

DELEGATED APPLICATION REPORT

Application No.: 191178

Address: 105 Northumberland Avenue

Proposal: Conversion of dwellinghouse (use class C3) to 7 person HMO (use class Sui Generis)

EOT: 17/01/20

Case officer: Connie Davis

Site Description and Surrounding Area:

The application site is a semi-detached property located on the eastern side of Northumberland Avenue. The surrounding area mainly comprises of terrace housing. The property has recently been extended in the form of a rear dormer (see planning history).

The property is not listed, nor in a conservation area. However the site is located within an area controlled by an Article 4 direction restricting the conversion of C3 (dwellinghouse) to C4 (small HMO) under permitted development.

Proposal:

- Change of use from single C3 dwelling to Sui Generis 7 person HMO.

The applicant has stated that the property has been in use as a 6 person HMO for a number of years. There is no planning record of this, nor has a Certificate of Lawfulness been granted. As such, the description of development was amended accordingly to refer to the property's current lawful use as a C3 dwellinghouse.

Plans considered:

The following plans and documents have been submitted:

520-02-00 - Site Location Plan As Existing

520-02-10 - Block and Roof Plan As Existing

Received 18th July 2019

520-02-40 - Block and Roof Plan Proposed Parking & Bin Storage

Received 10th October 2019

520-01-00 - Ground floor plan as Existing & Proposed

520-01-01 - First Floor Plan as Existing & Proposed

520-03-02 - Second Floor Plan As Proposed

520-01-04 - Front Elevation as Existing & Proposed

520-01-06 - Rear Elevation as Existing & Proposed

Received 10th January 2020

520-01-05 Rev 2 - Side Elevation as Existing & Proposed

Received 15th January 2020

Relevant Planning History:

190415/CLP - Certificate of Lawfulness for proposed construction of rear dormer - Permitted Development

External Consultation

The following addresses were formally consulted via letter on

103 Northumberland Avenue
1 and 3 Hexham Road
1 Morpeth Close

A site notice was also displayed.

No responses have been received.

Internal Consultation**HMO Team**

No response received.

Transport

Revised plans were required showing parking, cycle and bin storage. These were deemed acceptable so no objection subject to conditions and informatives.

Environmental Protection

No objections.

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:

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 Planning Policy Framework 2019
National Planning Guidance 2014 onwards

Reading Borough Local Plan (Adopted November 2019)

CC1 Presumption in Favour of Sustainable Development

CC2	Sustainable Design and Construction
CC5	Waste Minimisation and Storage
CC8	Safeguarding Amenity
EN16	Pollution and Water Resources
H5	Standards for New Housing
H8	Residential Conversions
H10	Private and Communal Outdoor Space
TR5	Car and Cycle Parking and Electric Vehicle Charging

Supplementary Planning Guidance/Documents

Revised Parking Standards and Design (2011)

Residential Conversions (2013)

APPRAISAL:

For conversions to residential the main planning policy is: Policy H8, which 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.’*

Policy H8 continues to state:

‘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.’*

Along with these adopted local planning policies any appraisal for a change of use to a sui generis large HMO is assessed against the Council’s ‘Residential Conversions Supplementary Planning Document SPD (2013)’. 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). In addition para 4.2 refers to the requirement to assess large HMOs under the threshold guidance set out in Section B. The SPD sets out a number of checklist items.

Main considerations:

The main issues to be considered are:

- a) Whether the conversion of the property results in unduly diluting or harming a mixed and sustainable community
- b) Is the property of the appropriate size for conversion?
- c) Amenity of future residents and those of existing neighbouring properties
- d) Car/ cycle parking
- e) Design

- a) Does the conversion of the property result in unduly diluting or harming a mixed and sustainable community?

Policy H8 requires conversions to large Sui Generis HMOs to not result in unduly diluting or harming a mixed and sustainable community. To assess whether a property is suitable for conversion the 'tipping point' calculation is used (threshold), which is defined in the Residential Conversions SPD as "*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).

From the research conducted, officers have not found evidence that 3 of the 26 properties within a 50m radius of the site are HMOs, equating to less than 25%. From this it is considered that the proposal would not have an undue impact on the character of surrounding area.

The principle of the conversion of the application property to an 7 person large Sui Generis HMO is therefore considered acceptable subject to meeting other policy requirements below.

- b) Is the property of the appropriate size for conversion?

Policy H8 and the Residential Conversion SPD require the property to have a gross floor area in excess of 120m² to be suitable for conversion. The application property exceeds this and therefore is considered to be an appropriate size for conversion.

The internal floorspace of each bedroom exceeds the minimum standards as set out in Appendix 1 of the SPD and are therefore generally acceptable in this regard.

Where rooms are at the minimum size the SPD seeks a provision of 1 communal area per 4-6 rooms, not including a kitchen. However, in this case, the majority of bedrooms significantly exceed the minimum size standards and whilst it is suboptimal that only 1 communal area is provided this is considered to be of a size to provide sufficient communal space. The SPD states that: '*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.*' Due to the good size of bedrooms and kitchen, it is considered that sufficient communal space is proposed (approx. 25 sqm). A condition is recommended to ensure that the communal area is retained for communal use.

- c) Amenity of proposed residents 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, H8, H9 and H10. These are addressed as follows:

Sound Insulation - Sound insulation is controlled through the building control legislation. An informative is recommended advising the applicant of the need for a building control application.

Noise and Disturbance - It is proposed that the application building would remain in a residential use. It is considered that the level of noise and disturbance from an 7 person HMO would not be significantly above that which one would expect from a family dwelling of this size.

External windows - All habitable rooms benefit from an external window.

Amenity Space - There is a good sized rear garden, as well the area to the front which provides an appropriate level of amenity space in accordance with Policy H10.

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. It was questioned as to whether the layout of bedroom 2 on the ground floor could be re-arranged so that it was not accessed via a communal space. The applicant's agent stated this would not be possible. However it is noted that this bedroom is served by a separate door which can be accessed via the rear garden. On balance, this is considered acceptable.

Bin storage - Sufficient refuse containers are provided. However a condition is recommended requiring the retention of this bin storage area.

d) Car/ cycle parking

Further to the consultation response from the RBC Transport Development Control team, three off road parking spaces have been provided and is therefore considered acceptable. Plans also show details of 6 x lockable Sheffield style cycle stands.

Conditions are required stating that cycle and vehicle parking spaces are retained, along with vehicular access, as per the approved plans.

e) Design

No external works are proposed and therefore there will be no change to the property when viewed from the street.

A condition relating to a HMO management plan will be included to ensure the maintenance of the HMO.

RECOMMENDATION: APPROVE

- 1) Time Limit
- 2) Approved plans
- 3) The HMO use at ground, first and second floors hereby approved shall be restricted to 7 no. single occupancy bedrooms, with a maximum of seven tenants at any one time.

Reason: As an increase in the number of occupants could impact on the amenity of existing and future occupiers of the property and neighbouring properties in accordance with Policy CC8 and Policy H8 of the Reading Borough Local Plan (November 2019).

- 4) Bin storage to be implemented
- 5) Cycle storage retained
- 6) Vehicle parking to be retained
- 7) Vehicle spaces to be retained
- 8) Communal areas to be retained for communal use
- 9) HMO Management Plan

Informatives:

Terms and conditions

Building Control

Highways

Housing Act 2004

HMO Management Plan

Positive and proactive