

DELEGATED APPLICATION REPORT

Ward: Katesgrove

App Ref: 221905/FUL

Address: 73 Mount Pleasant, Reading, RG1 2TF

Proposals: Change of use from dwellinghouse (Class C3) to 5 bedroom small HMO (Class C4) including a single storey rear extension

Case Officer: Mr David Brett

Applicant: Mr Mustafa Ashraf

Date received: 20/12/2022

Valid from: 15/02/2023

Target Decision date: 12/04/2023

1. INTRODUCTION

The proposal site is a two-storey middle terraced dwelling on the east side of Mount Pleasant. The surrounding area is characterised as predominately residential with Victorian terraced rows. Modern flats are located east of the proposal site along Spring Grove, with the Abbey School hockey pitch located slightly further east. Whitley Street Major Local Centre is 100m south of 73 Mount Pleasant.

An Article 4 directive is in place for 73 Mount Pleasant (amongst other properties in the vicinity), which removes normal permitted development rights to convert a house (C3 use) into a small house in multiple occupation (C4 use). This means planning permission is required to convert a house (C3) to a small house in multiple occupation (C4).



Fig 1. Front of 73 Mount Pleasant. Photo taken by case officer on 11/02/2022.

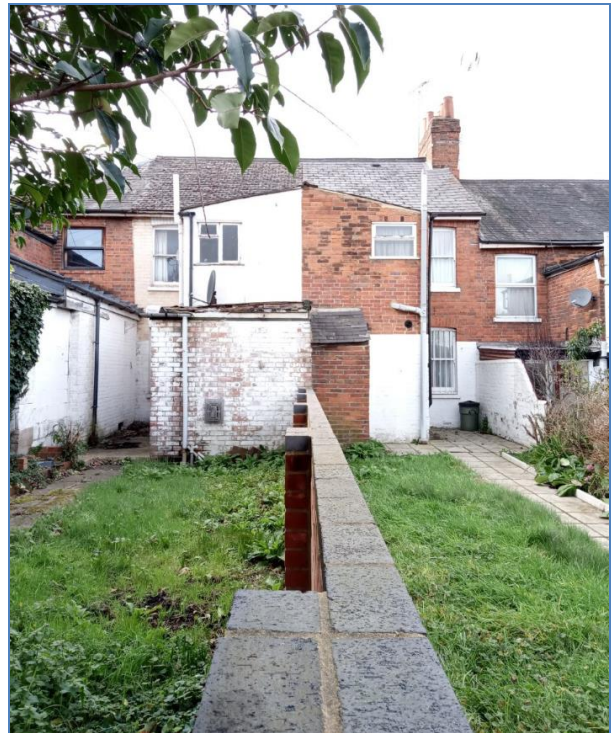


Fig 2. Rear of 73 Mount Pleasant (white building pictured left). Photo taken by case officer on 11/02/2022.

An unaccompanied site visit was performed externally on 11/02/2022.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed development seeks the change of use of 73 Mount Pleasant from a dwelling (C3 Use Class) to a small 5 bedroom HMO (Class C4). A single storey rear extension has been proposed to facilitate the change of use to a 5 occupant small HMO. A communal area, kitchen, W/C, and two bedrooms are proposed to the ground floor. Two bedrooms and a bathroom are proposed to the first floor. It is proposed that the second floor be converted to a bedroom.

There is a planning permission at 73 Mount Pleasant for the conversion of the property to a 4 bedroom small HMO (C4 Use Class) with a single storey rear extension (see section 3 - Relevant Planning History). This application seeks to intensify the approved use by increasing to 5 bedrooms, with the additional bedroom located within the loft space.

