

Delegated Application Report

Address: 48 Cardigan Road

Application No: 221856/FUL

Proposal: Change of use from C3 to a 4-bedroom C4 HMO with minor interior amendments and rear extension (amended)

Case Officer: Connie Davis

Extended Target Date: 10/02/23

Site Description and Surrounding Area:

The application site is a mid-terrace two storey. Properties on the road have small frontages with on-road parking. The site is located in an area controlled by an Article 4 direction preventing the change of use from C3 to C4 (single family dwellinghouse to a small HMO) without planning permission.

The site is not Listed, nor in a Conservation Area.

Proposals:

The proposal is for the conversion of the dwelling to a small HMO (4 bedroom). Whilst not specified, from the floor plans, it appears the layout could accommodate up to 6 individuals (2 bedrooms being of a size that could accommodate 2 individuals). The proposal is therefore being assessed on this basis.

In addition, a single storey rear extension is proposed to infill the space between the outrigger and boundary with 50 Cardigan Road. The extension would measure a depth of 3.4m, width of 1.4m and height of 2.7m. No details of materials has been proposed.

Plans/Documents submitted:

Proposed Plans - Rev V6

Received 19th January 2023

Site Location Plan Rev V5

Existing Block Plan Rev V5

Existing Plans Rev V5

Proposed Block Plan Rev V5

Existing and Proposed Elevations Rev V5

Received 16th December 2022

Application Form

Planning Statement

CIL Form

Received 12th December 2022

Relevant Planning History:

None at the application site.

Consultation Responses:

Transport - No objection

Environmental Health - No objection

Public consultation:

Neighbouring properties were consulted via letter on 05/01/23. No letters of representation have been received.

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.

Relevant Planning Policy and Guidance and Legal 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) which states at Paragraph 11 “Plans and decisions should apply a presumption in favour of sustainable development”.

Reading Borough Local Plan (2019):

CC1	Presumption in favour of sustainable development
CC2	Sustainable design and construction
CC3	Adaptation to climate change
CC5	Waste minimisation and storage
CC7	Design and the public realm
CC8	Safeguarding amenity
EN16	Pollution and Water Resources
H1	Provision of housing
H8	Residential Conversions
H10	Private and communal outdoor space
TR1	Achieving the transport strategy
TR3	Access, traffic and highway related matters
TR5	Car and cycle parking and electric vehicle charging

Relevant Supplementary Planning Documents (SPD) are:

Revised Parking Standards and Design (2011)

Residential Conversions (2013)

Residential Conversions (2022) - Draft, out for consultation

Appraisal

The main issues to be considered are:

- i) Principle of development: Whether it would result in unduly diluting or harming a mixed and sustainable community;
- ii) The impact on amenity of existing and future residents of the property and neighbouring properties;
- iii) Design considerations
- iv) Car/ Cycle Parking;
- v) Bin Storage;
- vi) Sustainability

i) Principle of Development

Policy H8 (Residential Conversions), states that:

‘Proposals to convert buildings into self-contained flats or for multiple occupation will be assessed against the impact on the amenity and character of the surrounding area, particularly in terms of intensification of activity, loss of privacy, loss of external amenity space, the provision and location of adequate on-site car parking and the treatment of bin storage areas and other related servicing.

Proposals to convert properties into self-contained flats or for multiple occupation will only be acceptable where:

- *The proposal respects the physical character of the area in terms of scale, location, materials and design, the arrangement of doors, windows and other principal architectural features.*
- *The proposal would not, either individually or cumulatively, unduly dilute or harm an existing mixed and sustainable community through the significant loss of single-family housing.*
- *There are no unacceptable adverse impacts to residents of the scheme or surrounding properties arising from noise and disturbance in terms of the number and layout of units proposed and the proximity to other properties.*
- *There is no inappropriate stacking and location of rooms between units.*
- *Bin and cycle storage is of an appropriate size and standard for the units proposed and should be located at ground floor level with easy access; and*
- *The resulting property or properties would provide adequate internal floorspace and headroom for residents.’*

