
Appeal Decision

Site visit made on 2 January 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2020

Appeal Ref: APP/E0345/W/19/3237799

39 Brunswick Hill, Reading RG1 7YU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Eric Benjamin of W2 (Shepperton) Ltd against the decision of Reading Borough Council.
 - The application Ref 190522, dated 27 March 2019, was refused by notice dated 10 September 2019.
 - The development proposed is the erection of new building containing 9no apartments with parking at rear following demolition of existing buildings.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. Since the determination of the planning application the Council have adopted the Reading Borough Local Plan – November 2019 (LP) whose policies supersede those referenced within the Decision Notice. The parties have had opportunity to comment on the revised development plan policies and I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area including the loss of a non-designated heritage asset.

Reasons

4. There is relevant planning history at the appeal site, including a similar proposal for ten apartments that was dismissed at appeal in 2018¹. An important conclusion of this was that the existing building is a heritage asset. Whilst I note that the development plan policy context has altered, I am not aware of any other material changes in circumstances to lead me to a different conclusion. The building remains as described by the Inspector and the national policy position in this regard is unchanged by the February 2019 National Planning Policy Framework (the Framework).
5. Paragraph 197 of the Framework requires a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. The proposal would result in the total loss of the dwelling. However, I acknowledge that this large Edwardian villa has previously been assessed as not suitable for

¹ APP/E0345/W/18/3200081

inclusion on a local list. Whilst a second application has been made to include the building on the local list, that remains the current position. Based on this evidence I find the significance of the heritage asset to be modest.

Nonetheless, in these circumstances, the total loss of the heritage asset, despite it not being included on the local list weighs against the proposal and would conflict with policies EN1 and CC7 of the LP. These policies seek the protection and enhancement of the historic environment and to maintain and enhance the character and appearance of the area.

6. No 39 Brunswick Hill is a large and notable building within the street scene, which is characterised by a variety of residential properties. The proposal seeks to significantly increase the scale of the built form at the site. Whilst I note the proposed reduction in height over the existing dwelling and the 2018 dismissed appeal scheme, the width and depth of the development remains considerable. This appears as a consequence of the design facilitating nine flats within a purpose-built single building.
7. I note that the design has been amended in a number of ways compared to the 2018 appeal scheme, including greater architectural detail to the front elevation to reflect, for example, the existing oriel window detail and provide a legible communal access. Furthermore, I note that the proposed elevations have greater variation in depth which adds some interest. However, the flanking elevations continue to appear bland, for example with few openings, those few openings being restricted to a high level and little brickwork detail. Furthermore, the depth of the development within the plot would be significantly greater than the existing building and, overall, deeper than the 2018 appeal scheme. This would not be adequately mitigated by the changes including the flanking elements on the north elevation being set-down.
8. Whilst I acknowledge that the eaves have been reduced compared to the last proposal, the roof form appears awkward in order to keep the overall height of the building down and accommodate the significant spans of the building. Furthermore, the largely mono-pitched enclosure around the high-level flat roof would be conspicuous in views down the hill. Additionally, the roof form lacks the interest and variety that the existing building provides in the street scene, including the prominent chimneys.
9. Whilst I acknowledge that the revised proposal has sought to address some of the Inspector's findings from the 2018 dismissed appeal, I find that the scale of the building would remain incongruous within the street scene. I note that there are other examples of purpose-built flats at the end of Brunswick Hill. However, the context of these developments is not the same as at the appeal site which is flanked by far more modestly scaled dwellings. The appeal site appears as part of this built-up frontage. Nor is the proposal the same as any schemes that have subdivided housing on Brunswick Hill. Therefore, I find that the proposed development would not be a suitable high-quality design so as to respond positively to the local context or reinforce local character and distinctiveness.
10. Therefore, in conclusion on the main issue I find, due to the scale of the replacement building and the complete loss of a heritage asset, that the proposal would harm the character and appearance of the area. As such, it would be contrary to policies CC7 and EN1 of the LP and Sections 12 and 16 of the Framework. The aims of these policies include securing high-quality design

that responds positively to local distinctiveness and scale. Furthermore, the policies take a balanced approach to the protection of heritage assets.

Other matters

11. The Council has sought a deferred contribution towards the provision of affordable housing and a contribution towards amending a Traffic Regulation Order regarding parking restrictions outside the appeal site. Whilst the appellant has indicated in proceedings that they intend to submit a Unilateral Undertaking under section 106 of the Town & Country Planning Act 1990, this was not submitted within the permitted timeframe. The need for it is not disputed by the parties. As I am dismissing the appeal for other reasons, and the provision of a unilateral undertaking would not be likely to result in any public benefit, the lack of an obligation cannot lead me to a different conclusion.
12. Nonetheless, I acknowledge that the proposal would make a more efficient use of land and provide additional housing. The Council accept that there is an identified need for this mix of housing, but I have no evidence to indicate that there is an inadequate supply. As such I afford this moderate weight. Additionally, I note that the proposed development would provide some benefit through the construction of these homes in what would be an accessible location and that would support local services. However, the weight I afford these considerations is limited as I have no evidence that similar benefits could not be achieved through a more acceptable scheme. Even taken cumulatively I do not find that the benefits of the proposal outweigh the identified harm and consequent conflict with the development plan.
13. Finally, I am mindful that this application was recommended for planning permission by the Council's professional planning officers and subsequently refused by members of the Council's planning committee. However, I have found that the Council's evidence adequately substantiates the main issue and that the Council has reasonably exercised a planning judgement. The appellant asserts that the Council's evidence has been produced by its officers. However, even if it has, I do not find that this is a reason to afford it any less weight.

Conclusion

14. In conclusion, the proposed development would be harmful to the character and appearance of the area and result in the loss of a non-designated heritage asset. Whilst I acknowledge some benefits from the proposal these do not outweigh the identified harm and conflict that I have found with local and national policies. For the reasons given above I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR