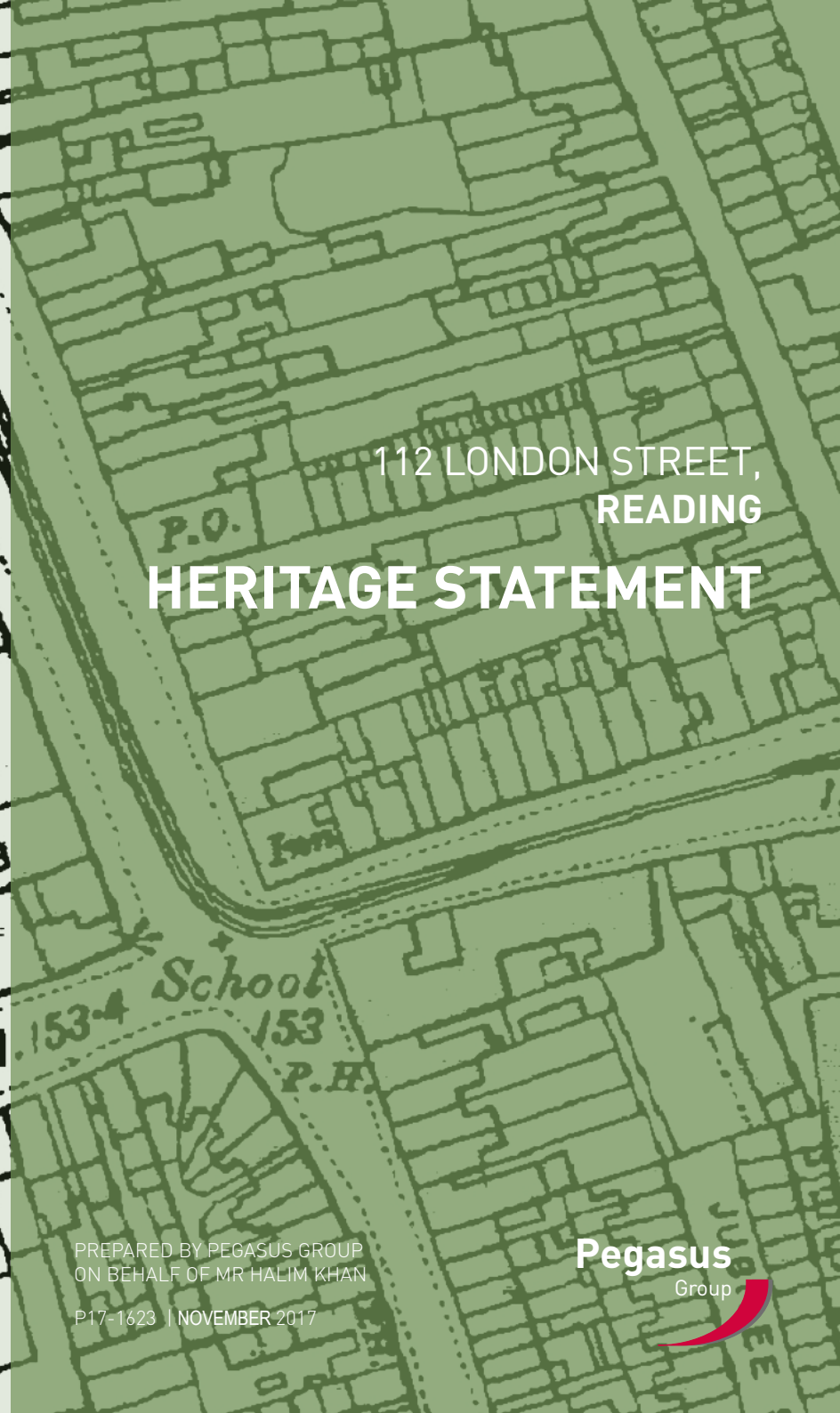
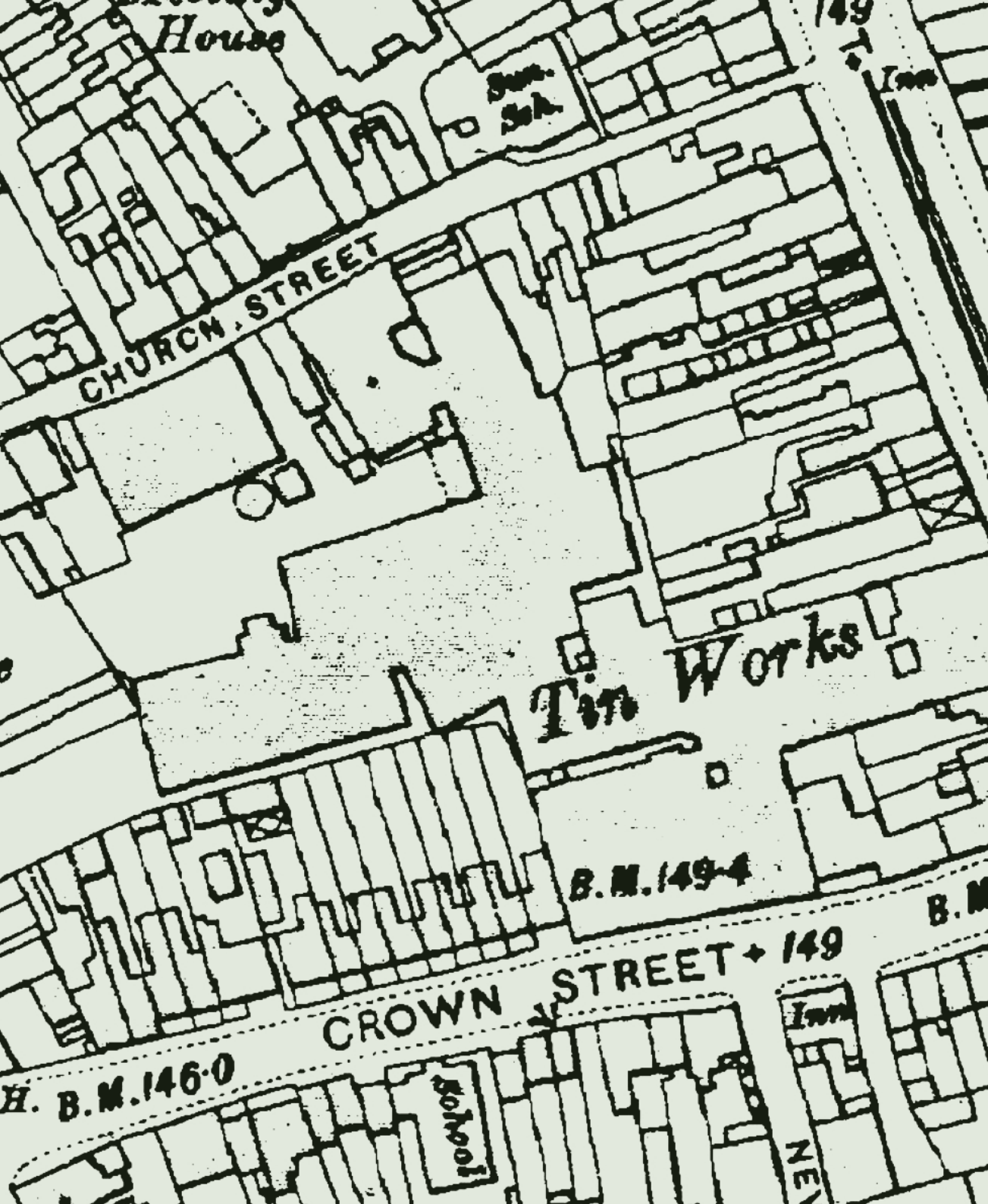




112 LONDON STREET,
READING
HERITAGE STATEMENT

PREPARED BY PEGASUS GROUP
ON BEHALF OF MR HALIM KHAN

P17-1623 | NOVEMBER 2017

Document Management				
Version	Date	Author	Approved by:	Reason for revision
1	15 th November 2017	CG	AR	-

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HERITAGE STATEMENT

112 LONDON STREET, READING RG1 4SJ

ON BEHALF OF: MR HALIM KHAN

PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990

Prepared by: Claire Gayle

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Summary

Pegasus Planning Group have been commissioned by Mr Halim Khan to prepare a Heritage Statement for the proposed demolition of the existing club and erection of two, three-storey blocks on the site containing three flats each at 112 London Street.

The application site is to the rear of Nos. 110 and 114 London Street, which are listed Grade II (under one entry). It has been established by Historic England that the application site is not within the curtilage of these buildings; however, the proposed development may have an impact on their setting. Additionally, the application site falls within the setting of other surrounding Listed Buildings. The site is also within the Market Place/London Street Conservation Area and contains what the LPA considers to be a non-designated heritage asset, the southern boundary wall.

