

DELEGATED APPLICATION REPORT

Ward: Redlands

App Ref: PL/24/1111 LBC & PL/24/1148 FULL

Address: 97 LONDON ROAD, READING, RG1 5BY

Proposal: Proposed restoration of brick boundary wall and paving of frontage and new bin store

Applicant: Royle Berkshire Developments

Received date: 27/08/2024

Target Decision date: 20/12/2024 (EOT)

Case Officer: Marcelina Rejwerska

1. SITE DESCRIPTION

The application site comprises a Grade II listed semi-detached two-storey dwelling with a basement floor. The property is currently in mixed residential use with a self-contained flat on the lower ground floor, and an HMO above. The national listing (1113508) reads as follows:

LONDON ROAD 1. 5128 (North Side) Nos 95 and 97 SU 7273 7/516 II GV 2. Mid C19 pair. Eldon Square type Italianate. 2 storeys stucco on brick. Band over ground floor. Slate roof with projecting eaves. 4 windows including gabled end breaks over porches. 1st floor paired narrow round headed sashes, in centre a grooved panel. French casements ground floor to verandah between outer breaks, cast iron guard and standards, tented canopy painted in alternate stripes. End bays have slight projection for round headed doorways and windows above which have dentil cornice and pediment capping. Recessed doors.

The site is located approx. 150m east of the Eldon Road Conservation Area, and the listing identifies some shared characteristics of the property with those found within the conservation area. The brick boundary wall, originally part of no. 99's curtilage has been removed, although its previous layout can be seen on previous Google Street View images and historic photos. No. 97 and no. 99 are under the same ownership and no. 99 is subject to a separate application under ref: PL/23/1844/FULL, not yet determined.



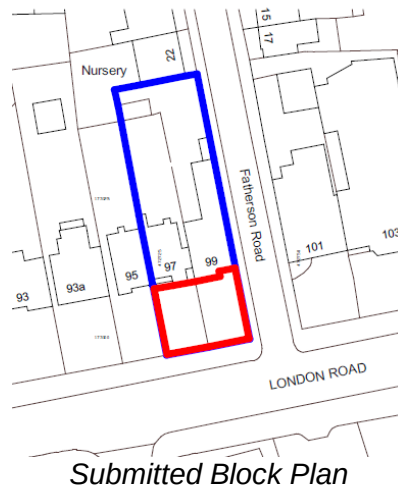
Left: Google Street View image (2009). Right: Google Street View image (2022).

2. PROPOSAL AND SUPPORTING INFORMATION

Planning permission and listed building consent are sought for the proposed restoration of the brick boundary wall at the front of the site, paving of the frontage and erection of a new, formal bin store.



Left: Proposed elevations. Right: Proposed site plan.



The submitted plans appear to include the frontage of 99 London Road, which should not be included within this application as it is subject to another live application, as stated above.

2.1. Information submitted:

Design and Access Statement, The Keen Partnership, dated August 2024

9309-100.1 Location Plan, dated 27 August 2024

9309-100.2 Existing and Proposed Block Plan, dated 27 August 2024

Received by the LPA on 27 August 2024

2145 SK02 Proposed Landscaping Plans

2145 SK01 Proposed Landscaping Elevation

Received 4 December 2024

3. RELEVANT PLANNING HISTORY

Application site

PL/89/0184/FULL & PL/89/0766/LBC – Two storey rear extension and conversion to 3 residential units to 97 London Road and two storey B1 use rear extension to 99 London Road. Applications refused.

PL/89/0683/FULL & PL/89/0684/LBC – Erection of two storey rear extension and conversion to three residential units of No 97. Erection of two storey B1 use rear extension to No 99. Applications refused.

PL/89/0715/FULL – Erection of two storey rear extension and conversion to three residential units at 97 London Road. Erection of two storey B1 use rear extension to 99 London Road. Application permitted.

PL/89/0751/LBC – Extension at rear – red brick walls, stone copings to walls & parapets, painted sash windows. Application permitted.

PL/98/1065/FULL – Change of use of 99 from commercial and bedsits to self contained flats, conversion of 97 from bedsits to self contained flats and creation of parking spaces to rear by combining gardens of 99 & 97 London Road. Application withdrawn.

PL/98/0836/LBC – Change from bedsit to self contained 1 bedroom and studio flats. 1 rear windows to be added where there is a door. Creation of parking spaces by combining the rear garden spaces of Nos. 99 & 97 London Rd. All other changes internal. Application withdrawn.

PL/17/2282/CLE – Certificate of lawfulness for existing use as a 1 bedroom flat for over 10 years. Certificate granted for basement flat.

Rear of 97 and 99 London Road

PL/18/1373/FULL – Erection of 3 storey detached building, comprising 2x1 bed flats and 2x2 bed flats, with associated hard and soft landscaping. Application refused and dismissed at appeal.

PL/20/1157/FULL – Erection of two storey dwelling (Class C3) and associated works. Application permitted.

PL/22/0483/APC - Application for approval of details reserved by conditions 3 (materials), 4 (CMS), 5 (landscaping), 6 (biodiversity), 8 (access), 9(cycle store), 10 (refuse and recycling), 11 (full postal address), 13(noise), 16 (garden area), 17 (sustainability) of application 201157. Split decision.

