

4 September 2024



Reading
Borough Council
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Title	PLANNING APPLICATION REPORT
Ward	Battle
Planning Application Reference:	PL/24/0729
Site Address:	288-290 Oxford Road, Reading, RH30 1AD
Proposed Development	Change of use of existing 2X2 bed, first floor flats into a 5 bedroom, 5 person Class C4 HMO
Report author	Sian Hickey
Applicant	Mr Karan Sehdev
Deadline:	11 September 2024
Recommendations	Grant planning permission, subject to conditions as follows:
Conditions	1. Time Limit Standard 2. Approved Plans 3. HMO Refuse, Recycling and Food Waste (to be submitted) 4. HMO Parking Permits (notification to occupants) 5. HMO Parking Permits (notification to LPA) 6. HMO Internal Communal Space to be provided and retained as approved 7. HMO Occupation – maximum 5 occupants at any time 8. Internal sound insulation scheme (between ground and first floors and between bedrooms)
Informatives	1. Terms 2. Building Control 3. Complaints about construction 4. Encroachment 5. Positive & Proactive 6. HMO Management Plan

1. Executive summary

- 1.1 Planning permission is sought for internal works to change the use of the two existing, 2-bed flats at first floor level into one 5-bedroom C4 HMO for up to 5 people. The proposal is for internal alterations only and does not involve enlarging the existing footprint of the building or any external changes. Whilst some adverse amenity impacts are identified with regards to the intensification of residential use, the situation would be similar to that

of the existing, however, the amount of occupants could be controlled via condition. In overall terms, the planning benefits of the proposals are considered to outweigh any harmful impacts in the final planning balance. Planning permission is therefore recommended subject to conditions.

2. Introduction and site description

- 2.1 The application is referred to Committee at the request of Councillor Griffith and Councillor Tarar due to potential concerns raised regarding parking issues and refuse storage and collection.
- 2.2 The application site comprises a mid-terrace two storey property on the north side of Oxford Road. The first floor comprises two, 2-bed residential flats. The site is within the defined key frontage area (Policy RL3), however, the proposal relates to the first floors of the site only.
- 2.3 The site is walking distance to Reading Town Centre. The property is not listed and it does not fall within a conservation area.
- 2.4 The surrounding area is predominately commercial, with residential uses on the upper floors.
- 2.5 The application site is not located within an Article 4 Direction Area which removes permitted development rights to convert a house (C3 use) into a small house in multiple occupation (C4 use).
- 2.6 Site location plan:



3 The proposal

- 3.1 Planning permission is sought for a change of use of the two existing, 2-bed, first floor flats into one 5-bedroom C4 HMO for up to 5 people. The proposal is for internal alterations only and does not involve enlarging the existing footprint or any external changes.
- 3.2 Submitted plans and documentation:
Location Plan

4 Planning history

- 4.1 051134 - New shop front and subdivision of the existing first floor flat into 2x2bed units. PERMITTED 6/3/2006.

5 Consultations

Non-Statutory

5.1 RBC Transport Development Control –

This application is for the proposed change of use from 2X2 bed flats into a C4 HMO for 6 people.

The site is fronts onto the A329 Oxford Road which is the main transport corridor between central Reading and the west. The A329 Oxford Road has parking restrictions preventing on-street parking and forms part of the Red Route 'no stopping' corridor.

Policy TR5 states that development should provide car parking and cycle parking that is appropriate to the accessibility of locations within the Borough to sustainable transport facilities, particularly public transport. There is currently no car parking provision associated with the site and no parking is to be provided as part of this change of use. Any overflow in parking would not affect flow of traffic on the classified road network given the parking regulations within the vicinity of the site.

In transport terms, it is considered that the proposed change of use from will have a negligible impact in terms of Transport. Therefore, there are no transport objections to this application subject to conditions.

5.2 RBC Waste Operations

With regards to waste collection at 288A Oxford Road, RBC Waste Operations note these comments in the planning statement –

Refuse services are to the rear of the properties with pathway access, there is no change required.

