

DELEGATED APPLICATION REPORT

SITE ADDRESS: 6 Mason Street

APPLICATION NUMBER: 181491/FUL

PROPOSAL: Conversion from single dwelling to two self-contained apartments, comprising a 1 bedroom apartment at basement level and a 3 bedroom apartment to the upper floors, including a rear dormer roof extension

Site Description and Surrounding Area

The site comprises a three storey mid-terrace property located on the north side of Mason Street. The surrounding area is predominantly residential in character.

The site is located outside of the Reading Central Area as defined by the Reading Central Area Action Plan (2009).

Proposal

The application seeks planning permission for conversion from a single dwelling to two self-contained apartments, comprising a 1 bedroom apartment at basement level and a 3 bedroom apartment to the upper floors, including a rear dormer roof extension.

Plans Considered

Drawing ref.

MS:001 Rev - Block Plan

MS:002 Rev - Site Location Plan

MS:003 Rev - Floor Plans Existing

MS:004 Rev - Floor Plans Proposed

MS:006 Rev - Existing Elevations

MS:006 Rev - Proposed Elevations

Received by the Local Planning Authority on 22nd August 2018

Relevant Planning History

03-00121 - Conversion of three storey dwelling into 3 no. self-contained flats - partly retrospective - Refused.

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'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

The Development Plan for Reading relevant to the application site comprises the Reading Local Development Framework 'Core Strategy' 2008 (Altered 2015) and 'Sites and Detailed Policies Document' 2012 (Altered 2015). 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:

National

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough LDF Core Strategy (Adopted January 2008, updated 2015)

- CS1 Sustainable Construction and Design
- CS2 Waste Minimisation
- CS7 Design and the Public Realm
- CS14 Provision of Housing
- CS15 Location, Accessibility, Density and Housing Mix
- CS18 Residential Conversions
- CS20 Implementation of the Reading Transport Strategy
- CS24 Car / Cycle Parking
- CS34 Pollution and Water Resources

Sites and Detailed Policies Document - (Adopted October 2012, updated 2015)

- DM1 Adaptation to Climate Change
- DM4 Safeguarding Amenity
- DM6 Affordable Housing
- DM8 Residential Conversions
- DM9 House Extensions and Ancillary Accommodation
- DM10 Private and Communal Outdoor Space
- DM12 Access, Traffic and Highway Related Matters

Supplementary Planning Documents

Affordable Housing SPD (2013)

Revised Parking Standards and Design SPD (adopted October 2011)

Sustainable Design and Construction SPD (adopted July 2011)

Residential Conversions SPD (adopted November 2013)

CONSULTATION RESPONSES

Transport - More details with regard to bike storage are required to be submitted.

Environmental Protection - Conditions are recommended to monitor potential contaminated land.

Ecology - No objection.

APPRAISAL

a) Principle

With regard to the principle of the proposed use, from purely a land use perspective, it is considered that a proposal to introduce two residential units would comply with the principles of Policy CS14. Moreover however, the Council's policies seek to deliver appropriate residential conversions whilst maintaining a supply of family housing and protecting the character and amenity of the surrounding area. In this regard properties must be a minimum size as detailed in Policy DM8: Residential Conversions of the Sites and Detailed Policies Document in order to be considered acceptable.

Policy DM8 states that properties to be converted into flats must have four or more bedrooms or measure more than 120 square metres gross. DM8 also states that when calculating the floor area of a property the measurement should be based on the external dimensions as at 1st July 1948 or when built (whichever is the later). The Residential Conversions SPD (Checklist Item 6) states that 'four or more bedrooms' means the original number of bedrooms in the property as built.

The dwelling in its existing form measures 122.5m² and has 4 bedrooms however, this includes a single story rear extension built in 2003 and also loft space which has been converted to use as a single bedroom. These elements would not have formed part of the original dwelling when it was built and should therefore be discounted in the context of Policy DM8. Without the single storey rear extension and loft conversion the property measures only 90m² and has only 3 bedrooms.

The property would therefore fail to meet the threshold criteria set out within Policy DM8 and in Checklist Item 6 of the Residential Conversions SPD (2013). The purpose of the policy is two-fold in seeking to ensure that only properties a suitable size are converted in order to provide for an appropriate standard of residential accommodation and to maintain a supply of single family home and also to protect the character and amenity of the surrounding area through associated issues when a large number of properties are converted to flats.

The principle of the proposed conversion is therefore considered unacceptable and is contrary to Policies CS18, DM8 and the Residential Conversions SPD.

The design and access statement submitted as part of the application argues that as the proposal is providing a 3 bedroom flat then it cannot be argued that the proposal results in the loss of a single family dwelling. Whilst in terms of number of bedrooms the proposed 3 bed unit could be considered to be a family unit, this would provide a significantly lower standard of accommodation than that provided by the current single dwelling in terms of size but and even more so with regard to amenity space provision - whereby it is the basement level one bedroom flat that would have access to the rear garden private amenity space whilst the 3 bedroom flat to the upper floors would be served by no private amenity space. This provision of poorer standard accommodation is not considered justification for loss of the existing single family dwelling.

It should also be noted that a previous application ref. 03-00121, also for conversion of the property to flats (3 x self-contained flats) was refused for similar in principle reasons (property was too small to be suitable for conversion and the loss of a single family dwelling).

During the course of the application it has also come to light that the existing property is in use as a HMO with the applicant now stating that this is a C4 small HMO. There is no planning history of such a change of use occurring, albeit this could occur under permitted development rights. This again is not considered justification to grant planning permission for a change of use of the property to flats given the 'in principle' issue with the application outlined above. A HMO by its nature is not drastically different to a single dwelling and could relatively easily be converted back to a single dwelling use in the future. This is not the case with the proposed self-contained flats use, in particular given the proposal seeks to remove the internal stair access to the basement level of accommodation, making future use back as a self-contained dwelling much more difficult to achieve.

Design, Impact on Character of Area and Street Scene

Policy DM9 (House Extensions) seeks that extensions should respect the character of a house and neighbouring houses in terms of scale, location, materials and design. Policy CS7 (Design and the Public Realm) seeks that development should be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located. Policies DM8, CS18 and Checklist Item 1 of the SPD seek that proposals for conversion should respect the physical character of the area.

The main external change proposed is the additional of a large flat roof rear dormer roof extension. There are very few examples of rear dormer additions to surrounding properties, most likely given the insufficient roof space ceiling height in these types of buildings. The scale of the proposed rear dormer would fill and dominate the entirety of the rear roof slope. Whilst retaining a small set back from the eaves the dormer would space the full width of the roof space.

The proposed rear flat roof dormer roof extension is considered excessive in scale and would dominate the rear roof space of the dwelling and fail to respect its character and that of neighbouring dwellings in terms of its scale and design. The proposal would be visible from the rear of surrounding dwellings on Cambridge Street and George Street and is considered to fail to maintain or enhance the character of the surrounding area.

The rear dormer roof extension is considered contrary to Policies CS7, CS18, DM8, DM9 and the Residential Conversions SPD.

A bin storage area is proposed in the small paved area between the front of the property and the road. This area consists of hardstanding as is the case for all other properties to either side of Mason Street which also use this area as bin storage.

Whilst visible bin storage to the front of properties is generally unwelcome, this is an existing situation for the current dwelling and other surrounding properties in the road and continuation of this situation is not considered to result in any unacceptable impact upon the character of the host dwelling or surrounding area. Given the proposal is to convert the property to only 2 flats the level of bin storage would not increase significantly.

Impact on Neighbours

Policy DM4 (Safeguarding Amenity), DM8, CS18 and the Residential Conversions SPD seek to protect the residential amenity of existing and future occupiers and CS34 (Pollution) seeks to protect and mitigate development from pollution.

It is not considered that the intensification of the use of the property to 2 independent units or the proposed rear dormer roof extension would result in any undue harm to the amenity of surrounding properties.

Amenity of Future Occupiers

Policy DM4 (Safeguarding Amenity), DM8, CS18 and the Residential Conversions SPD seek to provide a suitable standard of residential amenity for future occupiers.

