

DELEGATED APPLICATION REPORT

Ward: Katesgrove Ward

App Ref: PL/25/1836 Full planning permission

Address: 2A, 2B and 2C, West Hill, Reading, RG1 2PN

Proposal: Retrospective development for the erection of 3no. dwellings to be used as 3no. C4 - small HMO's with associated parking & landscaping, including cycle and bin storage

Applicant: Messrs Ruminder & Simran Jutla

Received date: 05/01/2026

Target Decision date: 02/03/2026

Case Officer: Marcelina Rejwerska

1. SITE DESCRIPTION

The application comprises 3x terraced properties on a recent backland development at the rear of 112-126 Southampton Street. The surrounding area is residential, characterised by terraced properties in similar character. The site is within an Article 4 Direction area which removes permitted development rights for the change of use from C3 use class to C4 use class.

The existing properties were not completed in accordance with the approved plans of planning permission PL/15/0517. The deviations from the approved plans are listed in full within the associated enforcement notice.



Photo taken by case officer



Front elevation originally approved under PL/15/0517

2. PROPOSAL AND SUPPORTING INFORMATION

Retrospective planning permission is sought for the erection of properties as built and in use as 3x HMOs (Class C4) with minor proposed alterations to the internal layout and external soft landscaping. The development is considered in the context of an existing Enforcement Notice on this site.

2.1. Information submitted:

- Planning Statement
- Planning Statement Appendix 1 –Appeal Decision 3364620 3364623 3364626
- Planning Statement Appendix 2 – HMO Licence
- Planning Statement Appendix 3 – 18-28142 Final Certificate
- Planning Statement Appendix 3 – Updated Floor Plans
- Affordable Housing Statement
- 8565-PL-01 Location Plan
- 8565-PL-04-Rev E Proposed Block Plan
- AB.20 Proposed Site Layout Rev 1
- 9359-PL-04-Rev A Basement Plan
- 9359-PL-05-Rev A Ground Floor Plan
- 8565-PL-06 First Floor Plan
- 9359-PL-07 Roof Plan
- 9359-PL-08 Proposed Front Elevations
- 9359-PL-09 Side Elevations
- 0314-L1-Rev B Proposed Landscaping Plan

Received by the LPA on 22 December 2025

3. RELEVANT PLANNING HISTORY

PL/05/0627 - Demolition of existing garages and erection of 6 x 1 bedroom flats. Application withdrawn

PL/15/0517 - Demolition of existing garages and erection of 3 x 3 bed dwellings. Application permitted

PL/17/1283 - Discharge of conditions 3, 4, 11, 12, 13, 14, 15, 18, 20, 21, 23 & 24 of planning permission 150517. Split decision

PE/21/0201 – Unauthorised change of use to flats. Enforcement notice was served and upheld at appeal requiring the applicant to cease the use.

PL/24/1002 - Retrospective development from C3 (3 dwellings) to C4- small HMO- 3no with associated parking & landscaping including cycle & bin storage (amended description). Application refused due to the following reasons:

1. The design of the dwellings by way of its poor form and layout results in a development which fails to positively contribute to the character of the site and the surrounding area, contrary to Policy CC7 of the Reading Borough Local Plan 2019, and para 135 of the NPPF 2024.
2. The internal layout of the properties results in basement bedrooms in each property having a window with no outlook or access to natural sunlight/daylight, resulting in amenity harm to the occupiers of these rooms, contrary to Policy CC8 of the Reading Borough Local Plan 2019 and para 135 of the NPPF 2024.
3. The encroachment into the rear gardens of nos. 112-122 Southampton Street and erection of a high-level retaining wall has resulted in the loss of private outdoor amenity spaces of those properties and associated loss of privacy for those residents, resulting in significant harm to their amenity, contrary to Policy CC8 of the Reading Borough Local Plan 2019 and para 135 of the NPPF 2024.
4. Failure to demonstrate and provide soft landscaping results in harm to the character, appearance and biodiversity of the site, contrary to Policies CC7, EN12 and EN14 of the Reading Borough Local Plan 2019.
5. The electric access gate to the site due to its position poses a risk to the effective functioning of the highway networks, and a risk to safety of the users of the highway network, including pedestrians, contrary to Policy TR3 of the Reading Borough Local Plan 2019 and para 115 of the NPPF 2024.
6. In the absence of a completed legal agreement to secure an off-site contribution to affordable housing in Reading, the proposed development fails to demonstrate that it would positively contribute to the provision of affordable housing in the Borough, contrary to Policy H3 and H9 of the Reading Borough Local Plan 2019 and the RBC Affordable Housing SPD 2021.