This is not consistent with the current waste collection provisions currently available to residents at 288 Oxford Road as they would use the communal household waste bins at the front of the property on Oxford Road.

Residents should have a space to store rubbish within the property. As such, Waste Operations would ask to see that there is internal storage space for general waste, recycling and food waste to be separated and stored within the property.

The agent responded as follows: "Regarding recycling general waste and food waste. This can be achieved by providing individual storage containers in one of the kitchen units, there are numerous sizes available. Waste bags can be disposed of using the existing communal waste bins on Oxford Road ."

The waste management team confirmed they had no further comments.

5.3 RBC Public Sector Housing –

No objection to the property being a HMO. Advise that the applicant and owners should be informed that the HMO will need to:

Be free from serious hazards under the Housing Health and Safety Rating System (HHSRS), Housing Act 2004, Part 1. Will need to make an application to the Council for a HMO licence when the property is occupied by 5 or more persons as the HMO will be subject to the HMO Mandatory Licensing Scheme. Comply with the Council's amenity standards for licensable HMOs. Comply with the LACORS Guide to Fire safety for shared houses/bedsits. There needs to be adequate fire separation between the residential and commercial premises. Comply with The Management of Houses in Multiple Occupation (England) Regulations 2006. Have a current and satisfactory gas safety certificate if there are gas installations. Have a current and satisfactory electrical installation condition report (EICR).

In addition:

- Building control approval to be sought and all conversion works are to comply with current Building Regulations.
- All en-suite shower rooms must be adequately ventilated in compliance with current Building Regulations.

Officer Note: These matters are covered by separate legislation.

Public:

- 5.4 The following neighbouring properties were consulted by letter for the application:

288-290 Oxford Road, Reading, Berkshire, RG30 1AD
290a Oxford Road, Reading, RG30 1AD
288a Oxford Road, Reading, Berkshire, RG30 1AD
286 Oxford Road, Reading, RG30 1AD
292 Oxford Road, Reading, RG30 1AD

- 5.5 A site notice was also displayed on site

- 5.6 No objections were received..

6 Discussions with applicant/agent

- 6.1 The proposal was originally for a 5 bed, 6 person HMO with a small kitchen. Officers had concerns with regards to the amount of communal space available for the 6 occupants of the HMO. Subsequently, the agent provided amended plans re-arranging the internal layout to incorporate a combined kitchen and communal area and reducing the occupancy to a 5 person HMO.

7 Legal context

- 7.1 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).
- 7.2 In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Plan 2019 according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 7.3 Accordingly, the latest NPPF and the following development plan policies and supplementary planning guidance are relevant:

National Planning Policy Framework

Reading Borough Local Plan 2019

Policies:

CC1 Presumption in Favour of Sustainable Development
CC2 Sustainable Design and Construction
CC3 Adaption to Climate Change
CC5 Waste Minimisation and Storage
CC6 Accessibility and the Intensity of Development
CC7 Design and the Public Realm
CC8 Safeguarding Amenity
H1 Provision of Housing
H2 Density and Mix
H3 Affordable Housing
H5 Standards for New Housing
H7 Protecting the Existing Housing Stock
H8 Residential Conversions
H10 Private and Communal Outdoor Space
EN12 Biodiversity and the Green Network
EN15 Air Quality
RL3 Vitality and Vitality of Smaller Centres
TR1 Achieving the Transport Strategy
TR3 Access, Traffic and Highway-Related Matters
TR5 Car and Cycle Parking and Electric Vehicle Charging

Supplementary Planning Documents and other guidance

Revised Parking Standards and Design (2011)
Residential Conversions (2023)
Sustainable Design and Construction SPD (December 2019)

8 Appraisal

8.1 The main considerations are:

- Land Use Principles and Amenity
- Appearance
- Bin Storage
- Transport Matters

9 Land Use Principles

- 9.1 The existing building at 288-290 Oxford Road consists of a food store on the ground floor and two self-contained flats above. The existing building is not listed, nor is the proposal site within a Conservation Area. The proposal does not involve any extensions or external alterations and the mixed use of commercial and residential for the building is to be retained. Policy RL3 supports residential uses on upper floors within the centre area to ensure diversity. As the application site does not fall within the Article 4 area which removes permitted development rights to convert a house (C3 use) into a small house in multiple occupation (C4 use), there is not a need to identify what proportion of properties in the area can accommodate as HMOs. Whilst the proposal results in the net loss of one dwelling, there would be no loss in floorspace, and the number of potential occupiers could be controlled. As such, there is no in-principle objection to the proposal of a HMO, subject to all other matters being satisfactory.

