



Appeal Decision

Site visit made on 23 January 2024

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13.02.2024

Appeal Ref: APP/E0345/D/23/3327206

85 Hamilton Road, Reading RG1 5RB

- 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 Ms Penchukova against the decision of Reading Borough Council.
 - The application Ref 230375, dated 22 March 2023, was refused by notice dated 17 May 2023.
 - The development proposed is described as the demolition of existing garage and replacement with new single garage. Part single storey extension excluding basement, part 2.5 storey extension excluding basement following demolition of existing rear outhouse extension. Removal of single pier to front boundary and insertion of new ironwork gate, and associated changes to fenestration.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal lies within the South Park Conservation Area ("the CA"). Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 places a duty on decision makers with respect to any buildings or land within a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Main Issues

3. The main issues are:
 - Whether the proposed development would preserve or enhance the character or appearance of the area including the CA; and
 - The effect of the development on highway safety.

Reasons

Character or Appearance

4. The significance of this part of the CA is defined, in part, by its wide variety of house types and architectural styles from the Victorian and Edwardian periods, many of which retain their original historic character. This makes a positive contribution to the setting of the CA.
5. The appeal property has also been designated locally as a Building of Townscape Merit ("BTM"). To its front, the slate roof sits over bracketed eaves with Bath stone mouldings around the windows and string courses. There is

- also an ornate stone-clad porch to this frontage. These features contribute toward its significance as a BTM as well as its importance within the CA.
6. The proposed development would generously extend to the rear of the appeal building and more modestly to the side. The existing dwelling has a deep garden and neighbouring buildings within the immediate area have similar sized footprints with some extending deeper than the proposed development.
 7. For these reasons a generously sized extension may be acceptable provided it responds to the positive features of the host building and the special interest of the CA, without causing harm to the historical significance of either.
 8. The two-storey extension, with accommodation in the roof, would broadly follow the existing detailing and layout of the existing building. However, the proposed roof form set closest to the garage would feature a different asymmetrical gable ended design which would partially cut into the side of the taller elements of the proposed rear extension.
 9. The effect of this would introduce two discordant design responses against the original historic fabric of the host building. This disparity would be further exacerbated by the variation in eaves heights of each of the proposed elements including the garage, compounding the discordant design I have identified. Overall, this would create a sense of imbalance and incoherence to this rear elevation which would be harmful to the original historic character of the host dwelling.
 10. The existing rear elevation has a lack of symmetry, as far as its fenestration and modest rear projections are concerned. The rear of the property also has less significance than the front, however, this does not outweigh the harm to the historic character I have identified above.
 11. Neighbouring dwellings feature gable ended rear extensions. However, these examples appear to be singular extensions rather than several distinctly discordant designs incorporated onto a host building. Therefore, they do not have the same harmful impact as the proposed development.
 12. The proposed development would therefore be unacceptably harmful to both the original historic character of the host building and the significance and distinctiveness of the CA which is defined by buildings of visual quality which retain their original character.
 13. Accordingly, for the reasons given above, the proposed development would fail to preserve or enhance the character or appearance of the area including the CA. The proposal would therefore conflict with the relevant provisions of Policies CC7, EN1, EN3, EN4, EN6 and H9 of the Reading Borough Local Plan 2019 ("the Local Plan") and the Design Guide to House Extensions Supplementary Planning Document 2021. These, amongst other things, seek to preserve or enhance the significance of the character or appearance of the area including heritage assets.

Highway Safety

14. Gates are proposed across the existing vehicle access. When entering the site, vehicles waiting for the proposed gates to open would obstruct the carriageway reducing the road to one-way working.

15. The appellant suggests that an infrequent reduction to one-way working would not cause a severe impact on the operation of the local highway network while vehicles wait for the gates to open.
16. However, these vehicles would be sited near to the junction with Waybrook Crescent, existing sections of designated on-street parking along Hamilton Road and sections of existing one-way working due to the existing on-street parking. While vehicles are waiting for the gates to open, the proposed development would further extend the one-way working.
17. I note the accident data, existing speed limit and presence of speed bumps in the road which would slow approaching vehicles. However, any cars waiting, even momentarily, would not only provide an obstruction for vehicular traffic, but also other road users, including pedestrians and cyclists. Given the layout of the highway next to the proposed development, I cannot say with certainty that it would not have a detrimental impact on the functioning of the transport network.
18. I have also considered the appeal at 1 Orchard Lea¹ which was submitted with the appellants appeal statement. I agree that, as a residential area, drivers are likely to be aware of the possibility of other vehicles seeking to join the highway from parking areas and these movements would not be significant.
19. However, this other appeal decision was not predicated on vehicles waiting on the highway to enter the appeal site, it therefore has limited bearing on my overall finding in respect of this main issue.
20. Consequently, the development results in conditions that would be prejudicial to the safety of users of the highway, and it has not been demonstrated that these would not be severe. The proposed development therefore fails to comply with the relevant provisions of Policy TR3 of the Local Plan. This policy, amongst other things, seeks to ensure that development would not be detrimental to the safety of users of the transport network, including pedestrians and cyclists.

Other Matters

21. The appellant has directed my attention to Schedule 2, Part 2, Classes A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the GPDO") as a fallback position.
22. From the evidence before me, the GPDO does not restrict the installation of gates at a dwelling and does not require the impact of their installation on highway safety to be considered, provided they meet the relevant limitations as set out.
23. With the current appeal, the Council's objection relates to the presence of gates as a physical barrier and vehicles waiting for them to open. If gates were erected under rights as set out in the GPDO, it appears to me that the same scenario would occur.
24. For these reasons there is a real prospect that gates up to 1m in height could be implemented under the GPDO and such development would have the same impact on highway safety as the appeal proposal.

¹ Appeal Ref: APP/T2215/D/22/3294551

25. These considerations carry weight which justify the permitting of a development that fails to accord with the relevant policies of the development plan regarding highway safety.

Planning Balance

26. Paragraph 205 of the National Planning Policy Framework ("the Framework") advises 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.
27. Given the limited scale of the proposal I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
28. There would be social, environmental, and economic benefits including refurbishment of existing features including sanitary, safety and energy efficiency features as a single-family dwelling.
29. Additionally, the development would house family members from Ukraine. This is an important consideration, but it has not been robustly shown that the proposed development would be the only way this could be achieved.
30. The fallback position would also balance the harm arising from any highway impacts in respect to vehicles waiting in the highway for the gates to open. Nevertheless, this lack of harm weighs neutrally and does not amount to a consideration in support of the appeal.
31. Accordingly, the quantum and scale of the benefits when considered collectively would not outweigh the importance and great weight given to the conservation of the heritage assets.

Conclusion

32. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

N Praine

INSPECTOR