

DELEGATED APPLICATION REPORT

Ward: Church

App Ref: 221211/FUL

Address: 143 Blagdon Road, Reading, RG2 7NE

Proposals: Change of use from single dwelling house (C3 use class) to 8-bed, 8 person large HMO (Sui Generis Use) and retrospective external first floor cladding (Amended Description)

Case Officer: Mr David Brett

Applicant: Mr G Singh

Date received (valid from): 15/08/2022

Target Decision date: 25/11/2022, extension of time on decision agreed from 13/10/2022.

1. INTRODUCTION

The application site is a two-storey semi-detached dwelling located on the north side of Blagdon Road. The attached neighbour to the west is No.10 Bankside Close orientated at 90 degrees to No. 143. The surrounding area is predominantly residential.

The proposal site is not a heritage asset or within a Conservation Area.



Fig 1. Front of 143 Blagdon Road. Photo taken by case officer on 03/10/2022.



Fig 2. Rear of 143 Blagdon Road. Photo taken by case officer on 03/10/2022.

A site visit was carried out on 03/10/2022.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposal is for the change of use from a C3 dwelling to a large 8-bedroom, 8-person large HMO (Sui Generis Use Class).

At the time of the site visit, external alterations and enlargement of the property was taking place (see Fig 1 and 2 above). The development taking place appears to be the carrying out of approvals 190018 and 190019, which consist of a loft conversion with rear dormer, two storey side extension, and single storey rear extension. These developments were approved under a Certificate of Lawfulness application, and an application for householder planning permission (see section 3 of this report).

The development proposed under this application (221211) seeks a change of use to a large Sui Generis HMO including the associated alterations to the internal configuration and also alterations to the fenestration. Retrospective permission is also sought for the first-floor cladding to the two-storey side extension as demonstrated in Fig 1.

Plans considered:

- Existing Floor Plans - 1939-01
- Existing Elevations - 1939-02

~~Proposed Floor Plans 1939-03~~

~~Proposed Elevations 1939-04~~

Received on 15/08/2022

~~Proposed Floor Plans 1939-03 Rev A~~

~~Proposed Sections 1939-05~~

Received on 18/10/2022

- Proposed Floor Plans - 1939-03 Rev B

- Proposed Elevations - 1939-04

Received on 22/10/2022

~~Proposed Drop Kerb and Parking Layout 1939-06~~

Received on 27/10/2022

~~Proposed Site Plans 1939-07~~

Received on 04/11/2022

- Proposed Site Plans - 1939-07 Rev A

Received on 24/11/2022

3. RELEVANT PLANNING HISTORY

190019/HOU - Two storey side extension and single storey rear extension (amended description).
- Application Permitted on 08/04/2019

190018/CLP - Loft Conversion to include rear dormer window and front rooflights. - Application Permitted on 19/02/2019

160486/HOU - Two storey side extension. - Application Permitted on 02/06/2016

4. CONSULTATIONS

4.1 The following addresses were consulted by letter (summarised, full responses available on public portal).

5 Bankside Close, Reading, RG2 7NH - Response received on 13/09/2022

- Concerns regarding consultation process for application.
- Concerns of damage to the grass highway verge.
- Concerns of access during construction (related to the carrying out of previous permissions).
- Concerns of subsidence to the property.

Officer Note: All adjoining neighbours to the proposal site were consulted directly by letter, with a site notice sent out to the agent to display on site. The concerns relating to the highway verge and access during construction are considered relevant to the previous approvals. The concerns of damage to the highway verge will be addressed within this application as a vehicle crossing is proposed. Subsidence is considered under the category of “fears of damage to property” or “maintenance of property” and is therefore not considered a material planning consideration.

6 Bankside Close, Reading, RG2 7NH - Response received on 14/09/2022

- Concerns of size of the previously approved extensions.

- Concerns of access during construction (related to the carrying out of previous permissions).
- Concerns of noise arising from the development.
- Concerns of vehicle parking and impact on highway safety.

Officer Note: The dormer extension has been confirmed under a Certificate of Lawfulness (Proposed) and was therefore determined to be permitted development. The dormer extension has since been implemented and appears near completion. The two storey side extension and single storey rear extension were approved under an application for full planning permission. The concerns relating to the highway verge and access during construction are considered relevant to the previous approvals. The concerns regarding noise and vehicle parking will be addressed within the appraisal section of this report.

8 Bankside Close, Reading, RG2 7NH - Response received on 25/08/2022

- Concerns relating to the construction and impact of the previously approved extensions.
- Concerns of loss of privacy to habitable room as a result of previously approved extensions.
- Concerns regarding public safety and disturbance during the implantation of previous permissions.

