

DELEGATED APPLICATION REPORT - Application No: 170710/FUL

Address: 126 Caversham Road

Proposal: Change of use from a 6-bed HMO, C4 Use Class to a 7-bed HMO, Sui Generis Use Class

Case officer: Matt Burns

Site Description and Surrounding Area:

The application relates to a 2.5 storey mid-terrace house, in use as a small 6 bedroom HMO, located on the north side of Caversham Road. The surrounding properties on Caversham Road are predominantly terraced and are mix of uses including hotels, but mainly either residential properties or shops.

The site is located within the Reading Central Area, Flood Zones 2 and 3 and an Air Quality Management Area.

Proposal: Change of use from a 6-bed HMO, C4 Use Class to a 7-bed HMO, Sui Generis Use Class

Plans considered:

Drawing no.s

1608_PL08 - As proposed additional room for Change of Use to Sui Generis

1608_PL07 - As existing additional room for Change of Use to Sui Generis

Received on 11th May 2017

1608_PL06 Rev A - Change of use Class 4 to Sui Generis - Site Plan

1608_PL06 Rev A - Change of use Class 4 to Sui Generis - Site Location & Block Plans

Received on 9th May 2017

Relevant Planning History

150679/FUL - Demolition of existing garage and erection of a detached 4 bedroom dwelling, with associated access and parking - Refused

152255/FUL - Proposed conversion of the existing dwelling to 3 flats (1 X 2 bed and 2 X 1 bed) - Granted

160910/CLP - Certificate of Lawfulness for proposed change of use to a C4 small 6 bed HMO, single storey rear extension and rear dormer roof extension - Granted.

Consultation Responses:

Transport - No objections, subject to conditions.

No.s 128 and 124 Caversham Road were notified of the application. 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.

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:
Reading Borough Local Development Framework Core Strategy (2008):

CS2 (Waste Minimisation)

CS18 (Residential Conversions)

CS24 (Car/ Cycle Parking)

CS34 (Pollution and Water Resources)

CS35 (Flooding)

Reading Borough Local Development Framework Sites and Detailed Policies Document (2012):

DM4 (Safeguarding Amenity)

DM8 (Residential Conversions)

DM10 (Private and Communal Outdoor Space)

DM12 (Access, Traffic and Highway Related Matters)

Supplementary Planning Documents:

Residential Conversions SPD (2013)

Revised Parking Standards and Design SPD (2011)

Appraisal:

Main Issues: The main issues are considered to be:

- (a) Whether the intensification of the existing HMO use would result in unduly diluting or harming a mixed and sustainable community;
- (b) The impact on amenity of existing residents of the property and those of nearby properties;
- (c) Whether the property is of a suitable size and type to be converted; and
- (d) Affect on car/ cycle parking/cycle provision

Along with the adopted local planning policies the Assessment has mainly been based on the Adopted Residential Conversions SPD (2013). Section A of the SPD, deals with the 'General Assessment of all Conversions'. The SPD sets out 26 no. checklist items; the relevant ones of these are used to form the basis of the assessment within this report.

- (a) Whether the conversion of the property to C4 use has resulted in unduly diluting or harming a mixed and sustainable community

Checklist 3 - Does the residential conversion contribute to achieving an appropriately mixed and sustainable community by providing an acceptable housing mix, ensuring that, as appropriate, single family housing remains the dominant form of dwelling in the vicinity of the application site and ensuring there is not detrimental impact on the physical character of the area - YES

The application property is already in use as a HMO for six persons (as confirmed by certificate of lawfulness application ref. 160910) and the proposal is to intensify the use to create a seven person HMO. This is not considered to have a significant effect on the overall mix within the area. In this regard the proposal is considered acceptable.

- (b) The impact on amenity of existing residents of the property and those of nearby properties

Will the proposal:

Checklist 4 - Provide an appropriate level of outdoor space? - YES

Checklist 5 - Affect privacy and overlooking, access to sunlight and daylight; visual dominance and overbearing effects of a development; noise and disturbance, crime and safety - NO - No external changes are proposed to the building which would not result in any harmful overlooking or loss of privacy.

Caversham Road is a listed busy road, however given the existing use of the property as a 6 bed HMO it is not considered that the proposal would result in a materially different position in terms of noise or air quality impacts from the existing situation (this reflects the similar circumstances at no. 178 Caversham Road - planning permission ref. 15044).

Checklist 8 - Does the property have appropriate sound insulation between it and the neighbouring units? - YES - It is considered that the level of noise generated from a seven person HMO is unlikely to be significantly different to the existing use of the property as a 6 person HMO.

Checklist 9 - Does the proposed layout stack rooms of a similar type? - The majority of the application property is an existing HMO. The requirements have been met as far as is possible.

Checklist 10 - Do habitable rooms benefit from an external window? - YES.

Checklist 17 - Are there sufficient and suitable refuse containers within the curtilage of the application building? - YES - there are existing bins and there is sufficient space within the curtilage to store additional.

Checklist 22 - A revised HMO license should be sought.

