

DELEGATED APPLICATION REPORT

Target Date: 15/11/2019
EoT Date:

Application No: 190498

Ward: Redlands

Address: 40 Erleigh Road

Proposal: Conversion of C4 HMO to a Sui-generis HMO (change from 6 bedrooms to 7 bedrooms).

Case Officer: James Overall

Site Description and Surrounding Area

The application site is a two-storey semi-detached property located on the corner of Erleigh Road and Hatherley Road. The front elevation of the property faces Erleigh Road and has a zebra-crossing directly in front.

The property falls within the area constrained by the Article 4.

Proposal

The proposal is for the change of use of a small 6-bed HMO (C4) to a large 7-bed HMO (sui generis). It should be noted that this is retrospective, and the Planning Statement backs this, as it states, *"The existing dwelling on the site has a floor area of 187.5 square metres (G.I.A). This has not changed as a result of the breach of planning which this application seeks to regularise"*.

Plans Considered

Plan Type	Description	Drawing Number	Date Received
Site Block Plan		TJK/E40:105 Rev B	9 Apr-20
Floor Plans		TJK/E40:103	27 Mar-19

Relevant Planning History

162396 - Single storey rear extension - Permitted on 6 Feb-17

Consultation Responses

The following neighbouring owners and occupiers were consulted by letter:

- 31 Erleigh Road
- 38 Erleigh Road
- 42 Erleigh Road
- 42a Erleigh Road
- 42b Erleigh Road
- 2 Hatherley Road
- 2a Hatherley Road

A site notice was displayed.

One letter of representation was received from a neighbouring property objecting to the application. The comment stated:

31 Erleigh Road

"Not another large HMO (going from 6 to 7 bedrooms) thus widening imbalance between HMOs and family houses in my area! Whilst some HMOs are needed in the area, however I have concerns about the rapid spread of HMOs and think that there needs to be a better balance between family houses and HMOs."

This impacts on parking, rubbish on the streets, day/night noise, anti-social behaviour - and generally makes life for families in the area HORRIBLE! At this rate you will see a mass exodus of families from the area and left to HMOs and student accommodation. The area will be run down, dirty, undesirable giving Reading and the University a very poor reputation.

Finally, ALL students should be charged COUNCIL TAX - why should I subsidise a student who will eventually go on to earning > a non-student over their life times.

GET REAL READING. Don't destroy yet another area of Reading”.

Transport

The Transport Department were initially consulted on 9 April 2019. Their comments were as follows:

“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.

In accordance with the Councils current standards 7 HMO rooms would require 0.25 car parking spaces per room, therefore requiring a minimum of 2 off road parking spaces. Images confirm that there is an area of hard standing at the front of the property and a proposed parking layout for 3 vehicles has been illustrated on the submitted site block plan TJK/E40:101 Rev; however The Councils Highways Department have confirmed that there is no record of a formal crossing being authorised, therefore there is no legal right of access to the proposed parking area or provision for which an illegal manoeuvre is being undertake over the public footway. In addition to this the footway has not been constructed in accordance with highway standards and therefore the applicant would be liable for any damage to the public footway.

If an application were to be submitted for a dropped crossing to serve this property, Transport would not support an application so close to a zebra crossing.

Erleigh Road is included in the Councils Residential Permit Parking scheme; our records indicate that there are currently no valid resident or visitor permits issued to this property. Under the Borough's current parking standards, this proposal would generate additional pressure for parking in the area. Therefore, the applicant should be advised that if the application is approved, the appropriate parking informative should be applied to prevent any future occupants of the development from obtaining a residents parking permit for the surrounding residential streets where parking is under considerable pressure. 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.

Cycle storage has been illustrated on the site block plan at the rear of the site accessed via the side of the property; a 7 bedroom HMO would require 4 cycle storage spaces (2 Sheffield type stands). It is not clear from the plan as to the number and type of storage proposed. Also the location of the bin storage at the rear of the property would hinder cycles being transported to the front of the property. Please ask the applicants agent to

provide plans and details of the type of storage units proposed and confirm the width of the side access.

