

DELEGATED APPLICATION REPORT

Ward: Coley

App Ref: PL/25/0315 FUL and PL/25/0317 LBC

Address: 35 Coley Hill, Reading, RG1 6AE

Proposal: Proposed change of use from a Class C4 HMO to a 'Sui Generis' HMO 7 bedroom (8 persons) HMO

Target Decision date: Originally 16/05/2025 EOT until 23/05/2025

Case Officer: Ethne Humphreys

1. SITE DESCRIPTION

The application site is an end of terrace mid-19th century property located on the east side of Coley Hill. The property is in use as a 6 bed HMO (Class C4). The building is listed and within the Castle Street/Russell Street/Oxford Road conservation area. The listing description is as follows:

“Mid C19. 3 storeys and basement. Red brick, ground floor and basement stucco. 1st floor cill band. 3 windows each, late glazed sashes. Arch-headed doorways with 4 panel doors, vermiculated keystones and plain fanlights. Hipped slate roof with off-ridge chimneys with blind arcaded panels.”

The surrounding area is predominantly residential, comprising a mix of single family houses and flat conversions. The site is within an Air Quality Management Area.

2. PROPOSAL AND SUPPORTING INFORMATION

Planning permission and associated listed building consent is sought for the change of use of existing small HMO (Class C4) to a 7-bedroom large HMO (Sui Generis). No external alterations to the building are proposed; however, a cycle storage unit is proposed in the garden.

The plan as originally proposed was for an 8 bed HMO. However, revised plans were received following concerns raised by the case officer.

Plans/Information Submitted:

Design & Access, and Heritage Planning Statement

Existing and Proposed Floor Layout Plans Drawing No.25/08/01 Rev B

Block Plan Drawing No.25/08/01 Rev A

Proposed Cycle Storage

Received 19th May 2025

Upper Ground Floor Partition In-Fill Detail Drawing No.25/02/05

Received 15th May 2025

Front Elevation and Section – Lower Ground Floor Level Drawing No.25/02/04

Received 21st March 2025
Location Plan Drawing No.25/08/02
Received 27th February 2025

3. RELEVANT PLANNING HISTORY

- 83/TP/267. change of use from 2 flats and 4 bedsitting rooms to 13 bed hostel and wardens accommodation. Granted. 29.07.1983
- 83/TP/276. internal alterations for change of use to 13 bed hostel with warden. Granted. 29.07.1983
- 83/TP/1041. minor alterations to east elevation. Granted. 12.01.1984
- 98/00150/LBC. Replacement fire alarms and emergency lighting systems, fire resistant doors upgrading understairs cupboards and staircase balustrades. Granted. 17.04.1998

4. CONSULTATIONS

- RBC Conservation Officer – No objection subject to a condition, discussed below.
- RBC Transport Development Control – No objections subject to a condition, discussed below.
- RBC HMO – Originally raised concerns about insufficient kitchen amenities for 7/8 occupants and insufficient communal areas. Advised would likely licence maximum 7 people at the property on basis of current plans.

A site notice was erected on site. No letters of representation received.

Summary of discussions with applicant/agent:

The agent was advised of concerns relating to insufficient communal areas. Revised plans were received reducing the number of HMO bedrooms proposed, discussed below.

No pre-application advice was sought for this specific scheme prior to the submission of this application.

5. LEGAL AND PLANNING POLICY CONTEXT

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

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 and Guidance

National Planning Policy Framework 2024

National Planning Practice Guidance 2014 onwards

Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CC7: DESIGN AND THE PUBLIC REALM

CC8: SAFEGUARDING AMENITY

EN1: PROTECTION AND ENHANCEMENT OF THE HISTORIC ENVIRONMENT

EN3: ENHANCEMENT OF CONSERVATION AREAS

H8: RESIDENTIAL CONVERSIONS

H9: HOUSE EXTENSIONS AND ANCILLARY ACCOMMODATION

H10: PRIVATE AND COMMUNAL OUTDOOR SPACE

TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS

TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

SPD

Revised Parking Standards and Design SPD (2011)

Residential Conversions SPD (2023)

Other relevant documentation / guidance / legislation

Castle Hill/Russell Street/Oxford Road Conservation Area Appraisal (2020)

Historic England Good Practice Advice in Planning Note 1: Conservation Area Designation, Appraisal and Management (Historic England, 2016)

Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking (Historic England, 2015a)

Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England, 2015b)

Principles of Conservation (Historic England, 2008)

Guide to the Conservation of Historic Buildings (British Standards Publication BS 7913:2013, 2015)

DCLG Technical housing standards – nationally described space standards (2015)

National Design Guide: Planning practice for beautiful, enduring and successful places (2019)

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.