Furthermore, in areas controlled by an Article 4 direction to prevent changes of use from C3 to C4 under permitted development (which is the case here) Policy H8 states: *‘Planning permission will not normally be granted where the proportion of HMOs (either C4 or sui generis) will result in HMOs representing 25% or more of the residential properties within a circle of 50m radius measured from the application site’*

Officers have obtained data from Council Tax and Environmental Health records and the HMO register to establish if the granting of this HMO would tip the 25% threshold. This is not the case. As such, there is not an in-principle objection to the conversion of the property to a HMO and it would not result in a proliferation of HMOs within the defined 50m radius. However, the acceptability of the proposal is also subject to other material considerations, many of which relate to the above points mentioned in policy H8.

ii) **The impact on amenity of existing and future residents of the property and neighbouring properties**

The Residential Conversions SPD sets out a number of checklist items which provide further detail related to adopted Policies CC8, H8 and H10 of the Reading Borough Local Plan 2019.

Policy CC8 (Safeguarding Amenity) requires development to not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties, in terms of: Privacy and overlooking; Access to sunlight and daylight; Visual dominance and overbearing effects of a development; Harm to outlook; Noise and disturbance; Artificial lighting; Vibration; Dust and fumes; Smell; Crime and safety.

Policy H8 (Residential Conversions) requires that there are no unacceptable adverse impacts to residents of the scheme or surrounding properties arising from noise and disturbance in terms of the number and layout of units proposed and the proximity to other properties.

Policy H10 (Private and Communal Outdoor Space) deals specifically with private and communal space and requires such space to allow for sitting out, children’s play areas, home food production, green waste composting, refuse storage, drying space.

Impact on amenity of existing and future residents of the property

Room Sizes

The SPD states, *“Where the cooking facilities are provided in a separate room, each bedroom must be a minimum of:*

- 6.5 square metres if occupied by one person;*
- 10.5 square metres if occupied by two persons”.*

The bedrooms are proposed for single occupancy and there is a separate communal kitchen and living area. All bedroom sizes are considered acceptable. However, cross sectional drawings have not been provided to demonstrate that adequate head height would be provided for bedrooms, particularly bedroom 3. Whilst this is already an existing bedroom, it is a bedroom within a larger family house, rather than being an individual’s only form of private space. As such, the proposal has not demonstrated a suitable level of

accommodation for future occupiers in this regard, contrary to policies H8, CC8 and the Residential Conversions SPD

Communal Space

The scheme provides for a communal area on the ground floor, facilitated by an extension, in total measuring 21 sqm. As above, all the bedrooms are of a good size and the communal space is considered to be of an acceptable size and layout to accommodate residents. Therefore, the overall level of communal provision is considered acceptable.

Amenity Space

The application includes a good size rear garden area. Given the size and nature of the communal garden area, which is considered to provide sufficient space for functional communal space and sitting out and given the site's central location close to public recreation and leisure facilities, this is considered to be in accordance with Policy H10.

External windows

All habitable rooms would benefit from external windows. However, bedroom 3 (located on the second floor) would only be served by a roof light. It has not been demonstrated that this would provide sufficient light to the occupier of this room. Furthermore, a rooflight will not provide adequate outlook. Given this will be an occupiers only form of private space (unlike the situation in a family house) it is considered the room would be an unacceptable living environment.

Layout/Stacking of Rooms

The Council's SPD seeks to avoid layouts which locate living rooms, bathrooms and kitchens, next to, above, or below, proposed or neighbouring bedrooms. The layout does not achieve this, with a bedroom being located next to the only communal area, and with a bedroom above. As such, this is not considered an appropriate layout that could result in noise and disturbance for future occupiers, contrary to policy CC8 of the Local Plan.