The assessment has summarised that, with reference to the levels of harm prescribed by the NPPF, the proposals will cause no harm to the significance of the surrounding Listed Buildings, including the Grade II Listed Nos. 110 and 114 London Street, through a change to their setting. Their settings will be preserved, thus satisfying Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Likewise, the proposals are not considered to cause any negative impact on the character and appearance of the Conservation Area. Therefore, with reference to the levels of harm prescribed by the NPPF, the proposals will cause no harm to the Market Place/London Street Conservation Area. It's character and appearance will be preserved, thus satisfying Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

1. Introduction

- 1.1 Pegasus Planning Group have been commissioned by Mr Halim Khan to prepare a Heritage Statement for the proposed demolition of the existing club and erection of two three-storey blocks on the site containing three flats each at 112 London Street.
- 1.2 The application site is to the rear of Nos. 110 and 114 London Street, which are listed Grade II (under one entry). It has been established by Historic England that the application site is not within the curtilage of these buildings (Appendix 1); however, the proposed development may have an impact on their setting. The site is also within the Market Place/London Street Conservation Area.

APPENDIX 1: COMMITTEE REPORT UPDATE

- 1.3 Other Listed Buildings whose settings may be affected by the proposed development include:
- **No. 108 London Street – Grade II**
 - **No. 104 London Street – Grade II**
 - **Nos. 7 and 9 Church Street – Grade II**
 - **No. 11 Church Street – Grade II**

¹ NPPF, DCLG, 2012

- 1.4 Furthermore, the wall running along the southern boundary of the site is considered to be a non-designated heritage asset by the Local Authority, as propounded in the Committee Report of the previous application, where they stated that the impact of the proposals must consider this element of the site.
- 1.5 A map of the surrounding Listed Buildings and Conservation Area, including the relevant Character Area, can be found in Appendix 2.

APPENDIX 2: HERITAGE ASSET MAP

- 1.6 This Heritage Statement provides information with regards to the significance of the historic environment to fulfil the requirement given in paragraph 128 of the Government's National Planning Policy Framework (the NPPF¹) which requires:
- “an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.”**
- 1.7 In order to inform an assessment of the acceptability of the scheme in relation to impacts to the historic environment, following paragraphs 132 to 135 of NPPF, any harm the historic environment resulting from the proposed development is also described, including impacts to significance through setting.

- 1.8 As required by paragraph 128 of the NPPF, the detail and assessment in this report is considered to be “*proportionate to the asset’s importance and no more than is sufficient to understand the potential impact of the proposal on their significance*”.
- 1.9 In 2016, an application was made on the site for the erection of a mews building accommodating 10 residential flats, a courtyard garden and cycle and bin storage (LPA ref: 161935). This was refused on 8th December 2016. The Decision Notice can be found in Appendix 3. It is important to note that Historic England confirmed during the consideration of the application that No. 112 is not within the curtilage of the Grade II Listed Nos. 110 and 114.

**APPENDIX 3: DECISION NOTICE AND COMMITTEE
REPORT – LPA REF: 161935**

2. Site Description and Location

- 2.1 The site, No. 112 London Street, is currently occupied by the After Dark Club, but this is no longer operating. The building is a part mid-Victorian and modern building behind Nos. 110 and 114 London Street, a Grade II Listed Georgian terraced building.
- 2.2 The existing building is currently accessed from London Street through the passageway of the Listed Building and St. Giles Close to the rear (Plate 1 and Plate 2).



Plate 1: Nos. 110 and 114 London Street.



Plate 2: View of the rear of the application site and part of the After Dark Club.

Site Development

- 2.3 Built form is shown in the location of what is now Nos. 110 and 114 in as early as 1761 in John Roque's Map of Reading (Plate 3). However, it is important to note that the scale of the map is quite large and may not be accurate. The List Description states that Nos. 110 and 114 were constructed circa 1790. Nonetheless, the general extent of Reading is seen here, with London Street and Southampton Street being the principal

thoroughfares south of the Kennet River heading away from the town centre.



Plate 3: 1761 John Rocque Map

- 2.4 The 1802 Plan of Reading, drawn by Charles Coates, shows the buildings of London Street in more detail, including Nos. 110 and 114 (Plate 4). Other landmarks and streets are visible in this map, such as Church Street to the north of the application site and the Church of St. Giles to the west.



Plate 4: 1802 Plan of Reading, Coates.

- 2.5 The 1840 Plan of Reading, drawn by Weller, labels important landmarks in the area, however, none are shown on the application site (Plate 5). This map shows less detail than the previous map, but it demonstrates the growth of the road network south of the Kennet River, including the creation of new blocks to the east of the application site bounded by Watlington Lane, Queens Road and Albion Street.

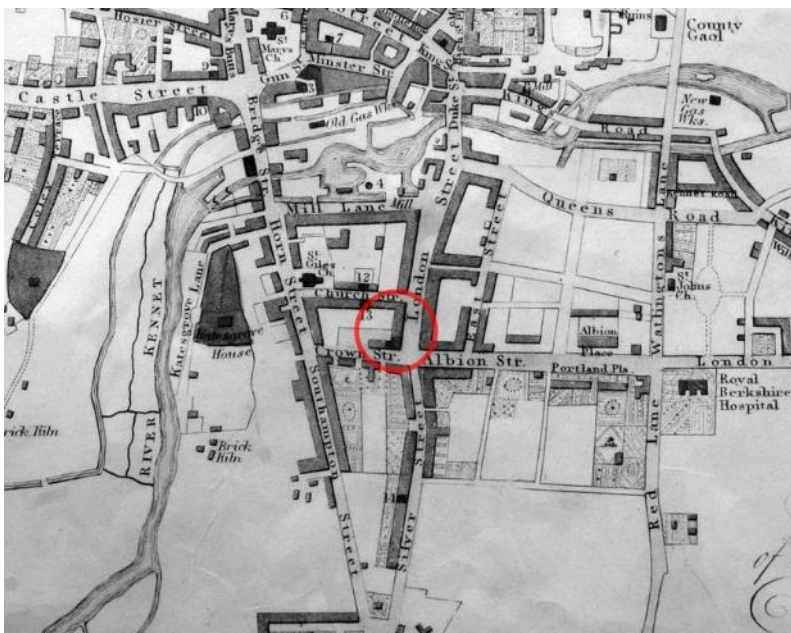


Plate 5: 1840 A New Plan of Reading, Weller

- 2.6 Built form in the location of the application site has been present as early as the end of the nineteenth century, as seen in the 1879 OS map, which shows a large building to the rear of Nos. 110 and 114 (Plate 6). There are also some smaller outbuildings to the rear of this building. The adjacent properties also show a variety of outbuildings to the rear of the host buildings along London Street. It is also evident that the Reading Tin Works are a significant feature within the map, occupying large buildings to the rear of the buildings fronting the High Street, the rear of buildings along Church Street and to the east of the Reading Bowling Green and associated green space of the Vicarage,

which is just off the left side of the map. In comparison with the 1840 map, the townscape is much more developed and possesses a close-knit quality.

- 2.7 Huntley, Boorne & Stevens became a significant enterprise in Reading, with beginnings as a bakery on London Street in 1822 to employing over 5000 people in 1900 and holding the title of largest biscuit manufacturer in the world. In 1918, the company became Huntley and Palmers.

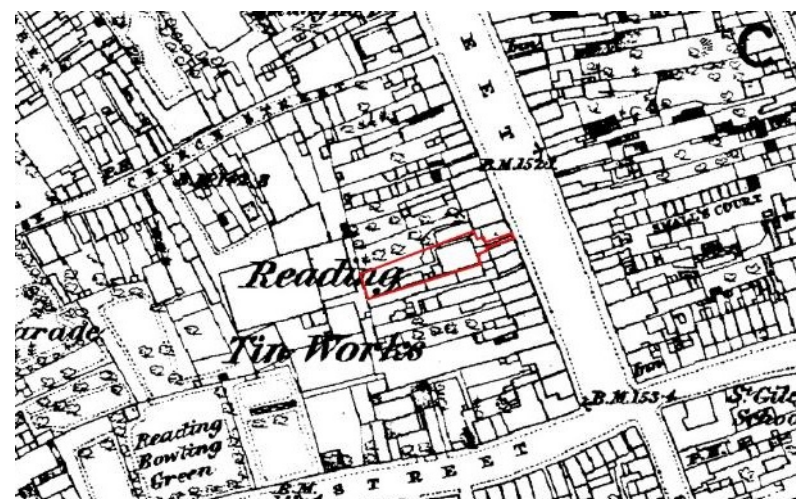


Plate 6: 1879 OS

- 2.8 The 1899 OS Map shows the extent of the Tin Works behind the application site, occupying former green space near the Vicarage as well as having frontages to both Church and Crown Streets (Plate 7). The Tin Works also appear to have occupied some frontage on London Street, removing the terraced buildings that

were to the south of the application site. The continued existence of various buildings on the application site is evident as well as other large buildings to the rear of the buildings on London Street.



Plate 7: 1899 OS

- 2.9 There is no significant change in the 1912 OS Map, apart from the creation of the Tramway, which opened in 1902 (Plate 8).
- 2.10 By the 1931 OS Map, the Tin Works have occupied the site just to the south of the application site and 'Hall' is written (Plate 9). The building on the application site still possesses the dog leg extension to the rear. Plate 10 shows a view of the interior of the factory with the southern boundary wall of the application site visible to the left.