4. CONSULTATIONS

The following were consulted:

- RBC Planning Natural Environment – No comments received.
- RBC Planning Enforcement – Please see recent Enforcement Appeal decision.
- RBC Transport Development Control – The electric access gate should be relocated as per previously approved plans. Occupants will not be eligible for parking permits. Cycle storage provision needs further details which could be secured by condition. No other transport objections subject to conditions.
- RBC Private Sector Housing – No comments received.
- RBC Environmental Protection - There is a high risk of rat activity in this area therefore I would recommend a condition requiring a vermin proof bin store.
- Ecology Consultations – Concerns raised regarding the proposed landscaping, ongoing management and maintenance and the species chosen. Suggested condition to secure habitat enhancements should the application be recommended for approval.

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

5. 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).

National Policy and Guidance

National Planning Policy Framework December 2024
National Planning Practice Guidance

Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
CC5: WASTE MINIMISATION AND STORAGE
CC7: DESIGN AND THE PUBLIC REALM
CC8: SAFEGUARDING AMENITY
EN12: BIODIVERSITY AND THE GREEN NETWORK
EN14: TREES, HEDGES AND WOODLAND
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
TR1: ACHIEVING THE TRANSPORT STRATEGY
TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS
TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

Other documents

Revised Parking Standards and Design SPD 2011
Residential Conversions SPD 2023

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 pre-submission draft was submitted to the Secretary of State on the 9th of May 2025 and is currently at examination.

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 listed above 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 appraisal below and are not considered to be ‘out of date’.

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.

6. APPRAISAL

6.1. Land use matters

The application site is currently subject to a Planning Enforcement Notice (which was recently upheld at appeal ref. APP/E0345/C/25/3364623). Planning permission was granted in 2017 for 3x 3-bedroom terraced dwellings, which were then built with many deviations from the approved plans and were immediately in use, since their completion, as 6x flats (although this was disputed by the applicant at the enforcement appeal). Once the unauthorised work was reported to the LPA's Enforcement team, the use was then changed again to 3x small HMOs, which is the current use and layout of the properties. It is, therefore, considered reasonable and appropriate to consider the proposal in the context of the originally approved plans, the resulting breaches and the resulting Enforcement Notice.

The issue of 3x short-term HMO licences by the RBC HMO team is noted but is not considered to have significant weight to the planning balance in this case.

The site is within an Article 4 Direction area (A4D), which removes permitted development rights for the change of use from a dwellinghouse (C3) to a small HMO (C4). The Residential Conversions SPD 2023 requires proposals for new HMOs in A4D areas to prevent the dilution of sustainable and mixed communities. While this is hard to objectively define, the SPD provides a guideline threshold requiring that all proposals for HMOs in A4D areas are assessed on the density of HMOs within a 50m radius being less than 25%. Having calculated the density within 50m of the site (measured from the front door of 2B West Hill), the proposed retention of the 3x small HMOs would not result in an excess of HMOs within a 50m radius. However, while the proposal may meet this policy requirement, the SPD also requires all proposals for small HMOs to meet a number of requirements relating to design and residential amenity, as listed in Appendix 4 (Checklist) of the Residential Conversions SPD.

6.2. Character and design

Policy CC7 sets out requirements for good design. The wording of this policy is greatly expanded within the emerging Local Plan Partial Update. NPPF Paragraph 135 states: *Planning policies and decisions should ensure that developments:*