Plans considered:

- Location Plan - 1930 EX10-001
- Site Plan - 1930 EX10-002
- Existing Ground Floor Plan - 1930 EX13-001
- Existing First Floor Plan - 1930 EX13-002
- Existing East & West Elevations - 1930 EX13-100
- Existing South Elevation - 1930 EX13-101
- Existing North Elevation - 1930 EX13-102
- Proposed Site Plan - 1930 PL10-002b
- Proposed Ground Floor Plan - 1930 FE13-001
- Proposed First Floor Plan - 1930 FE13-002
- Proposed Second Floor Plan - 1930 FE13-003
- Proposed Roof Plan - 1930 FE13-004
- Proposed Elevations - 1930 FE13-100
- Proposed South Elevation - 1930 PL13-101b
- Proposed North Elevation - 1930 PL13-102a

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- Planning, Design & Access Statement - 1930
- Existing Section - 1930 EX13-200
- ~~Proposed Section 1 - 1930 PL13-103a~~

Received on 15/02/2023

- Proposed Section 1 - 1930 PL13-103a

Received on 20/02/2023

3. RELEVANT PLANNING HISTORY

220045/FUL - Change of use from dwellinghouse (Class C3) to 4 bedroom HMO (Class C4), including a single storey rear extension (amended description) - Application Permitted on 10/05/2022

4. CONSULTATIONS

4.1 The following addresses were consulted by letter.

71 Mount Pleasant, Reading, RG1 2TF - Response received on 09/03/2023

- *An increase from two to five bedrooms is far too much. This will result in a significant increase in noise, parking and other problems for neighbouring properties.*
- *Also, the loft is surely not large enough for a fifth bedroom when the limited headroom is taken into account.*

75 Mount Pleasant, Reading, RG1 2TF - No response received.
Ro Flat, 75 Mount Pleasant, Reading, RG1 2TF - No response received.
Flat 1st Flr, 75 Mount Pleasant, Reading, RG1 2TF - No response received.
Flat Gnd Flr, 75 Mount Pleasant, Reading, RG1 2TF - No response received.
17 Monkley Court, Piggotts Road, Caversham, RG4 8EW - No response received.

Reading Borough Council, Environmental Protection - Response received on 20/02/2023
- No comment for this application.

Reading Borough Council, Transport - Response received on 21/02/2023
- Advised of parking restrictions and the need for parking permits.
- Cycle provision needs to be demonstrated for the storage of three cycles.
- Bin storage needs to be demonstrated on the plans.
- A Construction Management Statement is required.

A site notice was sent to the agent to display at the proposal site on 16/02/2023.

5. 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. 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

National Planning Policy Framework
National Planning Practice Guidance

Reading Borough Local Plan (Adopted November 2019)

CC7 Design and the Public Realm
CC8 Safeguarding Amenity
H8 Residential Conversions
H10 Private and Communal Outdoor Space
TR3 Access, Traffic and Highway-Related Matters
TR5 Car and Cycle Parking and Electric Vehicle Charging

SPG/SPD

Design Guide to House Extensions SPD (Adopted March 2021)
Residential Conversions SPD (Adopted March 2023)

7. APPRAISAL

7.1 Land Use Principles

Policy H8 (Residential Conversions) of the Reading Borough Local Plan states that:

In areas covered by an Article 4 direction that restricts changes of use from Class C3 to Class C4:

- *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.*

The Residential Conversions SPD provides further detail with respect to Policy H8 and identifies that the ‘tipping point is when the concentration of HMOs becomes over dominant and the community is no longer considered to be mixed and sustainable.’ The SPD defines that “planning permission will not normally be granted where the proportion of HMOs will result in HMOs representing 25% or more of the residential properties within a circle of 50m radius measured from the application site” (para. 5.43).

The concentration of HMOs in the area surrounding the application site has been calculated as a percentage of the total estimated number of existing HMOs (C4 or sui generis) against the total number of residential properties, i.e. those falling with C3, C4 or sui generis HMO use. Potential data sources are those from the Environmental Protection and Nuisance Team, in particular the publicly available Register of Houses in Multiple Occupation, Council Tax records, extant (unimplemented) permissions for HMOs, and data on property websites, and data held by the Enforcement Team.