Privacy and Overlooking/Overbearing Impacts

The proposed extension includes a ground floor which would extend to a depth of 3.5m. This would run alongside the boundary with 50 Cardigan Road and would result in a 'tunnelling' effect. The neighbour has a rear facing window that would be enclosed by the proposed extension and the outrigger. Whilst a boundary fence is in place, boundary treatment is not considered a long-term solution given it could be removed at any time. Boundary treatment also cannot be relied upon to screen or defend an otherwise unacceptable development. However, given the proposed extension would only be 0.5m deeper than what could be built under permitted development, it is not considered that the extension would be substantially harmful to warrant refusal in this instance. The extension is therefore, on balance, considered acceptable in relation to neighbours and in relation to Policy CC8 of the Local Plan.

Noise and Disturbance and Pollution

The level of noise and disturbance from four people is unlikely to be significantly harmful to the residents of adjoining properties, and additional disturbance or nuisance is controlled by civil enforcement (police) and statutory nuisance legislation (Environmental Health).

iii) **Design considerations**

Policy CC7 (Design and the Public Realm) seeks to ensure that new development enhances and preserves the local character. Policy H10 (Private and Communal Outdoor Space) states that the design of outdoor areas will respect the size and character of other similar spaces in the vicinity.

The extension is considered of a modest scale in relation to the main house, when assessed purely in design terms. It would have a flat roof and had the scheme been acceptable overall it would have been conditioned that the materials to be used would be in keeping with the main house, compliant with policy CC7 of the Local Plan.

iv) **Car/Cycle parking**

The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core and extends to walking distances of 2 kilometres from the centre of Reading. This zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone. Parking occurs on both sides of the carriageway.

In accordance with the Council's current standards a 4 bedroom HMO room would require 0.25 car parking spaces per room, therefore equating to 1 parking space. It would appear that there is no off street parking associated with this property and given the terraced nature of the dwellings here is no scope to provide any.

A residential parking permit scheme operates in this and the surrounding roads. Under the Borough's current parking standards, this proposal would generate additional pressure for parking in the area: therefore, if this application is approved there should be an assumption that any future occupants of the proposed HMO will not be issued with resident or visitor parking permits which should be covered by condition and an informative applied. This will ensure that the development does not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street car parking in the area. Our records the property has already been issued with a resident permit and visitor permits. Given the parking restrictions in place preventing unauthorised parking a car free development can be considered in this instance.

In accordance with the Council's Parking Standards and Design SPD, 2 cycle spaces are required. The plans show two cycle spaces in the front garden in the form of Sheffield stands which is a policy compliant amount of cycle parking. Whilst not shown on the plans, a lockable store would be required for the bicycles, as per policy. Bicycle stands are proposed in the small frontage given the site does not have side access to keep bicycles at the rear of the property. Although there would be space for cycle storage within the front garden this needs to be balanced against the appearance of the site within the street scene. Officers have concerns that any structure in the frontage would be an anomaly in the street scene and would result in a crowded frontage, compromising any opportunities for landscaping, for example. As such, it is considered this addition to the front garden would have a detrimental effect and the retention of open space would in this instance have a more positive effect on the property's appearance in the street. This outweighs the need for a lockable bicycle store in this instance.

v) **Bin Storage**

Policy H8 requires that bin storage is of an appropriate size and to which there is easy access. Bins are proposed to be located at the front of the property and therefore close to the bin collection point. Most properties on Cardigan Road have bins within the frontage of the site and so this arrangement is not unusual. Two refuse bins are proposed which is considered adequate given the amount of occupiers would be the same size as some family units.

RECCOMENDATION: **REFUSE** for the flowing reasons:

1. The proposed development would locate bedroom 4 next to the communal space and bedroom 1 partially above the communal space. This is considered to be an inappropriate 'stacking' arrangement which, through noise and disturbance of the occupiers using the communal areas will result in an unacceptable level of harm to residential amenity for occupants of these bedrooms. This would be contrary to policies CC8, H8 and the Residential Conversions SPD (2013)
2. The proposed development fails to provide adequate natural light and outlook for the future occupier of bedroom 3, contrary to policies CC8 and H8 of the Reading Borough Local Plan (2019)
3. The proposed development fails to demonstrate that it would provide adequate head height for the occupiers of bedroom 3, owing to its location on the second floor, contrary to policies CC8 and H8 of the Reading Borough Local Plan (2019).