

**43 & 43A London Street
Reading RG1 4PS**

Heritage Statement

DRAFT

June 2019

Consultancy for the
Historic Built Environment

KMIHeritage

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1 Introduction

- 1.1 This report has been prepared to support an application for planning permission in respect of proposals for the development of a site at 43 & 43A London Street, Reading RG1 4PS. The report has been prepared on behalf of Rose Hill Commercial Estates.

Purpose

- 1.2 The purpose of the report is to assess the proposed development for 43 & 43A London Street against national and local policies and guidance relating to the historic built environment.
- 1.3 This report should be read in conjunction with the drawings and Design & Access Statement prepared by DSP Architecture, the planning statement prepared by Vocalism and other application material.
- 1.4 KMHeritage prepared an Initial Heritage Statement to support pre-application discussions, and this report completes that work following amendments made to the scheme to reflect comments made by the Council and others.

Nomenclature

- 1.5 The land in question is referred to as 'the site' throughout this report'.
- 1.6 In 2015 English Heritage changed its name to 'Historic England' and a new charity, officially called the English Heritage Trust, took the name of English Heritage and responsibility for managing the National Heritage Collection of more than 400 state-owned historic sites and monuments across England. In this report reference is made both to 'English Heritage' and 'Historic England'.

Organisation

- 1.7 This introduction is followed by a description of the history of the site and an analysis of the heritage and townscape significance of the site and its context. Section 3 sets out the national and local policy and guidance relating to the historic built environment that is relevant to this matter. An analysis is provided in Section 4 of the proposed development and its effect in heritage terms. Section 5 examines the proposal in terms of legislation, policy and guidance, and Section 6 is a summary and conclusion.

Author

- 1.8 The author of this report is Kevin Murphy B.Arch MUBC RIBA IHBC. He was an Inspector of Historic Buildings in the London Region of English Heritage and dealt with a range of major projects involving listed buildings and conservation areas in London. Prior to this, he had been a conservation officer with the London Borough of Southwark, and was Head of Conservation and Design at Hackney Council between 1997 and 1999. He trained and worked as an architect, and has a specialist qualification in urban and building conservation.
- 1.9 Further research, analysis and drafting for this report was undertaken by Anne Roache M.A. Anne is an experienced researcher of over 25 years experience having worked for leading commercial organisations in the fields of property, planning and law. Alongside a specialisation in the archaeology, architectural and social history of London; Anne is also a qualified Field Ecologist, experienced in carrying out a range of ecological surveys.

2 The site and its surroundings

Introduction

- 2.1 This section of the describes the site, history of this specific part of Reading, the heritage context of the site and the heritage significance of the site and its surroundings.

The site

- 2.2 The site consists of No 43 London Street, a narrow property facing on to London Street, and the area behind which extends along the southern side of an alleyway know as Sim's (or Sims) Court leading eastwards from London Street towards East Street. This alleyway rises from the level of London Street towards a surface car park. This car park is accessed by means of a ramp from East Street. Between the site and East Street lies another development site, also in surface car park use until it served as a site compound for the redevelopment of the two office buildings facing Queen's Road to the north. The southern boundary of the site is formed by the northern elevation of dwellings in London Court. 43A London Street is a nondescript modern structure behind no 43, set against the southern boundary of the site, and raised slightly above the alley way surface
- 2.3 Photographs of the site are contained in Appendix A.

History

- 2.4 Reading was mostly contained within its medieval limits until the end of the 18th century, when the town began to expand as a result of improved transport links and industrialisation. London Street has medieval origins and is marked 'London Strete' on John Speed's 1611 map of Reading. In the late 18th and 19th century, London Street was one of the fashionable parts of town and many of the elegant houses which lined either side of the road still survive. Until the arrival of the railway, London Street was the main route for coaches from the town centre to

London, before they turned left into London Road. The Inner Distribution Road (IDR) was constructed in the 1970s cutting across London Street, and Queens Road, created in the 1830s as part of the eastward expansion of Reading, has, at its junction with London Street, been re-aligned and widened with an ensuing loss of many historic buildings.

- 2.5 Sim's Court is typical of a number of alley ways leading from London Street, that would have contained more humble cottages than the grander houses that lined the main thoroughfare. Historical mapping Figures 1-4, show the site at various points in time from the 19th century until now.



