

## **DELEGATED APPLICATION REPORT**

Ward: Abbey Ward

App Ref: PL/26/0531 Full planning permission

Address: 40 HOWARD STREET, READING, RG1 7XS

Proposal: Retrospective application for the removal of chimney stacks

Applicant: Mr Hyden Mayhew

Received date: 20/04/2026

Target Decision date: 16/06/2026

Case Officer: Marcelina Rejwerska

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### **1. SITE DESCRIPTION**

The application site is a mid-terrace three-storey Georgian property, located within the Castle Hill/Russell Street/Oxford Road Conservation Area. The property is currently in use as an HMO and is not listed.



*Application site as seen from Howard Street (application site has white render on ground floor).*

### **2. PROPOSAL AND SUPPORTING INFORMATION**

Planning permission is sought retrospectively for the removal of two chimney stacks at the front and rear of the property.

#### **2.1. Information submitted:**

Location Plan

25-056-P-002 Block Plan

25-056-P-004A Proposed Elevations

25-056-P-003A Existing Elevations

Received 20 April 2026

Planning Statement

Received 1 May 2026

### 3. RELEVANT PLANNING HISTORY

None.

### 4. CONSULTATIONS

The following were consulted:

- **RBC Planning Enforcement** – No comments received.
- **RBC Conservation Officer** - The removal of chimney stacks results in the loss of original elements and materially harms the character and appearance of the conservation area. Whilst this is considered to result in less than substantial harm, there are insufficient public benefits to outweigh it. It is a very minor benefit of an increase in the comfort of residents that this does not outweigh the harm to the significance of the conservation area. Therefore, the proposal is contrary to Policies EN1, EN3 and EN6 of the Reading Borough Local Plan 2016, the National Planning Policy Framework, and the Planning (Listed Buildings and Conservation Areas) Act 1990, which seek positive contribution to local character and distinctiveness and enhancement of the significance of the conservation areas.
- **Conservation Area Advisory Committee** - Chimney stack removal at 40 Howard Street has a negative impact on the roofline and streetscape of Howard Street and does not comply with policy EN1 Protection and Enhancement of the Historic Environment and policy EN3 Enhancement of Conservation Areas.

The above responses are summaries. Full responses can be found on the public planning register.

A site notice was also erected at the front of the site in the public interest. Letters have been received as follows:

- 10 letters of support.

### 5. LEGAL AND PLANNING POLICY CONTEXT

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 (December 2024)

National Planning Practice Guidance (2014 as amended)

Conservation Principles Policies and Guidance 2008

#### Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CC7: DESIGN AND THE PUBLIC REALM

EN3: ENHANCEMENT OF CONSERVATION AREAS

EN6: NEW DEVELOPMENT IN A HISTORIC CONTEXT

#### Other documents

Russell Street/Castle Hill/Oxford Road Conservation Area Appraisal (2020)

#### 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 submission draft was submitted to the Secretary of State on 9th May 2025 and is currently at examination.

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 remain 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**

Policy EN3 requires development in conservation areas to make a positive contribution to the local character and distinctiveness. Policy EN6 similarly requires development to make contribution to the historic character of the area by respecting and enhancing its architectural and visual qualities.

Paragraph 212 of the NPPF requires that *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation....”* Paragraph 213 states, *“any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.”*

The terrace that the subject building forms a part of contributes to the significance of the conservation area, deriving from not only its individual features but also an element of consistent and continuous history of architecture with its neighbours. The key positive characteristic of the Castle Hill/Russell Street/Oxford Road Conservation Area could be summarised as a historic environment of Reading’s urban expansion in the 19th century, reflecting the town’s industrial growth and evolving population needs. Distinct streets showcase a range of housing styles from the Georgian, Victorian, and Edwardian eras—spanning upscale residences for wealthy businessmen to modest artisan cottages. Among them, Howard Street, with more modest-scale buildings, exemplifies the richness of the area.

Castle Hill/Russell Street/Oxford Road Conservation Area is on the Heritage at Risk list of Historic England due to the ongoing negative issues and poor condition that make it vulnerable. Among the negative issues and vulnerabilities described by the conservation area appraisal the following should be noted:

- *“The on-going degradation of property façades with the loss of historic features and detailing such as traditional doors and windows, roofing materials, and frontage treatments. This is most noticeable along the Oxford Road, Prospect Street, Russell Street and in streets to the east with Waylen Street, Zinzan Street, Howard Street, Anstey Street, Body Road, Carey Street and Baker Street.*

- *Architecturally unsympathetic extensions and alterations including poor quality dormers, loss of chimney stacks and chimney pots and the loss of front walls onto streets.”*



*Screenshot from Google Street View which shows the chimney stacks in situ prior to their removal.*

The subject building was the only one that retained its original chimney pots in this terrace. From the junction of Howard Street and Baker Street or the southern end of Howard Street, the façade of buildings presents a strong, consistent appearance and rhythm, with their surviving original elements, including the chimney stacks. As such, the building's character has been significantly altered by the loss of its chimney stacks. The change is noticeable and apparent from the public realm. The chimney stacks are a defining feature of buildings in the conservation area, so their removal represents a clear departure from the structure's historic external form. As a result, the works have had a material impact on the character of the property and significance of the wider conservation area.

The applicant has submitted a statement to justify the works, which describes condensation and mould issues within the interior of the property due to the poor state of the chimney stacks and pots. There is no visual evidence provided to support this statement, and the works do not appear to have been assessed or carried out by a heritage specialist. The statement provided by the contractor who completed the works states that the *'complete chimney structures were causing dampness'*, but no work has been done or proposed to the chimney breasts. It is a complete chimney system that provides adequate ventilation for the historic fabric, and its function should be understood in relation to the breathability/permeability and integrity of the historic structure. As such, the submitted justification is considered insufficient and without basis in conservation principles.

It is also noted from submitted statement that many works have been carried out in the past which increase the risk of condensation in historic buildings. For example, the replacement of original vertical sliding timber sash windows with top hinged double glazed plastic casement windows with false glazing bars increases the risk of condensation for historic buildings.

## **7. CONCLUSION**

On balance, while the works may reduce dampness and the presence of mould internally to some extent, it is not considered that the removal of the chimney pots and stacks has been sufficiently justified, as the submitted evidence does not engage with basic conservation principles and fails to account for alternative options to resolve the issue of dampness and mould on a holistic basis. The removal of chimneys materially

harms the character and appearance of the conservation area, and whilst this is considered to result in less than substantial harm, there are no justified public benefits to outweigh this harm.

## **8. RECOMMENDATION**

### **REFUSE**

Due to the following reasons:

1. The removal of chimney stacks results in the loss of original elements and materially harms the character and appearance of the conservation area. Whilst this is considered to result in less than substantial harm, there are insufficient public benefits to outweigh this as no alternatives have been explored nor considered. Therefore, the proposal is contrary to Policies EN3 and EN6 of the Reading Borough Local Plan 2016 and Paragraphs 213 and 215 of the NPPF (2024).