The total number of properties within the 50m radius, including the application site, has been calculated as 59. This figure does not include buildings that are not classified as a dwelling (for example buildings under Use Class E) and purpose-built flats. A total number of 6 HMOs within a 50m radius of the proposal site have been identified. The estimated total percentage of existing HMOs within a 50m radius of 73 Mount Pleasant is 10.17%, the proposed HMO at 73 Mount Pleasant would increase this to 11.86%. As a result, the proposed increase in HMOs would not exceed 25% within a 50m radius of the proposal site, therefore, the principle of the development is acceptable in accordance with Policy H8 of the Reading Borough Local Plan. The threshold estimate has been calculated in accordance with the guidance provided within paragraphs 5.30 to 5.45 of the Residential Conversions SPD (2013).

The above calculation was carried out the time of application 220045, with the data reviewed and updated accordingly on 11/04/2023.

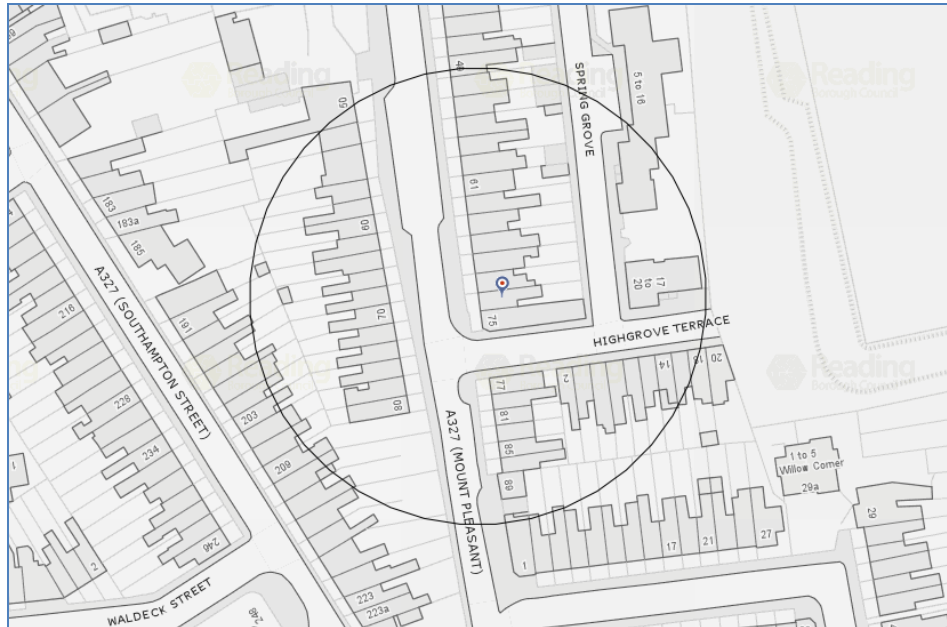


Fig 3. A 50m radius of 73 Mount Pleasant

7.2 Design and the Public Realm

In accordance with Reading Borough Local Plan policy CC7: Design and the Public Realm, development will be assessed to ensure that it (amongst other matters):

- *Respond positively to their local context and create or reinforce local character and distinctiveness, including protecting and enhancing the historic environment of the Borough and providing value to the public realm;*
- *Are visually attractive as a result of good high quality built forms and spaces, the inclusion of public art and appropriate materials and landscaping*



Fig 4. Google Maps image of Mount Pleasant, proposal site outlined in red. Image retrieved from Google Maps on 22/03/2022

The only external alteration taking place to facilitate the conversion to a small HMO is a single storey ground floor rear extension. The rear extension will provide an open plan living room and kitchen area. The proposed rear extension has a depth of 4.15m and extends from the rear wall of the existing single storey element to the two-storey outrigger. The rear extension has a height of 2.7m, features a flat roof and is on the boundary to 71 Mount Pleasant.

The proposed ground floor rear extension is considered to sufficiently respect the existing dwelling and the surrounding area in terms of size, scale and appearance. As demonstrated in figure 4, the majority of gardens to the rear of the terraced row along Mount Pleasant feature extensive buildings within the rear garden. The proposed ground floor rear extension, despite its notable depth, is not considered so out of character with the surrounding area. The footprint of the proposed rear extension would still allow for an acceptable amount of private amenity space.

