

DELEGATED APPLICATION REPORT

Address: Kendrick Girls School, 41-43 London Road, Reading

Application No: 180850

Proposal: Single storey extension to the east elevation of the Sixth Form Block and adjacent covered walkway to the north.

Applicant: Kendrick School

Date received (valid from): 29/05/18

Target Decision date: 24/07/18

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

The application site comprises Kendrick School, a secondary school and sixth form for girls. The school is located on a constricted site and is bounded by South Street to the north, Sidmouth Street to the east, London Road to the south and East Street to the west. This application relates solely to the sixth form building, maths block and the land in-between these two buildings. The sixth form block is a modern three storey building which was constructed in 2009 and is situated to the west of the site, adjacent to East Street. The sixth form block is located adjacent to two Conservation Areas (Market Place/London Street and Kendrick Road) and there are five grade II listed buildings along the northern frontage of London Road, two of which form part of Kendrick School (The Cedars - directly to the south of where works are proposed - and Sidmouth House - further to the south-east). The site is located outside, but adjacent to, the Central Area Action Plan.

2. The Proposal

- i. Full planning permission is sought for the erection of a single storey extension to the east elevation of the Sixth Form Block (currently a soft landscaped courtyard) and, adjacent to this to the north, the provision of covered walkway to run alongside the existing north elevation of part of the sixth form block and maths block (adjacent to the vehicular route off East Street).
- ii. More specifically, a steel (powder coated) framed glazed extension (barring one small area of solid wall on the south elevation) is proposed to adjoin with the ground floor of the existing sixth form building. The footprint of the building is 9m in width and 16m in length, while the height rises from 3m (adjacent to the west elevation of the maths block - a 2.4m wide expanse of open space is retained between the proposed structure and maths block) to 3.8m when connecting to the sixth form block - there is a simple lean to roof proposed at this point. The applicant has indicated that this space will be used as a dining and breakout space, which can be utilised in all weathers (unlike existing - thereby fulfilling an identified need by the school). External access is possible at two points, with double doors proposed on the east and north elevations
- iii. To the north of this is the proposed covered walkway, which also extends/connects to the north elevations of the sixth form block and maths block. The steel (powder coated) walkway is 38m in length and 2.5m in width. It is open sided and includes a gently leaning covered (polycarbonate sheeting) roof 2.4m in height. A ramped access to the sixth form block means the overall height of the walkway is up to 3m in height adjacent to the existing sixth form block.

3. Public Consultation

- i. A site notice was erected on East Street; this 'Notice' under Article 11 of 'Application for Planning Permission' was carried out in accordance to the Town and Country Planning (Development Management Procedure) (England) Order 2015 on 18/06/2018, expiring on

09/07/2018. A press notice was published on 21/06/18, expiring on 12/07/18. No responses have been received.

- ii. 10 neighbouring / nearby occupiers were formally consulted on 15/06/18. No responses have been received.
- iii. Reading CAAC was formally consulted on 15/06/18. No response has been received.

4. Internal consultation responses

Transport - No objection.

Historic Buildings Consultant -

Legislative and Planning Policy Framework

Planning (Listed Buildings and Conservation Areas) Act 1990

Recent legal cases relating to issues of the setting of listed buildings have established that under section 70(3) the general power to grant planning permission under section 70(1) is expressly subject to sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 66(1), in the determination of applications affecting the setting of a Listed Building, states that:

‘in considering whether to grant planning permission 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.’

Under the Planning (Listed Buildings and Conservation Areas) Act 1990, fixtures and curtilage buildings, that is any object or structure which is fixed to the building or is within the curtilage and forms part of the land and has done so since before July 1948, are also treated as part of the building for the purposes of listed building control.

Legal Precedents: Setting of Listed Buildings

Well-established case law in relation to the setting of Listed Buildings has established that, whilst the terminology regarding ‘significance’ and the levels of harm outlined in the NPPF are relevant, there is also a statutory requirement specified in the Planning (Listed Buildings and Conservation Areas) Act 1990 under Section 66(1) which states that ‘in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority.....shall have special regard to the desirability of preserving the building or its setting.....’.

In the case (2014) of East Northamptonshire District Council v. Secretary of State for Communities and Local Government (known as the ‘Barnwell Manor’ case) the Court of Appeal held that section 70(1) was expressly subject to section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and that decision-makers should give ‘considerable importance and weight’ to the desirability of preserving setting of a listed building(s).