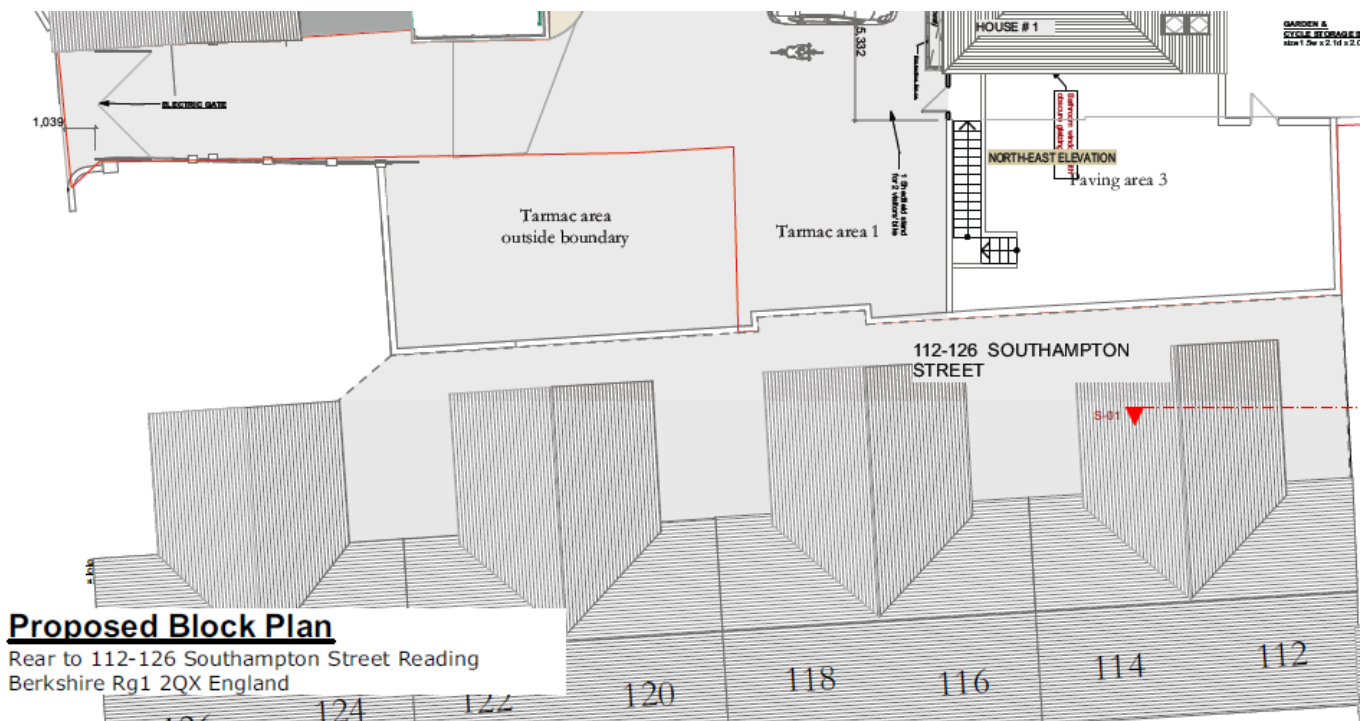
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Paragraph 139 of the NPPF states “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵⁴, taking into account any local design guidance and supplementary planning documents such as design guides and codes.”

No external changes above and beyond those which occurred as deviations to the original permission are proposed to the existing layout. With respect the deviations from the approved plans, the overall design and character is not considered high quality nor to contribute positively to the area in which it is located. The additional gable-end front extension sits awkwardly in between the two gable ends which are part of the approved design and the roof slope, giving it a disjointed appearance. The additional front doors, in place of the originally approved recessed entryways, also clutter the front façade. The originally approved scheme had a greater sense of balance and rhythm. There is no identified need for the additional front doors, as echoed by the Inspector in the recent Enforcement appeal decision.

The encroachment into the rear gardens of 112-122 Southampton Street and lack of implementation of the approved soft landscaping also results in excessive areas of hard surfacing at the front of the site, which now has a stark appearance due to the lack of vegetation and is dominated by parked vehicles. Small areas of landscaping are proposed but these are considered to make little difference to the overall appearance of the site. The suitability of the landscaping proposal is discussed further below in the landscaping section.

The proposal to fence off a part of the car park to prevent occupants’ access does not grant the residents on Southampton Street access to their gardens nor improve the relationship with the application site. This is discussed further within the residential amenity section.



The design and layout of the properties is not considered acceptable. It fails to positively contribute to the character of the site and its surrounding area, with an inappropriate expansion of the site into the gardens of the properties on Southampton Street, contrary to Policy CC7 of the Reading Local Plan and Paragraphs 135 and 139 of the NPPF.

6.3. Residential amenity

Policy CC8 requires all development to not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties. Policy H10 requires dwellings to be provided with functional private or communal open space.

The changes in the internal layout of the properties have created significant harm to both the occupiers and neighbouring residents on Southampton Street. Internally, the layout reflects the prior use of the properties as 6x self-contained flats, with the exception of 1 internal connecting door per property. Following a site visit conducted on 22/01/25, it was also confirmed that the rooms labelled “Kitchen/living” on the ground floor of each property were in use as a private bedroom with a kitchenette, labelled “Bedroom 3” in the submitted Planning Statement appendices.