With regards to materials; the Planning, Design and Access Statement confirms that the external walls of the proposed rear extension will consist of brickwork to match the existing dwelling, and uPVC casement windows. These materials are considered acceptable and respect the character and appearance of the existing dwelling and surrounding area.

The proposed development is therefore considered in accordance with Policy CC7 of the Reading Borough Local Plan.

7.3 Safeguarding Amenity

Future Occupants

Policy H8 (Residential Conversions) of the Reading Borough Local Plan states that:
Proposals to convert properties into self-contained flats or for multiple occupation will only be acceptable where:

- *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.*

The Residential Conversions SPD sets out a number of checklist items which provide further detail related to adopted policies CC8, H8 and H10 and the relevant ones to this proposal are as follows.

Room Sizes

The SPD identifies minimum internal floorspace standards (Appendix 1) as 6.5sqm for a single bedroom and 7sqm for a kitchen. The kitchen is shown as 7m², with the bedrooms ranging from 8m² to 12m², with suitable head height.

All of the bedrooms are considered suitable in terms of size, layout and ground to ceiling height apart from bedroom 5, which is located within the loft space of 73 Mount Pleasant.

Paragraph 2.28 of the Residential Conversions SPD (Adopted March 2023) states that “There is no statutory minimum requirement for ceiling heights, although Building Regulations requires a 2.0 metres headroom clearance for staircases. It is, nevertheless, generally recommended that residential accommodation should have a ‘good practice’ minimum floor to ceiling height of 2.3 metres. This standard will be applied to the principal rooms of accommodation, which include kitchens, bathrooms and living rooms. This will prevent cramped residential accommodation”.

The gross internal area of bedroom 5 is 7.5m² as measured from the proposed floor plans, however, only 4.3m² (63%) of the room has a floor to ceiling height of 2m or more, as

demonstrated in figures 5 and 6. This combined with the angles of the two roof slopes is considered to create an oppressive and confined living space. Limited outlook is also considered to be provided to the occupant of bedroom 5, with the base of the rooflights being 1.8m. Therefore, no meaningful outlook would be provided to this bedroom.

