

DELEGATED PLANNING APPLICATION REPORT

Ward: Coley

App Ref: 230889/FUL

Address: 67 Lorne Street, Reading, RG1 7YW

Proposals: Deconversion of two flats into a single dwelling.

Case Officer: Nathalie Weekes

Date received (valid from): 4 July 2023 Target Decision date: 29 August 2023

1. SITE DESCRIPTION

The application site is a 3 storey property built around 1880, located on the eastern side of Lorne Street at the top of the road on the corner with Argyle Road. It was originally one house but is currently subdivided into use as 2 flats. The flats currently comprise a one bedroom ground floor flat and three bedroom first floor flat. Many of the surrounding houses have been converted into flats or HMOs.

Site visit date: 13 September 2023

Site visit photos:



2. PROPOSAL AND SUPPORTING INFORMATION

The proposal is to convert the two flats back into a single family 4 bedroom dwelling. No changes are proposed to the external elevations. Proposed works will include:

- Reinstatement of an internal passageway on the ground floor between 67 and 67A Lorne Street to provide access to the ground and first floor.
- Connecting and combining electrical, gas and water supplies between the two dwellings (planning permission not required)
- Extinguishing 67A as a dwelling once works are complete, so that the entire property becomes 67 Lorne Street.

The property is proposed to comprise:

Ground floor - Living room, dining room and kitchen with downstairs bathroom and toilet

First floor - 2 bedrooms, open living room/play room and bathroom

Second floor - 2 bedrooms

Flat 67 is owned by Mr Robertson whilst 67a is owned by his wife Mrs Metherington, both of whom are supportive of the application and jointly own the freehold to the land at the site.

Plans considered

Location plan

Block Plan

Planning supporting statement

Proposed first floor

Proposed ground floor

Proposed second floor

Current ground floor

Current ground floor

Current second floor

CIL

Received on 26 June 2023

3. RELEVANT PLANNING HISTORY

None

It should be noted that no records have been found permitting the change of use from a single dwellinghouse to two flats. It was apparent that the house was used as two separate flats at the site visit.

4. CONSULTATIONS

The following addresses were consulted by letter. A site notice was displayed at the site on 11 August 2023 for the required period.

4 Argyle Road, Reading, RG1 7YL

67 Lorne Street, Reading, RG1 7YW

67a Lorne Street, Reading, RG1 7YW

No letters of representation have been received.

Internal consultations

RBC Transport - No objections. The property will be subject to the terms and conditions of the residential parking permit scheme.

RBC Planning Policy - No objections subject to compliance with policy H7, H8 and the Residential Conversions SPD

5. LEGAL AND PLANNING POLICY CONTEXT

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'. The following local and national planning policy and guidance is relevant to this application:

National Policy and Guidance

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CC8: SAFEGUARDING AMENITY

CC9: SECURING INFRASTRUCTURE

H2: DENSITY AND MIX

H7: PROTECTING THE EXISTING HOUSING STOCK

H8: RESIDENTIAL CONVERSIONS

TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS

SPG/SPD

Residential Conversions (2013)

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.

APPRAISAL

Appraisal

The main issues to be considered are:

- a) Principle of Development
- b) Residential Amenity of Existing and Future Occupiers
- c) Transport Matters

a) Principle of Development

It is widely documented in planning law that it is unclear as to whether planning permission is required to amalgamate separate residential units to one unit. Ordinarily changes within the same use class do not require planning permission as it qualifies as Permitted Development. In this case, both a single dwellinghouse and flats are within the C3(a) category.

However, in the case of *London Borough of Richmond v Secretary of State for the Environment, Transport and the Regions and Richmond upon Thames Churches Housing Trust QBD 28 March 2000* the decision ruled that the "same use class" exception cannot be relied upon in residential amalgamation cases. As such, it needs to be considered if the amalgamation would be considered a material change of use.

In assessing whether the amalgamation would constitute a material change of use, local level planning policy is required to be considered. In Reading Borough's Local Plan, policy H7 states that *'Planning permission will not be granted for any loss of residential accommodation or land unless there are exceptional circumstances. Planning permission will not be granted for a net loss in the number of residential units or gross floor area.'* As such, it is considered that when assessing the proposal against this policy, the proposed amalgamation would require planning permission as it would result in the loss of residential accommodation and would therefore be a material change.

Nevertheless, as part of Policy H7 it does state: *'There may be exceptional circumstances where a loss of a limited amount of general residential would help to meet other key identified needs, for instance for a specific identified need for accommodation for vulnerable groups (see policy H6), and this should be clearly demonstrated as part of any planning application'.*

The Residential conversions SPD para 7.3 lists additional possible exceptional circumstances for the conversion of flats into a dwellinghouse such as a 'net gain in family accommodation of three bedroom or more' and 'where the proposal would provide a significantly more satisfactory standard of accommodation, for instance in terms of internal space standards or layouts.'

Policy H2 highlights the need for houses with 3 or more bedrooms.

The applicant argues that converting the building back to a single family dwelling to meet the needs for larger family accommodation due to a shortage of family housing in the area. However, the property in its current form does provide a family sized unit as the flat on the first and second floors has three bedrooms.

The conversion of the property to one single dwelling would result in the building returning to its original arrangement. No planning permission was granted for the sub-division of the dwelling to two flats and therefore any works that were carried out were not assessed by the LPA. If planning permission had been sought and granted, the family unit would have been required to be at ground floor level, with access to the garden, rather than split across the upper floors. Given this, the arrangement of the unit is compromised in terms of its quality and function, and rectifying this would be a benefit of the current proposal.

Given the specific need for larger family houses within Reading and the nature of the original building, the loss of a one bedroom dwelling to facilitate the creation of a large family home could be considered exceptional circumstances as it would meet an identified need. Furthermore, although there would be a loss in terms of unit numbers, the number of bedspaces would remain unaltered, with four bedrooms provided, and the arrangement of the units rectified to provide an appropriate layout for a family home.

In this instance, the benefits of the conversion of the property from two flats to a single family house would outweigh the harm caused by the loss of a one-bedroom flat, demonstrating the exceptional circumstances required by the Local Plan. Given this, the proposal is considered to be acceptable and would comply with Policy H7 of the Reading Borough Local Plan (2019).

b) Residential Amenity of Existing and Future Residents

Policy CC8 states that 'Development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties.

It is not considered that the proposed amalgamation would result in substantial harm to neighbours. The use would continue as residential and has the potential to de-intensify the use if the building is used as a single dwellinghouse, rather than two.

No external works are proposed.

As such the proposal is considered acceptable in relation to Policy CC8 of the Reading Borough Local Plan (2019).

c) Transport Matters

There is no off-street parking associated with the property, the Councils residential parking scheme operates on Lorne Street and surrounding roads, therefore the property will be

subject to the terms and conditions of the residential parking scheme. The demand for parking for the newly formed single dwelling is comparable to the existing 2 flats.

There are no Transport objections to this application given as the change of use would not have a material impact on the character of the traffic in the vicinity of the site and the extensive parking restrictions in place.

Proposed construction works are to demolish a ground floor wall, materials can be stored on site and are not considered to have a detrimental impact on the highway.

As such the proposal is considered acceptable in relation to Policy TR3 of the Reading Borough Local Plan (2019).

Conclusion

The benefits of the creation of a four bedroom family dwelling, the more appropriate layout and retention of bedspaces is considered to outweigh the loss of a one bedroom flat, would provide appropriate family accommodation and therefore complies with policy H7 and H8.

RECOMMENDATION

Approve

Subject to the following conditions:

Time limit

Plans