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## Appeal Decisions

Site visit made on 10 December 2024

by **A Tucker BA (Hons) IHBC**

an Inspector appointed by the Secretary of State

Decision date: 23<sup>rd</sup> January 2025

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### **Appeal A Ref: APP/E0345/W/24/3347609**

#### **27-33 Christchurch Road, Reading, RG2 7AA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Parma Dhillon of Agaram Properties Ltd against the decision of Reading Borough Council.
  - The application Ref is 221806.
  - The development proposed is part converting an existing house and 9 flats to 12 flats including extensions to lower ground and ground floors.
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### **Appeal B Ref: APP/E0345/Y/24/3347613**

#### **27-33 Christchurch Road, Reading, RG2 7AA**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
  - The appeal is made by Mr Parma Dhillon of Agaram Properties Ltd against the decision of Reading Borough Council.
  - The application Ref is 221807.
  - The works proposed are part converting an existing house and 9 flats to 12 flats including extensions to lower ground and ground floors.
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### **Decision**

1. The appeals are dismissed.

### **Preliminary Matters**

2. The appeals relate to the same works under different legislation. I have dealt with both appeals together in my reasoning.
3. The Council is in the process of updating its Local Plan. This is at an early stage and its draft policies attract little weight.
4. On 12 December 2024, during the appeal process, the Government published its revised National Planning Policy Framework (Framework). The main parties have had opportunity to comment on the revisions, and any comments received have been taken into account in my decision.
5. Amended plans were submitted with the appeal. These show minor revisions to the extension roof and the retention of a window at the rear. As the changes are minor, I am satisfied that I should take them into account in my determination of the appeals, and that no party would be prejudiced by my doing so.

## Main Issues

6. A main issue for both appeals is the effect of the works upon the significance of the grade II listed building known as 27-33 Christchurch Road<sup>1</sup>, and whether it would preserve or enhance the character or appearance of the Christchurch Road Conservation Area (CRCA).
7. Additional main issues for Appeal A are:
  - a. Whether it would secure adequate living conditions for its future occupants,
  - b. The effect of the proposal on trees, and
  - c. Whether the loss of the existing four storey dwelling would be acceptable in principle.

## Reasons

### *Listed building and conservation area*

8. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) require the decision maker to have 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. Additionally, section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
9. The appeal building is a terrace that was built as four dwellings in the 1840s. Three of the dwellings are divided into flats. The listing designation covers the terrace. Its rendered front façade has a distinguished appearance that is derived from its simple formality, scale and architectural detail that includes fine panelled doors that sit in deep recesses.
10. The rear façade is much more functional in appearance. It is finished in exposed brick, and each dwelling was originally served by a single sash to each floor, with one or two sashes alongside at half landing positions. Unlike the front which has seen little change, the rear has been altered more significantly, with new openings and mid-20<sup>th</sup> century single storey extensions. Despite this it still has some value as its functional appearance illustrates the different importance of the front and rear of the building, and provides some indication of its internal layout from the position of windows. Although the ground floor extensions are of a basic design, they are set down low and are largely hidden when viewed from the road.
11. Internally, the three dwellings that have been divided up retain very little historic joinery. Some retain an overall sense of a front and back room to each floor, including the retention of primary fabric such as walls and chimney breasts. Considerable value is however derived from the interior of No. 29, which remains in use as a single dwelling. It retains its original floor plan almost entirely, and various elements of historic fabric. The retention of fabric and historic layout to each floor elevates the significance of this part of the terrace, and is a characteristic that contributes considerably to the significance of the listed building.
12. Whilst most of the building's special interest is derived from the fine appearance of its front façade, its simpler rear elevation gives the building a good degree of

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<sup>1</sup> List Entry Number: 1154859

authenticity; therefore, its rear face, and remaining areas of unaltered brickwork and original openings, also contribute to the building's significance. Added to this is the value derived from historic fabric and remaining elements of its original floor plan.

13. The terrace stands at one end of a longer row of buildings called Whitley Terrace. All are listed, and the others are earlier than the appeal building. They are highly important elements of the building's setting that reinforce its historic association with the street. They stand within the CRCA. The CRCA covers an area of middle class 19<sup>th</sup> century expansion and is characterised by its rich historical and architectural heritage. It contains a variety of house types and styles from the 19<sup>th</sup> and early 20<sup>th</sup> century which retain their original character. The terrace is a key contributor to the character and appearance of the area and stands in a prominent position at a road junction and close to the grade II\* listed Christ Church.
14. The proposal would see the terrace extended for its full width at the rear, over the lower two storeys. The extensions would be served by separate low slung hipped roofs, which would correlate with the individual dwellings. Historic England states that the rear of terraces are generally easier to alter without compromising integrity. However, in this case the proposed extensions would be harmfully assertive. They would dominate the rear façade of the terrace and undermine its current functional and modest character. Their full width form would be at odds with the way terraced dwellings like this are usually extended, with partial width extensions that still allow natural light into the core of the building. The existing extensions take this form, as did those that were previously at the rear as evidenced by historic maps. Similarly, the extensions to the adjacent terrace are partial width; these provide a pleasant rhythm at the rear, and they have a clear additive and subservient form.
15. The proposal would see some modest improvements at the rear through the loss of the external staircases and rationalisation of waste pipes. However, additional windows would be added to the rear of No. 29, which would involve the loss of historic brickwork and a muddling of the primacy of the current windows alongside secondary windows that serve the staircases. Furthermore, several sash windows would be removed to facilitate the extensions. Therefore, as well as the inappropriate design of the extensions, the proposal would also result in the loss of several elements of historic fabric, causing considerable harm to the building's significance.
16. Significant internal changes are proposed. At lower ground floor level large areas of the rear walls would be removed to connect with the proposed extensions. The layout of no. 27 would be modestly improved by reinstating the lateral division between the front and rear rooms. However, this would be significantly eroded in nos. 31 and 33 by truncating the original rear rooms with partitions that would abut the centre of the chimney breast. Furthermore, the historic pantry arrangement at the lower ground floor level of no. 29 - with original joinery and partitions - would be erased. These interventions appear to have been developed with little regard to the significance of the building, including surviving elements of historic plan form and fabric. They would cause considerable harm to the building's significance.
17. At ground floor level, no. 29 features a pleasant arrangement that looks original and includes both front and back rooms with a neatly detailed pair of doors to connect the two. This would be entirely lost by the proposal that would see the rear

room divided up and a large portion of original rear area of this floor given over to circulation. This demonstrates a lack of appreciation for the primary status of this floor, which is clarified externally by the bold window surrounds and high level string course that separates it from the floor above.

18. There would be some improvement to nos. 31 and 33 at this level and to the floors above by reinstating the vertical division between the rooms and missing staircases. However, at ground floor level this benefit would be entirely undermined by dividing up the rear rooms with a secondary hallway and lateral partitions, thus downgrading the primary status of this floor and disguising the layout of the original rear rooms.
19. Several improvements are proposed for the first floor. As well as the benefits of reinstating the vertical division between nos. 31 and 33, the proposal would see the rear rooms reinstated. Some loss would however occur from the relocation of the original door that provides access to the front room in no. 29 – the reasons for which are unclear – and additional openings within the partitions that separate the front and back rooms.
20. The proposals for the floor above show no sensitivity to the existing front and back room arrangement. Original lateral partitions would be removed, the large front rooms would be reduced in size and chimney breasts would be offset and truncated. There would be some improvements by reinstating the staircase to no. 33 and the vertical division between this and no. 31, as well as the loss of the partitions that carve up the rear room of no. 27; however, the interventions would leave no sense of the original plan form of the building and would result in the loss of further historic fabric.
21. In summary, considerable harm would arise from the erection of the extensions, both as a result of their dominant form and their impact on the building's historic fabric. Other harms would arise from the internal changes that include a downgrading of the status of the primary ground floor by dividing up rooms, loss of fabric and a general muddling of the historic floor plans. As well as causing considerable harm to the significance of the listed building, the proposal would also harm the character and appearance of the CRCA because of the adverse visual impact of the extensions on the terrace, when viewed from Kendrick Road to the north and east.
22. In terms of the Framework, the harms would be less than substantial but would nevertheless be of considerable importance and weight. Paragraph 215 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.
23. The existing building is in a poor state of repair. It is clear that it is suffering from a long term lack of maintenance, and this has led to some irreversible harm to significant components of the building such as original joinery. It is suggested that the proposal would secure the full repair of the building. However, there is no mechanism before me to secure this, and nothing to give me confidence that the alterations would facilitate the building's repair given that it seems to have suffered for a prolonged period, despite the considerable income that would have been received from letting out the existing dwellings. Indeed, at my visit I saw that one of the flats is being renovated internally, despite the ongoing poor condition of the building's exterior.

24. Routine maintenance is part and parcel of property ownership, and particularly important for historic buildings where a lack of such can cause irreversible loss and damage. Furthermore, paragraph 209 of the Framework establishes that where there is evidence of deliberate neglect of a heritage asset, the deteriorated state of the heritage asset should not be taken into account. I therefore give little weight to this matter.
25. Overall, the proposal would increase the number of dwellings by two. The delivery of new housing is a public benefit as it would increase the supply of housing locally and therefore accord with the Government's objective to significantly boost the supply of new homes. The proposal would also address some of the clear deficiencies in the layout of some of the existing dwellings. The weight I give to this is however limited by the modest increase to the number of dwellings that the proposal would provide.
26. A modest economic benefit would arise from the construction jobs generated during the work, and from the occupants of the additional two units accessing local goods and services.
27. The proposal includes the replacement of inappropriate upvc fittings. This is put forward as a benefit, however the work appears to be fairly recent and without any evidence to the contrary would appear to be an alteration that needs to be regularised in any case. I therefore give this little weight.
28. Paragraph 212 of the Framework states that great weight should be given to the conservation of a heritage asset. Together the public benefits carry only limited weight, and they are not sufficient to outweigh the level of harm identified.
29. In summary, the proposal would fail to meet the requirements of the LBCA as it would harm the special interest of the listed building and fail to preserve the character and appearance of the CRCA. The proposal would also fail to accord with Policies CC7, EN1, EN3 and EN6 of the Reading Borough Local Plan 2019 (LP), insofar as they seek to ensure that development proposals are well designed, respond positively to local context, and protect the historic environment.