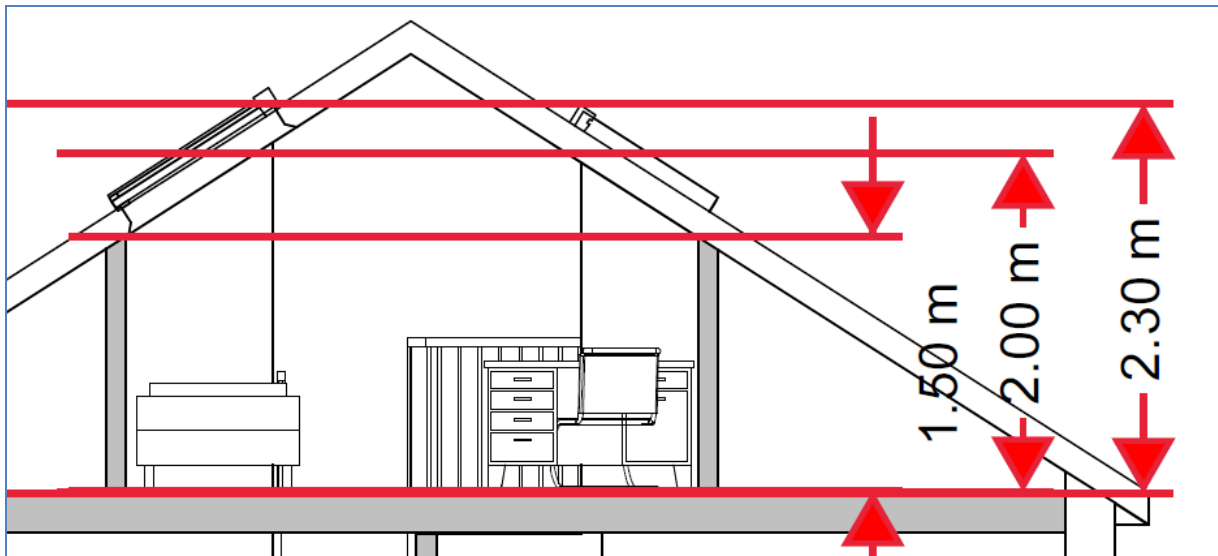


Fig 5. Floor to ceiling heights for bedroom 5, as measured from drawing 'Proposed Section 1 - 1930 FE13-200'

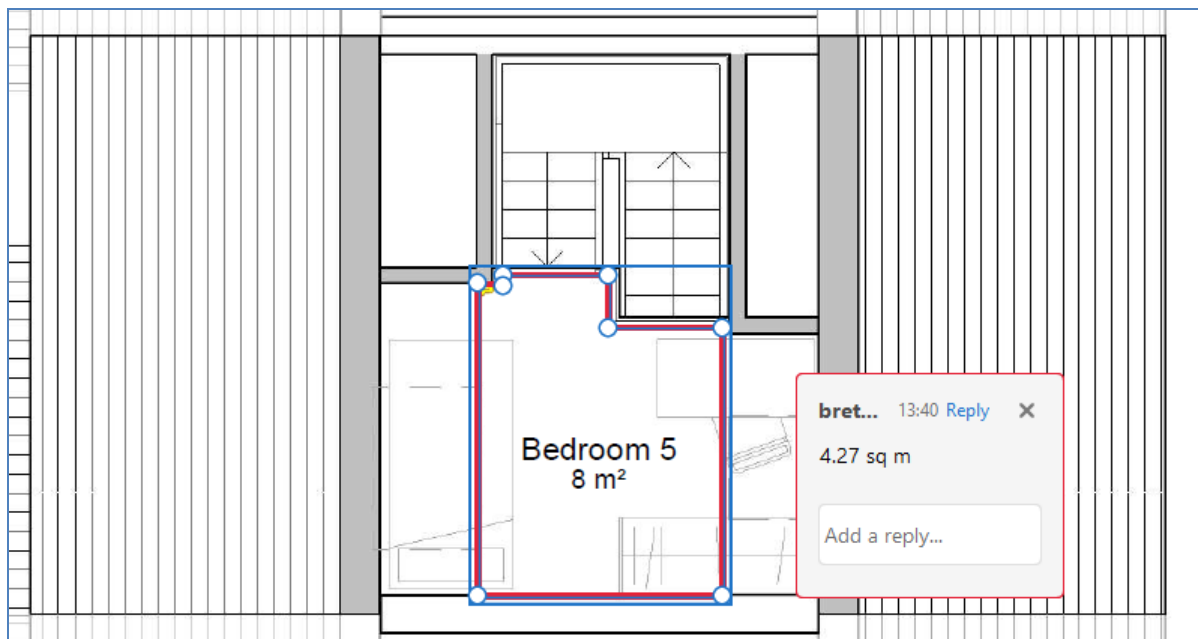


Fig 6. Gross internal floor area of bedroom with a floor to ceiling height of 2m or more, as measured from drawing 'Proposed Second Floor Plan - 1930 FE13-003'

Communal Space

There is a lounge and kitchen, which is considered acceptable for a 4 bedroom, small HMO. As this application is seeking 5 bedrooms, however, due to the poor living conditions afforded to the occupant of bedroom 5 it is considered that any future occupant of this bedroom would have a reliance on a communal living space. The size and layout of the communal area in this instance is not considered appropriate for 5 occupants, however, due to the appropriate size and layout of four of the five bedrooms, the quality of the communal area is not considered harmful enough to warrant an additional reason for refusal.

Amenity Space

Despite the loss in private garden space resulting from the proposed single storey rear extension, the resulted garden is considered acceptable.