Figure 1: Ordnance Survey mapping, 1899



Figure 2: Ordnance Survey mapping, 1912



Figure 3: Ordnance Survey mapping, 1931

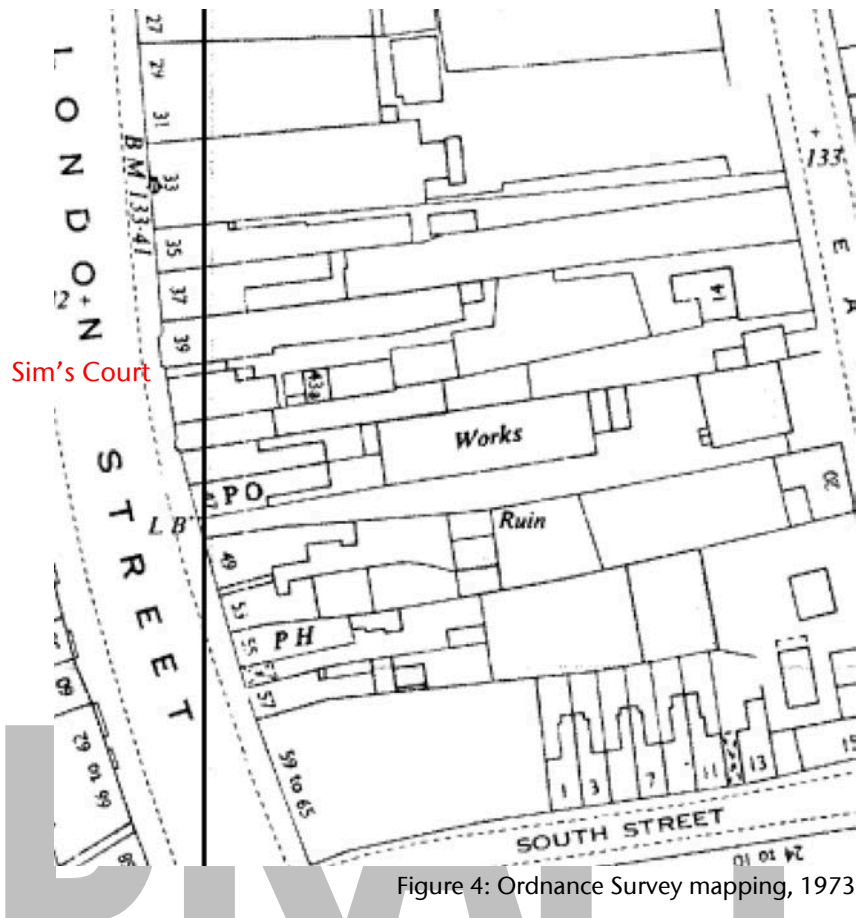


Figure 4: Ordnance Survey mapping, 1973

- 2.6 Goad insurance maps provide a snapshot of the site in 1895 and 1958, and the 1895 maps shows that Sim's Court was lined on both sides with houses. These survive in altered form on the north side of the alley way, but on the south side had been demolished by the post-war period.

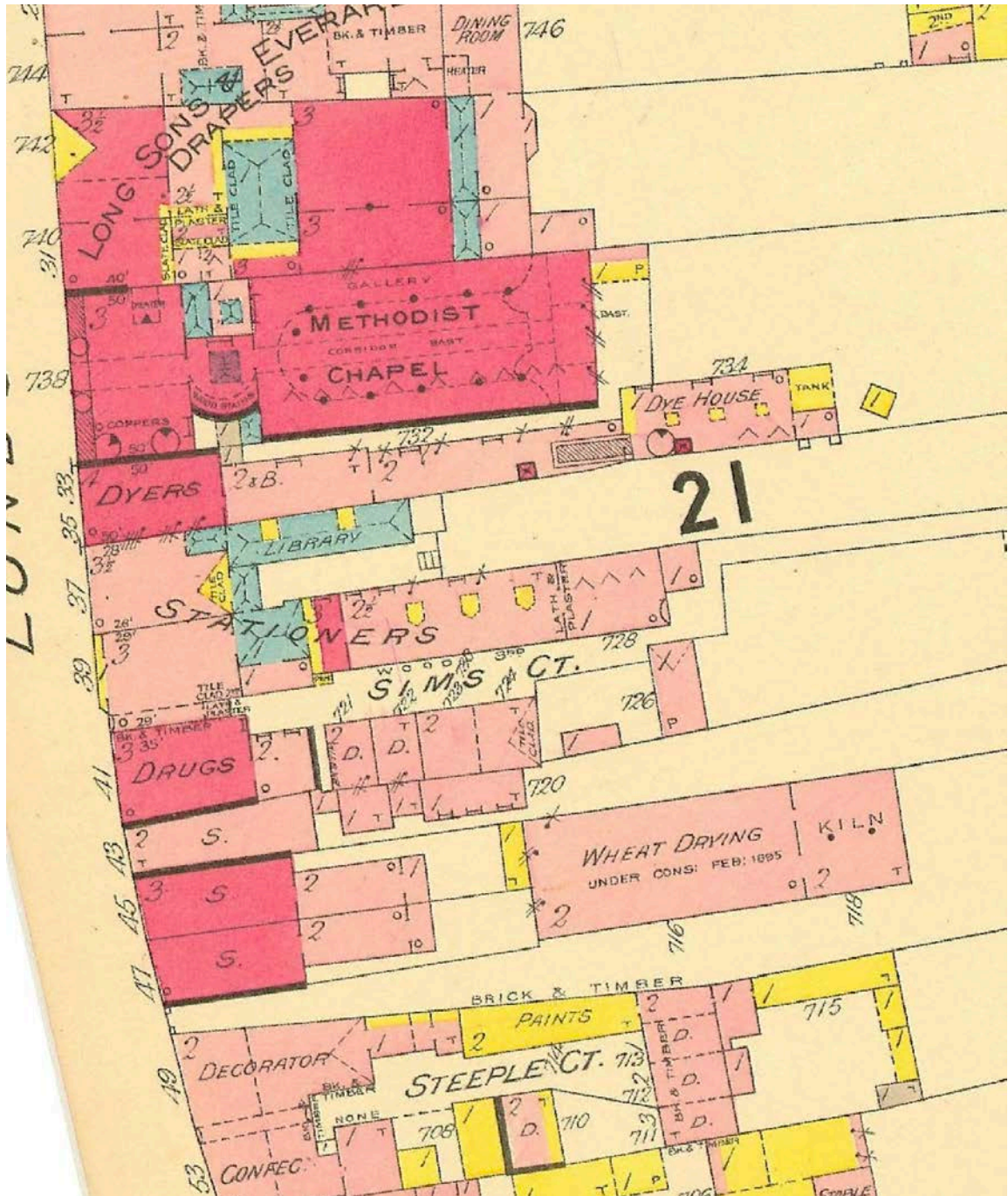


Figure 5: Goad insurance plan, 1895

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The heritage context

2.7 The site is located in the Market Place/London Street Conservation Area. The site is adjacent to or within a short distance of number of listed buildings:

- 33 London Street (The Great Expectations Hotel), Grade II
- 35 London Street (Grade II)
- 37 and 39 London Street (Grade II)
- 24 41 London Street (Grade II)

2.8 The following locally listed buildings are also adjacent to the site:

- 43, 45 and 47 London Street
- 1-4 London Court

2.9 The 'townscape appraisal map' in the conservation area appraisal (see Figure 7) shows the boundary of the conservation area and the location of statutorily listed buildings and Buildings of Townscape Merit.



Figure 7: the part of the Market Place/London Street Conservation Area in the vicinity of the site (© Reading Borough Council). Red indicates listed buildings, green indicates Buildings of Townscape Merit, blue arrows indicate 'important views'. Blue shading indicates the development site.

2.10 The site is located on the eastern boundary of the conservation area and the clear focus of this part of the sub-area is the historic route of London Street. The conservation area appraisal¹ makes a single reference to

¹ The conservation area appraisal is undated, though it would appear, in reference to policy and guidance, to pre-date the adoption of the current Core Strategy (2008, amended 2015) and the Sites and Detailed Policies document (2012, amended 2015), as well as the National Planning Policy Framework (2012).

the site, saying that ‘In the 1690s the Quakers worshipped in Sim's Court, behind no 39 London Street and William Penn, founder of Pennsylvania, USA, was a frequent visitor’; no evidence survives of this activity. In listing ‘features that make a positive contribution to the historic character and appearance of the conservation area’ the conservation area appraisal refers to ‘Side alleys and streets which afford glimpses and views to east and west’ though these are not identified in the text or in the ‘townscape appraisal map’ at the end of the document.