It did not follow that, if harm to a listed building was found to be less than substantial under the balancing exercise in policies HE9 and HE10 (NB: under PPS5 which was then in force), that a decision-maker could ignore the overarching duty imposed by section 66 (of the Act).

Reading Borough Council Planning Policy

Reading Borough Council Core Strategy CS33: Protection and Enhancement of the Historic Environment 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 and for the purpose of ensuring that work is appropriate to the special architectural or historic interest of the listed building.

Within para. 11.8 of the Core Strategy it also specifies that:

The Borough Council is committed to protecting and where appropriate, enhancing the Borough's historic environment. This includes ensuring that buildings and features of Local architectural and historic interest (which are not necessarily recognised components of the historic environment) are taken fully into account and safeguarded...”.

Policy CS7: Design and the Public Realm relates to the general design of development within the borough and requires that:

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. This can be achieved through the layout, landscape, density and mix, scale and architectural detailing and materials. The policy notes that development 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.

National Planning Policy Framework

In March 2012, the Government published the National Planning Policy Framework (NPPF), which replaced the National Planning Policy Statements (PPS) and Planning Policy Guidance (PPG). The NPPF sets out a presumption in favour of sustainable development and a key dimension of ‘sustainability’ is defined as ‘...protecting and enhancing our...historic environment’ (DCLG et al, 2012, para 7).

The NPPF identifies heritage assets as:

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

Paragraph 132 states:

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 alteration or destruction of the heritage asset or development within its setting.

Significance is defined by the NPPF as ‘the value of a heritage asset to this and future generations because of its heritage interest’. This significance or value may be related to a heritage asset's archaeological, architectural and artistic or historic elements and can derive not only from its physical presence but also from its setting (DCLG et al, 2012, para 56). The NPPF details the main policies regarding heritage assets in Section 12, Conserving and enhancing the historic environment (DCLG et al, 2012).

Under paragraph 128, applicants for planning permission are required to describe the value of any heritage assets affected by a development, including any contribution made by their setting, at a level of detail proportionate to the assets' importance and sufficient to understand the potential impact of the proposal (positive and negative) on their value (DCLG et al, 2012, paras. 128); this information is provided in a heritage statement.

Paragraph 133 states that:

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.

The paragraph 134 of the NPPF, requires any 'less than substantial harm to the significance of a designated heritage asset' to be 'weighed against the public benefits of the proposal', which is a 'specific policy' for these purposes.

Under paragraph 135, the effect of an application on the value of a non-designated heritage asset should be taken into account in determining the application, making a balanced judgement with regard to the scale of any harm or loss and the value of the heritage asset (DCLG et al, 2012, paras. 135).

All heritage assets have a setting. The NPPF defines the setting of a heritage asset 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 make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Planning Practice Guide (PPG)

The Planning Practice Guide (PPG) (2014) clarifies this additional requirement under 'What is the main legislative framework for planning and the historic environment?' where it states that:

In addition to the normal planning framework set out in the Town and Country Planning Act 1990....the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest.

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan. (See ID 18a-002-20140306)

The PPG states under 'What is the setting of a heritage asset and how should it be taken into account?' that:

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over

time and according to circumstance. When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its on-going conservation.

The PPG states under 'Why is 'significance' important in decision-taking?' that:

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 proposals.

Under the discussion of 'How to assess if there is substantial harm?' the PPG offers:

What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

Historic England Good Practice Advice

Historic England has produced new guidance on the interpretation and implementation of the NPPF and PPG with regard to the historic environment in the form of:

- Historic England Good Practice Advice in Planning Note 1: Conservation Area Designation, Appraisal and Management (Historic England, 2016);
- Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking (Historic England, 2015a);
- Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England, 2015b); and
- Historic England Good Practice Advice in Planning Note 4: Tall Buildings (Historic England, 2015c).

