

Ward: Norcot

App Ref: 200136/FUL

Address: 615 Oxford Road, Reading, RG30 1HL

Proposals: Second storey rear extension and Change of use from C4 HMO to 4 flats (1 x 2 bedroom, 3 x studio)

Case Officer: Anthony Scholes

**Applicant: Mr Abbas C/o Juttla Archite3
cts**

Date received (valid from): 6 February 2020

Target Decision date (extension of time): 8/4/2020

INTRODUCTION

The site this enquiry relates to is the land and buildings associated with 615 Oxford Road, Reading. The site contains a ground floor A1 (barbers), with an access to the HMO above (and the basement storage below) from Beecham Road. The building is a three storey end of terrace property (excluding the basement) which includes a two storey rear extension.



PROPOSAL

The proposal is for a change of use from a HMO split over first and second floor to 3 flats (2 x 1 bedroom, 1 x 2 bedroom), the proposed development would also include the use of the basement as a self-contained studio flat facilitated by digging out the basement by approximately 300mm. The proposed development would require a second floor rear extension (over the top of the existing extension), a 'walk-on' lightwell to be installed at the front of the property, and alterations to the Beecham Road facade. The development also includes bicycle parking and bin storage at ground floor (accessed from Beecham Road).

The application has been submitted with the following plans and documents:

Document	Title	Drawing Number	Date Received
Location Plan	Location Plan	1740-P101	29 January 2020
Plans	Proposed plans and elevations	1740-P202	29 January 2020
Block Plan	Existing and proposed block plan	1740-P200	29 January 2020
Plans	Existing plans & Elevations	1740-P201	29 January 2020
Plans (Revised)	Proposed plans and elevations	1740-P202	1 April 2020

RELEVANT POLICIES AND SUPPLEMENTARY PLANNING GUIDANCE

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'. In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Reading Borough Local Plan (2019)) according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). The Council's adopted Supplementary Planning Guidance and Supplementary Planning Documents are also material planning considerations.

Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

Reading Borough Council Local Plan (2019) (hereafter “the local plan”):

CC6: Accessibility and The Intensity of Development

CC7: Design and The Public Realm

CC8: Safeguarding Amenity

CC9: Securing Infrastructure

EN12: Biodiversity and The Green Network

EN14: Trees, Hedges and Woodland

H1; Provision of Housing

H2: Density and Mix

H3: Affordable Housing

H5: Standards for New Housing

H8: Residential Conversions

H9: House Extensions and Ancillary Accommodation

H10: Private And Communal Outdoor Space

TR3: Access, Traffic And Highway-Related Matters

TR5: Car And Cycle Parking And Electric Vehicle Charging

Supplementary Planning Guidance

SPG - Planning Obligations under s.106 of the Town & Country Planning Act 1990 (2013)

SPD - Sustainable Design and Construction (2019)

SPD - Parking Standards and Design SPD (2011)
SPD - Affordable Housing Provision (adopted 2013)

RESPONSE TO PUBLICITY (REPRESENTATIONS RECEIVED)

Letters were sent to neighbouring residents:

No representations have been received at the time of writing.

CONSULTATION RESPONSES

Environmental Protection: No objection subject to a condition relating to hours of working.

Ecologist: No objections.

Transport: Objection due to the non-provision of on-site parking.

PLANNING HISTORY

09-00098-PREAPP (090918) - Pre-application advice for change of use of existing A1 unit to mixed use comprising A1, A3 and D1 use ISSUED 3 March 2009

171920/PRE - Pre-application advice for the conversion of the existing dwelling into 8 flats ISSUED 5 January 2018

180651/PRE - Follow up advice following pre-application 171920 now amended to 3 bedsits and a one bedroom flat ISSUED 1 May 2019

191458/PREAPP - Pre-application advice for second storey rear extension and change of use from C4 HMO to 4 flats (2 x 1 bedroom, 2 x 2 bedroom) at 615 Oxford Road. ISSUED 29 November 2019

SUMMARY OF DISCUSSIONS WITH APPLICANT/AGENT

The applicant was advised on 1 April 2020 that the scheme in its current form would not be considered acceptable due to the quality of accommodation in the proposed basement flat. It was advised that the scheme could possibly reach a positive recommendation with the removal of this element. The agent has requested that the Council make its decision on the basis of the current proposal.