Local Plan Update

The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. A consultation version of the draft updated version of the Local Plan was published on 6th November 2024. The submission draft of the Local Plan Partial Update was submitted on 9th May 2025.

Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become “out of date” when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.

Officer advice in respect of the Local Plan policies pertinent to this application is that they remain in accordance with national policy and that the objectives of those policies remains very similar in the draft updated Local Plan. Therefore, they can continue to be afforded weight in the determination of this planning application and are not considered to be ‘out of date’.

6. APPRAISAL

Principle of development: Size requirements and whether the conversion of the property would result in unduly diluting or harming a mixed and sustainable community (Policy H8 and SPD Checklist 3)

Any residential conversion must 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, taking account of the relevant threshold approach, and ensuring there is not a detrimental impact on the physical character of the area.

In terms of whether a property is suitable to be converted to a large HMO, Policy H8 (Residential Conversions) and the Residential Conversion SPD requires the property to have a gross floor

area in excess of 120m² when measured externally. The property measures well in excess of 120sqm externally, so meets this requirement and therefore the conversion into a large HMO is acceptable in principle.

As the property is already in HMO use there would be no change in terms of the mix of the housing stock in the community. The ‘tipping point’¹ calculation, which is used to assess whether there would be harm from a conversion to an HMO, is not applied in this instance as set out in paragraph 4.3 of the SPD. This is because it is considered that there would be *“no further effect on the concentration of HMOs and balance and mix of households in the local community.”*

As such, the principle of intensification is considered acceptable on this site, subject to further considerations as set out below.

The impact on amenity of existing and future residents of the property and neighbouring properties (Policies CC8, H8 and H10 and SPD Checklist items 5, 6, 8, 9, 10 and 11)

Policy CC8 states that *“Development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties, in terms of:*

- *Privacy and overlooking;*
- *Access to sunlight and daylight;*
- *Visual dominance and overbearing effects of a development;*
- *Harm to outlook;*
- *Noise and disturbance”*

Policy H8 and the Residential Conversions SPD also refer to residential amenity in relation to HMOs, including preventing noise disturbance to neighbouring properties, and ensuring adequate provision of communal space for future occupiers of the property. Policy H10 also applies and requires the provision of adequate and useable outdoor amenity space.

Impact on future occupiers

Communal Areas

The SPD identifies that the amount of communal space that is considered appropriate in a large HMO would be dependent on the number and size of bedrooms. The standard set out is for one communal room for every 4-6 bedrooms depending on the size of the bedroom. The SPD further states that the provision of communal rooms is 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.

¹ *‘tipping point is when the concentration of HMOs becomes over dominant, and the community is no longer considered to be mixed and sustainable.’* The SPD states that *“planning permission will not normally be granted for a change of use from a dwelling to HMO where the proportion of HMOs (either C4 or sui generis) will result in HMOs representing 25% or more of the residential properties within a circle of 50m radius measured from the application site”* (para. 5.44).

The proposal was originally for an 8 bed HMO, with one communal area and one kitchen area. Concerns were raised that there were insufficient communal areas for the number of bedrooms. This was in part also due to the lack of outlook to the living/dining room which faces directly on to the lightwell – this is not such an issue currently due to the three existing communal areas plus kitchen area.

Revised plans were received amending the proposal from 8 bedroom to 7 bedroom HMO. This allows for an additional living room to be provided, resulting in one kitchen/breakfast room and two other communal areas. Whilst it remains that there is no outlook to the dining room at lower ground floor level, given the kitchen/breakfast room and second communal room at ground floor along with the amount of outdoor garden space, on balance, this is considered acceptable. The amount of white goods within the kitchen have been increased. In addition, 5 out of the 7 bedrooms considerably exceed the minimum space standards. It is considered that there would be sufficient space for occupiers of the property to not be detrimentally impacted in terms of amenity. A condition will be attached to secure the use of these rooms as communal space.

Room sizes

The residential conversions SPD states, “Where the cooking facilities are provided in a separate room, each bedroom must be a minimum of:

- 6.5 square metres if occupied by one person;
- 10.5 square metres if occupied by two persons”.

The bedrooms proposed for single occupancy (all rooms excluding bedroom 7 as annotated) are all larger than 6.5m² (smallest 8.2m²) which is acceptable. Bedroom 7, which is proposed for double/twin occupancy, is 22.24m² which is acceptable. Alongside, and as above, there are separate kitchen and communal living area. Occupancy of the HMO will be restricted by condition.