Officer Note: Any concerns regarding the construction of previous permissions in terms of safety or disturbance should be directed to the Council's Environmental Protection Team.

10 Bankside Close, Reading, RG2 7NH - First response received on 08/09/2022, further response received on 07/11/2022

- Concerns of the intensity of use proposed (number of potential occupants).
- Concerns of noise arising from the development.
- Concerns of vehicle parking and impact on highway safety.
- Concerns regarding the materials used in the construction of the previously approved extensions.
- Observations regarding the proposed vehicle crossing.

Officer Note: The concerns regarding noise and vehicle parking will be addressed within the appraisal section of this report. The intensity of the use proposed will also be addressed within the appraisal section of this report.

Reading Borough Council, Environmental Protection - Response received on 12/09/2022

- Noise arising from development
- Noise transmission between dwellings
- Bin storage - rats

Officer Note: The above concerns from Environmental Protection will be addressed within the appraisal section of this report.

Reading Borough Council, Transport Development Control - Response received on 13/07/2022

- Objects to the application due to the lack of on-site parking proposed for the development.

Officer Note: The above concerns from Transport Development Control will be addressed within the appraisal section of this report.

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

SPD

Residential Conversions SPD (2013)

7. APPRAISAL

In terms of the principle of the change of use to large Sui Generis HMO the main policy to assess the proposal against is Policy H8 (Residential Conversions) of the Reading Borough Local Plan, supported by the Residential Conversions SPD. Policy H8 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.

(...)

Additionally, in the case of sui generis houses in multiple occupation (HMOs):

- The property to be converted measures more than 120 square metres gross;
- There is sufficient communal space”

The key matters for consideration are:

- Character of the area and appearance
- Safeguarding Amenity
- Transport

7.1 Character of the area and appearance

The Residential Conversions SPD requires large Sui Generis HMOs to be assessed against the threshold guidance (Para 4.2) in order to assess the impact of such a development upon the character of the surrounding area.

The SPD states 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 within 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 12. 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 0 HMOs within a 50m radius of the proposal site have been identified. The estimated total percentage of existing HMOs within a 50m radius of 143 Blagdon Road is 0%, the proposed HMO at 143 Blagdon Road would increase this to 8%. As a result, the proposed increase in HMOs would not exceed 25% within a 50m radius of the proposal site. Therefore, it is not considered that the proposed development would have a harmful impact upon the character of the surrounding area 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).



Fig 3. A 50m radius of 143 Blagdon Road

The proposal also seeks retrospective permission for a change to external materials and fenestration as previously approved under 190019, under which permission the approved two storey side extension a condition was included requiring materials to match existing. At the time of the previous permission (190019), the external walls of white rendered walls at ground floor level, red clay hanging tiles at first floor level, and red roof tiles as illustrated in Fig 4.



Fig 4. Front of 143 Blagdon Road. Image captured in May 2014. Image retrieved from Google Maps on 25/11/2022

As demonstrated in Fig 1, the first floor to the existing property has been changed to cladding and changes to the roof tiles, alterations that are considered to have been achievable under permitted development. For clarity, the agent has agreed for materials to the external surfaces of the previously approved extensions to be considered under this planning application, along with changes to the fenestration which have arisen during the course of the application to facilitate a more suitable internal layout.

Concerning the materials proposed to the two-storey side extension; these match the materials to the main house and are therefore considered acceptable. There is a mix of external finishes to the front of dwellings along Blagdon Road, which range from red brick, to red brick at ground floor and render at first floor. The change in materials to cladding at first floor is not considered a harmful addition to the street scene.

The changes to the fenestration relate to the addition of two first floor windows to the side elevation (east facing), changes to the fenestration of the previously approved rear extension with the rearrangement of windows and doors and the removal of a previously approved roof light. Slight alterations to the position of windows to the front elevation are also proposed to the front elevation. Cumulatively, these changes are considered minor and would not harm the

overall visual appearance of the development or the surrounding area, with the windows aiding in providing suitable living conditions for future occupants.

The development is therefore considered to accord with Policy CC7 of the Reading Borough Local Plan.

7.2 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 measures at 24.6m², with the separate communal room measuring at 16.6m². The bedrooms range from 9.4m² to 12.2m², with suitable head height. It is considered necessary to restrict the number of occupants to 8 (single occupancy rooms) in order to safeguard the residential amenity of future occupants given the number of communal rooms proposed.

Communal Space

There is a separate kitchen and communal room, which is considered acceptable for an 8-bedroom, large HMO. It is considered reasonable to retain the living room as demonstrated on the proposed plans as communal use. This is to ensure that the use of 143 Blagdon Road as a large HMO is not intensified beyond 8 people, to ensure an adequate standard of living for future occupants in accordance with Policy CC8. It is considered that further intensification of the use would either require a larger communal area or additional communal area in accordance with the Residential Conversions SPD.

