



Appeal Decision

Site visit made on 16 April 2024

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th May 2024

Appeal Ref: APP/E0345/W/23/3325863

Dukesbridge House, 23 Duke Street, Reading RG1 4SA

- 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 A Owen against the decision of Reading Borough Council.
 - The application Ref 221443, dated 26 September 2022, was refused by notice dated 13 January 2023.
 - The development proposed is construction of a pair of semi-detached mews houses with associated cycle and refuse storage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken into account the revised version of the National Planning Policy Framework ('the Framework') published in December 2023. While there have been changes to paragraph numbers since the previous iteration, the parts of the Framework most relevant in this case have not significantly changed. I am satisfied, therefore, that the revised version of the Framework does not raise new considerations necessitating further submissions from the parties.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the local area, with particular regard to the extent to which it would conserve or enhance the character or appearance of the Market Place / London Street Conservation Area;
 - the effect of the proposal on the living conditions of the future occupiers of the development; and
 - the effect of the proposal on the accessibility and servicing of surrounding buildings.

Reasons

Character, Appearance and Conservation Area.

4. The appeal site relates to a car park / servicing yard (the courtyard) contained within the multi-storey urban block that faces onto Duke Street to the west, King's Road to the north, the River Kennet to the south, and Highbridge Wharf

to the east. The built form surrounding the site is of a considerable scale and includes predominantly residential to the south, and commercial uses at ground floor with residential above to the north and west. Vehicular access to the site is via Highbridge Wharf adjacent to the Grade II Listed Highbridge House.

5. The site is located within the Market Place / London Street Conservation Area (the CA). The CA is the subject of an Appraisal adopted by the Council in 2007. The Appraisal describes the special interest and character of the CA as including its long-held function as a mercantile and civic focus within Reading, and for the north-south route through the town, which is flanked by a range of historic and modern built form illustrating the development of the town. The Appraisal highlights the many examples of buildings with bricks (red, blue and buff) from Reading's extensive local brickworks, and the many fine examples of 19th century banks and commercial buildings.
6. The CA is, generally speaking, a tightly knit urban area composed of continuous frontages of two-, three- and four-storey buildings beside streets of varying length and width. The Appraisal advises that the area surrounding the site is less homogenous than elsewhere within the CA. Whilst the modern buildings immediately to the south and west of the site do not provide heritage interest, the Appraisal identifies the adjacent 12, 14, and 16 King's Road as buildings of townscape merit which make a positive contribution to the CA. The special interest of these buildings is derived from their detailing and building materials which provide the King's Road streetscape with interest and variety.
7. The 3-storey Grade II listed Highbridge House is early C19 and is constructed with red brick, stone cills, and a hipped slate roof. I find the significance of this listed building lies partly in the evidential value of its historic fabric, partly in its aesthetic value as a charming and characterful structure, and also in its contribution to the legibility of the historic development of Reading. The building contributes positively to the character and special interest of the CA and there is clear intervisibility between the site and Highbridge House.
8. The open space of the appeal site comfortably frames the surrounding multi-storey buildings, providing the substantial urban block with a degree of legibility when viewed from Highbridge Wharf. The proposed townhouses, their garden areas and boundary treatments, would appear incongruous within this space, dwarfed in scale in comparison to the surrounding urban block. The subdivision of the existing courtyard would result in a cramped and contrived layout with an uncomfortably narrow pedestrian access. The incongruous character and appearance of the development would be readily perceived from Highbridge Wharf in shared views of 12, 14, and 16 King's Road, and also in views from Highbridge House. It would not engage positively with the surrounding built form, and consequently would harm the character and appearance of the CA. Securing boundary treatment details by condition would not ameliorate the harms identified.
9. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires the decision maker to pay special attention to the desirability of preserving a building or its setting or any features of special architectural or historic interest which it possesses. In addition, Section 72 (1) of the Act requires that in making decisions on planning applications and appeals within a Conservation Area, special attention is paid to the desirability of preserving or enhancing the character and appearance of the area.

Therefore, in undertaking this duty, I have based my assessment on the evidence presented before me and the observations I made during my site visit.

10. Drawing this main issue together, for the reasons identified above, the development would have an adverse impact upon the character and appearance, and therefore the significance, of the CA as a designated heritage asset. It would, therefore, conflict with policies CC7 and EN3 of the Reading Borough Local Plan (2019), which taken together, require development to maintain and enhance local character and appearance, conserving and enhancing Conservation Areas.
11. The harm caused by the development to the significance of the CA as a designated heritage asset would be less than substantial. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal. I return to consider the proposals in respect of paragraph 208 later in my decision.