APPRAISAL

The main issues raised by the application are:

1. Principle of development
2. Residential amenity
3. Impact on the character and appearance of the area
4. Mix of dwellings
5. Transport matters
6. Sustainability
7. Other matters including S106

1. Principle of development

The NPPF (Para. 61) states that *“the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning*

policies”, it also encourage efficient use of land taking into account: identified need for housing, local market conditions, the availability and capacity of infrastructure, the desirability of maintaining the existing character of the area, and the importance of securing well-designed, attractive, and healthy places. The Local Plan supports the provision of additional dwelling units to meet the requirement for additional dwelling per annum. Policy H8 (Residential conversions) states that *“proposals to convert properties into self-contained flats ... will be assessed against the impact on the amenity and character of the surrounding area”*.

Policy H2 refers to the appropriate mix of residential development. This is assessed on a site by site basis taking into account the characteristics of the area in which it is located. The site is located on previously developed land and already in use as an HMO. As such the principle of the proposed development could be acceptable subject to the following material planning considerations.

The proposal would accord with Policy H8 and the Residential Conversions SPD in that the existing dwelling has 4 or more bedrooms and has a floor space greater than 120m².

At least one unit of accommodation created would be suitable for family occupation with a minimum of two bedrooms, the proposed 1 x 2-bed and 3 x 1-bed units are considered acceptable.

Moreover, the provision of two additional residential units will assist in the Council meeting its annual housing targets (policy H1).

2. Residential Amenity

Notwithstanding section 1 above, the local plan includes a number of policies which seek to ensure that all new developments will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties.

Specifically, Policy CC8 states that new development should consider:

- 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; or
- Wind, where the proposals involve new development of more than 8 storeys.

In addition, policy H5 states that:

“New build housing should be built to the following standards, unless it can be clearly demonstrated that this would render a development unviable:

- a. All new build housing outside the Central Area as defined on the Proposals Map will comply with the nationally-described space standard ...”*

Policy H8 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;; and
□ The resulting property or properties would provide adequate internal floorspace and headroom for residents.”

As such, it is clear that all new dwellings should comply with the above mentioned standards/requirements.

Floor space requirements

Policy H5 requires all development to comply with internal space standards as outlined within the local plan. The basement flat would be 49m², just short of the requirements for a studio (2-person), although this is considered acceptable. The floor is proposed to be lowered to allow sufficient head heights within the basement.

The first floor flats, would be 36m² which is just less than the required space for a 1-bed flat (37sqm including a shower room). In this particular instance, the proposed development allows for rationally shaped flats which would maximise the area within these two flats, and allow a sufficient level of internal space based on single occupancy. The plans indicate an internal layout with space for a single bed, although the Council would be unable to ensure single occupancy of these units, it is highly unlikely that these flats would be suitable for 2-persons, as such would be acceptable.

The second floor flat, includes areas of head heights less than 2.3m, however 75% of the flat is proposed to exceed 2.3m, and as such is acceptable in this regard. The floor space within this 2-bed flat is considered acceptable.

Other amenity issues

Stacking

Policy CC8 above, also includes comment on the stacking of rooms within residential uses and the effect on amenity. In this instance, the proposed basement flat would be below a barbershop (Use Class A1) which would have limited restriction on hours of use, as such the basement flat may be subject to amenity impacts from this use above.

The proposed two-bed flat at second floor would be above the 2 x 1-bed flats at first floor. With a kitchen/dining area above the living space of unit 3. This is not considered to be an appropriate stacking and as such, would result in amenity impacts on the living environment of the proposed unit 3. Should the development have been found acceptable in other regards, amended plans could be sought to place to the two-bed flat at first floor and the two studio flats at second floor.