Amenity Space

The private garden space is considered acceptable.

External windows

All habitable rooms would benefit from external windows.

Access to sunlight/daylight

All habitable rooms benefit from windows and are therefore considered to benefit from acceptable levels of sunlight/daylight.

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 considered acceptable.

Noise and disturbance

In terms of noise and disturbance there is no evidence to suggest that an 8-bedroom HMO would create significantly greater levels of noise than a fully occupied small HMO (3-6 occupants) (the conversion of which to a small HMO for up to six occupants would not require planning permission), and in itself would not warrant refusal on this basis.

Bin storage

Bins would be stored within the front garden as demonstrated on the proposed block plan. Details of bin storage will be secured via a pre-occupation condition.

It is considered necessary and reasonable in this instance to secure a HMO Management Plan for the development prior to first use of the property as a large HMO. This is to ensure that the prospective occupiers are made aware of their responsibilities for ensuring adequate standards of visual appearance and to safeguard the amenities of the area in accordance with Policy H8 of the Reading Borough Local Plan 2019.

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 adjoining properties 143 Blagdon Road; as already discussed, the proposed use is not considered to give rise to harmful levels of noise and disturbance. During the course of the application, the development was discussed with the Environmental Protection Team. There were concerns of noise transferring from the rear extension at 143 Blagdon Road to 10 Bankside Close. It has been confirmed that the side wall to the rear extension is not shared with (adjoining to) 10 Bankside Close. The concern of noise transmission between the two properties, specifically from the proposed kitchen area and living room at 143 Blagdon Road to number 10, is considered to have been suitably addressed without the need for mitigation and as confirmed by the Environmental Protection Team.

Concerns of a loss of privacy to a habitable room at 8 Bankside Close from the existing rear dormer to 143 Blagdon Road have been raised. The distance between the two properties is greater than 25m and due to number 8 being at a higher elevation than 143 Blagdon Road, it is not considered that there would be a harmful loss of privacy due to the separation distance, change in ground levels, and the angle to which the 8 Bankside Close relates to 143 Blagdon Road.

The minor external alterations proposed within this application are not considered harmful to neighbouring residents with consideration given to criteria listed under Policy CC8 of the Reading Borough Local Plan.

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 occupiers at the site.

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

7.3 Transport

Policy TR5 states that development should provide car parking and cycle parking that is appropriate to the accessibility of locations within the Borough to sustainable transport facilities, particularly public transport. It goes on to say that ensuring the appropriate level of car parking in new developments involves striking a careful balance to ensure that there is not a knock-on effect on the safety and function of the highway and public transport network through on-street parking.

The site is located within Zone 3, Secondary Core Area, of the Council's Revised Parking Standards and Design SPD (2011). Accordingly, the development is required to provide a parking provision of 0.25 spaces per bedroom. Based on the proposed level of accommodation, the development would require 3 parking spaces.

A propose site plan has been submitted which demonstrates a vehicle crossing, with hard and soft landscaping to the front garden of 143 Blagdon Road to facilitate the proposed vehicle parking arrangement. Tracking has also been illustrated on the plans, which demonstrates that all three spaces are suitably accessible. These details have been reviewed by Transport Development Control, and the proposed parking provision and access is considered acceptable.

With regards to bin storage; the plans demonstrate that bins will be stored within the front garden. Further details of bin storage will be secured via condition, in order to achieve sufficient bin capacity and storage as recommended by the Environmental Protection Team. The plans illustrate four cycles parked to the side of the development, however, details of secure and covered cycle storage will be secured prior to first occupation of the HMO.

Therefore, subject to conditions the proposed development is considered in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan.

8. CONCLUSION

The proposed development has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted.

9. RECOMMENDATION

GRANT

10. CONDITIONS

TL1: Time Limit (Standard)

The development hereby permitted shall begin no later than three years from the date of this planning permission.

REASON: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

AP1: Approved Plans

The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

- Existing Floor Plans - 1939-01 [Location Plan]

Received on 15/08/2022

- Proposed Sections - 1939-05

Received on 18/10/2022

- Proposed Floor Plans - 1939-03 Rev B

- Proposed Elevations - 1939-04

Received on 22/10/2022

- Proposed Site Plans - 1939-07 Rev A

Received on 24/11/2022

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

M3: Materials (As Specified)

The materials to be used in the construction of the external surfaces of this development shall be as specified on the plans unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

HM1: HMO Tenant Management Plan (To Be Submitted)

The HMO accommodation hereby approved shall not be occupied until a management plan covering the internal and external communal areas, including the proper use of bin stores and responsibility for refuse and recycling collection arrangements, has been submitted to and approved by the Local Planning Authority. Thereafter the approved management plan shall be adhered to while the property is in use as a HMO (see attached informative for further details).