- 2.11 The 1957 OS Map shows little changes to the wider area, apart from the removal of the Tramway (Plate 11). The application site still shows the Hall and the outbuildings and dog leg extension to the rear.

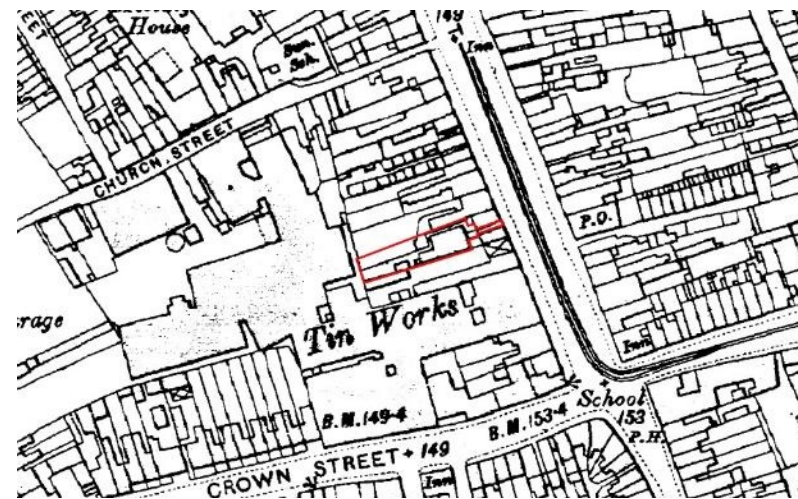


Plate 8: 1912 OS

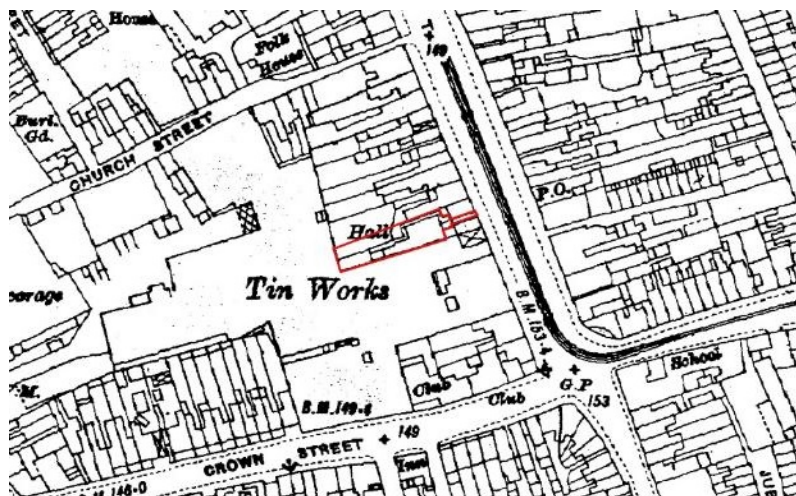


Plate 9: 1931 OS

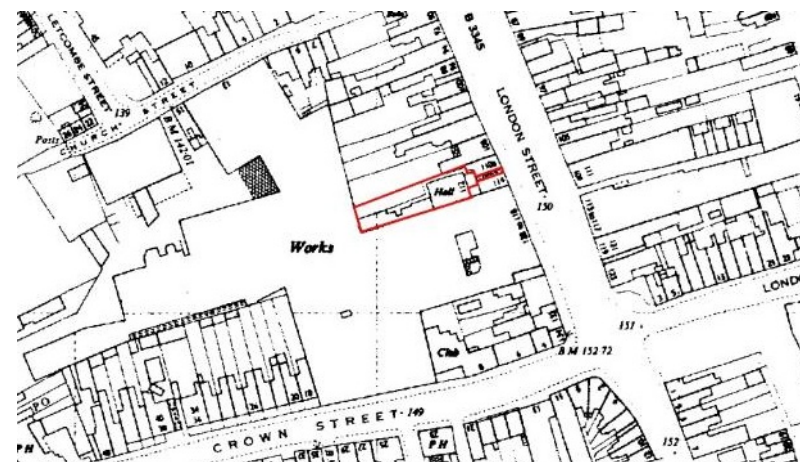


Plate 11: 1957 OS



Plate 10: Interior of the Tinplate Factory of Huntley, Boorne and Stevens, at London Street, Reading, c. 1930

2.12 Plate 12 shows that in 1969, the street still retained much of its historic character.



Plate 12: London Street looking south from Queen's Road, 1969.

- 2.13 At some point in the 1980s, the buildings to the rear of the Hall were demolished to create an extension to the Hall (Plate 13). This now housed the new Club, as depicted on the plan. Plate 14 shows the current Birds Eye view of the building with the earliest part possessing a hipped roof and the extension appearing as a series of lean-tos.
- 2.14 The Tin Works are no longer in existence and have been replaced to the west by St. Giles Close and a residential development. Buildings with a larger footprint than the historic terraces are shown along London Street and Crown Street in place of the former Tin Works. However, one of the walls is still present and forms the southern boundary of the site, with the arched brickwork visible in the adjacent car park.

APPENDIX 4: SOURCES

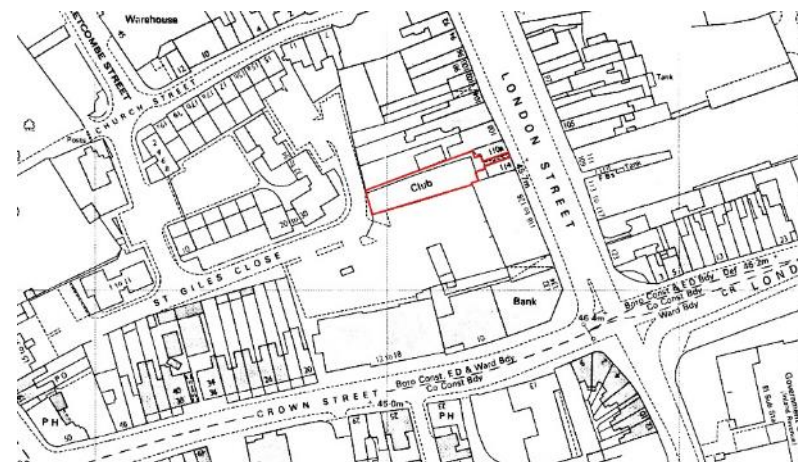


Plate 13: 1980-88 OS.



Plate 14: Birds Eye view of the building (Google).

Planning History

- 2.15 Whilst the historic mapping described above indicates the development of the local area, a review of the recent planning history records held online by Reading Borough Council has also indicated a number of applications which are relevant to the current proposals, as follows:
- 2.16 **890180** | Construction of lobby at side of property to provide sound insulation | Permitted 21/04/1989.
- 2.17 **930697** | Proposed internal modifications to provide mezzanine floor and rear access door | Permitted 25/02/1994.
- 2.18 **161935** | Demolition of existing night club. Erection of 10 new residential Class C3 apartments (5 x 1 bed and 5 x 2 bed) with courtyard garden, cycle and bin storage | Refused 8 December 2016.
- 2.19 The most recent application above was initially recommended for refusal based on the assumption that the building was curtilage listed, among other reasons involving amenity. The committee report initially stated:

“Since the potential associations of No. 112 with the Listed Buildings Nos. 110 and No. 114 are not discussed, the issue of curtilage listing has not been fully explored in the HIS. In addition, the remnants of the site associated with the Huntley, Boorne and Stevens Tin Works are not fully assessed.

The HIS cannot therefore be considered a full assessment of the significance of heritage

assets affected by the proposed development and its impact on the settings of the Listed Buildings and the character and appearance of the Conservation Area.”

- 2.20 However, further to consultation with Historic England regarding whether or not No. 112 was including in the listing or the curtilage of the building, the Committee Report was amended as the advice from Historic England concluded that No. 112 was not part of the curtilage Nos. 110-114, rather solely part of its setting.
- 2.21 The updated Committee Report stated:
- “No. 112 is a separate building with a separate curtilage so in HE’s view it should not be viewed as part of 110 and 114. Whatever the status of the building, there is still the impact of the proposals on the setting of the adjacent listed building and the conservation area to consider.”**
- 2.22 The Committee subsequently recommended that draft Reason for Refusal 1 be removed from the Decision Notice, stating:

“On the basis of the above, officers consider that whilst this is not a definitive response from Historic England, on balance, it is recommended that the statements relating to this issue put forward in the main Agenda report (paragraphs 6.9 – 6.15) and in the first reason for refusal regarding the identification of the Historic Asset should not be pursued and accordingly, the first reason for refusal should be removed. However, there are still considered to be significant concerns in terms of the impact on the settings of Listed

Buildings, the Conservation Area and the streetscene of St. Giles Close and therefore reason for refusal 2 should be retained, but with a slight adjustment to acknowledge that 110 and 114 (alone) are the Listed Buildings and not the club building itself.”