It should be noted that bins should be collected from the property's boundary and should not be stored on any part of the Public Footway/Carriageway and should not obstruct pedestrian access.

Please as the applicant to address the comments above.”

Amended plans were submitted and consulted on multiple times, and on 19 April 2020 the Transport department agreed to the plans being acceptable and suggested a few conditions to accompany the decision notice.

Environmental Health

On 9 April 2019 the Environmental Health department were consulted on this application. Their comments received on 23 April 2019 stated that they had no comments to make.

HMO Team

On 9 April 2019, the HMO Team was consulted.
No response was ever 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

The following local and national planning policy and guidance is relevant to this application:

National Policy

National Planning Policy Framework (NPPF)

Nation Planning Practice Guidance (NPPG)

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

H5: Standards for New Housing

H8: Residential Conversions

H10: Private and Communal Outdoor Space

TR5: Car and Cycle Parking and Electric Vehicle Charging

EN15: Air Quality

EN16: Pollution and Water Resources

EN17: Local Green Space and Public Open Space

Supplementary Planning Guidance

Residential Conversions SPD (2013)

Revised Parking Standards and Design SPD (2011)

Appraisal

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”*.

Policy H8 goes on to provide further detail and states: *“Proposals to convert properties into self-contained flats or for multiple occupation will only be acceptable...in the case of sui generis houses in multiple occupation (HMOs) [where]:*

- *The property to be converted measures more than 120 square metres gross;*
- *There is sufficient communal space (as defined in the Council’s Residential Conversions SPD)”*.

Along with the relevant adopted local planning policies the appraisal of this report has been based on the Adopted Residential Conversions SPD (2013), which provides further detail for the adopted policies. Section A of the SPD, deals with the ‘General Assessment of all Conversions’ (i.e. from C3 dwellinghouses to flats or HMOs (both small C4 use and sui generis HMOs). Section B specifically covers the assessment of applications for HMOs within the area covered by the Article 4 Direction, but the SPD states at paragraph 4.2 that “ Planning applications for the change of use of properties into large HMOs will be assessed using the threshold limit...”. However, as the property was previously a permitted C4 small HMO, its change to a large HMO will not have any further effect on the balance and mix of properties in the local area.

Principle

Planning permission is required to change the use of a small HMO to a large HMO, or to intensify the use of a lawful large HMO (without any physical extension or external alteration to the property) by increasing the number of occupiers. As stated above the threshold limit will not be triggered as the HMO has already been established in the street and, therefore, it has no further effect on the concentration of HMOs and balance and mix of households in the local community.

These types of planning applications are assessed on their own individual merits on a case by case basis against the Council’s relevant policies and guidance, including mixed and sustainable communities, character of the area, residential amenity, parking standards, cycle storage and bin storage, as set out in adopted policy and in this SPD.

To achieve these aims; the following points should be taken into account in the determination of such an application:

- Minimum Size of Property for Conversion (maintaining supply of family housing)
- Appropriate Balance Between Communal and Private Areas
- A standard of one communal room for every 4-6 bedrooms (depending on the size of the bedroom) will be provided, which will have acceptable amenity standards and appropriate access for all residents.
- A proper agreement may be required to ensure acceptable management of all communal parts of the HMO.

It is considered that the principle of having an HMO in this location is acceptable; however, this does not automatically mean that a large HMO would be acceptable.

The amenity of future occupiers of the development and existing residents of nearby properties

The Residential Conversions SPD sets out a number of checklist items which provide further detail related to adopted policies CC8, H7, H9 and H10. These items consist of:

- Room Sizes
- Communal Space
- Amenity Space
- Layout/Stacking of Rooms

Room Sizes

The residential conversions 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 within this property are for one person and there is a separate communal kitchen.

The bedrooms are all larger than 6.5 square metres.

The room sizes are considered to be acceptable.

