
Appeal Decision

Site visit made on 3 May 2016

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 June 2016

Appeal Ref: APP/Q3305/Y/16/3141683

9 Northload Street, Glastonbury, Somerset BA6 9JJ

- 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 William Knight, against the decision of Mendip District Council.
 - The application Ref 2015/2228/LBC, dated 16 September 2015, was refused by notice dated 4 December 2015.
 - The works undertaken are the painting of a mural on the gable end of the property.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. 9 Northload Street is a grade II listed building forming one of a pair of listed buildings and part of a row of listed cottages within the Glastonbury Conservation Area. As required by Sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of a conservation area.
3. From my site visit it was apparent that the mural is already present on No 9, and I note the Council have considered the works as being retrospective. For the avoidance of doubt, I have dealt with the appeal on the basis of the submitted evidence.

Main Issue

4. The main issue is whether the mural preserves the special architectural or historic interest of a grade II listed building, the setting of nearby listed buildings, and linked to that whether it preserves or enhances the character or appearance of a conservation area.

Reasons

5. 9 Northload Street lies within an area of mixed retail, service and residential uses close to the centre of Glastonbury. The mid nineteenth century two storey building with rooms in the attic is constructed of red brick with pantiles to the roof. To the front elevation is a shop window with curved brackets and pilasters. Attached to the rear of No 9 is a row of cottages that step down the hillside. The simple, elegant form of the building, its decorated shop front, and
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- construction from local traditional materials, is part of the significance and special interest of the listed building.
6. The appeal property is positioned at the end of a long terraced row that comprises a mix of mostly historic buildings. The variation in the form of the buildings is a notable feature of the area, but as they are of similar heights, there is a cohesion whereby no one building dominates. No 9 is part of the rich variety of the buildings along Northload Street, and it contributes towards the historic character and appearance of the conservation area.
 7. No 9 has a prominent position on one corner of a staggered cross road. The mural occupies much of the gable end of the appeal property and is noticeably apparent within the surrounding area. The mostly straight alignment of Northload Street allows the mural to be seen from some distance when approaching the town centre, whilst the slope of the hillside also provides views of it from Feversham Lane.
 8. Due to its size and positioning the mural is a dominant feature, an impact which is exaggerated by the use of bright coloured paintwork. These characteristics, taken together with the complexity of the scene and the modern graffiti styled text, make the mural a focal element of the listed building that is at odds with its special interest. The simple form and traditional materials of the appeal building and those adjoining it are overwhelmed by the mural. Even though the gable wall was formed following the demolition of part of the terrace, the size and appearance of the mural draws the eye. As such the mural detracts from the special interest of the listed building, the cohesion of the historic street scene and the setting of the surrounding listed buildings.
 9. From my visit it was apparent that some of the shop fronts are brightly painted and there is a colourful vibrancy to the street with its small premises and mostly historic appearance. From the types of shops and services present it was apparent that the town has an alternative image. However, these uses are mostly accommodated within historic buildings, and the significance of the conservation area comprises not just its uses but also the attractive and high quality of its historic buildings, whereby no one individual property dominates.
 10. I noted the presence of other murals within the town, and that they are popular with tourists. Of those murals referred to by the appellant, few are as large or as prominent as the appeal scheme. Those on the listed public house opposite the appeal site have an open and sinuous floral form of a limited colour palette, and are subservient to the appearance of the building. The mural on the appeal property may reflect images of Glastonbury, but its size and form has little reference to the special interest of the listed building.
 11. The National Planning Policy Framework (the Framework) advises that where a development proposal would be less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. The mural would result in less than substantial harm due to the relatively small size of it compared to that of the listed building, the settings of others, and the conservation area. The appellant refers to previous graffiti. However, I have no details of the nature, extent or frequency of these occurrences, nor has it been explained why other means of preventing graffiti are not suitable. As other murals in the town had evidence of graffiti on them it does not follow that the mural on No 9 would be

- protected. The public benefit is therefore limited and does not outweigh the harm I have found.
12. The Framework requires that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Moreover the statutory duty of preserving a listed building must be given considerable weight, even where there is public support. The statutory requirements are to preserve the special interest of a listed building and its setting, and to preserve and enhance a conservation area in all cases. For the reasons given above the mural would not preserve the special interest of a listed building, the setting of other listed buildings nearby, nor would it preserve or enhance the character or appearance of the Glastonbury Conservation Area.
13. The Council have drawn my attention to Policy DP3 of the Mendip District Local Plan (2014). Development plan policies are not determinative in listed building cases. However, I have taken that cited by the Council into account as a material consideration, and found that the mural would fail to accord with this policy. This policy seeks to ensure, amongst other things, that development preserves and where appropriate enhances the significance and setting of heritage assets it, reflecting an objective of the Framework.

Other Matters

14. I have considered the concerns of the appellant that dismissing the appeal would set a precedent for the removal of other murals, thereby harming the character and appearance of the conservation area. However, this would be a matter for the Council to address with regard to the individual circumstances of each scheme, the relevant statutory requirements, those of the current development plan, and all other material considerations. This limits the weight I can attribute to this matter.
15. Finally, the appellant's concerns regarding the Authority's handling of the application is a procedural matter. Such concerns fall to be pursued by other means separate from the planning appeal process and are not for me to consider.

Conclusion

16. For the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR