

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

APPLICATION FOR FULL PLANNING PERMISSION

To: The Keen Partnership
The Courtyard
Edinburgh Road
Reading
RG30 2UA

Application No: 191385
Application type: Full Planning Approval

Applicant: Speranza Investments Inc

READING BOROUGH COUNCIL as Local Planning Authority **REFUSE** planning permission for the following development.

Proposal: Change of use from a C4 HMO to a Sui Generis 7 bedroom HMO with parking and amenity space

At: 8 St Johns Road Caversham Reading RG4 5AN

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 22 January 2020



Head of Planning, Development
& Regulatory Services

Application At: 8 St Johns Road Caversham Reading RG4 5AN

Application No: 191385

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. The original property did not meet the established policy minimum size standard to be considered acceptable for conversion to a sui generis HMO. The retrospective conversion of this small dwelling to a large House in Multiple Occupation has resulted in the loss of a family dwelling house which was suitable for continued single family occupation, which is contrary to Policy H8 Residential Conversions of the Reading Local Plan 2019 and the Council's Supplementary Planning Document - Residential Conversions 2013.
2. The retrospective change of use to a large HMO for 7 persons relies on the use of the structure built in the rear garden area as habitable accommodation for the 7th bedroom. The occupier of this unit does not have adequate access to shared facilities as these are located within the main dwelling. As such the standard of accommodation is unacceptable and therefore contrary to Policy H8 Residential Conversions of the Reading Local Plan 2019 and the Council's Supplementary Planning Document - Residential Conversions 2013.
3. The creation of the hard standing to park vehicles has required the removal of the front boundary wall and planting. Whilst other less prominent examples of hard standing exist in the street, and such work may be achieved without the need for planning permission, the majority of properties have maintained their front boundary wall and some planting. In contrast the introduction of hardstanding without any boundary or landscaping has eroded the domestic appearance of the house and harmed the character of the street. Therefore, the development is contrary to CC7 Design and Public Realm, H8 Residential Conversions and H9 House Extensions and Ancillary Accommodation of the Reading Local Plan 2019 and the Council's Supplementary Planning Document - Residential Conversions 2013.
4. The retrospective change of use to a sui generis HMO fails to provide adequate external space for existing and future occupants and is therefore contrary to policy CC7 Design and Public Realm, H8 Residential Conversions and the Council's Supplementary Planning Document - Residential Conversions 2013.
5. The retrospective change of use has resulted in harmful intensification of the site through use of the external amenity area and the creation of the external 7th

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bedroom. This is due to the rear garden of No 8 St Johns Road being adjacent to the private rear gardens and living accommodation of domestic properties on Montague Street and St Johns Road. The use as a sui generis HMO has had a significantly detrimental effect on the residential amenity of adjoining neighbours in terms of noise and disturbance contrary to Policy CC8 Safeguarding Amenity, H8 Residential Conversions and H9 House Extensions and Ancillary Accommodation of the Reading Local Plan 2019 and the Council's Supplementary Planning Document - Residential Conversions 2013.

INFORMATIVES

1. 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 or agreed extended timescale and therefore the decision to refuse planning permission has been taken.

2. The plans considered in the determination of this application are listed below:

Location Plan	8779-19 PL-01Rev A
Block Plan	8779- 19 PL-02
Ground Floor	8779-19 PL-03
First Floor	8779-19 PL-04
Elevation Left and Right	8779-19 PL-08
Outbuilding (Roof/ground floor/section	8779-19 PL-05
Outbuilding (Elevations)	8779-19 PL-06
Elevation Front and rear	8779-19 PL-07
Proposed Site Plan and cycle parking)	8779-19 PL-09 Rev B (to show bin store

3. As this application has been refused the works sought are unauthorised and can be subject to enforcement action.

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NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the Council's decision on the application you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against the Council's decision on your application, you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (or 12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

If the above circumstances do not apply, any appeal must be made within the following time limits:

If this is a householder application and you want to appeal against the Council's decision then you must do so within 12 weeks of the date of this notice. If this is an advertisement application and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of this notice. If you want to appeal against your local planning authority's decision for any other type of application (which is not a householder or advertisement application, or an application for a Certificate of Lawfulness) then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.