Heritage and townscape significance

Concepts and terminology

- 2.11 The listed buildings and conservation area are ‘designated heritage assets’, as defined by the National Planning Policy Framework (NPPF). Locally listed buildings (the Buildings of Townscape Merit) can be considered as ‘non-designated heritage assets’.
- 2.12 Significance’ is defined in the NPPF as ‘the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.’ The English Heritage publication ‘Planning for the Historic Environment Practice Guide’ defines significance as ‘the sum of its architectural, historic, artistic or archaeological interest’.
- 2.13 ‘Conservation Principles, Policies and Guidance for the sustainable management of the historic environment’ (English Heritage, April 2008) describes a number of ‘heritage values’ that may be present in a ‘significant place’. These are evidential, historical, aesthetic and communal value.
- 2.14 The conservation area and listed buildings have evident special architectural and historic interest. Any proposals for the site must have regard for the preservation of that

special interest, and the local significance of the Buildings of Townscape Merit.

Assessment

- 2.15 The listed and unlisted buildings of merit in the vicinity of the site, and their relationship to one another and the conservation areas, collectively illustrate the development of this part of Reading. They tell how medieval and post-medieval Reading evolved during the 18th, 19th and 20th centuries and in particular about the transformation of the area from the mid-late 19th century onwards. The recent history of the immediate area of the site provides evidence of the substantial changes brought about by redevelopment and transport initiatives (such as Queen's Road) in the late 20th century and the early 21st century. The area and its buildings are a record of social and economic change and lifestyles in various periods, and illustrate the effect these things had on the historic building stock and urban grain.
- 2.16 In terms of Historic England's 'Conservation Principles' the site and its surroundings provide us with 'evidence about past human activity' and, by means of the fabric, design and appearance of the site and surrounding built form, communicates information about its past. Alteration, demolition and redevelopment has not entirely removed the ability of the site and other historic buildings in the vicinity to do this, and the site and the conservation area retains sufficient historic character and appearance to convey historical ethos. However, the specific area south of Queens Road and east of London Street has been considerably denuded of its historical character through 20th century change.
- 2.17 London Street clearly has historical significance, given the nature of its role in Reading's southern development and in terms of the origins, historical uses and associations of its listed buildings and Buildings of Townscape Merit. There is practically nothing of any historic interest or historical value to the east of London Street within the

conservation area beyond the surviving underlying urban structure as expressed in alley ways or courts, and this includes the modern rear parts of the listed buildings facing or alongside the application site.

- 2.18 What does survive is the urban grain of spaces such as Sim's Court, though the buildings forming these spaces have either been demolished or heavily altered; this includes the locally listed buildings in London Court whose refurbishment has caused them to have a tangibly 'new' character with very little historic patina. 43 London Street, despite being locally listed, now retains very little of notable or meaningful significance. London Street and its older buildings possess aesthetic value in a variety of ways, but this very evidently does not extend to the more recent, low quality rear parts of each of the listed buildings or buildings such as the present 43A London Street. The aesthetic quality of the existing site and its immediate context is, by any measure, very poor and detracts from the character and appearance of the conservation area and the setting of the listed buildings

3 The legislative and policy context

Introduction

- 3.1 This section of the report briefly sets out the range of national and local policy and guidance relevant to the consideration of change in the historic built environment.
- 3.2 Section 6 demonstrates how the proposed development complies with statute, policy and guidance. Not all the guidance set out in this section is analysed in this manner in Section 6: some of the guidance set out below has served as a means of analysing or assessing the existing site and its surroundings in this report, and in reaching conclusions about the effect of the proposed development. Section 6 is concerned with how legislation and the adopted local plan are satisfied by the proposed development.

The Planning (Listed Buildings and Conservation Areas) Act 1990

- 3.3 The legislation governing listed buildings and conservation areas is the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'). Section 66(1) of the Act requires decision makers to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' when determining applications which affect a listed building or its setting. Section 72(1) of the Act requires decision makers with respect to any buildings or other land in a conservation area to pay 'special attention... to the desirability of preserving or enhancing the character or appearance of that area'.

The National Planning Policy Framework

- 3.4 The Government published a further revised version of the National Planning Policy Framework (NPPF) on 19 February 2019, following its first revision on 24 July 2018.

- 3.5 Chapter 12 of the National Planning Policy Framework, ‘Achieving well-designed places’, deals with design. It begins:

‘The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process’ (paragraph 124).

- 3.6 Paragraph 127 advises that ‘planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Proposals affecting heritage assets

3.7 Chapter 16 of the National Planning Policy Framework, ‘Conserving and enhancing the historic environment’, deals with Heritage Assets describing them as ‘an irreplaceable resource’ that ‘should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations’.²

3.8 Paragraph 189 says that:

‘In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.’