- 2.23 The application was subsequently refused for a number of reasons including reason 1 which related to heritage and stated:

“The proposal is a poor design solution in terms of its layout/location and height, bulk and massing. This would have a significant detrimental impact on the rear setting of Listed Buildings on London Street, failing to preserve or enhance views in this part of the Market Place/London Street Conservation Area. In addition, the general crampedness and lack of opportunity for landscaping, no active frontage to the streetscene / failure to connect visually to the site frontage of St. Giles Close and failure to relate to the existing pattern of development will produce a development which is neither comprehensive nor sympathetic to the character of the area. For these reasons the proposal is contrary to the National Planning Policy Framework (2012) Sections 7 and 12; Reading Borough LDF: Core Strategy (2008,

amended 2015) policies CS3 (Social Inclusion and Diversity), CS5 (Inclusive Access), CS7 (Design and the Public Realm), CS33 (Protection and Enhancement of the Historic Environment); and Reading Borough LDF: Reading Central Area Action Plan (RCAAP) (2009) policies RC5 (Design in the Centre) and RC14 (Public Realm).”

- 2.24 It is in this context that the current proposals should be considered, which have sought to resolve the concerns raised during the determination of the previous scheme.

3. Proposed Development

3.1 The application seeks Planning Permission for the demolition of the existing built form across the site and the construction of two, three-storey blocks on the site containing three flats each as shown on the Site Location Plan in Plate 15 and the Site Plan in Plate 16.

3.2 The proposals are detailed on the following plans which form the application package and which this assessment considers:

- **PL-01 Site Plan**
- **PL-02 Proposed Floor Plans**
- **PL-03 Proposed Elevations**
- **PL-04 Proposed Elevations**
- **PL-05 Street Elevation**
- **PL-06 Street Elevation**

3.3 Section 7 of this report presents an analysis of the harm or benefits of the proposed development on the identified heritage assets discussed at Section 6.

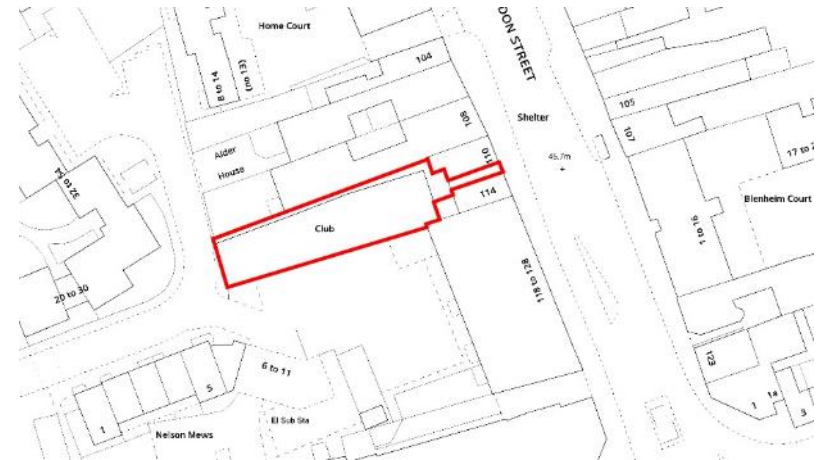


Plate 15: Site Location Plan.

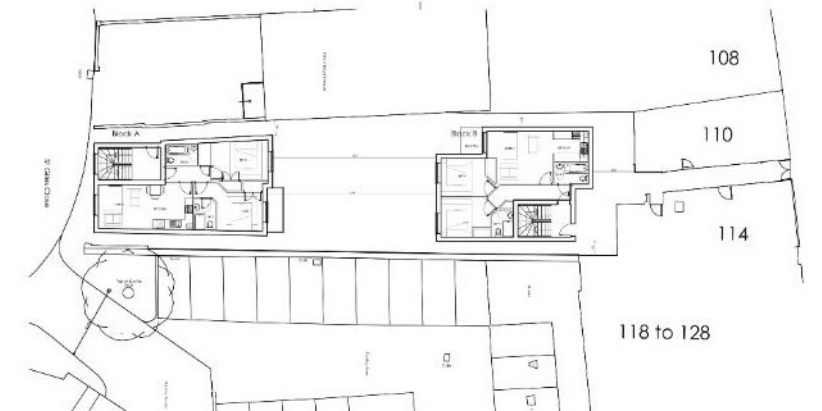


Plate 16: Site Plan.

4. Methodology

- 4.1 The aims of this Heritage Statement are to assess the contribution that the Site makes to the heritage significance of the identified designated heritage assets (Appendix 2), and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused if relevant.

Sources

- 4.2 The following key sources have been consulted as part of this assessment:

- **The National Heritage List for England;**
- **The Market Place / London Street Conservation Area Appraisal as prepared by Reading Borough Council;**
- **Historic Ordnance Survey Maps**
- **Aerial photographs and satellite imagery.**

Assessment of significance

- 4.3 In the NPPF, heritage significance is defined 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.”

- 4.4 Historic England’s Historic Environment Good Practice advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment² (henceforth referred to as ‘GPA 2: Managing Significance’) gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset. In order to do this, GPA 2: Managing Significance also advocates considering the four types of heritage value an asset may hold, as identified in Historic England’s Conservation Principles³; **aesthetic, communal, historic and evidential**. These essentially cover the heritage ‘interests’ given in the glossary of the NPPF, which comprise archaeological, architectural, artistic and historic interest.

- 4.5 *Conservation Principles* provides further information on the heritage values it identifies:

Evidential value: the potential of a place to yield evidence about past human activity. This value is derived from physical remains, such as archaeological remains, and genetic lines.

² Historic England, 2015, *Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment*

³ English Heritage 2008 *Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment*

Historical value: the ways in which past people, events and aspects of life can be connected through a place to the present - it tends to be illustrative or associative. Illustrative value is the perception of a place as a link between past and present people and depends on visibility. It has the power to aid interpretation of the past through making connections with and providing insights into past communities and their activities through shared experience of a place. By contrast, associative value need not necessarily be legible at an asset. But gives a particular resonance through association with a notable family, person, event or movement.

Aesthetic value: the ways in which people draw sensory and intellectual stimulation from a place. Aesthetic values can be the result of conscious design or fortuitous outcome or a combination of the two aspects. The latter can result from the enhancement of the appearance of a place through the passage of time.

Communal value: the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory. This can be through widely acknowledged commemorative or symbolic value that reflects the meaning of the place, or through more informal social value as a source of identity, distinctiveness, social interaction and coherence. Spiritual value may also be part of communal value.

- 4.6 Significance results from a combination of any, some or all of the values described above.

⁴ NPPF Annex 2

⁵ Ibid

- 4.7 Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

Setting and significance

- 4.8 As defined in the NPPF:

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”⁴

- 4.9 Setting is defined as:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may contribute to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”⁵

- 4.10 Therefore, setting can contribute to, affect an appreciation of significance or be neutral with regards to heritage values.
- 4.11 It is also important to note that whilst a physical or visual connection between a heritage asset and its setting will often exist, it is not essential or determinative. This was recently considered in a High Court Judgement⁶ where it was concluded that:

⁶ EWHC 1456, Steer v. Secretary of State for Communities and Local Government, Catesby Estates Limited, Amber Valley Borough Council, 2017.

“The term setting is not defined in purely visual terms in the NPPF which refers to the “surroundings in which a heritage asset is experienced”. The word “experienced” has a broad meaning, which is capable of extending beyond the purely visual”.

Assessing change through alteration to setting

- 4.12 How setting might contribute to these values has been assessed within this report with reference to *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets*⁷ (henceforth referred to as *GPA 3: The Setting of Heritage Assets*), particularly the checklist given on page 9. This advocates the clear articulation of ‘*what matters and why*’.
- 4.13 In *GPA 3: The Setting of Heritage Assets*, a stepped approach is recommended, of which Step 1 is to identify the heritage assets affected and their settings. Step 2 is to assess ‘*whether, how and to what degree settings make a contribution to the significance of the heritage asset(s)*’. The guidance includes a (non-exhaustive) check-list of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, land use, green space, functional relationships, degree of change over time and integrity. It also lists points associated with the experience of the asset which might be considered, including: views,

intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and associative relationships.

- 4.14 Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is ‘*maximising enhancement and minimising harm*’. Step 5 is ‘*making and documenting the decision and monitoring outcomes*’.
- 4.15 Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.

Levels of significance

- 4.16 In accordance with the levels of significance articulated in the NPPF, three levels of significance are identified:
- **Designated heritage assets of the highest significance**, as identified in paragraph 132 of the NPPF comprising Grade I and II* Listed buildings; Grade I and II* Registered Parks and Gardens; Scheduled Monuments; Protected Wreck Sites and Registered Battlefields (and also including some Conservation Areas) and heritage assets demonstrably of equivalent significance to Scheduled Monuments, as identified in paragraph 139 of the

⁷ Historic England, 2015, *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets*

NPPF;

- **Designated heritage assets of less than the highest significance**, as identified in paragraph 132 of the NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas); and
- **Non-designated heritage assets.** Non-designated heritage assets are defined within the Government's Planning Practice Guidance as "*buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets*⁸".