External windows

All habitable rooms would benefit from external windows. The outlook to bedroom 2 is considered to be somewhat constrained given that the window looks out onto a narrow corridor between the existing rear extension at number 75 and the proposed rear extension. The window, however, would allow for natural light and provides a limited view to the rear garden and sky.

Access to sunlight/daylight

This would be acceptable for proposed residents.

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 largely achieves this, and is on balance considered acceptable as it is noted that bedroom 2 shares a wall with the kitchen and the W/C. Bedroom 5 would only be slightly located above bedrooms 3 and 4 and for the most part located about the staircase and landing to the first floor.

Noise and disturbance - In terms of noise and disturbance there is no evidence to suggest that a 5 bedroom HMO would create significantly greater levels of noise than a fully occupied three bedroom family house, and in itself would not warrant refusal on this basis.

Bin storage - Bins would be stored within the rear garden with access provided to the highway at the rear of the site. This solution is considered acceptable. Many of the residents along the terraced row keep their bins within the front garden, this is also considered an acceptable solution. Regardless, there is considered to be sufficient space on site for the appropriate storage of bins.

It is recognised that the proposed development seeks a small HMO for 5 occupants and not a large HMO under the Sui Generis use class, nevertheless, it would have been considered pertinent to add an informative with the Council's expectations that all properties in HMO use will be properly managed and that producing a management plan is advised.

Due to the inadequate living conditions afforded to the occupant of bedroom 5 the development is not considered in accordance with Policies CC8 and H8 of the Reading Borough Local Plan and the Residential Conversions SPD (Adopted March 2023).

Neighbouring Residents

This proposal has also been assessed against Reading Borough Local Plan policy CC8: Safeguarding Amenity, which states that proposals are acceptable where they will not cause a detrimental impact on the living environment of existing residential properties with regard to including factors (amongst others):

- *Privacy and overlooking*
- *Access to sunlight and daylight*
- *Visual dominance and overbearing effects of a development*
- *Harm to outlook*
- *Noise and disturbance*

With regards to the impact of the proposed development on 71 Mount Pleasant; an objection was received from number 71 with concerns regarding the design of the proposed dormer, this has now been removed from the plans. It is stated in the objection from number 71 that the five bedrooms would give rise increased noise levels. It is considered that the any noise arising from

a 5 person small HMO is unlikely to be more significant to harmful degree than that of a family home. There are no noise concerns with regards to the use of 71 Mount Pleasant as a small HMO. With regards to parking, Transport Development Control have stated that as there has historically been no off-street parking associated with the property, this is considered a car free development. The applicant is advised that future occupants are not entitled to parking permits.

The proposed rear extension is considered to allow for a suitable amount of outdoor space for bin and cycle storage along with other associated uses such as hanging washing. The depth of the proposed rear extension is acknowledged, however, the proposed rear extension would not result in a harmful loss of light to habitable rooms at number 71 (see Fig 2). Due to the height of the proposed ground floor rear extension, it is not considered that there would be a harmful loss of light to the rear garden of number 71.

It is accordingly considered necessary to include a condition preventing the flat roof area to the proposed rear extension being used as a terrace, to protect neighbouring amenity with regards to overlooking and loss of privacy.

With regards to the impact of the development on number 75; the proposed development is not considered to result in a loss of privacy or harm the outlook to occupants. As already discussed, the proposed use is not considered to give rise to harmful levels of noise and disturbance.

No other nearby occupier is considered to be significantly impinged by the proposed development in relation to any amenity consideration. It is also recognised that the proposed works would improve the quality of accommodation for future occupants at the site.

Overall, the proposed development is not considered harmful to the living conditions of neighbouring properties or residents is therefore considered in accordance with Policy CC8 of the Reading Borough Local Plan.

7.4 Transport

The applicant is advised that the future occupants are not entitled to Parking Permits and that these would need to be sought from the Council. With regards to cycle storage, the rear garden is considered large enough to accommodate the storage of three bicycles.