Listed Building Description

No 37 (The Kendrick School) (The Cedars) Grade II. Early C19 set back from road. 2 storeys and attic. Stucco with string under 1st floor cills. Plinth, hipped slate roof. Central portion pedimented with wide, flat eaves on flat brackets. Bull's eye window in centre of pediment. 3 windows on 1st floor, glazing bars gone. Central segmental arched doorway. Double doors, each 3 panels. Side lights separated from doors by strip pilasters; small cornice and radiating and wreathed fanlight over. Doorway flanked by Doric pilasters, apparently Portico removed. Doorway approached by stone steps is flanked by panels under 1st floor windows. 2 storey, 1 window wing on each side (altered to right) of pedimented portion with shallow eaves. Modern additions to left. The rear is white stucco with a full height 3 window bow to right with glazing bar sashes and deep bracketed eaves.

Proposals

The proposed consist of a new single storey structure with sloping roof built of glass panels and metal framed doors and windows of 16m (l) x 9m (w) with a connecting walkway of 38m (l) x 2.5m (w). The building would be attached to the existing 3 storey modern school building and adjacent to an existing single storey building. The structure would be roofed in a composite insulated roof panel system, with a glass curtain wall and the covered walkway would be built in steel with a powder-coated finish to match the extension and clad with translucent polycarbonate sheeting.

Discussion

The proposed new extension building has a modern design to match the adjacent school building and would provide additional meal-time accommodation for the school students. The location of the building would tend to block off views from the main school driveway towards the rear of the Cedars Listed Building.

Conclusions

Whilst the loss of the existing view of the rear elevation of the Listed Building do add to the visual interest for the school visitors, it is not considered to harm the special interest of the Listed Building. This is because the historic context of the Listed Building has been lost at the rear and is now formed by the existing modern school buildings. There is therefore no objection in principle to the proposed extension; no specific conditions are required.

5. Plans Considered

- i. The Council, in reaching its recommendation, has taken into consideration the following documents:

10184-KS-P-SLP-P Rev A - Site and Location Plans - Proposed, as received 09/07/18

10184-KS-P-FP-E - Floor Plan - Existing

10184-KS-P-RP-E - Roof Plan - Existing

10184-KS-P-SE-E - South Elevation - Existing

10184-KS-P-EE-E - East Elevation - Existing

10184-KS-P-NE-E - North Elevation - Existing

10184-KS-P-FP-P - Floor Plan - Proposed

10184-KS-P-RP-P - Roof Plan - Proposed

10184-KS-P-SE-P - South Elevation - Proposed

10184-KS-P-EE-P - East Elevation - Proposed

10184-KS-P-NE-P - North Elevation - Proposed

Design & Access Statement by Streetspace

Existing Photograph

Proposed Visualisation

As all received on 23/05/18

6. Relevant Planning History

08/00422/REG3: Demolition of existing temporary classroom block and redevelopment to provide a new three storey Sixth Form Centre. Permitted 9/10/2008.

151354: Erection of a conservatory on second floor terrace of Sixth Form Block. Granted 19/10/15.

7. Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application.

Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

8. Relevant Planning Guidance

- i. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Reading relevant to the application site comprises the Reading Local Development Framework ‘*Core Strategy*’ 2008 (Altered 2015), *Reading Central Area Action Plan 2009* and ‘*Sites and Detailed Policies Document*’ 2012 (Altered 2015).
- ii. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.
- iii. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- iv. The ‘*National Planning Policy framework*’ (‘NPPF’) 2012 states clearly that its content is to be a material consideration in the determination of applications. The ‘NPPF’ states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy, Central Area Action Plan and Sites and Detailed Policies Document) according to their degree of consistency with the ‘NPPF’ (the closer the policies in the plan to the policies in the ‘NPPF’, the greater the weight that may be given). Accordingly, the ‘NPPF’ and the following development plan policies and supplementary planning guidance are relevant:

Relevant Policies

- i. The application has been assessed against the following policies:

National

National Planning Policy Framework;
National Planning Policy Guidance;

RBC Local Development Framework

Core Strategy 2008 (Altered 2015)

CS1 Sustainable Construction and Design
CS4 Accessibility and the Intensity of Development
CS7 Design and the Public Realm
CS20 Implementation of the Reading Transport Strategy
CS31 Additional and Existing Community Facilities
CS33 Protection and Enhancement of the Historic Environment

Sites and Detailed Policies Document 2012 (Altered 2015)

SD1 Presumption in Favour of Sustainable Development
DM1 Adaptation to Climate Change
DM4 Safeguarding amenity
DM12 Access, Traffic and Highway Related Matters