4.17 Additionally, it is of course possible that sites, buildings or areas have **no heritage significance**.

Assessment of harm

4.18 Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

4.19 In order to relate to key policy, the following levels of harm may potentially be identified:

- **Substantial harm or total loss.** It has been

clarified in a High Court Judgement of 2013⁹ that this would be harm that would 'have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced'; and

- **Less than substantial harm.** Harm of a lesser level than that defined above.

4.20 It is also possible that development proposals will cause **no harm or preserve** the significance of heritage assets. A High Court Judgement of 2014 is relevant to this¹⁰. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, 'preserving' means doing 'no harm'.

4.21 Preservation does not mean no change; it specifically means no harm. *GPA 2: Managing Significance* states that "*Change to heritage assets is inevitable but it is only harmful when significance is damaged*". Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

4.22 As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in *GPA 3: The Setting of Heritage Assets*, described above. Again,

⁸ DCLG, Planning Practice Guidance, Paragraph: 039 (ID: 18a-039-20140306, Revision date: 06 03 2014)

⁹ EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council

¹⁰ EWHC 1895, R (Forge Field Society, Barraud and Rees) v. Sevenoaks DC, West Kent Housing Association and Viscount De L'Isle

fundamental to the methodology set out in this document is stating ‘*what matters and why*’. Of particular relevance is the checklist given on page 11 of *GPA 3: The Setting of Heritage Assets*.

4.23 It should be noted that this key document states that:

“setting is not a heritage asset, nor a heritage designation”

4.24 Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.

4.25 With regards to changes in setting, *GPA 3: The Setting of Heritage Assets* states that “*protection of the setting of heritage assets need not prevent change*”.

4.26 Additionally, it is also important to note that, as clarified in the Court of Appeal¹¹, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require planning permission to be refused.

Benefits

4.27 Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage values and hence significance of the assets concerned.

¹¹ *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061 (04 November 2016)

5. Planning Policy Framework

5.1 This section of the Statement sets out the legislation and planning policy considerations and guidance contained within both national and local planning guidance which specifically relate to the application site, with a focus on those policies relating to the protection of the historic environment.

Legislation

5.2 Legislation relating to the Built Historic Environment is primarily set out within the Planning (Listed Buildings and Conservation Areas) Act 1990 which provides statutory protection for Listed Buildings and Conservation Areas.

5.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

“In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall 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”.

5.4 In the 2014 Court of Appeal judgement in relation to the Barnwell Manor case¹², Sullivan LJ held that:

“Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight” when the decision-maker carries out the balancing exercise.”

5.5 Recent judgement in the Court of Appeal¹³ (‘Mordue’) has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134, see below), this is in keeping with the requirements of the 1990 Act.

5.6 With regards to development within Conservation Areas, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

“In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

5.7 Notwithstanding the statutory presumption set out within the Planning (Listed Buildings and Conservations Area) Act 1990,

¹² East Northamptonshire District Council v SSCLG (2015) EWCA Civ 137

¹³ Jones v Mordue Anor (2015) EWCA Civ 1243

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

National Policy Guideline

The National Planning Policy Framework (March 2012)

- 5.8 National policy and guidance is set out in the Government's National Planning Policy Framework (NPPF) published in March 2012. This replaced the previous suite of national Planning Policy Statements, Planning Policy Guidance notes and some Circulars, including those related to heritage, with a single streamlined document. The NPPF needs to be read as a whole, and is intended to promote the concept of delivering sustainable development.
- 5.9 The NPPF sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The NPPF continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.
- 5.10 The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable

development (the 'presumption') sets out the tone of the Government's overall stance and operates with and through the other policies of the NPPF. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

- 5.11 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF sets out three 'dimensions' to sustainable development: an economic role, a social role, and an environmental role. The presumption is key to delivering these ambitions, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the NPPF. The presumption is set out in full at paragraph 14 of the NPPF and reads as follows:

“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means that:

- **local planning authorities should positively seek opportunities to meet the development needs of their area;**

- **Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:**
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

For decision-taking this means:

- **approving development proposals that accord with the development plan without delay; and**
- **where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:**
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.”

5.12 However, it is important to note that footnote 9 of the NPPF applies in relation to the final bullet of paragraph 14. This provides a context for paragraph 14 and reads as follows:

“For example, those policies relating to sites protected under the Birds and habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.” (our emphasis)

5.13 The NPPF continues to recognise that the planning system is plan-led and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

5.14 The NPPF also sets out 12 no. core planning principles for delivering sustainable development. For the purposes of this Statement, particular regard should be had to the tenth core principle, which identifies at paragraph 17 of the NPPF that planning should:

“conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”

5.15 Heritage Assets are defined in Annex 2 of the NPPF as:

“A building, monument, site, place, area or landscape meriting consideration in planning decisions, because of its heritage interest.

Heritage assets include designated heritage assets and assets identified by the Local Planning Authority (including Local Listing)”

5.16 The NPPF goes on to define a Designated Heritage Asset as:

“World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation¹⁴” (our emphasis)

5.17 As set out above, significance is also defined 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 setting¹⁵”

5.18 Section 12 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 129 that:

“Local planning authorities should 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 assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal”

¹⁴ NPPF, Annex 2

5.19 Paragraph 131 goes on to state that:

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

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;**
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and**
- The desirability of new development making a positive contribution to local character and distinctiveness”**

5.20 With regard to the impact of proposals on the significance of a heritage asset, paragraph 132 is relevant and reads as follows:

“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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alterations or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings,

¹⁵ IBID

grade I and II* registered parks and gardens, and World Heritage Sites should be wholly exceptional”

- 5.21 In the context of the above, it should be noted that paragraph 133 reads as follows:

“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”**

- 5.22 Paragraph 134 goes on to state:

“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 securing its optimum viable use”

- 5.23 The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 137 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 or better reveal the significance of the asset should be treated favourably”

- 5.24 Paragraph 138 goes on to recognise that *“not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance”* and with regard to the potential harm from a proposed development states:

“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 as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, 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” (our emphasis)

- 5.25 With regards to non-designated heritage assets, paragraph 135 of NPPF states that:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the

application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

5.26 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

5.27 As set out later in this Statement, it can be demonstrated that the proposals would serve to preserve the setting and thus significance of the Grade II Listed Nos. 110 and 114 London Street and the other Listed Buildings within the vicinity of the application site, as well as the character and appearance of the Market Place/London Street Conservation Area. Thus, Planning Permission should be granted as per the requirements of paragraphs 186 and 187 which state that:

“Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development...Local authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local

planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.”

National Planning Guidance

5.28 The Department for Communities and Local Government (DCLG) launched the planning practice web based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.

5.29 This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

5.30 The PPG has a discrete section on the subject of ‘Conserving and enhancing the historic environment’ which confirms that the consideration of ‘significance’ in decision taking is important and states:

“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential

impact and acceptability of development proposals¹⁶

5.31 In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

"In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting¹⁷.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the

¹⁶ PPG, paragraph 009 (ID: 18a-009/20140306 revision date 06.03.2014)

¹⁷ PPG, paragraph 017 (ID: 18a-017-20140306 revision date 06.03.2014)

potential to cause substantial harm" (our emphasis)

5.32 With regard to design the PPG states at paragraph 02 that:

"Good design should:

- **ensure that development can deliver a wide range of planning objectives**
- **enhance the quality of buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on well being**
- **address the need for different uses sympathetically¹⁸.**

5.33 Paragraph 23 goes on to explain how to consider buildings and the spaces between them and reads as follows:

"Plans, policies and decisions can effectively manage physical form at a variety of scales. This is how planning can help achieve good design and connected objectives. Where appropriate the following should be considered:

- **layout – the way in which buildings and spaces relate to each other**
- **form – the shape of buildings**

¹⁸ PPG, paragraph 02 (ID: 26-002-20140306 revision date 06.03.2014)

- **scale – the size of buildings**
- **detailing – the important smaller elements of buildings and spaces”¹⁹**

Local Planning Policy

5.34 Planning applications within No. 112 London Street are currently considered against the policy and guidance set out within the Reading Borough Council Core Strategy (Adopted January 2008 and altered January 2015) and the Reading Central Area Action Plan (Adopted January 2009).

5.35 The relevant policy from the Core Strategy is Policy CS33: Protection and Enhancement of the Historic Environment, which states:

“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.”

5.36 The relevant policy from the Central Area Action Plan is RC5: *Design in the Centre*, which states:

“Applications for development within the Reading central area should demonstrate the following attributes:

a. Development will build on and respect the existing grid layout structure of the central area, providing continuity and enclosure through appropriate relationships between buildings and spaces, and frontages that engage with the street at lower levels, and contributing towards enhanced ease of movement through and around the central area;

b. Development will provide appropriate, well designed public spaces and other public realm, including squares, open spaces, streetscape, utilising high quality and well-maintained hard and soft landscape, public art, that provide suitable functions and interest, sense of place and safe and convenient linkages to adjoining areas;

c. The architectural details and materials used in the central area should be high quality and respect the form and quality of the

¹⁹ PPG, Paragraph 23 (ID: 26/023/20140306 revision date 06.03.2014)

detailing and materials in areas local to the development site;

d. Development and any associated public realm should contribute to the diversity of the central area, be capable of easy adaptation over time to meet changing circumstances, and be designed to enhance community safety.”