With regards to bin storage, the Planning, Design and Access Statement confirms that bins will be stored within the rear garden, however, it was also noted on the site visit that the majority of residents along Mount Pleasant store their bins in the front garden. This is also an option for number 73. There are no officer concerns with this application with regards to Transport. Transport Development Control have recommended conditions and informatives concerning car park permit. Based on the revised scheme, reducing the scale of the development, it is not considered necessary to request or secure a Construction Method Statement condition for the development.

8. CONCLUSION

The principle of the change of use proposed to small HMO is generally acceptable, particularly in the context of the previous approval. As per the desk study, the development would not result in a harmful intensification of HMOs within 50m of the proposal site, as the development would not tip the number of HMOs over 25% as defined in Policy CC8 of the Reading Borough Local Plan and the Residential Conversions SPD (Adopted March 2023).

This application is, however, not supported by officers due to the unacceptable living conditions to the future occupants of bedroom 5. This is in terms of the oppressive and confined living conditions due to the gross internal area and the floor to ceiling height. The height of the two

rooflights also results in limited outlook to future occupants of bedroom 5. These cumulative factors result in a bedroom living space within the loft of 73 Mount Pleasant. This would in turn have a knock-on impact to the communal area, as due to the oppressive living conditions to bedroom 5 it is likely that there would be a reliance on the communal room for the occupant of bedroom 5. The size and layout of the communal area, with no separation from the kitchen area, is not considered suitable for 5 occupants. On balance, however, due to the appropriate size and layout of four of the five bedrooms, the quality of the communal area is not considered harmful enough to warrant an additional reason for refusal.

Officers did advise the agent of these shortcomings and this conclusion. The agent was provided with an opportunity to withdraw the application prior to a decision being made, but this was not forthcoming (also acknowledging the right to appeal). Hence the above conclusion reached on the application, on the basis of the information submitted and consideration of all material matters.

Permission refused due to the following reasons:

1. The proposed internal layout to bedroom 5 would provide inadequate living conditions to future occupants creating a cramped form of accommodation with unacceptable outlook resulting in a poor-quality internal environment, harmful to their amenity. The proposal is therefore contrary to Policies CC8 and H8 of the Reading Borough Local Plan (2019) and the Residential Conversions SPD (Adopted March 2023).

9. RECOMMENDATION

REFUSE

10. INFORMATIVES

Standard Informatives

IF0: Positive and Proactive Working - refusal

The Local Planning Authority has worked positively and proactively with the applicant to see if relevant concerns could be resolved to allow permission to be granted. However, that has not been possible within the prescribed target timescale and therefore the decision to refuse planning permission has been taken. The agent was given an opportunity to withdraw the application in advance of the refusal being issued but this was not acted upon.

C00: Plans Considered

The refusal relates only to the following plans and information as received by the local planning authority:

Plans considered:

- Location Plan - 1930 EX10-001
- Site Plan - 1930 EX10-002
- Existing Ground Floor Plan - 1930 EX13-001
- Existing First Floor Plan - 1930 EX13-002
- Existing East & West Elevations - 1930 EX13-100
- Existing South Elevation - 1930 EX13-101
- Existing North Elevation - 1930 EX13-102
- Proposed Site Plan - 1930 PL10-002b
- Proposed Ground Floor Plan - 1930 FE13-001
- Proposed First Floor Plan - 1930 FE13-002
- Proposed Second Floor Plan - 1930 FE13-003
- Proposed Roof Plan - 1930 FE13-004
- Proposed Elevations - 1930 FE13-100

- Proposed South Elevation - 1930 PL13-101b
- Proposed North Elevation - 1930 PL13-102a

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- Proposed Section 1 - 1930 PL13-103a

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I14: Pre-app Advice

This planning application was submitted without the benefit of first seeking pre-application advice from the Local Planning Authority, which can often result in the avoidance of refusal of planning permission. Please see the following link to the Council's pre-application service here:

http://www.reading.gov.uk/media/1190/Pre-Application-Enquiry-Form/pdf/Pre-app_Nov_2016.pdf