First and second floor flats

In this instance, the proposed second floor rear extension has been assessed in relation to outlook, and overbearing impacts on neighbouring properties. The proposed second floor rear extension would sit above the existing first floor rear extension. At eaves level, the proposed extension would be no higher than the main roof, and would not be significantly higher than the ridge height of the existing extension. There are no windows from the adjoining properties that would

have direct outlook in the direction of the proposed works. In addition, the rear of the adjoining properties are generally built out with single storey rear extensions, limiting the views from rear gardens etc. Therefore, the development would not have any overbearing impacts on adjoining properties. As such the proposal is considered acceptable in this regard.

The proposed development would include windows on the boundary to adjoining properties. These windows are proposed to serve bathrooms, or as secondary bedroom windows, and are proposed to be obscure glazed. Subject to a condition restricting these as obscure glazed, the development would not result in overlooking or privacy impacts on adjoining or proposed dwellings at first and second floor.

In relation to daylight/sunlight, the proposed first floor studios are each served by 3 windows for lighting. Due to the open plan nature, it is considered that these would allow sufficient daylight/sunlight into these flats. The second floor flat, is also considered to be sufficiently served by windows for daylight/sunlight.

Basement flat

The proposed development includes the provision of a wholly basement studio flat with an internal area of 49m². The proposed flat would be served by a ~1.6m deep lightwell at the front covered with 'walk-on' laminated glass with three windows facing the lightwell. The basement flat, at its deepest point (from front to back) is ~8m with a shared living/dining/bedspace to the front of the flat. It is unclear if the proposed laminated glass would be clear or obscure glazed.

As above, Policy CC8 as applicable would seek to ensure appropriate outlook, daylight/sunlight/noise and disturbance, and privacy.

In relation to daylight/sunlight, it is considered due to the shallow depth of the lightwell, and orientation of the lightwell (Northerly) that the lightwell would not allow sufficient natural light into the proposed unit, and likely result in reliance on artificial lighting.

In terms of outlook, the only windows to the basement flat would face into a shallow lightwell, and dependant on the glazing for the walk-on glass would allow little to no natural outlook from the proposed basement flat.

With regard to privacy, should the glazed panel be transparent, the basement unit would be subject to a degree of direct views from the public realm (due to the lack of boundary treatments). Should the glazing be obscure glazed, it would be likely that this would worsen the impacts in terms of outlook.

Finally, the glazed walk-on panel would also have the potential to result in noise and disturbance from persons accessing the ground floor barber shops (i.e. walking on the glass) on the proposed basement flat.

As such, although the first and second floor flats are considered acceptable, and the floor areas are acceptable, the standard of accommodation provided within the basement flat is considered to be poor and as such would be contrary to Policy CC8.

3. Impact on the character and appearance of the area

The proposed development includes a number of external alterations, most notably a second floor rear extension above the existing single two-storey rear extension. Policy CC7 states that *“all development must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located. The various components of development form”*.

The host dwelling to which the application enquiry relates is a unique building within the vicinity, as it is patently taller than the two-storey buildings which are a feature along Oxford Road and Beecham Road. Two-storey rear extensions are common along the adjoining terrace and generally follow guidance contained within Policy H9 (House Extension and Ancillary Accommodation) and the associated SPD. Policy H9 requires extensions to dwellings to:

- Respects the character and appearance of the house in terms of scale, location, materials and design;
- Respects the character and pattern of neighbouring properties and appearance of the street as a whole in terms of scale, location, materials and design, the arrangement of doors, windows and other principal architectural features and any important existing building line;
- Does not present an overbearing impact on neighbours or a large blank façade to public areas; and
- Does not result in a loss of biodiversity within gardens.

The proposed rear extension in this instance, would respect the building, to which it would be attached, in terms of scale and appearance in appearing subservient to it.

The proposed development includes the excavation of the frontage of the property to provide a lightwell along the Oxford Road frontage. The proposed is for a covered lightwell installed in the frontage. This would be an unusual addition to the street and is considered to be harmful to the character and appearance of the area. As such, the proposed development would be contrary to Policy CC7.

4. Mix of Dwellings

The application site appears to be currently in use as a HMO. The proposed development would result in the loss of a large unit of residential accommodation. As such, it would be required to make provision within the development for a 2-bed ‘family unit’. The proposed development would result in one x 2-bed unit and is likely to be acceptable in this regard.