10. Amenity

- 10.1 With regards to impact on neighbouring amenity, the intensification of residential use within the site will not harm the running of nearby businesses and commercial units along the road or other residential units. There are 4 bedrooms within the two existing flats, and the proposed HMO would have 5 bedrooms. The intensification of activity is unlikely to affect the already busy area. The proposal does not alter the existing external structure

and, therefore, there would be no differing effects to nearby businesses and residents with regard to being overbearing, loss of privacy, loss of light, or harm to outlook.

10.2 The SPD refers to the nationally described space standards (Technical housing standards nationally described space standard', 2015, DCLG) as a useful starting point, and where applications propose to provide reduced standards there must be justification why this is the case. It should be noted, however, that Reading Borough Council has a *"Guide to Amenity Standards applicable to Houses in Multiple Occupation that require a Licence"* (i.e. those for 5 persons or more) which references the standards for HMOs as set out in 'The Licencing of Houses in Multiple (Mandatory Conditions of Licences) (England) Regulations 2018'. Regulation 2 refers to national minimum standards for sleeping accommodation as:

- 6.51 square metres for one person aged 10 years or over;
- 10.5 square metres for two persons aged 10 years or over;

10.3 All the bedrooms proposed are for single occupancy and are the following sizes: Bed 1 – 10.42sqm; Bed 2 – 8.58sqm; Bed 3 – 7.35sqm; Bed 4 – 7.85sqm; Bed 5 - 8.28sqm. All room areas noted do not include the shower rooms. All of the proposed bedrooms are, therefore, acceptable in terms of size, and occupancy of the HMO will be restricted by condition. The proposed floor plan demonstrates that all habitable rooms will be served by windows, allowing for adequate levels of natural light.

10.4 The Council expects any proposals for non self-contained accommodation to be of good standard with an appropriate level of facilities. The Residential Conversions SPD identifies that the amount of communal space that is considered appropriate is for one communal room for every 4-6 bedrooms. In the original scheme submitted the plans showed a small communal kitchen, however, the provision of a communal room should be 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. The internal layout has been re-arranged in the revised scheme to incorporate a combined kitchen and communal area which is over 3 times the size of the previous kitchen and measures 24.11m². This level of communal provision is considered acceptable. A condition is recommended to ensure that the communal areas are retained for communal use only.

10.5 The applicant advises that the rear yard is available for occupants of the HMO. However it is not clear how this would be accessed and would be likely to conflict with the ground floor retail use. Unless clarified it must be assumed that the amenity areas are limited to the internal communal space. This is similar to the existing arrangement.

10.6 The level of noise and disturbance is unlikely to be significantly harmful to the residents of adjoining properties compared with existing and the intensity of use would be appropriate in this urban setting. A condition requiring noise insulation between floors and between bedrooms within the HMO is considered necessary to ensure an adequate level of amenity for future occupiers.

11. Appearance

11.1 As mentioned above, the proposal does not involve any external alterations and therefore, in terms of appearance, the proposal would maintain the character and appearance of the existing site and surrounding area.

12. Bin storage

12.1 Bin storage should be of an appropriate size and be easily accessible to occupants and refuse collectors. The existing two 2-bed flats are issued with one 240L general waste bin, which would be the same requirement as the proposed HMO. The collection arrangement would therefore remain the same as the existing, close to the roadside from where bins are collected. The kitchen/communal space within the HMO is considered to have

sufficient space to facilitate general waste and food waste by providing individual storage containers within one of the kitchen units.

