
Appeal Decision

Site visit made on 6 April 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2021

Appeal Ref: APP/E0345/W/20/3261092

4 Downshire Square, Reading RG1 6NJ

- 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 Alex Cosgrove (Finerain LTD) against the decision of Reading Borough Council.
 - The application Ref 200571, dated 16 April 2020, was refused by notice dated 17 July 2020.
 - The development proposed is demolition of existing dwelling house and large detached garage and erection of new building comprising of 3 townhouses and 2 flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the development would preserve or enhance the character or appearance of the Downshire Square Conservation Area,
 - The effect on street trees,
 - Whether it would make adequate provision for car parking associated with the development; and,
 - Whether it would contribute to the affordable housing needs of the Borough.

Reasons

Conservation Area

3. The site lies within the Downshire Square Conservation Area (the CA). The Council's Conservation Area Appraisal (the Appraisal) describes the CA as a tightly drawn essentially Victorian/Edwardian suburb containing three listed buildings and a wide variety of house types and architectural styles on large plots giving the area a spacious feel. The Appraisal states that the variety, exuberance and blending of the architectural styles of the Victorian and later periods in what was originally envisaged as formal street layout with large tree lined plots make the area attractive and worthy of conservation area status. I agree with this assessment of the CA and find that its significance derives from the mix of architectural styles, historic buildings and overall spacious character arising from the wide plots containing buildings principally of two-storey scale.

In accordance with the statutory duty set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.

4. The proposal would introduce a three-storey block into the street scene. The proposed building would present a largely unbroken frontage to the street. There would be limited articulation arising from the recess over the undercroft and rendered element containing the storage areas and staircases to the flats. The building would be uncommonly broad and tall in the Downshire Square street scene, occupying nearly the full width of the plot and would be three full storeys in height. Where the majority of buildings in Downshire Square are set down in height adjacent to at least one side boundary, the proposed building would be the same height across almost its full width. There would be little space to either side of the building, in particular along the shared boundary with All Saints Court. The appeal site is one of the widest in the street, and the building would be set close to the front boundary, significantly further forward on its plot than All Saints Court. This combination of height, width and siting within the plot would result in the proposed building appearing both cramped and unduly prominent within the street scene.
5. All Saints Court is a three-storey development of greater height occupying a similarly wide plot, but that development is separated into two blocks, and while the ridgeline is higher than that of the proposed building the eaves are lower with the two blocks set further back on their plot than the proposed building. Therefore, while prominent in the street scene, that development differs from the appeal proposal in terms of its bulk, scale and massing.
6. The appeal proposal would therefore fail to preserve or enhance either the character or the appearance of the CA. The effect would be experienced principally within the Downshire Square street scene as the development would retain a substantial space to the rear boundary. It would therefore amount to less than substantial harm to the significance of the CA. The National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to less than substantial harm. The Framework further states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
7. The development would create four additional residential units and there would be economic benefits arising from construction of the proposed development. These are public benefits that attract weight in favour of the proposed development. However, they are not sufficient to outweigh the harm to the significance of the CA that would result from the appeal proposal.
8. The development would therefore fail to preserve or enhance the character or appearance of the CA. It would conflict with the requirements of the Act and with Policies CC7, H11, EN1, EN3 and EN6 of the Reading Borough Local Plan 2019 (the LP). These policies require, amongst other things, that development protect and where possible enhance the significance of heritage assets and their settings, the historic character and local distinctiveness of the area in which they are located.

Trees

9. The development would involve the removal of an existing tree pit from the pavement in front of the site. Although vacant at the time of submissions, a new tree had been planted in this pit prior to my visit.
10. The street trees along both sides of Downshire Square are highlighted in the Appraisal as collectively contributing to the overall character and coherence of the street scene and wider CA. I agree with this conclusion. While the tree in the pit is newly planted there is variety in the height and stature of the trees along Downshire Square, and this new tree will grow in time to contribute to the character of the street.
11. The appellant has suggested that the tree can be relocated. However, no evidence has been provided to show that this can be achieved in the same general area without compromising existing underground services. In the absence of such evidence it is not possible to say that the removal of this tree would not result in a large and uncharacteristic gap between trees in the street scene.
12. While new planting is proposed to the front of the development, this would be set within the site boundary and it is unlikely that any trees would be allowed to grow to a similar height as the mature trees lining Downshire Square due to overshadowing of the houses and flats. That planting would not therefore be an acceptable replacement for the existing street tree.
13. The loss of the existing street tree would therefore cause unacceptable harm to the character of the area, contrary to Policies CC7, EN3 and EN14 of the LP. The requirements of these policies include that individual trees and groups of trees will be protected from damage or removal where they are of importance.

Parking

14. The Council's parking standards require eight parking spaces for a development of this scale. The development proposes seven off-street spaces and the consolidation of two existing crossovers into one, creating additional space on the road for a further parking space.
15. Notwithstanding that the consolidation of the crossovers would involve the removal of the existing street tree, there is no mechanism before me to guarantee that the additional on-street space could be reserved for the sole use of the occupiers of the appeal proposal.
16. While the site is relatively close to the town centre and has access to public transport, this is accounted for in the Council's zonal-based parking standards.
17. The Council's standards do allow for a reduced parking provision for residential development, where it can be demonstrated that there would be no detriment to highway safety as a result. In this instance the transport consultee objected to the proposed development on the grounds that it could lead to further increase to the considerable amount of on-street car parking that takes place in Downshire Square. During my site visit I saw that on-street parking in the street was heavy in spite of the visit occurring on a weekday afternoon. While that may have been influenced by the ongoing pandemic and Government recommendation to limit travel, I do not doubt that peak parking demand in the street is high, and further intensification would result in a more congested

street, more difficult vehicle manoeuvring and attendant obstruction of the highway. No evidence has been submitted by the appellant to suggest that this would not be the case.

18. Accordingly, the development would fail to make adequate provision for car parking associated with the development. It would therefore conflict with Policies TR3 and TR5 of the LP, which when taken together require, amongst other criteria, that development provide car parking that is appropriate to the accessibility of locations within the Borough.

Affordable Housing

19. The appellant has submitted a unilateral undertaking addressing the required contribution to affordable housing in the Borough. However, it is incomplete with missing clauses and other issues that would need to be resolved before it could be accepted. The appellant was invited to work with the Council to provide a complete undertaking, but no further submissions have been received.
20. In the absence of a complete unilateral undertaking, the development fails to contribute to the affordable housing needs of the Borough. It therefore conflicts with Policies H3 and CC9 of the LP and the Council's Adopted Affordable Housing Supplementary Planning Document 2013. Collectively these require that residential development make appropriate contribution towards affordable housing to meet the needs of Reading.

Planning Balance

21. The Government's objective is to significantly boost the supply of homes and the proposal would provide four additional dwellings. Given the relatively small scale of the proposal the provision of the additional housing attracts modest weight. The scheme would also lead to an economic benefit during the construction phase.
22. However, the development would fail to preserve or enhance the character or appearance of the CA, would cause unacceptable harm to the character of the area through the loss of the street tree, and would fail to make adequate provision for car parking associated with the development and to contribute to the affordable housing needs of the Borough.
23. The proposal would therefore conflict with the development plan and there are no other considerations that outweigh this conflict.

Conclusion

24. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR