

DELEGATED APPLICATION REPORT

SITE ADDRESS: 9 Vachel Road

APPLICATION NUMBER: 180740/FUL

PROPOSAL: Conversion of existing building from single dwellinghouse to 3 x 1 bed and 1 x 2 bed apartments

DETERMINATION DATE: 24th July 2018

Site Description and Surrounding Area

The site comprises a three storey mid-terrace property with a lower ground floor part basement located on the south side of Vachel Road. The property is currently in use as a single dwelling.

The site is located within an air quality management area and within the Reading Central Area as defined by the Reading Central Area Action Plan (2009).

Proposal

The application seeks planning permission for the conversion of the existing single dwelling to 3 x 1 bed and 1 x 2 bed apartments, with the 2 bedroom apartment forming a duplex across the second floor and loft room.

Plans Considered

Drawing No: 2 - Location Plan

Drawing No: 3 - Site Plan

Drawing No: 4 - Existing Floor Plan

Drawing No: 5 - Proposed lower ground, ground and first floor plans

Drawing No: 6 - Proposed 2nd and 3rd Floor Plans

Drawing No: 7 - Existing Front Elevation

Drawing No: 8 - Proposed Front Elevation

Drawing No: 9 - Existing Rear Elevation

Drawing No: 10 - Proposed Rear Elevation

Drawing No: 11 - Proposed Cross Section

Received 2nd May 2018

Relevant Planning History

None

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).

In this regard the NPPF allows full weight to be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) until March 2013. 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)

- 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

Reading Central Area Action Plan (Adopted 2009)

- RC5 Design in the Centre
- RC9 Living in the Centre
- RC12 Terraced Housing in the Centre

Supplementary Planning Documents

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 -

No objection, subject to conditions (see Transport section in Appraisal for further discussion)

Environmental Protection -

No objection, subject to conditions (Implementation of noise mitigation scheme, noisy construction and demolition, hours of operation).

APPRAISAL

a) Principle

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 states that 'four or more bedrooms' means the original number of bedrooms in the property as built.

The existing dwellinghouse has 4 bedrooms and the property is 165m². Therefore, the principle of the conversion and extension of the property is acceptable, subject to the relevant material planning considerations set out below.

b) Design, Impact on Character of Area and Street Scene

The external changes proposed are minimal and include addition of two modest rear roof lights.

Given the increase in dwelling numbers proposed, the proposal has clarified that there is sufficient space for 4 bins in the storage area under the stairs down to the basement flat. This is considered to be a discreet and acceptable solution and will ensure that the potential clutter from an increase number of bins would not have an adverse impact on the character of the area.

The proposals are considered in accord with policies CS7 and CS18 of the Core Strategy (2008, 2015), Policy RC5 of the Reading Central Area Action Plan (2009) and DM8 of the Sites and Detailed Policies Document (2012, 2015).

c) Impact on Neighbours

Policy DM4 of the Sites and Detailed Policies Document (2012, 2015) seeks to protect the amenity of existing and future occupiers and Policies RC9 of the Central Area Action Plan (2009) and CS34 of the Core Strategy (2008, 2015) seeks to protect and mitigate development from pollution.

It is not considered that the intensification of the use of the property to 4 independent units would result in any undue harm to the amenity of surrounding properties. Appropriate sound insulation between dwellings would be achieved via the relevant building regulations requirements.

d) Housing Mix

Policy DM8 and the Residential Conversions SPD clearly state in the case of conversions to self-contained flats at least 25% of the units formed and, where there are 4 or fewer units at least one unit of accommodation, should be suitable for family occupation with a minimum of two bedrooms. The mix of units proposed 1 x 2 bed flat and 2 x 1 bed flats is considered acceptable in principle and in accord with Policy CS8 and CS15 of the Core Strategy (2008, 2015), Policy DM8 of the Sites and Detailed Policies Document (2012, 2015) and the Residential Conversions SPD (2013).

e) Amenity of Future Occupiers

Policies DM4 and DM8 of the Sites and Detailed Policies Document (2012, 2015) and CS18 of the Core Strategy (2008, 2015).

Units 1 (lower ground floor), 2 (ground floor) and 3 (first floor) are considered small but adequate in size with all flats served by suitable ceiling heights, outlook and daylighting.

Unit 4 is the 2 bedroom units which is a duplex situated between second floor and the existing attic space. Bedroom 2 of this unit is located within the attic space. Whilst the floor space of this bedroom is shown on plan no. 6 (Proposed 2nd & 3rd Floor Plans) as being 14.6m² the usability of this room would be severely restricted due to the available ceiling height. The height part of the ceiling under the ridge of the roof is shown to be 2m which this reducing significantly as a result of the pitched slope of the roof either side.

Checklist Item 7 of the Residential Conversions SPD (2013) states that the LPA will consider applications for house conversions including HMO's and flats against the Council's adopted minimum internal floor space standards as set out in appendix 1. Policy DM8 also states that in the consideration of conversions to self-contained flats individual units should provide appropriate internal floor standards and headroom in accordance with the Councils adopted minimum internal floor space standards. The standards set out in appendix 1 primarily relate to conversions to HMO but state that minimum floor standards should be a minimum of 6.5m² if a bedroom is occupied by one person or 10.5m² if occupied by two persons. However, paragraph 2.23 of the SPD caveats this by stating that *'there may be situations where a room meets the minimum floor area but is not suitable due to its shape or ceiling height. When measuring a unit's floor space only the useable space will be considered. Planning permission will be refused for schemes where the accommodation is so inadequate that it cannot function satisfactorily as a viable living unit. The SPD goes on to define 'useable space' as that part of the proposed unit where the occupant can comfortably move about'*.

