

DELEGATED APPLICATION REPORT

Application No: 210982/LBC

Address: 75 Baker Street, Reading, RG1 7XY

Proposal: Retrospective application for internal works to a listed building.

Case Officer: David Brett

Applicant: Carol Shipton

Received on (Valid from): 15/06/2021

Target Date: Originally 10/08/2021; extension of time agreed until 24/09/2021

Site Description and Surrounding Area

The proposal site is a Grade II listed building (list entry number 1113394) located at 75 Baker Street within the Russell Street / Castle Hill / Oxford Road Conservation Area. The listing describes "61-79, BAKER STREET" as:

"Before 1840 (shown on Edward Weller map of 1840). A formal terrace of small red brick houses set back from road. 2 storeys and basement. Stucco string under 1st floor windows. Slate roof, hipped at each end, brick ridge chimneys. 2 windows each on 1st floor, 1 on ground floor, glazing bar sashes (No 61 plate glass). 4 panel door with radiating fanlight on ground floor. 1 window and door to basement."

Proposal

The proposal seeks retrospective Listed Building Consent for the following internal works:

- Installation of kitchen in basement.
- Conversion of existing bathroom to en-suite connecting to rear bedroom on 1st floor.
- Repair ceiling in rear bedroom: the original ceiling collapsed following a prolonged leak from the water tank in the attic; the ceiling was only partially reinstated (on the existing rafters) in order to allow some natural light into the attic floor.
- Installation of metal staircase to provide access to attic.
- Partition small section of attic and installation of WC.

Plans/Documents Considered

The applicant supplied the following plans and documents for this application:

- Site Location Plan
- Heritage Statement to accompany retrospective planning application for listed building - 75 Baker Street, RG1 7XY
- Application Letter dated 14/06/2021
- Existing Floor Plans - 01
- Existing First Floor and Loft Plan - 02

Received on 15/06/2021

- McCallums HomeBuyer Report

Received on 12/08/2021

Relevant Planning History

990811/LBC - Construction of an ensuite bathroom off main bedroom. - Application Permitted on 16/02/2001

External Consultees

The site notice was displayed from Wednesday 7th July 2021, expiring on Wednesday 28th July 2021. A press notice was published on Thursday 1st July 2021, expiring on Thursday 22nd July 2021. Objections to the application were received from the following:

- 67 Baker Street, Reading, RG1 7XY - Response received on 19/07/2021
- 69 Baker Street, Reading, RG1 7XY - Response received on 28/07/2021
- 73 Baker Street, Reading, RG1 7XY - Response received on 16/07/2021
- 77 Baker Street, Reading, RG1 7XY - Response received on 16/07/2021
- 79 Baker Street, Reading, RG1 7XY - Response received on 14/07/2021

The following is a summary of the 5 objections received:

- Concerns regarding structural integrity of the building as a result of the internal works.
- Concerns regarding the alteration of the internal layout and its impact on the historic fabric of the property.
- The use of the roof space as part of the living accommodation.
- Concerns that the changes made have harmed the aesthetic integrity of the house and terraced row.
- Concerns with regards to fire safety as a result of the modifications made to the loft space.

Local Groups

Reading Conservation Area Advisory Committee - No response received.

Internal Consultations

Reading Borough Council, Conservation & Urban Design Officer (CUDO) - Response received on 01/09/2021, summarised as follows

- *CUDO has inspected the site with an Enforcement officer.*
- *The CUDO considers that most of the works in principle would have been approved if applied for prior to being carried out.*
- *The upstairs (1st floor) bathroom to main bedroom was previously approved under application 990811.*
- *CUDO considers the stability of the terrace to no longer be an issue, as raised by public consultation responses. The structural integrity has been demonstrated within the Home Buyers Report, which was submitted for consideration by the new owner.*
- *The plaster ceiling in the top bedroom was damaged when the hot-water failed. CUDO states that the applicant cannot be forced to replace the ceiling.*
- *CUDO states that the WC in the roof loft is a strange anomaly, considering there is a new bathroom en-suite installed adjacent to the second-floor bedroom, which was approved. CUDO has asked the case officer to confirm with the new owner if the WC is to be retained.*
- *CUDO has asked case officer to confirm with the new owner if they intend to reinstate the ceiling to the first-floor bedroom.*
- *CUDO considers the alterations to the basement have been done to a reasonable fashion, with a structural beam and retaining nibs to show where the original wall was.*
- *The bathroom adjacent to the first-floor bedroom, was installed for an occupier with health issues. It has a raised floor and can clearly be seen as a later addition.*

- *CUDO considers the works to be generally acceptable, and the upgrades are considered to improve to the basic service facilities of the building. CUDO has discussed the application with the RBC Enforcement Officer and has concluded that they would be unlikely to prosecute should the works done be refused.*

Case Officer note: Based on the initial response from the CUDO, further clarification was sought in respect of the acceptability of the roof space works and the proposals as a whole.

Reading Borough Council, Conservation & Urban Design Officer - Updated response received on 06/09/2021, summarised as:

- *CUDO concluded that on balance the use of the roof space as a toilet would not affect the heritage significance or character of the upper part of the house.*
- *Overall it is considered that the proposals will not impact on the other terraces in Baker Street.*
- *The changes have allowed the on-going occupation of the building as a family residence.*

Case Officer note: The new owner of 75 Baker Street has stated verbally via a phone conversation that there are plans for the WC to the loft to be removed, and ceiling to the first-floor bedroom will be reinstated with potential alterations to the staircase leading from the bedroom to the loft. This is noted for information, although it is not part of this application and should any such works be proposed in the future, it is likely that they would require listed building consent in themselves.