#### *Living Conditions*

30. The existing lower ground floor flats are awkwardly laid out and, in some cases, provide a poor standard of living accommodation. Additionally, the upper floor flats in no. 27 are small. All of the proposed units would be more thoughtfully laid out, with a better provision of living spaces and bedrooms. Some of the dwellings would be below the nationally described space standards (NDSSs), which can only be applied if there is a local Policy. Policy H5 of the LP refers to the NDSSs in the context of new build housing, which the proposal would not be. Accordingly, the NDSSs do not apply.
31. The window serving the bedroom of the lower ground floor flat for no. 29 is largely below ground. I appreciate it would be south facing, but only a small part would receive direct sunlight. This flat would have only a single opening at its opposite end, which would be north facing and therefore would not receive direct sunlight. This would leave the core area, which includes the kitchen and the hallway, feeling dark. The low level window would also provide very limited outlook.

32. It is unclear how the external space would serve the redeveloped building. The plans suggest that private areas would be formed at the rear of each of the lower level flats. The space beyond this would appear to be communal, with access from the car park to the side. On this basis occupiers of the upper eight flats would need to walk out onto Christchurch Road, around the side of the building, and through a shared parking area to access the communal garden. This area would therefore be considerably disconnected from the upper level flats. It would not be functional as required by the LP, and would not provide particularly safe or easy access for day to day use, especially for use by young families.
33. In summary, whilst there would be some improvements overall to the accommodation provided by the building, the upper floor flats would not have suitable access to private outdoor space, and the lower ground floor flat to no. 29 would have inadequate levels of daylight and sunlight. As a result, the proposal would not secure adequate living conditions for future occupiers, contrary to Policies CC8 and H10 of the LP, which together seek to ensure acceptable living conditions for new dwellings, including the provision of functional private or communal open space.

#### *Trees*

34. Existing tree cover at the site is limited to a small number of trees. Some of these are self-seeded and grow in inappropriate or awkward locations. It is clear that some would need to be removed to facilitate the rear extensions. Unhelpfully this information was not entered correctly on the submitted application form, and the plans further compound the matter by failing to accurately show the position of existing trees.
35. British Standard 5837:2012<sup>2</sup> suggests that a tree survey should be part of the evidence base that underpins the design and access statement, and that conditions should not be relied upon to secure a tree survey. In this case however, the existing tree cover is limited, and space would be retained to allow for the provision of replacement cover that could include an overall net gain. The uncontrolled impacts referred to in the British Standard are highly unlikely to be an issue for the appeal scheme.
36. If the appeal is allowed it would be straightforward to use a condition to require the submission of accurate information relating to trees, and to secure new planting as part of a landscaping scheme.
37. In summary, I am satisfied that a condition would be appropriate if the appeal is allowed, to manage the proposal's impacts on trees and ensure that it accords with Policies CC7, EN3 and EN14 of the LP and Objectives 4 and 11 of the Tree Strategy 2011, which seek to ensure that development is well designed, protects trees, and increases canopy cover.

#### *Loss of the existing dwelling*

38. Policy H8 of the LP seeks to avoid the significant loss of single family housing. The proposal relates to the loss of one dwelling, but would deliver four two bedroom dwellings that could be occupied by small families.

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<sup>2</sup> Trees in relation to design demolition and construction. Recommendations

39. Therefore, when considering the proposal as a whole the loss would not be significant and would not be contrary to Policy H8 of the LP.

### **Other Matters**

40. The appellant suggests that the Council's housing need has increased following the publication of the revised Framework. An exception to Paragraph 11 d) is provided where policies in the Framework that protect assets of particular importance provide a clear reason for refusing the proposal. Footnote 7 establishes that this includes designated heritage assets. I have found that the proposal would harm the special interest of the listed building and fail to preserve the character and appearance of the CRCA. It would not therefore accord with the Framework and Paragraph 11 d) would not be engaged.
41. I have found that the loss of the existing family sized dwelling would be acceptable and that the tree matters could be dealt with by a condition if the appeal was allowed. These are however neutral matters that do not weigh in favour of the proposal.
42. During the appeal the appellant submitted a signed and dated legal agreement. This relates to the Council's fifth refusal reason regarding the lack of a financial contribution towards the provision of off-site affordable housing. As I am dismissing the appeal for other reasons it has not been necessary for me to consider this further.

### **Conclusion**

43. The proposed development would be contrary to the development plan and there are no other material considerations, including the provisions of the Framework, that outweigh this finding. Therefore, for the reasons given, the proposal is unacceptable and the appeals should be dismissed.

*A Tucker*

INSPECTOR