3.9 In terms of the local authority, paragraph 190 requires that they ‘identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.’

² The policies set out in this chapter relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making.

3.10 Paragraph 192 says that:

In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

Considering potential impacts

3.11 Paragraph 193 advises local planning authorities 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

3.12 Paragraph 195 says:

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and*
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*

- *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *the harm or loss is outweighed by the benefit of bringing the site back into use.*

- 3.13 Paragraph 196 says 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’ (paragraph 196).
- 3.14 In taking into account the effect of an application on the significance of a non-designated heritage asset the local authority should employ a ‘a balanced judgement’ in regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 197).
- 3.15 The NPPF introduces the requirement that ‘Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred (paragraph 198).
- 3.16 Where a heritage asset is to be lost, the developer will be required to ‘record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible’ (paragraph 199).³
- 3.17 In terms of enhancing the setting of heritage assets the NPPF states that ‘local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or

³ Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository.

which better reveal its significance) should be treated favourably. (paragraph 200).

- 3.18 It goes on to say that ‘Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole’ (paragraph 201).
- 3.19 Finally, paragraph 202 requires that the onus will be on local planning authorities to ‘assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies’.

Planning Practice Guidance

- 3.20 In 2014 the government published new streamlined planning practice guidance for the National Planning Policy Framework and the planning system. It includes guidance on matters relating to protecting the historic environment in the section entitled ‘Conserving and Enhancing the Historic Environment’. It is subdivided into sections giving specific advice in the following areas:
- Historic Environment Policy and Legislation
 - Heritage in Local Plans
 - Decision-taking: Historic Environment
 - Designated Heritage Assets
 - Non-Designated Assets
 - Heritage Consent Processes and

- Consultation Requirements

Historic England's guidance

- 3.21 Historic England provide guidance regarding the setting of heritage assets and how to assess the effect of change on that setting. They provide 'information on good practice to assist local authorities, planning and other consultants, owners, applicants and other interested parties in implementing historic environment policy in the National Planning Policy Framework (NPPF) and the related guidance given in the national Planning Practice Guide (PPG)'.
- 3.22 These notes are:
- GPA 1: The Historic Environment in Local Plans (2015);
 - GPA 2: Managing Significance in Decision-Taking in the Historic Environment (2015);
 - GPA 3: The Setting of Heritage Assets (2nd ed., 2017).
- 3.23 This last piece of guidance is addressed later in this section.
- 3.24 Historic England's 'Conservation Principles, Policies and Guidance for the sustainable management of the historic environment' is referred to in Section 2 of this report.

Reading's Local Plan

- 3.25 Local policy regarding the determination of planning applications is contained in a series of documents including the Core Strategy (2008, amended 2015) and the Sites and Detailed Policies document (2012, amended 2015).
- 3.26 Policy CS7 deals with 'Design and the Public Realm', and states:

All development must be of high design quality that maintains and enhances the character and appearance of

the area of Reading in which it is located. The various components of development form, including:

- *Layout: urban structure and urban grain;*
- *Landscape;*
- *Density and mix;*
- *Scale: height and massing; and*
- *Architectural detail and materials*

will be assessed to ensure that the development proposed makes a positive contribution to the following urban design objectives:

- *Character - a place with its own identity and sense of place*
- *Continuity and enclosure*
- *Quality of the public realm*
- *Ease of movement and permeability*
- *Legibility - clear image and easy to understand*
- *Adaptability – capable of adaptation over time*
- *Diversity – meets a wide range of needs.*

Developments will also be assessed to ensure that they:

- *Respond positively to their local context and create or reinforce local character and distinctiveness, including protecting and enhancing the historic environment of the Borough and providing value to the public realm;*

- *Create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion;*
- *Address the needs of all in society and are accessible, usable and easy to understand by them; and*
- *Are visually attractive as a result of good high quality built forms and spaces, the inclusion of public art and appropriate materials and landscaping.*

Applications for major and minor developments should be accompanied by a design and access statement that deal with all the above matters.

3.27 Policy CS33 deals with ‘Protection and Enhancement of the Historic Environment’, and says:

Historic features and areas of historic importance and other elements of the historic environment, including their settings, will be protected and where appropriate enhanced. This will include:

- *Listed Buildings;*
- *Conservation Areas;*
- *Other features with local or national designation, such as sites and features of archaeological importance, and historic parks and gardens*

Planning permission will only be granted where development has no adverse impact on historic assets and their settings. All proposals will be expected to protect and where appropriate enhance the character and appearance of the area in which they are located.