Appropriate sound insulation between the flats would be achieved via the relevant building regulations requirements. Stacking and layout of the units is considered acceptable, in particular given the bedroom to the self-contained basement unit would be located within a single storey

rear projection such that there is no accommodation above this room with the potential to cause disturbance.

All habitable rooms would be served by suitable outlook and daylighting. The self-contained basement unit would be dual aspect. Due to the site levels the rear aspect of this dwelling is effectively at ground floor whilst outlook to the front is also good.

Whilst currently in use as a bedroom the roof space accommodation in the existing dwelling is insufficient in terms of head height at around 1.9m to a small centre portion of the room with the height then sharply diminishing as the roof slopes away to either side. The proposal seeks to lower the floor level to this room to increase this height to 2.15m in line with that recommended in the SPD. Checklist Item 12 of the SPD also requires that attic rooms are of a suitable shape to provide usable space. In this regard, whilst considered unacceptable in design terms, the proposed rear dormer roof extension would assist in providing an adequate amount of usable space. It is possible that more modest and sympathetically designed dormer roof extension would also provide a suitable level of usable space.

Checklist Item 23 of the SPD seeks that where a proposal incorporates a family sized unit, that unit should have direct access to a usable area of private, rather than communal amenity space. The proposal would not achieve this requirement given that the one bedroom basement flat would have direct access to the garden area and not the 3 bedroom 'family sized' unit to the upper floors. It is noted that the rear garden area could be accessed via the gate from the rear public footway but this access is not direct access and would significantly limit the usability of this space. This forms another shortfall in the proposed development.

Policy D10 (Private and Communal Outdoor Space) seeks dwellings are provided with functional private or communal amenity space. Whilst this policy does acknowledge that flats may be provided with communal outdoor space, balconies or roof gardens. The arrangement proposed as a part of the current application whereby the 3 bedroom unit would not have direct access to any functional amenity space is not considered to be acceptable and would not provide for an appropriate standard of residential accommodation for future occupiers contrary to the SPD and Policy DM10.

Transport Issues

Policies DM12 of the Sites and Detailed Policies Document 2012, 2015 and CS20 and CS24 of the Core Strategy seek to address access, traffic, highway and parking related matters relating to development.

The site is located within Zone 2, the primary core area but on the periphery of the central core area which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs. Mason Street is a residential street, parking occurs on both sides of the carriageway.

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 1 parking space for a 1 bedroom flat and 1.5 for a 3 bedroom flat. The Design and Access statement confirms that there is no off road parking associated with this property however reference has been made to obtaining a residents parking permit.

The development site is located in an area designated as a Residents Parking Permit Area; Zone 05R. Under the Borough's current parking standards, this proposal would generate additional pressure for parking in the area; therefore if this application is approved there should be an assumption that any future occupants of the proposed dwellings will not be issued with a resident or visitor parking permits, regardless of the currently eligibility for the existing single dwelling use of the property. Should the recommendation be to grant planning permission then the applicant would be advised of this fact by way of a suitably worded condition and an informative. 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.

In accordance with the adopted Parking SPD, the development is required to provide a minimum of 0.5 cycle parking spaces for the 1 bedroom dwelling and 1.0 for the 3 bedroom dwelling which should be in a conveniently located, lockable, covered store; this therefore equates to a minimum of 2 cycle parking spaces for this proposed development. Bike storage is shown to the front of the property but is not lockable, covered or secure. There is space to the rear garden area where bike storage could be located. If the recommendation were to grant planning permission then further details of bike storage would be sought by way of a suitably worded condition. Bin storage is shown at street level to the front of the property and is considered acceptable.

Sustainability

Policy CS1 of the Core Strategy, supported by the Council's Sustainable Design and Construction SPD seeks the proposal, as a 'creation of new residential units through conversion', to comply with BREEAM Level of 'Very Good'. If the recommendation were to grant planning permission then this would be dealt with by way of a suitably worded condition to accord with Policy CS1 of the Core Strategy 2008, 2015 and the Sustainable Design and Construction SPD 2007.