5. Transport matters

In accordance with the current parking standards the HMO would generate a parking provision of 1.5 parking spaces for the 6 rooms, the proposed 4 new units would require 4 parking spaces, this is therefore an increase and would put additional parking demand on Beecham road which is currently unrestricted, the proposed development would result in additional competition for on street parking, therefore off road parking should be provided.

Plans also indicate the loss of the garage which is accessed from Beecham road. Assumption has been made that is associated with the retail unit, therefore this would result in a loss of provision for the unit which should be retained to avoid further on street parking.

The applicant has allocated sufficient space within the development for bin storage and bicycle storage in accordance with the Council's adopted standards (as contained within the SPD). These elements could be secured by condition.

However, there is no information to demonstrate how the additional parking demand would be managed, or how the proposed development would not have a negative impact on the operations of the road network. As such, the proposed development would fail to comply with policy TR3.

6. Sustainability

Policy CS1 and the Revised Sustainable Design and Construction SPD (2019) required new development and conversions to comply with BREEAM conversion standards, and optional building regulations requirements. Should the development have been found acceptable, the appropriate level of sustainable construction would be secured via appropriate conditions.

7. Other matters including section 106

S106 Financial Contributions to Affordable Housing

The proposal seeks to create 3 additional dwellings facilitated by additional floor space, and therefore a contribution towards off-site affordable housing provision is required in accordance with Policy H3 of the Reading Borough SDPD and the Affordable Housing SPD under Section 106 of the Town and Country Planning Act 1990.

The applicant has agreed the required financial contribution to affordable housing of £20,000.00, based on the liability of only the second floor flat, and basement flat (in accordance with policy). Although agreement has been reached with regard to the sum of the contribution, the legal agreement has not been completed as the scheme is considered unacceptable in other regards. Therefore failure to provide a completed s106 forms a reason for refusal.

The Council's affordable housing policies are crucial in seeking to assist the Council in meeting the requirements of the NPPF which state that: "local planning authorities should...use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework,...."

The provision of affordable housing is a major issue in the borough. The borough experiences high levels of need as evidenced by a recent Strategic Housing Market Assessment. Its residents face major issues relating to affordability as a result of high and increasing house prices compared to average local incomes and significant issues in the future supply of affordable housing to meet identified needs.

CIL

The proposal would be a Community Infrastructure Levy (CIL) liable development. The applicant has provided the appropriate CIL Additional Information Form, and refers in the submitted DAS to self build exemption. An informative would be attached to the decision notice to advise the applicant of their responsibilities in this respect.

Equalities Act

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

RECOMMENDATION

REFUSE planning permission.

Reasons for refusal:

Character and Appearance

The proposed development, by virtue of the covered lightwell to the front would be an unusual addition to the streetscene and considered harmful to the character and appearance of the area contrary to) Policy CC7 (Design and the Public Realm) of the Reading Borough Local Plan (2019)

Amenity

Due to the shallow depth of lightwell and northerly orientation it is considered that there would not be sufficient natural light into the proposed basement flat. In addition there would be little or no outlook from this proposed flat, it would be subject to a degree of direct views from the public realm, and as a 'walk-on' panel would have the potential to result in noise and disturbance from those accessing the retained commercial unit at ground floor. All of this would result in a detrimental impact to the living environment of future occupiers, cumulatively resulting in sub-standard accommodation being provided contrary to Policy CC8 of the Reading Borough Local Plan (2019).

Carparking etc.

The applicant has failed to demonstrate how the additional parking demand would impact the surrounding road network. As such, the proposed development would fail to meet policy TR3 of the Reading Borough Local Plan (2019).

Affordable housing

In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, either on- site, off-site elsewhere within the Borough or a suitable financial contribution, as appropriate, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to Policy CC9 (Securing Infrastructure) and Policy H3 (Affordable Housing) of the Reading Borough Local Plan (2019), and the Council's Adopted Affordable Housing Supplementary Planning Document 2013.

Informatives

Plans refused

Positive and proactive