3.28 Policy DM4 deals with ‘Safeguarding Amenity’ and states:

Development will not cause a significant detrimental impact to the living environment of existing or new residential properties, in terms of:

- *Privacy and overlooking;*
- *Access to sunlight and daylight;*
- *Visual dominance and overbearing effects of a development;*
- *Noise and disturbance;*
- *Artificial lighting;*
- *Vibration;*
- *Dust and fumes;*
- *Smell; or*
- *Crime and safety.*

The position of habitable rooms, windows and outdoor living spaces will be particularly important. A back-to-back distance of 20 metres between dwellings is usually appropriate, although the circumstances on individual sites may enable dwellings to be closer without a detrimental effect on privacy.

As well as immediate impacts, other aspects to which this policy applies will include matters such as hours of operation of businesses, and effects of traffic movements, particularly of heavy goods vehicles (HGVs). Proposals which would generate regular movements of HGVs on residential roads will not be acceptable.

Where an otherwise acceptable development could change its character to a use that would have a greater impact on amenity without needing planning permission, conditions will be applied to restrict such changes.

Historic England guidance on the setting of heritage assets

- 3.29 Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets provides guidance regarding the setting of heritage assets and how to assess the effect of change on that setting. The document provides 'information on good practice to assist local authorities, planning and other consultants, owners, applicants and other interested parties in implementing historic environment policy in the National Planning Policy Framework (NPPF) and the related guidance given in the National Planning Practice Guide (PPG)'.
- 3.30 The guidance echoes the definition of 'setting' in the NPPF as 'the surroundings in which [the asset] is experienced' and continues: 'its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'.
- 3.31 The guidance provides, at Paragraph 12, a step-by-step methodology for identifying setting, its contribution to the significance of a heritage asset, and the assessment of the effect of proposed development on that significance:
- Step 1: identify which heritage assets and their settings are affected;
 - Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);
 - Step 3: assess the effects of the proposed development, whether beneficial or harmful, on that significance;
 - Step 4: explore the way to maximise enhancement and avoid or minimise harm;

- Step 5: make and document the decision and monitor outcomes.
- 3.32 The document then sets out how the step-by-step methodology is used and considers each step in more detail.

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4 The proposed scheme and its effect

Introduction

- 4.1 This section of the report describes the proposed scheme in terms of its effect on the heritage significance of the site and its context, described and analysed earlier in this report. The proposed scheme for the Site is illustrated in the drawings and Design & Access Statement prepared by DSP Architecture.

Background

- 4.2 The proposed scheme has been developed over an extended period and been the subject of pre-application discussions with the Council, scrutiny by the Design Review Panel and discussion with Reading Civic Society. The scheme design has been amended to reflect these discussions and to address the comments made by various stakeholders.
- 4.3 KMHeritage prepared an Initial Heritage Statement to support pre-application discussions.

The site now

- 4.4 The site as it is now found is at odds with the overall the conservation area. The cottages that would have embodied Sim's Court's historic character and appearance have either been heavily altered (on the north side) or demolished and replaced by a poor-quality building of no merit at all (on the south side). 43 London Street is in poor condition and has been insensitively altered. Spatially, Sim's Court is recent in character and appearance, consisting of modern surfaces and used for car parking. However, its importance lies in its form as a surviving historic alley way. Development of the site offers the opportunity to reinstate lost urban form and recover a sense of the historic townscape.
- 4.5 Planning permission (ref. 170019) was granted on appeal (ref. APP/E0345/W/17/3190317; decision date 10 August

2018) for a student housing development on the car park site on East Street, immediately to the east of the Sim's Court site. Further details are provided in the Design & Access Statement and the planning statement prepared by Vocalism.

The proposed scheme

- 4.6 The proposed scheme will reinstate built form in Sim's Court where it has been lost. Given the degree of change that has occurred within Sim's Court and to its east, it is wholly appropriate that new development within Sim's Court makes the most efficient use of the site to ensure its optimum viable use, while acknowledging and respecting the significance of its surroundings. It is not the case within the Sim's Court site that something is missing that simply needs to be put back and will thus 'fix' something that is 'broken' ; it is the case, rather, that a proposed scheme needs to address the site comprehensively so as to optimise its use and to create meaningful space that reinstates the court or alley way space.
- 4.7 That is what the proposed scheme does. An L-shaped development will recreate the spatial quality of the court using a contemporary architectural language. The scale of the development is in keeping with that of London Court to the south and the rear parts of the listed buildings to the north, and subservient to that of the buildings facing London Street. The scheme is also no greater than the height of the student housing development to the east.
- 4.8 The proposed scheme for No 43 London Street replaces the shabby and altered existing façade – which, in its present condition, has negligible heritage significance in terms of the conservation area - with a new development that acknowledges the greater significance of the buildings at No 41 and 45 London Street. Though making better use of the site by increasing the height of the infill, the proposals is still lower than those buildings.