External Windows

All habitable rooms would benefit from existing windows and are considered to be served by adequate daylighting and outlook.

Stacking

The Council's SPD seeks to avoid layouts which locate living rooms, bathrooms and kitchens, next to, above, or below, proposed or neighbouring bedrooms. The layout largely achieves this and is not considered unreasonable. The communal facilities would all be located at lower ground and ground floor level and whilst there would be a bedroom next to a living room at ground floor level, an acoustically insulated timber studwork is proposed. It is not considered to be so harmful in terms of noise disturbance so as to result in a reason for refusal.

Outdoor Amenity Space

The existing garden, albeit irregular is of good size. Given this and the amount of internal communal area to be provided, it is considered that an acceptable amount of outdoor amenity space would be provided. In addition, the site's central location is close to public recreation and leisure facilities.

Impact on neighbouring properties

The proposal does not propose any additional windows and makes use of existing openings. As such, there would be no loss of privacy to any neighbouring property.

No external alterations are proposed and as such there would be no overbearing effects to any neighbouring property.

It would not be expected that the amount of noise from the property, housing a maximum of 7 adults, nor within the garden, would be appreciably different from that generated by the existing 6 bed HMO. A condition is recommended requiring the submission and approval of a management agreement, which among other matters includes the requirement to set out how noise within and outside the property would be managed.

Character and design/Impact on listed building and conservation area

Policy CC7 sets out requirements for high quality design in the borough. Policy H8 is also relevant to the proposal and states that residential conversions should “respect the physical character of the area in terms of scale, location, materials and design, the arrangement of doors, windows and other principal architectural features”.

The site is a Listed Building, that lies within the Castle Hill/Russell Street/Oxford Road Conservation Area and as such there is a duty imposed by Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving its setting or any features of special architectural historic interest and of preserving or enhancing the character or appearance of a Conservation Area. This is reflected in Policy EN1 which states that historic features and areas of historic importance and other elements of the historic environment, including their settings, will be protected and where appropriate enhanced. Policy EN3 requires that the special interest, character and architecture of Conservation Areas will be conserved and enhanced and that development proposals within Conservation Areas must make a positive contribution to local character and distinctiveness.

Paragraph 212 of the NPPF 2024 details that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 213 of the NPPF 2024 details that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 214 of the NPPF 2024 details that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

No external works to the building itself are proposed. A timber cycle open-side canopy structure is proposed to the side of the building (behind existing gates). It's scale and appearance would be acceptable with no harm to the listed building or conservation area. As noted below, further detail is required in this respect as it should be a secure enclosure, which will be secured via condition.

Internally, it is proposed to infill an opening at ground floor level (to separate bedroom from living room). This would result in some harm but would be reversible. The Conservation officer has raised no objection to the proposals subject to details of the proposed infill and section elevation for the wall (existing and proposed). This has been submitted during the course of the application which the Conservation Officer has confirmed is acceptable.

Overall, the proposal is not considered harmful in terms of its design.

Transport and parking

Policy TR5 states that parking standards for all residential conversions should be in accordance with the Council's adopted Revised Parking Standards and Design SPD.

Coley Street is located in Zone 2, Primary Core Area but close to the borders of Zone 1 of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core Area and extends to walking distances of 2 kilometres from the centre of Reading. Typically, this zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone.

No parking is proposed. Given good transport links this is acceptable. Coley Street and the surrounding road network all have extensive parking restrictions preventing on-street parking, therefore, any overflow in parking would not affect flow of traffic on the classified road network. The Council's residential parking permit scheme also operates in the area. A condition is recommended to advise the applicant that future residents of the HMO residential bedrooms would not be entitled to parking permits for the surrounding residential streets where parking is

under pressure. 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.

The bin storage area is to be located in the rear garden as existing and considered acceptable.

In accordance with the Borough's Parking Standards and Design SPD, a minimum provision of 0.5 cycle storage spaces per HMO room should be provided within a communal lockable store equipped with "Sheffield" style stands. The plans as originally submitted stated that Sheffield stands would be anchored to the existing concrete with an open sided canopy over. The agent was advised that storage needed to be within a secure enclosure for additional security. Revised plans were received illustrating enclosed storage which the Transport Officer has confirmed is acceptable.

CONCLUSION

The proposal has been assessed against national and locally adopted policies, and is considered in accordance with those policies, as set out above.

RECOMMENDATION

GRANT PERMISSION and LISTED BUILDING CONSENT

Subject to conditions and informatives.