Living Conditions

12. The proposed townhouses would be 1-bedroom dwellings located within a dense urban area. Each dwelling would be provided with an area of outdoor amenity space to their front. The amenity spaces would provide useful outdoor space for the 1-bedroom dwellings, including for relaxing outside and the hanging of washing.
13. Whilst the amenity spaces would lack privacy given residents of the surrounding dwellings would overlook them, Policy H10 advises that flats may be provided with communal outdoor space, balconies and/or roof gardens. The small scale of the dwellings is akin to flatted development insofar as their small scale reduces the need for private external space. As such, given the dense urban surroundings of the site, I find the degree of overlooking would not render the proposed external amenity spaces unacceptable.
14. Future occupiers of the dwellings would, therefore, be provided with appropriate external amenity spaces in accordance with Policies H5, CC8 and H10 of the Reading Borough Local Plan (2019).

Accessibility

15. The development would result in the loss of an area of courtyard that currently provides parking, turning, and full access by service and emergency vehicles. The courtyard also currently allows for the efficient delivery of goods to the rear of adjacent commercial units. Whilst the appellant asserts that the adjoining commercial units are serviced to their frontages, there are parking restrictions within the public highway. The rear access provided by the existing courtyard provides efficient off-street access that is not constrained by highway parking restrictions.
16. The loss of open courtyard area would be detrimental to the efficient delivery of goods to the adjoining commercial units. The proposals are, therefore, contrary to Policy TR3 of the Reading Borough Local Plan (2019) and paragraph 116 of the Framework. Taken together, amongst other things, these policies require development to allow for off-street servicing and the efficient delivery of goods.

Other matters

Archaeology

17. The appellant submitted, at the appeal stage, additional information with regards to the archaeological implications of the proposals. Based on this additional information, the Council no longer objects to the development on the grounds of risk to archaeological interests subject to an appropriately worded condition with regards to this matter. I see no reason to disagree.
18. As such, with regards to archaeology, the development would not conflict with Policy EN2 of the Reading Borough Local Plan (2019).

Affordable Housing

19. The appellant has submitted a completed legal agreement in relation to the provision of a contribution towards affordable housing. Whilst the Council has concerns regarding the wording of the legal agreement, the appellant has shown a clear willingness to provide the required contribution. As such, I am satisfied that an amended legal agreement would address the Council's concerns. However, as I am dismissing the appeal for other reasons, there is no need for me to pursue this matter further or to seek amendments to the legal agreement.

Heritage Balance

20. The PPG¹ advises that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the Framework. The appeal proposal would add 2 further dwellings to the Council's housing stock, positively contributing to the Government's objective of significantly boosting the supply of homes. Future residents would contribute to the vitality of the area and would be able to easily access local facilities by sustainable transport modes.
21. There would also be some economic benefits resulting from the development, including the creation of jobs during construction, and new residents supporting local services and businesses. Taken together, given the small scale of the development, the identified benefits weigh moderately in favour of the development.
22. Framework paragraph 205 requires 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 substantial harm, total loss or less than substantial harm to its significance. Accordingly, I give great weight to the identified less than substantial harm to the CA. The public benefits of the scheme, even if taken together, do not outweigh the identified harm to the CA.

Planning Balance

23. Paragraph 225 of the Framework makes it clear that due weight should be given to existing development plan policies according to their consistency with the Framework. The Framework seeks to protect heritage assets, achieve development that is sympathetic to local character and history, and to create places that allow for the efficient delivery of goods. Therefore, the conflict

¹ Paragraph: 020 Reference ID: 18a-020-20190723 - Revision date: 23 07 2019

between the proposal and the identified relevant development plan policies in these regards is given significant weight.

24. Weighing against these negative impacts are the public benefits listed above in the heritage balance which, taken together, are afforded moderate weight. I have also had regard to the permission granted at Clarendon House referred to me by the appellant. However, I do not have full details of that scheme and so cannot be certain that the circumstances are the same. In any case I have considered the appeal proposal on its own merits.
25. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications and appeals must be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.

Conclusion

26. For the above reasons, the appeal is dismissed.

S D Castle

INSPECTOR