The basement bedrooms in each property have no outlook or access to natural daylight/sunlight through their windows as the lightwells are too small. This results in poor quality accommodation for the occupants of these properties, harmful to their residential amenity. The applicant has previously argued that these lightwells are in accordance with previously approved plans, however, the originally approved floor layout did not include a basement level bedroom, and the window was intended only as a means of ventilation to one large open-space kitchen/living room which would be served by the rear elevation French doors for its primary access to light, which is not the case either existing at the site nor proposed.

Bedrooms 2 (ground floor front bedrooms) in properties 2a and 2b fall below national minimum space standards, with bedroom 2 in 2a measuring 5.5m² and bedroom 2 in 2b measuring 6.6m². The national minimum space standards are considered to override the HMO requirements (which state that a bedroom must measure 6.5m² minimum) as the properties are considered new builds.

With regards to outdoor amenity space, an additional garden area has been created for 2C West Hill to the side of the property within the former garden space of 112-114 Southampton Street. The layout of this space allows for direct overlooking into the garden from the neighbouring properties on Southampton Street, which defeats the purpose of a private amenity space, and further harming the residential amenity of occupiers. This is not considered acceptable with respect to both policies CC8 and H10 of the Reading Local Plan.

The rear gardens of 116-122 of Southampton Street have in the same fashion, been removed to create additional parking space for the application site. It is evident that rear extensions and rear access doors have been removed for those properties on Southampton Street to deprive those residents of their rear amenity space. The retaining wall which forms the new parking area is also supported by beams attached to the rear facades of the Southampton Street properties. This is considered wholly unacceptable and clearly poor design. It has also resulted in the loss of amenity space in one of the most densely built areas of the borough and complete loss of privacy to all bedrooms located to the rear of those properties, which are only 1m away from the edge of the parking spaces created. While it is proposed to fence this area off from the occupants on West Hill, this achieves very little for the residents on Southampton Street who are still deprived of their gardens.



Image taken by case officer on site in 2025 showing the rear elevations of the properties on Southampton Street, the application site car park being on the left.

Overall, the development results in significant harm to amenity for both the occupants of the site and the neighbouring residents on Southampton Street, reflecting poor design and use of land.

6.4. Transport and parking

Policy TR3 requires development to not have a material detrimental impact on the functioning of the transport network nor be detrimental to the safety of users of the transport network, including pedestrians and cyclists. Policy TR5 requires all development to provide car parking and cycle parking that is appropriate to the location and accessibility of the site to the sustainable transport facilities in the Borough. Paragraph 116 of the NPPF states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.*”

The proposed parking layout accommodates 6 off-road parking spaces. In line with the Revised Parking Standards and Design SPD, each lettable room would require 0.25 parking spaces, totalling 3 spaces. The proposal is, therefore, an overprovision of what is required. In line with the same SPD, cycle storage for a HMO should be provided at a ratio of 0.5 spaces for each lettable room. This would equate to 6 spaces. Room for cycle storage has been demonstrated on the plans; however, no further details have been provided. This could have, however, been secured by a suitably worded condition.

The site is accessed via an electric gate, which is 5m forward of the originally approved siting. This results in vehicles waiting to access the site while the gate opens on the public footpath and blocking the very narrow highway on West Hill. This was observed by the case officer at the site visit for the previous planning application on this site, where a car waiting to access the site blocked the highway, resulting in two passing cars squeezing on the highway resulting in near-miss minor collisions. Evidently, this presents a risk to the effective functioning of the highway network and to the safety of users of the network. As such,

retention of the gate in the existing position is not acceptable and it is not considered that this matter could be resolved by a condition.

6.5. Landscaping

Policy EN12 requires all development to provide a net gain for biodiversity where possible. The original permission pre-dates mandatory biodiversity net gain, although it did include small areas of landscaping to the front of the site, and green rear gardens. Policy EN14 states *“New development shall make provision for tree retention and planting within the application site, particularly on the street frontage, or off-site in appropriate situations, to improve the level of tree coverage within the Borough, to maintain and enhance the character and appearance of the area in which a site is located, to provide for biodiversity and to contribute to measures to reduce carbon and adapt to climate change. Measures must be in place to ensure that these trees are adequately maintained.”*

Paragraph 136 of the NPPF also states that *“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that ... that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.”*

There is presently no greenery at the front of the site, and the rear gardens are made up entirely of stone paving. Small areas of shrubbery and new trees are proposed at the front of the site; however, it is not clear who would be responsible for the ongoing management, maintenance and watering of these.

Furthermore, there don't appear to be any details on whether the shrub planting is within planters (as the trees are) or planted directly into the ground. Given the predominantly hard-surfaced nature of the site, the long-term feasibility of the proposed trees and shrubs is uncertain without a long-term maintenance, management and watering plan regardless of whether the vegetation is proposed to be in planters or to be planted within the ground. It is very unlikely that this planting would succeed and is, therefore, not considered acceptable. The rear gardens are entirely paved and there is no proposal to change this arrangement.

In addition, except for the proposed trees (which are all the same species) the proposed planting comprises only non-native ornamental species. Given the limited soft landscaping on site, the inclusion of proposed mammal holes is unlikely to provide meaningful benefits as these are unlikely to be used.

Lastly, in accordance with paragraph 193 of the NPPF (2024), which states that *“opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity”* should the application have been recommended for approval, a condition would have been recommended to ensure that enhancements for wildlife are provided within the development. Such biodiversity enhancements would include the provision of bird boxes, for example swift boxes as this part of Reading is known to support a local swift population.

Overall, the proposal fails to improve the biodiversity of the site and fails to demonstrate any positive landscaping principles.

6.6. Other matters

Policy H3 requires all development to contribute to the provision of affordable housing in Reading. On sites of 1 – 4 dwellings, a financial contribution will be made that will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough. Had the application been recommended for approval, a S106 legal agreement would have been sought to secure an off-site contribution, as this is not a conversion but rather regularisation of an unauthorised development of new build residential units.

However, as the proposal is recommended for refusal, no heads of terms have been agreed with the applicant. This will form a reason for refusal.

The proposal would also have been CIL liable and chargeable.

7. CONCLUSION

The proposal to retain the development in use as 3x small HMOs has been assessed against relevant adopted policies and is considered that due to the poor design and layout of the properties, encroachment into the rear of 112-122 Southampton Street, which has resulted in significant harm to residential amenity of both neighbouring properties and future occupants, the development is not considered acceptable to retain. The public benefit of the creation of new residential units does not outweigh the harm identified.

8. RECOMMENDATION

REFUSE

Due to the following reasons:

1. The buildings are of unacceptable design due to their poor-quality, inappropriate front façade layout and appearance, disjointed arrangement of features including an additional gable end and additional front doors. The large areas of tarmac and paved rear gardens are also harmful to the character of the site. This results in a development which fails to positively contribute to, and harms, the character of the site and the surrounding area, contrary to Policy CC7 of the Reading Borough Local Plan 2019, and para 135 and 139 of the NPPF 2024.
2. The internal layout of the units results in basement bedrooms in each property having a window with no outlook or access to natural sunlight/daylight, and two bedrooms measuring below the national minimum space standards, resulting in amenity harm to the occupants of these rooms, contrary to Policy CC8 of the Reading Borough Local Plan 2019 and para 135 of the NPPF 2024.
3. The retrospective proposal has resulted in the complete loss of the private outdoor amenity space of the rear gardens of nos. 112-122 Southampton Street and the erection of a high-level retaining wall very close to the rear elevations of those properties. This has resulted in significant harm to the amenity of those residents from there being no access to any external private amenity space, the overbearing effects of a very high solid structure close to their rear wall, and the loss of privacy for those residents due to overlooking from the car parking areas in the application site, contrary to Policy CC8 of the Reading Borough Local Plan 2019 and para 135 of the NPPF 2024.
4. The application fails to demonstrate adequate and appropriate soft landscaping and details of management and maintenance, resulting in harm to the character, appearance and biodiversity of the site, contrary to Policies CC7, EN12 and EN14 of the Reading Borough Local Plan 2019 and Paragraph 136 of the NPPF 2024.
5. The position of the electric access gate poses a risk to the effective functioning of the highway networks, and a risk to safety of the users of the highway network, including pedestrians, contrary to Policy TR3 of the Reading Borough Local Plan 2019 and para 116 of the NPPF 2024.
6. In the absence of a completed legal agreement to secure an off-site contribution to affordable housing in Reading, the proposed development fails to demonstrate that it would positively contribute to the provision of affordable housing in the Borough, contrary to Policy H3 of the Reading Borough Local Plan 2019 and the RBC Affordable Housing SPD 2021.