Local Plan Policies with regards to the NPPF and the 1990 Act

- 5.37 With regard to Local Plan policies, paragraph 215 of NPPF states that:

“due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.

- 5.38 In this context, where local plan policy was adopted well before the NPPF, and does not allow for the weighing of harm against public benefit for designated heritage assets (as set out within Paragraph 134 of the NPPF) or a balanced judgement with regards to harm to non-designated heritage assets (see NPPF Paragraph 135) then local planning policies would be considered to be overly restrictive compared to the NPPF, thus limiting the weight they may be given in the decision-making process.
- 5.39 In this case, although the policies within the Central Area Action Plan are of relevance, they were adopted prior to the inception

of the NPPF, and as so the weight which can be attributed to it will be determined by its consistency with the policy guidance set out within the NPPF. Since the above policies do not allow for a balanced judgement to be undertaken by the decision maker, the policy is not considered to reflect the guidance within the NPPF and therefore considered to be out of date. Thus, the weight which can be attached to it in the decision-making process is limited.

- 5.40 This interpretation of the requirements of the NPPF has been accepted by a number of Appeal Inspectors and also ratified by the Secretary of State in their consideration of the Appeal by Gallagher Estates Ltd at Land South of Gallows Hill/West of Europa Way, Warwick ²⁰with regards to the Local Plan policies adopted prior to the publication of the NPPF.
- 5.41 With regards to the Core Strategy, although the plan and policies were altered after the inception of the NPPF, it also does not allow for the balancing exercise to be undertaken. As such, the policies are not considered to reflect the guidance within the NPPF and thus the weight that can be attached to it in the decision-making process is limited.
- 5.42 This interpretation of the requirements of the NPPF has been accepted by a number of Appeal Inspectors, including the Appeal Inspector in the consideration of the Appeal by Gladman Developments Ltd at Land of Milton Way, Leek²¹ with regards to

²⁰ PINS ref: APP/T3725/A/14/2229398

²¹ PINS ref: APP/B3438/W/15/3005261

Local Plan policies adopted after the publication of the NPPF which do not allow for a weighing of public benefits against harm and thus conflict with the requirement of paragraphs 132-135 of the NPPF.

6. The Historic Environment

6.1 The designated heritage assets that are considered in this report include:

- **Nos. 110 and 114 London Street – Grade II**
- **No. 108 London Street – Grade II**
- **No. 104 London Street – Grade II**
- **Nos. 7 and 9 Church Street – Grade II**
- **No. 11 Church Street – Grade II**
- **Market Place / London Street Conservation Area**

6.2 The List Entry Descriptions can be found in Appendix 5.

APPENDIX 5: LIST ENTRY DESCRIPTIONS

6.3 The non-designated heritage asset that is considered in this report is the unlisted southern boundary wall, which was formerly part of the Huntley, Boorne & Stevens Tin Works.

Statement of Significance

6.4 It is widely accepted (paragraph 138 of the NPPF) that not all parts of a heritage asset will necessarily be of equal significance. In some cases, certain elements of a heritage asset can accommodate substantial changes whilst preserving the significance of any asset which may potentially be affected by development proposals in order to understand the scope for and

acceptability of change. Significance can be derived from many elements, including the historic fabric of a building, the layout of space or land use associated with a building or an area.

Nos. 110 and 114 London Street – Grade II

6.5 The Grade II Listing of the building highlights that it is a heritage asset of the less than the highest significance as defined by the NPPF. The heritage significance of the Listed Building is principally embodied in its physical fabric, which dates from the late 18th century, and the group value it has with the other Georgian buildings along London Street. This is further cemented by its inclusion within the boundaries of the Market Place/London Street Conservation Area.

6.6 The composition of the main façade also demonstrates the design principles the Georgians typically incorporated into their buildings, including symmetry, hierarchy of levels and the use of timber-framed sash windows with thin glazing bars. No. 114 retains its original shopfront which possesses engaged Corinthian columns. The passageway through the building to access 112 London Street, or former Oddfellows Hall, is identified by the fanlight, which is also a typical element of Georgian townhouses. Thus, the aesthetic value is high (Plate 17). However, the rear of the building has less aesthetic value by virtue of its ancillary nature.

6.7 Due to the location of the building on a principal thoroughfare leading into Reading's centre and the immediate area's designation as an Area of Archaeological Priority, the evidential value is also high.

6.8 Finally, the historical access through the building to 112 London Street and Oddfellows Hall also confers it some communal value.

6.9 The setting of the asset also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance comprise:

- **the neighbouring buildings fronting on to London Street, particularly those of a Georgian origin with a similar height, scale, mass and bulk forming a group;**
- **the rear gardens of the neighbouring buildings, which historically contained, and in some cases, presently contain small outbuildings; and**
- **the former property at 112 London Street, which has existed to the rear of the Listed Buildings since the mid-19th century and was accessed through the passageway between Nos. 110 and 114.**

6.10 The application site, as existing, contains the property at 112 London Street, which is considered to fall within the setting of the Listed Building, as stated above. Historic England confirmed

that it is not considered to be curtilage listed and this was raised in the follow-up committee meeting where draft Reason for Refusal 1 was updated to remove reference to the property being curtilage Listed.

6.11 The updated Committee Report stated:

“No. 112 is a separate building with a separate curtilage so in HE's view it should not be viewed as part of 110 and 114. Whatever the status of the building, there is still the impact of the proposals on the setting of the adjacent listed building and the conservation area to consider.”

6.12 The setting of the Listed Building overall contributes to the understanding of its historic origins as one of the earlier terraced streets in this part of Reading and a principal thoroughfare connecting the centre with areas to the south.



Plate 17: Nos. 110 and 114 London Street

Nos. 108 London Street – Grade II

- 6.13 The Grade II Listing of the building highlights that it is a heritage asset of the less than the highest significance as defined by the NPPF. The heritage significance of the Listed Building is principally embodied in its physical fabric, which dates from the late 18th century, and the group value it has with the other Georgian buildings along London Street. This is further cemented by its inclusion within the boundaries of the Market Place/London Street Conservation Area.



Plate 18: No. 108 London Street

- 6.14 Like Nos. 110 and 114, the composition of the façade also demonstrates the design principles the Georgians typically incorporated into their buildings, such as the hierarchy between floors, evident through the proportions of the windows, as well as the radiating fanlight above the six-paneled door. Jack arches in rubbed brick above the timber-framed sash windows with thin glazing bars are also a characteristic of this type of building. The façade also demonstrates a sense of uniformity and symmetry. The building is further constructed from brick, illustrating the predominant building material in the area of Reading. Thus, the aesthetic value is high.

- 6.15 Due to the location of the building on a principal thoroughfare leading into Reading's centre and the immediate area's designation as an Area of Archaeological Priority, the evidential value is also high.

- 6.16 The setting of the asset also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance comprise:

- **the neighbouring buildings fronting on to London Street, particularly those of a Georgian origin with a similar height, scale, mass and bulk forming a group;**
- **the rear gardens of the neighbouring buildings, which historically contained, and in some cases, presently contain small outbuildings;**

and

- the property at 112 London Street which includes the former Oddfellows Hall, which has existed to the rear of the neighbouring Nos. 110 and 114 since the mid-19th century and was accessed through the passageway between Nos. 110 and 114.

6.17 The setting of the Listed Building overall contributes to the understanding of its historic origins as one of the earlier terraced streets in this part of Reading and a principal thoroughfare connecting the centre with areas to the south.

Nos. 104 London Street – Grade II

6.18 The Grade II Listing of the building highlights that it is a heritage asset of the less than the highest significance as defined by the NPPF.

6.19 The heritage significance of the Listed Building is principally embodied in its physical fabric, which dates from the late 18th century or early 19th century, and the group value it has with the other Georgian buildings along London Street. This is further cemented by its inclusion within the boundaries of the Market Place/London Street Conservation Area.



Plate 19: No. 104 London Street.

6.20 Like Nos. 108 and 110 and 114, the composition of the façade also demonstrates the design principles the Georgians typically incorporated into their buildings, albeit on a narrower building. The hierarchy of the levels is further evident here with the varying proportions of the windows on each level. The building is further constructed from brick, illustrating the predominant building material in the area of Reading. The rear façade also comprises grey bricks with red brick dressings, which is characteristic of the wider area. Thus, the aesthetic value is high.

6.21 Due to the location of the building on a principal thoroughfare leading into Reading's centre and the immediate area's designation as an Area of Archaeological Priority, the evidential value is also high.

6.22 The setting of the asset also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance comprise:

- **the neighbouring buildings of London Street, particularly those of a Georgian origin with a similar height, scale, mass and bulk forming a group;**
- **the rear gardens of the neighbouring buildings, which historically contained, and in some cases, presently contain small outbuildings; and**
- **the property at 112 London Street which includes the former Oddfellows Hall, which has existed to the rear of the neighbouring Nos. 110 and 114 since the mid-19th century and was accessed through the passageway between Nos. 110 and 114.**

6.23 The setting of the Listed Building overall contributes to the understanding of its historic origins as one of the earlier terraced streets in this part of Reading and a principal thoroughfare connecting the centre with areas to the south.