Equality Act 2010

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

Relevant Planning Policy and Guidance

- Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.
- Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.
- Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework 2021;
National Planning Policy Guidance 2014 onwards;

Reading Borough Local Plan (November 2019)

- EN1: Protection and Enhancement of the Historic Environment

Russell Street / Castle Hill / Oxford Road Conservation Area Appraisal - March 2020

Appraisal

a) Protection and Enhancement of the Historic Environment

In accordance with policy EN1 of the Reading Borough Local Plan, all proposals will be expected to 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. Proposals should seek to avoid harm in the first instance. Any harm to or loss of a heritage asset should require clear and convincing justification, usually in the form of public benefits. In addition, applications affecting Listed Buildings will not have an adverse impact on those elements which contribute to their special architectural or historic interest including, where appropriate, their setting. 75 Baker Street is a two-storey middle terraced dwelling within 61-79 Baker Street. The listing describes the external features of the terraced row, none of which have been altered at the property. It is therefore considered that the elements that contribute to the architectural and historic interest of the terraced row, as per the listing, would remain intact.

The works for which retrospective Listed Building Consent is being sought relate to internal modifications to the basement, ground floor, first floor and loft to 75 Baker Street. Existing plans have been provided which demonstrate the layout of the property.

Paragraph 202 of the NPPF (2021) 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.”

In accordance with paragraph 202 of the NPPF (2021), it is considered that any harm caused as a result of the internal alterations to 75 Baker Street is outweighed by the benefit that the proposals have to the occupants of the dwelling house. The internal alterations made have not detrimentally impacted the external features of the terraced row.

Concerns have been raised within the consultation period for this application regarding the structural integrity of 75 Baker Street and the terraced row as a result of the internal changes made. A Home Buyer Survey has been submitted for consideration by the new owner of 75 Baker Street. The “Risks” section of the survey report concludes that there is no evidence of movement to the structure of the building, and that there is no evidence of serious settlement or ground heave at the property at the time of the inspection (10/05/2021). The report recommends various repair works and sign offs from Building Control, most notable of which are repair works to the staircase in the master bedroom to the loft. Repair works are also recommended to the external features of the property such as soffits and fascias.

Recommendations have been made to improve the roof structure and are encouraged to be sought in a future Listed Building Consent application. It has also been recommended

to the new owner within the report that sign off be sought for the installation of the staircase to the master bedroom from Planning and Building Control.

The Conservation & Urban Design Officer (CUDO) provided consultation feedback for this application, concluding that the works that have been carried out do not harm 75 Baker Street or the terraced row, and that the changes have allowed for the on-going occupation of the building as a family residence (a benefit). This view is considered on balance given the works that have been carried out to the loft space with the installation of a WC and internal walls. The CUDO has stated that the retrospective works in principle would have been approved if applied for prior to the development works being carried out. The new owner has verbally stated their intention to seek future works to 75 Baker Street, including reinstating the ceiling and to the main bedroom and changing the staircase to the loft, however, this does not change the existing situation at 75 Baker Street, and is not material to the consideration of this application.

Overall, and on balance, in this specific instance and partly owing to the context of this being sought retrospectively, it is considered that the internal works that have been carried out at 75 Baker Street have not harmed the integrity of the Listed Building to the point of refusal in this instance, as per observations from the Council's CUDO and in accordance with policy EN1 of the Reading Borough Local Plan. The main consideration in favour being that the benefit to the occupants of the works that have been carried out outweigh any harm caused to the Listed Building. The external architectural features and reasons for listing of 75 Baker Street, as per the listing description, and the terraced row remain intact. The survey report provided by the new owner highlights what works need to be carried out with regards to repair works and has emphasised the need for planning and building consent. It is regrettable that the Listed Building Consent was not sought prior to the works being carried out, however, on balance the internal works to 75 Baker Street are considered acceptable and not harmful to the Grade II Listed Building to the point of refusal.

It is emphasised that the works carried out to the internal layout of 75 Baker Street required Listed Building Consent prior to implementation. Planning Enforcement visited the site with the Conservation & Urban Design Officer and recommended the approach to the applicant of seeking retrospective Listed Building Consent. The outcome of this Listed Building Consent application has found that the works that have been carried out have not harmed the architectural significance of 61-79 Baker Street, and that the structural integrity of the terraced row remains intact. It has been made abundantly clear to the new owner as to the repair works and inspections that need to be carried out at the property and the need for prior Planning and Building Control consent for any works going forward.

Conclusion

The development has been assessed and the works are considered to be in accordance with the above relevant policies and Listed Building Consent can be granted.

Recommendation

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Conditions

None, owing to the wholly retrospective nature of the application.

Informatives

IF1: Positive and Proactive Working - approval

The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow consent to be granted within the agreed extended timescale for the decision to be issued.

IF6: Building Control

Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.

Solely the works shown

For the avoidance of doubt, no other works are approved except those as authorised by this Consent. Any other works required to the Listed Building may require a separate application for Listed Building Consent and/or an application for Permitted Works to a Listed Building.

Plans taken into account:

In reaching this decision the Council has taken into account the following plans and information submitted with the application:

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- Heritage Statement to accompany retrospective planning application for listed building - 75 Baker Street, RG1 7XY
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