

DELEGATED HOUSEHOLDER APPLICATION REPORT

Ward: Caversham

App Ref: 190837/VAR

Address: 14 South Street, Reading, RG4 8HY

Proposals: Development of conversion of exiting single dwelling house to two dwelling houses with two storey extensions to rear without complying with Condition 4 (Parking Permits) of planning permission 090981, dated 18/12/2009.

Case Officer: Nathalie Weekes

Applicant: Miss Jade Taylor

Date received (valid from): 22 May 2019 Target Decision date: 17 July 2019

1. INTRODUCTION AND PROPOSAL

In August 2009 planning application Ref: 090981 (09/01346 FUL) was made to Reading Borough Council (RBC) for the conversion of a 4-bedroom property (14 South Street) to provide two 2-bedroom units. As part of the planning permission that was granted on 18th December 2009 a condition was imposed to remove the right for residents to apply for a parking permit.

The proposal is to remove Condition 4 of planning application Ref: 090981 (09/01346 FUL) dated 18th December 2009

Plans considered

14A/14B South Street Block plan

Location plan

Application statement 14A/14b South Street

As received on 22nd May 2019

3. RELEVANT PLANNING HISTORY

09/01346 FUL Conversion of existing single dwelling house to two dwelling houses with two storey extensions to rear. Permitted 18/12/2009

04/00939/FUL Change of use from single dwelling to two 2-bedroom properties, with single storey rear extension. Permitted 28/09/04, not implemented.

07/01099/FUL Change of use from single dwelling to two 2-bed properties and two storey rear extension. Withdrawn 01/04/08

4. CONSULTATIONS

4.1 The following addresses were consulted by letter.

9 North Street, Caversham, Reading, RG4 8JA
8 South Street, Caversham, Reading, RG4 8HY
10 South Street, Caversham, Reading, RG4 8HY
12 South Street, Caversham, Reading, RG4 8HY
16 South Street, Caversham, Reading, RG4 8HY
18 South Street, Caversham, Reading, RG4 8HY
20 South Street, Caversham, Reading, RG4 8HY
1 South Street, Caversham, Reading, RG4 8HY
1a South Street, Caversham, Reading
3 North Street, Caversham, Reading, RG4 8JA

4.2 A site notice was displayed. No letters of representation have been 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.

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

National Policy

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough Local Development Framework Core Strategy (2008)

CS20: Implementation of The Reading Transport Strategy (Local Transport Plan 2006-2011)

CS24: Car/ Cycle Parking

Sites and Detailed Policies Document (2012)

DM12: Access, Traffic and Highway-Related Matters

SPG/SPD

- Revised parking standards and design supplementary planning document

6. APPRAISAL

Relevant conditions and Informatives of planning application Ref: 090981 (09/01346 FUL) dated 18th December 2009

The original wording of Condition 4:

Condition 4 - *"The residential flats hereby approved shall not be occupied until the Council has been notified in writing of the full postal address of the units. Such notification shall be addressed to the Council's Planning Manager (Implementation) quoting the planning application reference specified in this Decision notice*

Reason: In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the new residential flats hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street parking in the area."

RBLP Policy TRN17 On - Street Parking for Residential Conversions

RBC LDF Core Strategy Policy CS24 Car/Cycle parking

In addition to Condition 4, Condition 5 also stated:

"Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential flats hereby approved the prospective occupier/transferee shall be informed of the prohibition on entitlement to a car parking permit. All material utilised for advertising or marketing the residential flats for letting or sale shall make it clear to prospective tenants

and occupiers that no parking permit will be issued by the Council to occupiers of the residential flats.

Reason: In order that the prospective occupiers are made aware of the fact that they will not be entitled to an on-street car parking permit, in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area."

RBLP Policy TRN17 On - Street Parking for Residential Conversions
RBC LDF Core Strategy Policy CS24 Car/Cycle parking

The planning application also had a Planning Informative on the planning permission which stated;

Informative 4

"The occupiers of the residential units will not be entitled to an on-street car parking permit in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area in accordance with adopted RBLP policy TRN12. The site is located close to local facilities, with frequent public transport services on nearby roads. The parking permit conditions above place a requirement that the Council be notified of postal addresses of the residential units before occupation and that the occupiers/transferees to be informed of the prohibition on entitlement to a car parking permit."