Nos. 7 and 9 Church Street – Grade II

6.24 The Grade II Listing of the building highlights that it is a heritage asset of the less than the highest significance as defined by the NPPF.



Plate 20: Nos. 7-9 Church Street.

6.25 The heritage significance of the Listed Building is principally embodied in its physical fabric, which dates from the early 19th century, and the group value it has with No. 11 Church Street. This is further cemented by its inclusion within the boundaries of the Market Place/London Street Conservation Area.

Characteristics such as the windows being flush with the façade demonstrate its early age. The gauged brick arches above the central doors, jack arches above the ground floor windows and dentil cornice indicate the high-quality brickwork that was developed in and around Reading. Thus, the aesthetic value is high.

6.26 Views can be made from the upper storeys of these properties towards the application site, but Section 2 has demonstrated that there is a history of outbuildings and rear extensions to the rear of the buildings on London Street. Therefore, views from these buildings would have historically contained these minor buildings.

6.27 Due to the location of the building in an Area of Archaeological Priority, the evidential value is also high.

6.28 The setting of the asset also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance comprise:

- **the neighbouring small plots along London and Church Streets, indicating the historic grain of the area;**
- **the neighbouring buildings which front on to London Street Church Streets, particularly those of a Georgian or origin with a similar height, scale, mass and bulk forming a group;**

and

- **the rear gardens of the neighbouring buildings, which historically contained, and in some cases, presently contain small outbuildings.**

No. 11 Church Street – Grade II

The Grade II Listing of the building highlights that it is a heritage asset of the less than the highest significance as defined by the NPPF.



Plate 21: No. 11 Church Street.

6.29 The heritage significance of the Listed Building is principally embodied in its physical fabric, which dates from the late 18th

century, and the group value it has with Nos. 7-9 Church Street. This is further cemented by its inclusion within the boundaries of the Market Place/London Street Conservation Area.

- 6.30 The main façade demonstrates the vernacular architecture of vitrified brick contrasting with red brick and creating patterns on the elevation. This building utilises the red brick for detail elements, such as window surrounds, quoins and a dentil cornice. The high quality of the brickwork in this building are an example of the expertise of bricklayers and brickmakers in Reading and the surrounding areas. Thus, the aesthetic value is high.
- 6.31 Views can be made from the upper storey of this building towards the application site, but Section 2 has demonstrated that there is a history of outbuildings and rear extensions to the rear of the buildings on London Street. Therefore, views from these buildings would have historically contained these minor buildings.
- 6.32 Due to the location of the building in an Area of Archaeological Priority, the evidential value is also high.
- 6.33 The setting of the asset also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance comprise:
- **the neighbouring small plots along London and**

Church Streets, indicating the historic grain of the area;

- **the neighbouring buildings which front on to London Street Church Streets, particularly those of a Georgian or origin with a similar height, scale, mass and bulk forming a group; and**
- **the rear gardens of the neighbouring buildings, which historically contained, and in some cases, presently contain small outbuildings.**

Market Place/London Street Conservation Area

- 6.34 It is clear that the significance and special interest of the Conservation Area lies in the following features, as stated in the Conservation Area Appraisal:

- **“Linear conservation area beside the planned medieval southern approach road, over the River Kennet, to a market place and church outside one of Reading Abbey’s gateways;**
- **The Hospitium of St John the Baptist, founded in 1189 (Scheduled Monument);**
- **Two of Reading’s three medieval churches: St Laurence’s and St Giles’, both with well treed churchyards;**
- **Isolated examples of timber-framed 16th and 17th century buildings e.g. nos 26/27 Market Place, nos 49/53 London Street and nos 3/5 London Road;**
- **Good examples of prestigious Georgian town houses in London Street;**

- **The fine collection of 19th century municipal buildings in Blagrove Street including Waterhouse's distinctive Town Hall and Victoria Hall, Concert Hall and Museum, Library and Art Gallery;**
- **Groups of historic building around Market Place;**
- **Special historic and architectural focus around St Laurence's Church and the Town Hall complex;**
- **Many examples of building with bricks (red, blue and buff) from Reading's extensive local brickworks;"**

6.35 Therefore, the significance of the Conservation Area lies in the medieval street pattern and surviving historic buildings that exhibit the close-knit urban grain of historic Reading. This also includes larger landmark buildings such as churches and municipal buildings. The prevailing material is brick, which emphasises the vernacular and predominance of brick as a building material in this area over the course of a couple centuries (Plate 22).

6.36 As the Conservation Area covers a large area with a variety of styles and characteristics, it has been divided into several character areas. The application site falls within *Area 1: London Street*. The Appraisal states that features that make a positive contribution to the character and appearance include:

- **"The unusual width of the street, which rises gently from the River Kennet with a**

slight eastward curve, creates a visually interesting townscape;

- **The high concentration of historic buildings on either side, many of which are listed;**
- **The mix of architectural styles and periods with an overall majority of late 18th / 19th century buildings;**
- **High quality townscape and well-proportioned relationship between tall building and wide street;**
- **The predominance of brick with occasional use of stone and stucco;**
- **The strong vertical rhythm created by regular bays of aligned windows and doors;**
- **Key buildings: No. 33 London Street, originally the Scientific Institution, 1843, by W.Brown, and Nos 73-79 London Street, described by the architectural historian Nikolaus Pevsner as the "best" of the Georgian houses;**
- **Side alleys and streets which afford glimpses and views to east and west;**
- **Wide pavements;**
- **Ten young street trees which help to soften the otherwise urban environment;**
- **Prevalence of white-painted vertical sliding sash windows; and**

- **The variety of historic architectural detail including pedimented doorcases, iron balconies and railings, timber shopfronts.”**

6.37 The Appraisal also identifies features that contribute negatively to the character and appearance of the Conservation Area and are described as follows:

- **“Noise and fumes from a constant stream of traffic;**
- **London Street is severed from town centre by the Inner Distribution Road;**
- **Modern development at north and south extremities of London Street, adjacent to road junctions, spoils the overall historic appearance of the area;**
- **Modern alterations to the carriageway and pavement e.g. concrete paving do not always respect the quality of the street’s historic buildings;**
- **Lack of enclosure at northern end;**
- **Vacant commercial and retail space;**
- **Loss of original windows and front doors to modern replacements;**
- **Loss of original slate roofs and other architectural features such as gates and railings;**
- **Plethora of signs and other street furniture, some of which may be redundant; and**

- **Garish shopfronts that do not respect the host building e.g. no. 45 London Street.**

6.38 In light of the above, it is considered that the application site makes a neutral contribution to the significance of the Conservation Area. It does not possess any considerable positive or negative features identified in the Appraisal.



Plate 22: London Street.

Unlisted Southern Boundary Wall

6.39 Whilst this wall is not statutorily listed or locally listed, it is valued by the community and is the last remaining element of the Huntley, Boorne & Stevens Tin Works, which occupied much of the immediate area until the mid-20th century. The

appearance of the wall reflects its industrial Victorian origins, with the rounded bricks forming the corners of the shallow blocked arches, and thus contributes to the character and appearance of the Conservation Area.



Plate 23: Unlisted southern boundary wall, looking north.

7. Assessment of Harm or Benefits

- 7.1 This Section addresses the heritage planning issues that warrant consideration in the determination of the applications for Planning Permission, in line with the proposals set out in Section 3 of this report.
- 7.2 The Planning and Compulsory Purchase Act (2004) requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policy guidance set out within the NPPF is considered to be a material consideration which attracts significant weight in the decision-making process.
- 7.3 The statutory requirement set out within the Planning (Listed Buildings and Conservation Areas) Act 1990, at Sections 66(1) and 72(1) confirms that considerable weight should be given to the preservation of the historic and architectural interest of Listed Buildings and their settings, as well as the protection of the character and appearance of a Conservation Area. In addition, the NPPF states that the impact of development proposals should be considered against the particular significance of heritage assets such as Listed Buildings and Conservation Areas, and therefore this needs to be the primary consideration when determining the proposed application. It is also important to consider where the proposals cause harm. If

they do, then one must consider whether any such harm represents 'substantial harm' or 'less than substantial harm' to Nos. 110 and 114 London Street, the Market Place/London Street Conservation Area and the other Listed Buildings surrounding the site in the context of paragraphs 133 and 134 of the NPPF.

- 7.4 The guidance set out within the PPG states that substantial harm is a high test, and that it may not arise in many cases. Whilst the proposals see the renovation of the property, including some alterations to historic fabric, the PPG makes it clear that it is the degree of harm to the significance of the asset rather than the scale of development which is to be assessed. In addition, it has been clarified in both a High Court Judgement of 2013²² that substantial harm would be harm that would "*have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced*".
- 7.5 Given that the Site is located adjacent to Nos. 110 and 114 London Street, within the Market Place/London Street Conservation Area and close to a number of Listed Buildings, the proposals have the potential impact upon the character and appearance of the Conservation Area and the historic

²² EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council

significance of the various Listed Buildings via a change in setting.