Affordable Housing

West Berkshire District Council and Reading Borough Council applied for a judicial review of the Secretary of State's Written Ministerial Statement (WMS) to Parliament in 2014 on changes to national planning policy. Those changes sought to exempt developments of 10 or less dwellings from planning obligations for affordable housing and social infrastructure contributions and to introduce a new measure known as the Vacant Building Credit.

The High Court handed down its judgment on the case on 31st July 2015. The High Court found in favour of the challenge by the local authorities and quashed the amendments to the NPPG. The Secretary of State appealed the judgment and the Court of Appeal has now quashed the decision of the High Court.

At its meeting of the Strategic Environment Planning and Transport Committee on 13th July 2016, the Council discussed the outcome of the Court of Appeal's decision on its challenge (the report can be found here:

http://www.reading.gov.uk/media/5651/Item09-SEPT-C-Report-on-C-of-Appeal-judgement-05-16/pdf/Item09_SEPT_C_Report_on_C_of_Appeal_judgement_05_16.pdf).

The Committee agreed the following as the basis for determining planning applications where Policy DM6 of the SDPD is relevant:

To implement Policy DM6 as currently adopted in the SDPD but excluding proposals that solely involve the conversion of an existing property, where the conversion involves the provision of

10 or less dwelling units (i.e. not HMOs), or the replacement of dwellings by the same number of replacement dwellings where there is no net increase.

The proposal relates to the conversion of the existing property with no extensions which in itself would create a new unit, therefore on the basis of the above amendment to Policy DM6 the proposal is not considered to require an affordable housing contribution.

Contaminated Land

The development lies on the site of an historic dairy which has the potential to have caused contaminated land and the proposed development is a sensitive land use.

The nature of the proposal as a conversion is such that significant works to disturb the ground surface will not take place. Therefore a contaminated land risk assessment should not be required. If the recommendation were to grant planning permission then a suitably worded condition and information would be recommended to advise the applicant to monitor the site during building works any contamination risks in accordance with Policy CS34 (Pollution).

RECOMMENDATION:

REFUSE planning permission for the following reason:

1. The original dwellinghouse did not have more than four or more bedrooms or measure more than 120 square metres gross floor area. The dwelling is therefore considered to be an unsuitable size for conversion to flats. The proposal would be an over-intensive use of the property and would result in loss of a family unit of accommodation which would be harmful to the mixed and sustainable character of the surrounding area. The proposal is contrary to Policy DM8 of the Sites and Detailed Policies Document (2012, 2015), Policy CS18 of the Core Strategy (2008, 2015) and the Residential Conversions Supplementary Planning Document (2013).
2. The proposal would fail to provide adequate direct access to functional private amenity space for the 3 bedroom unit located to the upper ground, first and second floors of the property. This would fail to provide a suitable standard of residential amenity for future occupiers of the development contrary to Policy DM10 of the Sites and Detailed Policies Document (2012, 2015), Policy CS18 of the Core Strategy (2008, 2015) and the Residential Conversions Supplementary Planning Document (2013).
3. The proposed flat roof rear dormer roof extension is considered excessive in scale and would dominate the rear roof space of the dwelling and fail to respect its character and that of surrounding dwellings in terms of its scale and design. The proposal would be visible from the rear of surrounding dwellings on Cambridge Street and George Street and would be out of keeping with and fail to maintain or enhance the character of the surrounding area. The proposal is considered contrary to Policies CS7 and CS18 of the Core Strategy (2008, 2015), Policies DM8 and DM9 of the Sites and Detailed Policies Document (2012, 2015) and the Residential Conversions Supplementary Planning Document (2013).

Informatives

1. The decision relates to the following plans and drawings:

Drawing ref.

MS:001 Rev - Block Plan

MS:002 Rev - Site Location Plan

MS:003 Rev - Floor Plans Existing

MS:004 Rev - Floor Plans Proposed

MS:006 Rev - Existing Elevations

MS:006 Rev - Proposed Elevations

Received by the Local Planning Authority on 22nd August 2018

2. The local planning authority has worked with the applicant in a positive and proactive way by clearly setting out concerns relating to the proposal and providing an opportunity for the applicant to withdraw the application. However, the applicant chose not to withdraw the application, hence the issuing of this refusal notice.