RBC Supplementary Planning Documents

Revised Parking Standards and Design SPD (2011)

Other guidance

Market Place / London St Conservation Area Statement
Kendrick Road Conservation Area Appraisal

9. Appraisal

i. The main issues are considered to be:

- Land Use - principle of development
- Scale, appearance, design & effect on heritage assets
- Amenity
- Other matters - Sustainability / CIL

ii. Land Use - Principle of development

The proposal will increase the floorspace at the site by a modest (in the context of the site as a whole) 144sqm and is intended to provide increased indoor seating and dining facilities, as well as an undercover walkway area between the maths and sixth form blocks. This would maintain and improve the quality of accommodation for present and future students. The loss of an on-site soft landscaped area is not considered to unduly harm the site, as sufficient alternative spaces are maintained across the site. As such, the proposals comply with policy CS31.

iii. Scale, appearance, design & effect on heritage assets

The proposed extension and walkway will be visible from the public realm in glimpsed views from East Street and has the potential to impact on the setting on the nearby Market Place / London St Conservation Area (to the west) and Kendrick Road Conservation Area (to the south), including the rear of Grade II listed No's 33 & 35 and 37 (The Cedars) London Road from points within the grounds of the Kendrick School.

The lightweight nature of the proposed extension means it will be a modest and appropriate extension to the existing sixth form building. The walkway, although somewhat utilitarian in nature, is not considered in itself to be harmful in any particular way to nearby heritage assets. Therefore in overall terms the proposals are not considered to cause harm to the setting of any nearby listed buildings, or cause harm to the character and appearance of nearby conservation areas. Moreover, the proposed designs are considered to align satisfactorily with the existing sixth form and be appropriate in themselves. The Council's Historic Buildings Consultant has confirmed contentment with the proposed scheme, as outlined in the consultation response stated above.

iv. Amenity

The ground floor extension will enable greater opportunities for overlooking between the different buildings within the site, with the west elevation of the maths block being within 2.4m of the created spaces, whereas at present there is an 11m distance from this point to the sixth form block. However, close distances between different blocks of school buildings is not an unusual arrangement and is not considered to be substantially harmful. Accordingly, it is considered that there would be no significant additional loss of amenity occurring in respect of overlooking and outlook/sense of enclosure, day/sunlight and noise / disturbance regarding the extension. In terms of the covered walkway, this raises no adverse amenity impacts and, like the extension, will instead improve the on-site facilities. Therefore in overall terms the proposals are considered to comply with DM4.

v. Other matters

Transport

As per the transport observations received, no adverse transport implications are envisaged as part of the proposed works

Sustainability

The lightweight and modest nature of the proposal (curtain walling system with low emissivity toughened glass and an insulated roof panel system) sufficiently demonstrates that the proposals comply with the principles of policies CS1 and DM1.

CIL

The applicant has duly completed the CIL liability form and it is confirmed that the proposals will not be CIL chargeable.

10. Conclusion

- i. Having regard to the material considerations and all matters raised, the Local Planning Authority considers that the balance of considerations therefore weigh in favour of granting planning permission, subject to conditions.

Recommendation

Grant Planning Permission, subject to conditions;

11. Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission was granted.

Reason: To prevent an accumulation of unimplemented planning permissions, and in accordance with section 91 of the Town & Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out other than in accordance with the following drawings:

10184-KS-P-SLP-P Rev A - Site and Location Plans - Proposed, as received 09/07/18

10184-KS-P-FP-P - Floor Plan - Proposed

10184-KS-P-RP-P - Roof Plan - Proposed

10184-KS-P-SE-P - South Elevation - Proposed

10184-KS-P-EE-P - East Elevation - Proposed

10184-KS-P-NE-P - North Elevation - Proposed

As all received on 23/05/18

Reason: To clarify which plans have been approved and in the interests of proper planning.

Informatives:

1. These works may require separate approval under the Building Regulations. Please contact the Council's Building Control service for further advice on (0118) 937 2449.
2. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but differs materially from the approved plans and details, or does not comply with any condition (s) or planning obligation (s) attached to the permission may result in the

Council taking action to remedy the breach of planning control. If you are in any doubt please contact the council.

3. The determination of this planning application required no substantial issues to be resolved, so officers have worked positively and proactively to provide a recommendation for approval to be made within the target timescale.