7.6 This Section will take each element in turn with the development proposals, would affect the significance of:

- **Nos. 110 and 114 London Street – Grade II**
- **Market Place / London Street Conservation Area**
- **No. 108 London Street – Grade II**
- **No. 104 London Street – Grade II**
- **Nos. 7 and 9 Church Street – Grade II**
- **No. 11 Church Street – Grade II**
- **Unlisted Southern Boundary Wall**

Impact on Nos. 110 and 114 London Street

7.7 It has been confirmed that No. 112 is not curtilage listed but forms the setting of Nos. 110 and 114 London Street. Therefore, it is important to assess whether the demolition of the existing buildings on site and the erection of the proposed development will cause any harm to the setting of Nos. 110 and 114.

7.8 Section 2 of this report illustrated the historic development of the site and its surroundings since the mid-18th century. Oddfellows Hall was erected at some point in the 19th century and had communal value by nature of its use. The use of the building as the After Dark Club also possesses some communal value of its own; however, the uses of the Listed Buildings did

not relate to either the Hall or the Club and remained separate. Therefore, the loss of the buildings on the site will not impede upon the ability to understand or appreciate the significance of the terraced building at 110 and 114 London Street, which resides largely in its aesthetic and historical value. Furthermore, the passageway will continue to access the site behind.

7.9 It is also clear that the gardens of the Georgian terraced buildings on London Street had a variety of outbuildings over the years, but these remained subservient to the host buildings. The proposed development possesses a height, scale, mass and bulk that is appropriate for the secondary nature of the site remaining subservient to the Listed Building. It will not overpower Nos. 110 and 114, which will remain an important frontage on London Street. The proposed buildings are also designed in a contemporary style to differentiate the high-quality Listed Buildings from the new architecture to the rear, but still possess the materiality which can be seen in the immediate surroundings: i.e. red brick and slate roof.

7.10 Furthermore, the demolition of the existing buildings on site and the erection of the two new residential buildings with a smaller footprint will better reveal the rear façade of the Listed Building, which is currently obscured by the existing buildings on site from St. Giles Close (Plate 2).

7.11 With reference to the levels of harm prescribed by the NPPF, the proposed development will cause '*no harm*' to the significance of the Grade II Listed Nos. 110 and 114 London Street through

a change to its setting. Additionally, the proposed development will satisfy the requirements of Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 through the preservation of the setting of the Grade II Listed Nos. 110 and 114 London Street.

Impact on the Conservation Area

- 7.12 When considering potential impacts of the proposed development on the character and appearance of the Market Place/London Street Conservation Area, it is important to recognise that the Conservation Area covers a large area, and includes a wide variety of areas of differing characters. The Site itself represents an extremely small portion of the total area covered by the Conservation Area and, as noted in the NPPF at paragraph 138, it is necessary to consider the relevant significance of the element which has the potential to be affected and its contribution to the significance of the designation as a whole, i.e. would the application proposals undermine the significance of the Conservation Area as a whole?
- 7.13 Given that the application site, as existing, is considered to make a neutral contribution to the significance of the Conservation Area, the removal of the existing built form across the site and its replacement with two residential buildings on a smaller footprint will not have any noticeable impact upon the characteristics of the Conservation Area that are considered to contribute positively to its significance such as the close-knit urban grain of London Street and the historic street pattern, will

be maintained. The height, bulk and mass of the proposed buildings relate to the existing domestic properties on St. Giles Close. Furthermore, the scale of the elements of the building reflect its domestic nature and will relate well to the surrounding domestic properties.

- 7.14 The materials of the proposals include red brick at ground, first and half of second floor levels with black brick at second floor level and a slate roof. Red brick is the predominant material in the Conservation Area, as well as the wider area of Reading. The use of red brick on a contemporary building in addition to the black brick at second floor level will ensure the proposed development will integrate well with its surroundings as well as still be read as a contemporary addition to the townscape.
- 7.15 Additionally, the retention of the former Tin Works wall as a feature of interest within the Conservation Area, will preserve the character that this adds to the Conservation Area.
- 7.16 With reference to the levels of harm prescribed by the NPPF, the proposed development will cause '*no harm*' to the significance of the Market Place/London Street Conservation Area '*as a whole*' as propounded by Paragraph 138 of the NPPF. Additionally, the proposed development will satisfy the requirements of Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 through the preservation of character and appearance of the Conservation Area.

Impact on No. 108 London Street

- 7.17 As discussed above, the building's significance is principally

embodied in the surviving fabric and its aesthetic and historical values, as well as its relationship with neighbouring buildings of a similar age. Section 2 of this report demonstrated that the gardens of the Georgian terraced buildings on London Street had a variety of outbuildings over the years, but these remained subservient to the host buildings. The proposed development will not affect the ability to understand or appreciate No. 108, which also has some lower extensions and out buildings to the rear. The qualities that contribute to its significance, such as the architectural composition of its front façade and the fabric will not be impacted.

- 7.18 With reference to the levels of harm prescribed by the NPPF, the proposed development will cause ‘*no harm*’ to the significance of the Grade II Listed No. 108 London Street through a change to its setting. Additionally, the proposed development will satisfy the requirements of Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 through the preservation of the setting of the Grade II Listed No. 108 London Street.

Impact on No. 104 London Street

- 7.19 This building's significance is principally in the surviving fabric and its aesthetic and historical values as well as its relationship with neighbouring buildings of a similar age. Section 2 demonstrated that the gardens of the Georgian terraced buildings on London Street had a variety of outbuildings over the years, but these remained subservient to the host buildings.

The proposed development will not affect the ability to understand or appreciate No. 104, which also has some single storey extensions to the rear. The qualities that contribute to its significance, such as the architectural composition of its front façade and the fabric will not be impacted.

- 7.20 With reference to the levels of harm prescribed by the NPPF, the proposed development will cause ‘*no harm*’ to the significance of the Grade II Listed No. 104 London Street through a change to its setting. Additionally, the proposed development will satisfy the requirements of Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 through the preservation of the setting of the Grade II Listed No. 104 London Street.

Impact on Nos. 7 and 9 Church Street

- 7.21 This building's significance is principally in the surviving fabric and its aesthetic and historical values as well as its relationship with neighbouring buildings of a similar age. Whilst the proposed development may be visible from the upper storeys of these properties, the ability to view extensions and outbuildings from these buildings has been historically present. This intervisibility will not affect the ability to understand or appreciate the qualities that contribute to its significance.
- 7.22 With reference to the levels of harm prescribed by the NPPF, the proposed development will cause ‘*no harm*’ to the significance of the Grade II Listed Nos. 7-9 Church Street through a change to its setting. Additionally, the proposed development will satisfy

the requirements of Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 through the preservation of the setting of the Grade II Listed Nos. 7-9 Church Street.

Impact on No. 11 Church Street

7.23 This building's significance is principally in the surviving fabric and its aesthetic and historical values as well as its relationship with neighbouring buildings of a similar age. Whilst the proposed development may be visible from the upper storey of the building, the ability to view extensions and outbuildings from it has been historically present. This intervisibility will not affect the ability to understand or appreciate the qualities that contribute to its significance.

7.24 With reference to the levels of harm prescribed by the NPPF, the proposed development will cause '*no harm*' to the significance of the Grade II Listed No. 11 Church Street through a change to its setting. Additionally, the proposed development will satisfy the requirements of Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 through the preservation of the setting of the Grade II Listed No. 11 Church Street.

Impact on the Unlisted Southern Boundary Wall

7.25 The boundary wall which was formerly part of the Tin Works is proposed to be retained, therefore, there will be no impact on its fabric. The ability to understand and appreciate the non-designated heritage asset will be improved by the removal of

the building to the north and replacing it with built form with a smaller footprint separated from the wall, thus better revealing the asset. Therefore, with reference to the levels of harm prescribed by the NPPF, there will be 'no harm' to the significance of the non-designated heritage asset.

8. Conclusions

- 8.1 The above assessment has summarised that, with reference to the levels of harm prescribed by the NPPF, the proposals will cause no harm to the significance of the surrounding Listed Buildings, including the Grade II Listed Nos. 110 and 114 London Street, through a change to their setting. Their settings will be preserved, thus satisfying Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 8.2 Likewise, the proposals are not considered to cause any negative impact on the character and appearance of the Conservation Area. Therefore, with reference to the levels of harm prescribed by the NPPF, the proposals will cause no harm to the Market Place/London Street Conservation Area. It's character and appearance will be preserved, thus satisfying Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 8.3 Policy CS33: *Protection and Enhancement of the Historic Environment* of the Local Plan which, notwithstanding the fact that it holds limited weight in the decision-making process due to its conflict with the requirements of the NPPF, will also be satisfied, as it is considered that the proposals will have no adverse impact on historic assets and their settings.
- 8.4 Moreover, the relevant policy of the Central Reading Area Action Plan will be satisfied as the development respects the relationship between the existing buildings and spaces adjacent to the site and the mass, bulk, height and scale of the surrounding townscape.
- 8.5 Therefore, there must be a presumption in favour for the approval of Planning Permission.

Appendix 1: Committee Report Update