Checklist Item 11 of the SPD refers to basement accommodation but nonetheless provides a useful definition or appropriate ceiling heights for residential conversions in the context of the SPD stating that - *'there is no statutory minimum requirement for ceiling heights, although Building Regulations requires a 2.0 metres headroom clearance for staircases. It is, nevertheless, generally recommended that residential accommodation should have a 'good practice' minimum floor to ceiling height of 2.15 metres. This standard will be applied to the principal rooms of accommodation, which include kitchens, bathrooms and living rooms. This will prevent cramped residential accommodation'*. In this context it is considered that a bedroom would also be considered a principal room of accommodation.

Checklist Item 12 of the SPD states that proposals seeking to convert attic/loft space will normally be permitted where the attic/loft space would benefit from sufficient headroom and is incorporated into a self-contained unit which is split over two floors of accommodation.

The maximum height of bedroom 2 to unit 4 of the proposed conversion would fail to meet even the minimum recommended ceiling height set out with the SPD. This together with the relatively steeply sloped roof pitched roof and ceiling height is considered to provide insufficient 'usable space' and would result in an extremely cramped bedroom which would not be functional as a 'usable' room of habitable accommodation contrary to the Residential Conversions SPD (2013), Policy DM4 of the Sites and Detailed Policies Document (2012, 2015).

The proposed residential conversion as a whole is required to provide a two bedroom unit in order to satisfy the clear requirements of Policy CS8 and the SPD with regard to unit mix as set out in paragraph d) above.

Noise and air quality assessments have been submitted as part of the application and have been reviewed by the LPA's Environmental Protection Officers who have advised that the assessments and mitigation proposed would provide for suitable noise levels within the dwellings. A condition is recommended to ensure the development is carried out in accordance with the proposed glazing and ventilation specification. In this respect the proposal is considered to accord with Policy CS34 of the Core Strategy (2008, 2015).

f) Private Amenity Space

Policy DM10 of the Sites and Detailed Policies Document (2012, 2015) seeks that useable private or communal amenity spaces to be provided are in keeping with the character of amenity spaces to the surrounding area. The proposed 2 bedroom duplex is considered to constitute a family dwelling and as such the Residential Conversions SPD states that it should have access to private amenity space. The Residential Conversions SPD also suggests that often the ground floor flat, or basement/ground floor duplex would have private access to the garden space. It is not unusual for upper floor residential flats to not have direct access to amenity space and the Residential Conversions SPD states that the requirement for private amenity space for family sized units may result in non-family sized units being approved without direct access to amenity space

Under this proposal, all units would have access to the communal rear garden. Whilst not ideal, given that the family unit would not have access to private amenity space, given that the family unit is located to the second floor and loft space, rather than the lower levels and given that the proposal is located in the town centre, it is considered that a communal amenity space would be considered acceptable in this instance.

Policies DM8 and DM10 of the Sites and Detailed Policies Document (2012, 2015) and CS18 of the Core Strategy (2008, 2015).

g) Transport Issues

This area lies at the very heart of Reading Borough, consisting primarily of retail and commercial office developments, with limited residential. The area is defined as having the best transport hubs, with both the main railway station and also bus interchanges at the station and within Friar Street and other streets surrounding the town centre. This area also contains the largest proportion of public car parking spaces.

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 0.5 parking spaces for each 1& 2 bedroom unit, therefore equating to a total provision of 2. Given the developments central location a car free development would be acceptable in this instance, however as the development site is located in an area designated as a Residents Parking Permit Area; Zone 04R there should be an assumption that any future occupants of the proposed dwellings will not be issued with a resident or visitor parking permit, this will be covered by condition and an informative applied and 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 each dwelling which should be in a conveniently located, lockable, covered store. This therefore equates to a minimum of 2 cycle parking spaces; plans submitted do illustrate cycle parking provision for 5 in the rear garden accessed from the front of property through a communal door. Whilst a bin store has been shown in the rear garden the

type of storage proposed has not been indicated. Details of this can be secured by way of condition.

Bin storage is shown to the front of the site under the stairs down to the basement. This is considered acceptable and reflective of other properties in the road.

Given the central location of the site and its close proximity to the town centre a Construction method statement would be required to be agreed. This can be secured by way of a suitably worded condition.

There are no transport objections to the proposed development subject to the conditions and informatives referred to above and the proposal is considered to accord with Policy DM12 of the Sites and Detailed Policies Document (2012, 2015) and Policy CS24 of the Core Strategy (2008, 2015).

h) 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'. It is considered acceptable to deal with this matter by way of a suitably worded condition.

Policy CS1 of the Core Strategy 2008, 2015 and the Sustainable Design and Construction SPD 2007.

i) 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, therefore on the basis of the above amendment to Policy DM6 the proposal is not considered to require an affordable housing contribution.

RECOMMENDATION:

REFUSE planning permission for the following reason:

1. In order to accord with Policy DM8 of the Sites and Detailed Policies Document (2012, 2015) and the Residential Conversions SPD (2013) the proposed residential conversion is required to provide a unit mix which incorporates a minimum of one 2 bedroom unit. The second bedroom of the proposed 2 bedroom flat (unit 4) would, due to insufficient ceiling height, fail to provide an adequate amount of usable space to this bedroom resulting in an inadequate standard of residential accommodation. The proposed development would be contrary to Policies DM4 and DM8 of the Sites and Detailed Policies Document (2012, 2015) and the Residential Conversions Supplementary Planning Document (2013).