13. Transport Matters

- 13.1 The proposed HMO is within a sustainable location for occupants, with good bus links, as well as being conveniently located with good access to amenities. Therefore, the shortfall in parking provision for the proposed residential HMO is considered acceptable. Subject to conditions, the development is considered in accordance with Policies TR1 and TR3 of the Reading Borough Local Plan, as outlined by the Transport Development Control Team.

14. Equality implications

- 14.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 14.2 The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular application. It is considered that the proposed step-free access will improve access to retail for disabled customers and is therefore a positive development.

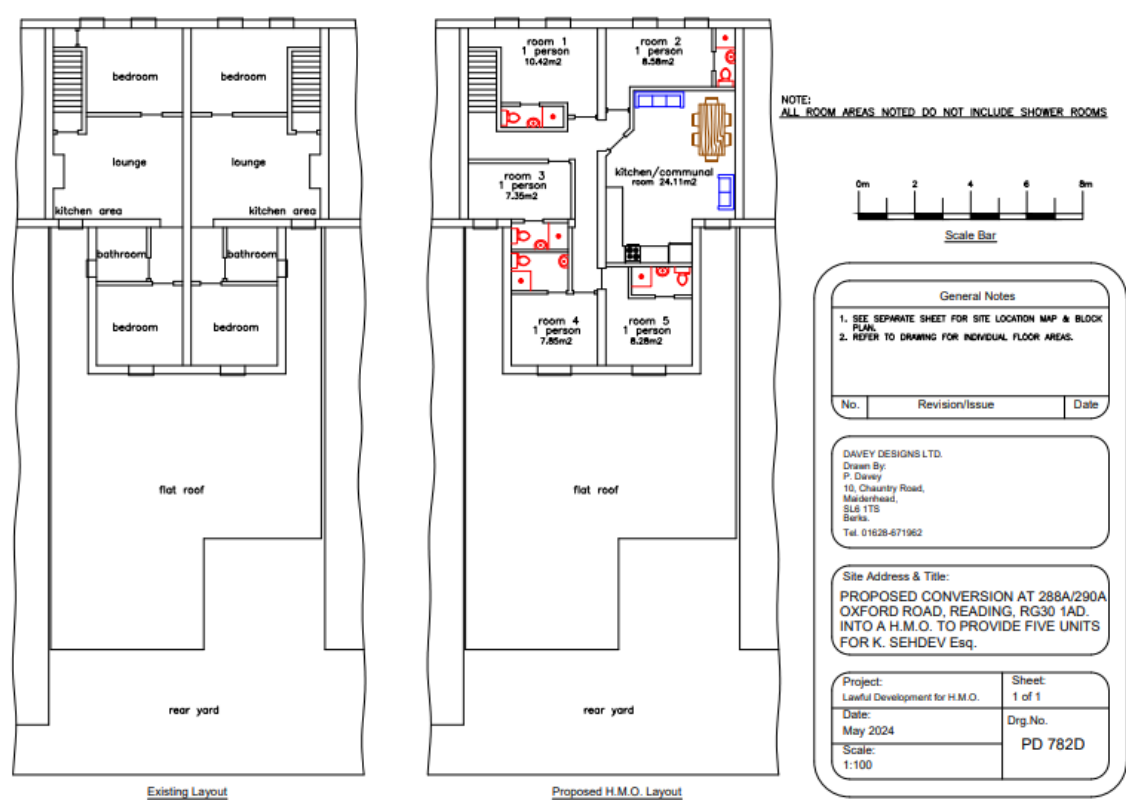
15. Conclusion & Planning Balance

- 15.1 The proposal to convert the property from 2 flats into a C4 small HMO is not considered to harm the surrounding area and continue to support a mixed and balanced community. In addition to this, it is considered that the proposal will not have any detrimental impact on amenity of future residents or existing residents of nearby properties. The proposal would also be acceptable in terms of the effect on the character of the existing building. Matters relating to waste storage and collection have been considered so far as they are material. The application is recommended for approval, subject to conditions, as set out in the recommendation above.

Case Officer: Sian Hickey

Plans

1. Existing and Proposed First Floor Plan



2. Google street view image of the existing frontage