REASON: In order that the prospective occupiers are made aware of their responsibilities for ensuring adequate standards of visual appearance and to safeguard the amenities of the area in accordance with Policy H8 of the Reading Borough Local Plan 2019.

Restrict HMO Use

The HMO use hereby approved shall be restricted to a maximum occupancy of eight persons.

REASON: To safeguard the residential amenity of occupants in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

Communal Use

The rooms, as shown on approved Drawing No: Proposed Floor Plans - 1939-03 Rev B to be for communal use, shall be retained for communal use for so long as the property remains in use as a HMO.

REASON: To ensure that an adequate standard of amenity and living space is provided for the residents in accordance with Policy H8 of the Reading Borough Local Plan 2019.

Details of bin stores

The HMO accommodation hereby approved shall not be occupied until details of refuse and recycling bin stores have been submitted to and approved in writing by the Local Planning Authority. The details shall include measures to prevent pests and vermin accessing the bin store(s). The approved bin storage, including pest and vermin control measures, shall be provided in accordance with the approved details prior to first occupation of any permitted HMO use and shall not be used for any purpose other than bin storage at all times thereafter.

Reason: To ensure that adequate provision is made for the storage and collection of refuse in accordance with Policy CC5 and H8 of the Reading Borough Local Plan 2019.

HM4: HMO Cycle Storage (To Be Submitted)

Prior to first occupation of the HMO hereby permitted, details of secure, covered and lockable bicycle storage spaces shall be submitted to the Local Planning Authority for approval in writing. The approved bicycle storage spaces shall be provided in accordance with the approved details prior to first occupation and shall not be used thereafter for any purpose other than the storage of bicycles.

REASON: To ensure travel by sustainable alternatives to the motor car in accordance with Policy TR1 and TR5 of the Reading Borough Local Plan 2019.

DC1: Vehicle Parking (As Specified)

The dwelling hereby permitted shall not be occupied until all vehicle parking spaces have been provided in accordance with the plans hereby approved. The spaces shall be kept available for parking at all times thereafter.

REASON: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

DC3: Vehicular Access (As Specified)

No dwelling hereby permitted shall be occupied until the vehicle access serving it has been constructed in accordance with the plans hereby approved.

REASON: In the interests of road safety in accordance with Policy TR1 and TR3 of the Reading Local Plan 2019.

11. INFORMATIVES

Standard Informatives

IF3: Highways

- i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.
- ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.

I27: HMO Management Plan

The Council expects all properties in HMO use to be properly managed in accordance with requirements under the Housing Acts and associated regulations. The Council publishes comprehensive information in its Houses in Multiple Occupation Management Pack, <http://www.reading.gov.uk/media/1412/HMOs-Management-Pack/pdf/HMOs-Management-Pack.pdf>. Landlords/ owners are advised to follow the advice in the pack to ensure compliance with the requirements of the Housing Acts. Landlords/ owners are advised that a property specific management plan should be drawn up. This plan should be given to all occupants/tenants, preferably as part of their tenancy agreement or contract. The operation of the property should be undertaken in accordance with the approved management plan.

A good management plan will include matters related to:

- Responsibilities and standards for the management of internal communal areas including kitchens, dining areas, living rooms and shared bathrooms;
- Responsibilities and standards for the management of common parts, fixtures, fittings and appliances. These must be maintained in good and clean decorative repair, maintained in a safe and working condition and kept reasonably clear from obstruction, e.g. banisters and handrails, stair coverings, windows, lighting, gardens and yards, walls and fences, etc.;
- Responsibilities and standards for the management of external areas in terms of landscaping, maintenance and tidiness, in particular areas visible from the public highway or street. This will include matters relating to the erection of Satellite dishes and television aerials;
- Responsibilities and standards for the use and tidiness of bins, binstores, and rubbish in the use of the property along with appropriate facilities to enable the recycling of waste that meets the Council's current practices;
- Responsibilities and standards for the parking of cycles.
- An undertaking to ensure all occupants/tenants will be provided with a copy of the management plan as part of their tenancy agreement or contract and the importance of complying with its measures emphasised;

Where a condition is imposed requiring the submission and approval of a management plan (usually for larger "sui generis" HMO uses), the Local Planning Authority will expect all the above matters to be addressed

Applicants should note that information on the collection of rubbish can be found on the Council's website at:

<http://www.reading.gov.uk/rubbish>

and information on the collection of bins can be found on the Council's website at:

<http://www.reading.gov.uk/binchanges>