99 London Road

PL/22/1022/FULL - Conversion of building to consist of five self-contained flats (C3 Use Class), and one Class E (Office) unit to the ground floor. Ground floor and first floor rear extensions, dormer extensions, rooflights and alterations to fenestration. Application permitted.

PL/23/1835/ADV - Advertisement for Forbury Serviced Accommodation. Consent granted.

PL/23/1844/FULL - Conversion of building to consist of 4no. 1-bedroom flats (C3 Class), ground floor office (Class E), and 2 short term let units (C1 Class). Alterations to roof including 2x gables to east elevations and 2x dormers on west elevation. Rear ground and first floor extensions, external door, and window alterations. Application permitted subject to legal agreement, not yet determined.

4. CONSULTATIONS

The following were consulted:

- **RBC Transport Development Control** - As the proposed hard standing is excess of 5 square metres, the frontage must be constructed with a suitable permeable surfacing material. The plans indicate that the frontage will be constructed from block paving which is acceptable. There are no transport objections to this application.
- **RBC Conservation Officer** - The proposed alterations and new design to the front garden of the Grade II listed building would merge the front gardens of listed and unlisted properties, resulting in the loss of surviving natural features, historic layout and legibility of the listed curtilage. Because of its unsympathetic design, materials, and pastiche elements that are to

be introduced without evidence, the proposed development would adversely affect the character and appearance of the front garden, listed curtilage, and setting of the listed building. The works would, therefore, cause less than substantial harm at the moderate-high level on the special architectural and historic interest of the heritage asset contrary to Paragraph 208 of Chapter 16 (conserving and enhancing the historic environment) of the NPPF 2023, Policies EN1 and EN6 of Reading Borough Local Plan 2019. The application provides insufficient and contradictory information, so it is not possible to adequately assess the impact of the proposed development regarding the Listed Building status. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with the NPPF and Local Plan.

- **RBC Waste Operations** – No comments received.

Adjoining and nearby properties were consulted via letter. A site notice was also displayed on site. No letters of representation were received.

5. LEGAL AND PLANNING POLICY CONTEXT

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

National Policy and Guidance

National Planning Policy Framework

National Planning Practice Guidance

Conservation Principles Policies and Guidance 2008

Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CC5: WASTE MINIMISATION AND STORAGE

CC7: DESIGN AND THE PUBLIC REALM

EN1: PROTECTION AND ENHANCEMENT OF THE HISTORIC ENVIRONMENT

EN6: NEW DEVELOPMENT IN A HISTORIC CONTEXT

Local Plan Update

The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. A consultation version of the draft updated version of the Local Plan was published on 6th November 2024.

Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become “out of date” when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are

out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.

Officer advice in respect of the Local Plan policies pertinent to this application listed above is that they remain in accordance with national policy and that the objectives of those policies remains very similar in the draft updated Local Plan. Therefore, they can continue to be afforded weight in the appraisal below and are not considered to be 'out of date'.

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.

6. APPRAISAL

6.1. Character, design, and heritage implications

Policy EN1 states *"Applications which affect Listed Buildings will not have an adverse impact on those elements which contribute to their special architectural or historic interest including, where appropriate, their settings."*

The proposed front brick boundary treatment has been revised following feedback from the RBC Conservation Officer, to include a low brick boundary wall with railings above. This is considered more accurate to what the boundary wall would have historically looked like. However, notwithstanding this view, it appears from the submitted plans that the frontages of no. 97 and no. 99 would essentially blend into each other and would create one combined, very altered frontage area. The removal of the brick wall between no. 97 and 99 has already degraded the frontage and it is considered that this proposal would cause further degradation through the loss of the landscaped garden area. The green frontage of no. 97 London Road enhances the property's appearance and is an important positive attribute of the setting of the heritage asset. Its loss is therefore not considered acceptable. It is disappointing that the proposal does not include reinstatement of the brick wall between the frontages of no. 97 and 99 London Road.

6.2. Highway matters

Policy CC5 requires development include layout and design that provides adequate, well-designed space to facilitate waste storage, reuse, recycling, and composting.

The residential refuse bins are frequently stored on the public footpath in front of 99 London Road, which causes an obstruction on the public footpath and is generally unattractive. The proposal includes creation of a formal bin store, similar to that proposed at 99 London Road (where there are more residential units and an office unit requiring a higher provision of bins). This is considered excessive and unnecessary for this location, further deteriorating the frontage and, therefore, the setting of the heritage asset. Refuse bins could reasonably be stored within the site without the need for a formalised store.

7. CONCLUSION

The unsympathetic design and unnecessary introduction of a formal bin store, the proposed development would adversely affect the character and appearance of the front garden, listed curtilage,

and setting of the listed building. There are no identified benefits which would outweigh the harm identified.

8. RECOMMENDATION

REFUSE PLANNING PERMISSION AND REFUSE LISTED BUILDING CONSENT

Due to the following reason:

1. The proposal would merge the front gardens of listed and unlisted properties, resulting in the loss of surviving natural features, historic layout, and legibility of the listed curtilage. Because of its unsympathetic design and unnecessary introduction of a formal bin store, the proposed development would adversely affect the character and appearance of the front garden, listed curtilage, and setting of the listed building. The works would, therefore, cause less than substantial harm at the moderate-high level on the special architectural and historic interest of the heritage asset contrary to Paragraph 213 of Chapter 16 (conserving and enhancing the historic environment) of the NPPF 2024, and Policies EN1 and EN6 of the Reading Borough Local Plan 2019.