Communal Space

The residential conversions SPD states, *“The amount of communal space in larger HMOs that is considered appropriate will depend on the number of bedrooms and the size of the bedrooms proposed.*

Communal rooms will be expected to have an acceptable outlook and meet the amenity standards as set out in policy DM4 in particular, in terms of access to sunlight and daylight, noise and disturbance and artificial lighting to ensure the standard of accommodation meets the needs of the occupants using this space.

If the bedrooms provided as part of the HMO are at the minimum size considered appropriate, then a standard of one communal room per four bedrooms as a guide would be sought. Each communal room must provide sufficient space for four occupants, given that bedrooms are likely to have little or no room for any living space. It is not sufficient to have one large room, as with a significant number of residents living together this is considered more likely to result in conflict between the users. It should be assumed that the provision of a communal room is in addition to the provision of a kitchen, particularly where the kitchen provides no seating area or space to relax and is purely a functional area.

Where all bedrooms significantly exceed minimum room standards and Environmental Health confirms that any licence demonstrates the rooms are intended for single occupancy only, as a guide, one communal room per six bedrooms, may be considered appropriate.

All units of occupation shall have independent access to the communal areas. Proposals which rely on access through another unit of occupation will not be accepted”.

Whilst the proposal is for a 7 bedroom HMO, and Policy suggests a second communal room would likely be required, 6 out of 7 of the bedrooms exceed the minimum space standards and therefore are considered to be sufficient in providing their own amenity space, negating the need for a second communal room.

The lounge is combined with the kitchen, and measures 28 square metres; which is suitable for providing sufficient amenity space for seven occupants as well as functioning as a kitchen. In addition to this, as previously mentioned, the majority of the bedrooms all considerably exceed the minimum space standards, and as such it is considered that there is sufficient space for inhabitants of the property to not be detrimentally impacted in terms of amenity.

Amenity Space

The residential conversions SPD states, *“useable private outdoor space should be no less than the gross floor area of the dwelling to which it relates”*.

The property has a footprint of ~96 square metres, and whilst the private rear garden is relatively small in comparison to this, as demonstrated above, the property has a large amount of amenity space internally. It is considered that the private outdoor amenity space, which falls below the standards that would usually be required, is negated as the property is high quality and provides sufficient amenity space elsewhere. In addition to this, outdoor amenity space in Reading is usually hard to come by within urban environments and having any at all is seen as a positive. It is therefore considered acceptable.

External Windows

All habitable rooms benefit from existing external windows and are considered to be served by adequate daylighting and outlook.

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 is not considered unreasonable, particularly in that it keeps the communal facilities all at ground floor level.

Privacy and Overlooking

The proposal does not seek to introduce any additional windows and makes use of existing openings. The change of use to a large HMO is not considered to have resulted in any material increase in overlooking or loss of privacy above the existing situation.

Noise and Disturbance and Pollution

It would not be expected that the amount of the noise from the property, housing a maximum of seven adults, nor within the garden, would be appreciably different from that generated from a fully occupied large five bedroom family house.

A condition is recommended for the submission and approval of a management agreement, which includes addressing how noise inside and outside will be managed.

Effect on the character of the host property and surrounding area

Policy CC7 seeks that development should preserve or enhance the character of the area of Reading in which it is located.

There is no evidence of external alterations to the property and as such there would be no discernible differences from the appearance of the property. As such it is considered to accord with Policy CC7.

Transport Impacts

Policy TR5 seeks to address access, traffic, highway and parking relates matters relating to development.

Transport issues have been considered carefully as part of this application due to bollard placement and the close proximity of the zebra crossing.

The Transport department have reviewed the latest submitted layout plan and have confirmed that it is acceptable.

It should be noted that the new Transport arrangements will provide two parking spaces. This is considered sufficient and no objection is raised in this regard.

Conclusion

The property is considered to be capable of conversion to a 7 bedroom HMO. The bedrooms are of good sizes and these coupled with the lounge/kitchen are considered to provide an appropriate amount of communal space. There is sufficient natural light to communal and habitable rooms. There are no transport concerns or planning concerns and as such planning permission is recommended for approval.

RECOMMENDATION

Grant Planning Permission subject to conditions and informatives.