The effect of the proposed scheme on heritage significance

- 4.9 The proposed scheme makes creative use of the site to provide needed housing, but does so in a way that preserves and enhances the conservation area, and the setting of listed and locally listed buildings. The scale of the proposed development is very clearly and indisputably – as shown in the submission drawings – in keeping with the scale and character of the conservation area. The reinstatement of Sim’s Court assists in recovering the legibility of the listed and locally listed buildings as part of a historic townscape.
- 4.10 An important consideration is the basic distinction between the main parts of the listed buildings adjacent to London Street facing into that street and the parts adjacent to the site. Put simply, the listed buildings may have heritage significance throughout, for various reasons, but the core special architectural or historic interest of the listed buildings must be considered as being found in those parts on London Street. This is also very evident in the modern alteration and extension that has occurred to the rear of the listed buildings and the Buildings of Townscape Merit.
- 4.11 Furthermore, the open view towards the rear parts of London Street from East Street is wholly artificial, and the product of demolition and dereliction in the 20th century. This was acknowledged in the appeal decision for the student housing site on East Street. The inspector stated that ‘the former presence of buildings on the appeal site suggests that such views are not historically representative. As such, I consider that the views available across the appeal site make a limited contribution to the heritage significance of the CA... Conversely the site’s openness is at odds with the prevailing urban grain’. It is clear, therefore, that views of the Sim’s Court site from east Street should not preclude its redevelopment.
- 4.12 The intervention to replace 43 London Street, notwithstanding its status as a locally listed building,

reflects the severely reduced significance of that building as a result of neglect and alteration. Its replacement by a high-quality new building is appropriate and will enhance the conservation area and the setting of adjacent listed and locally listed building.

Conclusion

- 4.13 As the appeal decision for the student housing acknowledged, the openness of sites between London Street and East Street caused by demolition and 20th century redevelopment does not constitute a merit that outweighs the benefit of reinstating lost urban form. It is entirely clear that reinstating the historic space of Sim's Court with a sensitive and carefully designed development proposal outweighs the effects this might have on the highly altered rear parts of the listed buildings facing London Street, that are of inherently of lesser special architectural or historic interest than those main parts facing the principal historic thoroughfare. The same applies to the local interest of the locally listed buildings.

5 Compliance with legislation, policy and guidance

Introduction

- 5.1 This report has provided an independent, detailed description and analysis of the significance of townscape and heritage significance of the site at 43 & 43A London Street and its heritage context, as required by Paragraph 189 of the National Planning Policy Framework. In addition, the report also describes (in Section 4) how the proposed scheme will affect heritage and townscape significance. The effect is positive, and for that reason, the scheme complies with policy and guidance. This section should be read with Sections .

The Planning (Listed Buildings and Conservation Areas) Act 1990

- 5.2 The conclusion of our assessment, as noted above, is that the proposed scheme at 43 & 43A London Street will preserve the setting of listed buildings and preserve and enhance the character and appearance of the Market Place/London Road Conservation Area. The proposed development thus complies with S.66(1) and S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.3 It is important to note that the legal requirement regarding satisfying Section 72(1) of the Act was established by *South Lakeland District Council v Secretary of State for the Environment and another* [1992] 1 ALL ER 573 and is met if the proposed development leaves conservation areas unharmed. We believe that it would be difficult to characterise the proposed scheme as doing anything less than leaving the Market Place/London Street Conservation Area unharmed.

The level of ‘harm’ caused by the proposed scheme to heritage assets

- 5.4 As outlined in Section 5, the NPPF identifies two levels of potential ‘harm’ that might be caused to a heritage asset by a development: ‘substantial harm...or total loss of significance’ or ‘less than substantial’. Both levels of harm must be caused to a *designated* heritage asset – in this case, the listed buildings, conservation areas, the registered landscape and the World Heritage Site.
- 5.5 The only potential for ‘substantial’ harm would be if the proposed scheme for the site caused the loss of something *central* to the special interest of these heritage assets. The proposal evidently does not give rise to this level of harm. We do not believe that any ‘less than substantial harm’ is caused by the scheme.
- 5.6 In any event, the public and heritage benefits of the proposed scheme more than outweigh any very low - and non-material - level of ‘less than substantial harm’ that *might* be asserted as being caused by the proposed development.