(c) Whether the property is of a suitable size and type to be converted

Checklist 6 - Property should have four or more bedrooms or measure more than 120sqm gross - YES

Checklist 7 - Does the conversion meet the minimum internal floorspace standards? - YES

Checklist 25 - Is there one communal room for every 4-6 bedrooms? - Only one communal room is provided for the 7 bedrooms. This is of a good size and given that a number of the bedrooms far exceed the minimum floor space standards and the significant private communal amenity space to the rear of the property it is not considered that the proposal would create an unacceptable balance between private and communal space in this specific case. As such, it is considered that a degree of flexibility can be applied in this instance.

In addition the property already has a lawful use as a 6 bedroom HMO such that an increase in one bedroom is not considered to result in a materially different situation in terms of number of occupants such as to warrant any additional restrictions on the occupation of the HMO by way of condition.

d) Affect on car/ cycle parking/cycle provision

Checklist 13 - Parking Standards for all residential conversions should be in accordance with the Council's adopted 'Revised Parking Standards SPD' (2011) - YES - The property currently has no parking facilities and it is not feasible to provide any additional on-site parking facilities with this development. Whilst the site is accessible to good public transport links and local shops, the parking demand created by this development should not be accommodated on the surrounding residential roads where there is significant demand for on-street parking. The site is located within an area designated as a Residents Parking Permit Area Zone 03R. Therefore, the parking conditions and informative should be applied to prevent any future occupants of the flats from obtaining a residents parking permit for the surrounding residential streets where parking is under considerable pressure.

Checklist 14 - Is the HMO located within a street where a residents' parking permit scheme operates? - YES, therefore the applicant would be made aware that there would be no entitlement to parking permits by way of a suitably worded condition.

Checklist 16 - Is there the provision of secure outdoor cycle storage? - YES

Other Issues

Flooding - The building is already in use as a 6 bed C4 HMO with the proposal seeking just to change the property to a 7 bed Sui Generis HMO. There would be no change in flood risk vulnerability classification with both uses classified as 'more vulnerable'. The site is located within both flood zone 3a and flood zone 2. The latest flood map from the EA indicates that the building itself lies within flood zone 2 whilst the rear

garden area is in flood zone 3a. The NPPG states that the sequential or exception tests to do need to be applied to applications for change of use.

A Flood Risk Assessment (FRA) has been provided as part of the application which incorporates a number of flood mitigation measures. This includes floor levels to be raised to by 90mm to a level 300mm above the modelled 1 in 100 annual probabilities plus climate change flood level. In terms of access and evacuation there are a number of the FRA indicates that the front exit of the property on to Caversham Road is above the 1 in 100 annual probability plus climate change flood level allowing access from the ground floor of the property to this level. The FRA also states that a Flood Risk Management Plan (FRMP) will be prepared for the site setting out the most appropriate routes in a flood and providing advice on measures to take before, during and after a flood occurs. The proposal does not seek to extend the property in any way and existing surface water management would not be affected. Subject to the development being carried out in accordance with the measures set out in the submitted FRA it is not considered that the proposal would result in unacceptable flood risk.

RECOMMENDATION:

GRANT full planning permission

Proposed conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission was granted.

Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) This permission relates only to the following plans and drawings:
1608_PL08 - As proposed additional room for Change of Use to Sui Generis
1608_PL07 - As existing additional room for Change of Use to Sui Generis
Received on 11th May 2017

1608_PL06 Rev A - Change of use Class 4 to Sui Generis - Site Plan
1608_PL06 Rev A - Change of use Class 4 to Sui Generis - Site Location & Block Plans
Received on 9th May 2017

Reason: To clarify which plans have been approved.

- 3) The HMO letting room hereby approved shall not be occupied until the Council has been notified in writing of the full postal address of the unit. 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 letting room 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 car parking in the area in accordance with Policy CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM12 of the Sites and Detailed Policies Document 2012 (Altered 2015).

- 4) Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the letting room 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 room 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 letting room.

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, in accordance with Policy CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM12 of the Sites and Detailed Policies Document 2012 (Altered 2015).

- 5) The development hereby permitted shall not be carried out other than in accordance with the flood mitigation measures set out within the PBA Flood Risk Assessment UNDA Flood Risk Assessment ref. 3597/CBH/CD/RMF received on 11th May 2017.

Reason: To prevent increased flood risk in accordance with Policy C35 of the Reading Borough LDF Core Strategy 2008 (altered 2015).

Informatives:

Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

Noisy Construction, demolition and associated activities should be restricted to between the hours of 8:00 to 18:00 Mondays to Fridays, and 9:00 to 13:00 on Saturdays, with no noisy works taking place at any time on Sundays and Bank or Statutory Holidays.

For further information about construction and demolition nuisance law the applicant is referred to:

<http://www.reading.gov.uk/residents/environmental-health-and-protection/construction-demolition/>

This permission only relates to the change of use of the property to a large Sui Generis HMO and does not deal with any other legislation and permissions which may be required. It is the applicant's responsibility to satisfy themselves that works have been done in accordance with other relevant legislation including under the Housing Act, Building Regulations and Environmental Health.

The occupiers of the letting room 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 Core Strategy Policy CS24. The site is located close to local facilities, with frequent public transport services on nearby roads. The conditions place a requirement that the Council be notified of postal addresses of the letting room before occupation and that the occupiers/transferees to be informed of the prohibition on entitlement to a car parking permit.

The applicant must contact the Private Sector Housing Team to request a new HMO licence before the development hereby permitted is occupied.