DELEGATED APPLICATION REPORT
Ward: Tilehurst
App Ref: 210767/FUL
Address: 39a Armour Road, Tilehurst, Reading, RG31 6HA
Proposals: Retrospective permission for conversion of office to 2 flats and extension for a lobby
Case Officer: Julie Williams
Date received (valid from): 28 May 2021 Target Decision date: 23 July 2021. Extended to 30/7/21

PROPOSAL AND SUPPORTING INFORMATION
Property is currently in use as two residential units having been converted from offices in 2016 (see history below). However, the works to convert were not carried out as approved and hence it was required to seek retrospective permission for the existing configuration, which encloses what was an open lobby area. The proposal also reverts the window openings to remove the existing and unauthorised French window design to conventional windows following an enforcement investigation after concerns were raised.

Side showing shared front door

Rear showing unauthorised French windows

Proposed Plans considered:

Drawing No: 202-05-11 Proposed Rear Elevation
Drawing No: 202-05-14 Proposed Side Elevation
Drawing No: 202-05-15 Proposed Section
received on 14 May 2021

Drawing No: 202-05-12 Proposed Front Elevation
Drawing No: 202-05-13 Proposed Side Elevation
received on 28 July 2021

Drawing No: 202-05-10 Proposed Ground Floor
received on 29 July 2021

PLANNING HISTORY
39
201150 - Works to TPO tree. Agreed. 22/9/20

39a
910177 – Single story flat roof rear extension granted. 12/12/91

920485 (92/00021)- Continued use as builders yard with ancillary offices. Granted 5/3/92

990233

990233 - Change of use from builders yard to storage area for vehicles awaiting sale elsewhere. Refused 19/3/2001

010481 - Change of use of land to storage area for vehicles awaiting sales elsewhere. Refused but appeal allowed 25/7/2002

021245/VAR – Continued use as offices – variation to 92/00021/FD. Refused but allowed 3/9/2002.

160112/OPA - Change of use from Class B1 (a) (offices) to C3 (dwelling houses) to comprise of 2 x 1 bed studio flats. Prior Notification under Class O, Part 3 of Schedule 2. Approval given 21/3/16

Land to rear of 37/39
070037 07/01578/FUL. Erection of 2 semi detached dwellings
(re-submission of planning application 07/00626/FUL). Granted 13/03/2008

39c
101459 - Erection of garage to side of existing dwelling. Granted 6/8/2010

CONSULTATIONS
Internal consultations:
Environmental Protection:
My main concern would be about fire safety, which I understand is not really a planning concern. That said, I would make the following observations:-

1) Adequate provision needs to be made for fire escape from the flats.
2) This can be achieved in one of the following ways:-
   a) The patio doors are retained (albeit this will lead to continuing complaints)
   b) The patio doors are replaced with windows that meet the minimum requirements for escape windows.
   c) The internal lobby areas from the flat entrance doors to the outside would need to be of 30 minute fire resistant construction.

Transport: No objections – existing situation in context of planning history.

Public consultations:
The following addresses were consulted by letter.

39C Armour Road, Tilehurst, Reading, Berkshire, RG31 6HA
39b Armour Road, RG31 6HA
39 Armour Road, Tilehurst, Reading
41 Armour Road, Tilehurst, Reading, Berks
37 Armour Road, Tilehurst, Reading, RG31 6HA

Comments received from 2 neighbours broadly accepting the proposed changes but raising safety concerns with the new door opening almost directly onto the driveway that serves the houses at the rear of the site. Neighbours consulted on the amended plans re doorway.

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 & GUIDANCE
Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with policies in 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 current development plan is:

Reading Borough Local Plan (2019)

- CC7 (Design and the Public Realm)
- CC8 (Safeguarding Amenity)
- H2 (Density and Housing Mix)
- H3 (Affordable Housing)
- H5 (Standards for New Housing
- H10 (Private and Communal Outdoor Space)
- TR3 (Access, Traffic & Highway Related Matters)
- TR5 (Car/Cycle Parking & Electric Vehicle Charging)

Local supplementary planning guidance:
SPD - Sustainable Design and Construction (2019)
SPD – Revised Parking Standards and Design SPD (2011)
SPD – Affordable Housing (2021)

ASSESSMENT
This retrospective application arose from investigations in to the problems caused by windows that serve 2 flats being used as doorways leading to encroachment and loss of privacy for neighbours. The conversion from offices to residential had been the subject of a prior approval application in 2016 (see history above) but it became clear that the plans submitted for that application were not followed when the conversion was carried out. As the new works were not authorised nor immune from enforcement action being taken the decision was made to apply for retrospective permission for the conversion, deal with the problematic windows and gain permission for the enclosed lobby area.

Given this history it is considered to be reasonable to apply the above policies with limited weight given that the principle of the conversion was agreed by the prior approval application.

Officers are satisfied that the continued use as 2no 1 bedroom flats meets policies CC7, CC8, H2, H5, H10, TR3 & TR5.

The design and appearance is acceptable (CC7), the residential amenities for occupiers are fine and, with conditions on the changed windows and relocated front door to make pedestrian access safer and a condition to prevent use as HMO, the amenities for neighbours should be improved (CC8).

The 2 single flats and their internal area are acceptable (H2 & H5) and while there is no private amenity space the flats are a short distance from a local recreation area and Arthur Newbury Park is also nearby (H10).

The flats do not have parking facilities but the site is not far from a regular bus service and the shops on School Road (TR3 & TR5).

Given that the flats are already occupied the decision has been made to waive policy H3 (affordable housing) as a pragmatic way to get the proposed amended scheme implement swiftly.

As such the proposal is found to be in accordance with relevant policies and permission can be granted with conditions.

RECOMMENDATION:
Grant

Windows to be altered to as shown on approved plans with additional measures to obscure the lower panes and secure closed within 6 weeks of the date of the decision.

Approved plans

No change of use to C4 HMO use

Means to provide pedestrian safety for occupants when entering and exiting the communal front door to be provided within 6 weeks of the date of the decision (in consultation with neighbours at 39 b & c).