Assessment of the application

The application was judged against planning policy in place at the time and on the planning proposal; to divide one 4 bed property into 2 x 2 bedroom dwellings. I have spoken to our legal team regarding your query regarding the wording of Condition 4 and 5 and the use of the word 'flat'. The meaning of the word 'flat' would still be deemed a dwelling and therefore despite being a typo, the description of the dwelling whether as a flat, unit or dwelling would still apply to the conditions as stated that removed any entitlement for an on street parking permit for future occupiers of the units.

In reviewing the current application 190837, planning policy has since been updated with the proposal judged against Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12.

Council policy

The Council's adopted Parking Standards and Design SPD states on page 32 and 33 that "Conversion of an existing residential dwelling to multiple dwellings or redevelopment of a dwelling and creation of multiple units will not entitle the additional dwellings or units to additional parking permits." When consulted on planning applications for new dwellings, Transport assesses the proposals on a number of grounds including parking requirements. Where proposals are in areas where Resident Parking Controls exist and no, or insufficient on-site parking provision is proposed, conditions are imposed to ensure no parking permits are issued in areas of controlled on-street parking. This is to avoid adding to the pressures for on-street parking that led to the imposition of the controls in the first place.

Given that the development consisted of the conversion of an existing single dwelling house to two dwelling houses, the condition applied complied with the Council's parking policy and the decision notice clearly stated that the properties would not be entitled to permits. The assessment was made on the property in situ in 2009.

Reasons for planning conditions

The planning conditions themselves were designed so that the parking services team would be aware of any changes to the properties and what actions to take when residents apply but mainly to ensure that prospective residents either tenants or purchasers are fully informed of the situation regarding parking permits prior to occupying the property. The Council has a process for granting discretionary permits for those properties that are exempt from the permit scheme, however, the applications are considered by panel members on the Traffic Management Sub-Committee and not by officers.

Previous temporary entitlement

The applicant has indicated that the previous occupants of 14B South Street (prior to February 2017) were entitled to a parking permit despite the restriction on the property. However, this was a discretionary permit granted by the Traffic Management Sub-Committee. In considering an application for a discretionary permit, the Head of Service will consider whether any exceptional circumstances exist to support the application that are specific to the household and require it to have the regular use of a car.

Impact of removing the condition

This application seeks the removal of the Condition 4 which exempts 14A / 14B South Street from applying for an on-street resident parking permit. The development site is located in an area designated as a Residents Parking Permit Area; Zone 01R which is oversubscribed. It should be noted that the zone is currently at 104% which means that there are more permits issued than there are spaces available.

The removal of entitlement to parking permits is covered by Condition 4, Condition 5 and Informative 4 on application 09/0981 granted on 18th December 2009. There have been no material changes to the proposal as submitted. Condition 5 and Informative 4 would continue to be in place.

The wording on the application form and application statement refer to wording from Informative 4 rather than Condition 4 application 09/0981 granted on 18th December 2009.

The original planning officer in 2009 noted in their officer report that 'South Street is subject to a Residents Parking Scheme and on-site parking does not generally exist in the area. Conditions and informatives are recommended to prevent the occupants of the houses from obtaining car parking permits'. Parking problems in South Street and the surrounding area have exacerbated since 2009 and a recent site visit provided evidence there is still congestion and insufficient parking provision.

Communications with the agent

The agent queried the definition of 'flat' which has been confirmed above and clarified with our legal department. The historic sub division of the properties was also raised by the agent as a factor to consider, however, policy clearly states that planning applications are considered on the information and facts submitted at the time of the application in accordance with the policies in place at the time.

7. CONCLUSION

The proposed development has been assessed and the proposed works are not considered to be in accordance with the above relevant policies and the application to remove Condition 4 of planning application Ref: 090981 (09/01346 FUL) dated 18th December 2009 should be refused.

The proposed removal of condition 4 of planning permission 090981 does not comply with the Council's Parking Policy to regulate parking permits issued to dwellings converted to multiple units. This will increase competition for on-street parking bays in an area which is oversubscribed. This would be detrimental to road safety and the flow of traffic, and in conflict with Core Strategy Policies CS24 and the Revised Parking Standards and Design Supplementary Planning Guidance.

RECOMMENDATION

Application Refused