The balance of ‘harm’ versus benefit

- 5.7 In any event, the scheme provides a heritage benefit in the form of enhancement over the present situation that is explained earlier in this report and the Design & Access Statement. The points made in Section concerning the proposed scheme constitute tangible heritage benefits. The special architectural and historic interest of the nearby listed buildings and the character and appearance conservation area are preserved and enhanced as a result of the proposed scheme. In addition, the proposed scheme provides needed new housing in Reading town centre.

The National Planning Policy Framework

- 5.8 This report has provided a detailed description and analysis of the significance of the site and its context, as

required by Paragraph 189 of the National Planning Policy Framework.

- 5.9 The proposal satisfies Paragraph 192, sustaining and enhancing the heritage significance of the conservation area and its listed and unlisted buildings, putting the site in a viable use consistent with the conservation and enhancement of that significance. The scheme also makes a sustainable and positive contribution to the community and economic vitality of this part of Reading.
- 5.10 The proposed scheme complies with Paragraph 193 and 194 of the NPPF in that it conserves the heritage assets in question. We do not believe that the scheme involves any 'less than substantial harm to the significance of a designated heritage asset', but any such 'less than substantial harm' that *may* be ascribed to the scheme is greatly outweighed by the public and heritage benefits generated by the scheme in terms of helping to sustain the site in its 'optimum viable use' over the long term, satisfying paragraph 196.
- 5.11 The proposed development certainly 'enhances and reveals the significance of the heritage asset/the setting of heritage/preserve those elements of the setting that make a positive contribution to the asset' as required by paragraph 200.

Local Policy: Reading's Local Plan

- 5.12 In our view, the proposed scheme readily complies with Reading's Local Plan policies referred to by the Council in refusing planning permission for the proposed scheme. Our reasoning is set out in Sections 4 and 5.
- 5.13 We believe that – for the reasons we give – each of the criteria contained in Policy CS7 are met. The scheme will reinstate built form in Sim's Court where it has been lost, and will make efficient use of the site to ensure its optimum viable use, while acknowledging and respecting the significance of its surroundings. The drawings and Design & Access Statement make fully clear that the

scheme has been carefully considered and is appropriate in its response to the scale and spatial qualities of its context. The scheme will be legible in architectural and townscape terms. The layout and construction of the building will not preclude adaptation over time, the proposed use is relevant to housing needs of Reading as a town, and will assist in creating a healthy and sustainable mix of uses in this part of the conservation area and Reading. In our opinion, the layout, landscaping, density, mix, scale, height, massing and architectural approach have all been well considered and the result is a high quality and appropriate design.

- 5.14 Our detailed reasons as to why the proposed scheme will comply with Policy CS33 regarding the protection of the historic environment are contained in the previous section of this report.

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6 Summary and conclusion

- 6.1 This report has been prepared on behalf of Rose Hill Commercial Estates to support an application for planning permission in respect of proposals for the development of a site at 43 & 43A London Street, Reading RG1 4PS.
- 6.2 The report describes the history of the site and analyses its heritage and townscape significance of the site and that of its context. It identifies the relevant national and local policy and guidance, assesses the proposals and their effect and examines the proposal in terms of legislation, policy and guidance.
- 6.3 The proposed scheme will reinstate built form and the urban grain in Sim's Court where it has been lost. The scheme is a well-designed and sensitive response to its constrained site. It will make efficient use of the site to ensure its optimum viable use, while acknowledging and respecting the heritage significance of its surroundings. It provides significant public and heritage benefits by considerably enhancing the site, the setting of listed and locally listed buildings and the conservation area while providing needed housing in central Reading.
- 6.4 The conclusion of our assessment is, therefore, that the proposed scheme at 43 & 43A London Street site will preserve the setting of listed buildings and preserve and enhance the character and appearance of the Market Place/London Street Conservation Area. The proposed development thus complies with S.66(1) and S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. We also believe that the proposed scheme is consistent with the urban design and heritage policies of the National Planning Policy Framework and Reading's Local Plan.

Appendix A: Site photographs















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KMHeritage

72 Pymer's Mead

London SE21 8NJ

T: 020 8670 9057

F: 0871 750 3557

mail@kmheritage.com

www.kmheritage.com

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