conservation Officer has raised no objection to the scheme as now submitted. Historic England has likewise withdrawn their objection.



PHOTO 3 – Rear Elevation Seen From St Thomas's Church

Overall it is therefore considered that the proposals have resulted in an improvement to the character of the street scene, conservation area and the listed building itself. It is considered that the works have resulted in limited implication for the historic fabric and any harm is outweighed by the benefits of such investment in a listed building of national importance. The new shop front is also considered to be in keeping with and appropriate for its city centre position.

Neighbouring Amenities:
WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that new development should be designed to ensure that the impact on the amenities of existing occupants/neighbours is acceptable and that appropriate levels of amenity are achievable within the development itself. The NPPF further confirms that planning should '*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this therefore needs to be carefully considered accordingly.

The Council's Public Protection Team only raised concern about the potential harm that could be caused during the construction phase, which has now finished as the application is now retrospective; and regarding possible noise from any plant, where none is proposed. It is not therefore considered necessary or relevant to impose the conditions suggested.

In addition whilst the external balcony does provide an opportunity for overlooking over the more private rear elevations of the surrounding properties, as has been outlined above and shown in PHOTO 3, this element will be substantially screened by an existing tree in the adjacent church yard. It is not therefore considered that the proposals will result in any significant implications in terms of loss of privacy for any neighbouring amenities.

Highway Safety:
It is noted that the existing building extends right up to the hard edge of pavement. The Highway Authority originally raised a concern about the possible overhang of upper floors and/or scaffolding but the proposals do not involve any over sail of the shop front or upper floor façade. Also as the construction process has now ended, there is no scaffolding covering the public pavement. It is not therefore considered that there are any implications in terms of highway safety from the works that have been undertaken to the building.

Other Matters:
As the proposals involve works to and within the building; a change of use of the upper floors to retail uses, and thus does not involve the creation of new residential households; and no extensions are identified, it is not therefore considered that the proposals pose any additional concerns in terms of flooding; or impact for the River Avon SAC; or for the New Forest SPA, SAC and RAMSAR, which are particularly sensitive to additional recreational pressure caused by additional households, not businesses. The application was also submitted in 2023, in advance of the Biodiversity Net Gain (BNG) Legislation coming into effect and so no BNG is required to be identified.

CONCLUSION
The proposals have been significantly scaled back since the original submission. The current scheme is considered to be sympathetic to the character and historic significance of the listed building and its setting; and of the setting of the adjacent heritage assets and character of the Conservation Area. The public benefit of the investment will outweigh any harm. The proposals are unlikely to result in any significant implications for neighbouring amenities or highway safety and are recommended for permission and consent accordingly.

RECOMMENDATION:

PL/2024/05066

That Planning Permission be GRANTED subject to the following conditions

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

   Application Form & Certificate
   Ref: 1289.P.01 – Site Location. Submitted – 23.06.2023
   Ref: 1289.P.03 Rev G – Proposed Plans Elevations & Section B. Received – 15.10.2024

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

2. Any external lighting installed must not adversely impact nearby residential properties and must conform to the recommendations for environmental zone E2 or better in the ILP document "Guidance Notes for the Reduction of Obtrusive Light - Guidance Note 01:20.

   REASON: In the interests of residential amenities

PL/2024/5303

That Listed Building Consent be GRANTED subject to the following conditions

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

   Application Form & Certificate
   Ref: 1289.P.01 – Site Location. Submitted – 23.06.2023
   Ref: 1289.P.03 Rev G – Proposed Plans Elevations & Section B. Received – 15.10.2024

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