

DELEGATED APPLICATION REPORT

Ward: Abbey Ward

App Ref: PL/26/0609 Full planning permission

Address: 24 BAKER STREET, READING, RG1 7XX

Proposal: Change of use of property from C4 use class (6 bedroom HMO) to Sui generis use class for seven bedroom HMO

Applicant: Mr Mustafa Abdel Halim

Received date: 07/05/2026

Target Decision date: 03/07/2026

Case Officer: Catrin Davies

1. SITE DESCRIPTION

The application site is a two-storey mid-terraced property with basement located on the north side of Baker Street. The site is located within the Castle Hill/Russell Street/Oxford Road Conservation Area.

The site is not covered by an Article 4 Direction area.

The site has an existing certificate for a small HMO (6 bedroom). The site is located within a residential where there is a mixture of dwellings, flats and HMO.

2. PROPOSAL AND SUPPORTING INFORMATION

The application seeks planning permission for a change of use from C4 use class (6 bedroom HMO) to Sui Generis use class for seven bedroom HMO.



Figure 1: Proposed floor plans

Plans and document considered

2906 C003P4 PROPOSED FLOOR PLANS AND ELEVATIONS received 7th of May

2906 C001P3 SITE LOCATION PLAN Received 7th of May

2906 C002P1 EXISTING FLOOR PLANS AND ELEVATIONS received 7th of May

20260429 Planning Statement MM RevB. Received 7th of May

R01 - Transport Statement - Rev 0 Received 7th of May

Planning History

PL/25/1331- Certificate of existing lawfulness for Change of use from C3 family dwelling to C4 House in Multiple Occupation. Granted 9/1/26

PL/25/1815-Erection of outbuilding in rear garden used for purposes incidental to the main dwellinghouse. Permitted Development 11/2/26

Change of use of property from C4 use class (6 bedroom HMO) to Sui Generis use class for seven bedroom HMO. Withdrawn 16/4/26

3. CONSULTATIONS

The following were consulted:

Heritage adviser

I have no objection as there is no external work proposed for the building, but a few requests/comments:

- I noted from the application form that there is no information about the proposed materials for the outbuilding, cycle storage and plant store – details should be submitted as they would have an impact on the character of the conservation area although they would not be visible.
- When I compared the existing and proposed floor layouts, I saw that chimney breasts and fireplaces on the basement, ground and first floors are to be removed. I assume that would not have any impact on the chimney stacks.
- Ideally, a landscape plan, including some soft landscaping, would be submitted as well.

I conclude that it is an opportunity to improve the street scene and conservation area with a landscape plan, which would also have an impact on the setting of the listed building, facing the application site at No. 55.

Highways Officer

Previous application for this site PL/26/0233.

The site lies within the Castle Hill/Russell Street/Oxford Road Conservation Area. The application site comprises a two storey semi-detached building currently used as a 6 bedroom HMO as established under Certificate of Lawfulness PL/25/1331.

The Council's Parking SPD requires 0.25 parking spaces per lettable room. Submitted Transport Statement states that this is to be a car free development. Google images do not show a vehicle crossing serving the property therefore there is currently no on-site parking associated with this site, however if at any point the applicant wanted a vehicle crossing, a license would be required for the Councils Highways Department.

Given there are extensive parking restrictions in place in the vicinity in the form of double yellow lines and the operation of the Councils Residential parking permit scheme of the site preventing unauthorised parking a car free development can be considered in this instance. Under the Borough's current parking standards, this proposal would generate additional pressure for parking in the area. There should be an assumption that any future occupants of the proposed HMO will not be issued with resident or visitor parking permits which would be covered by condition and an informative applied. 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.

Submitted plans also illustrate an outbuilding to be used as a gym, located at the rear of the site; This was permitted under application PL/25/1815.

Bin storage and collection area have not been illustrated on submitted plans although the planning statement does refer to storage at the front of the site. No additional bins are likely needed for the addition of one bedroom; however,

it is recommended that the Councils waste and recycling team are contacted to ensure the correct capacity and type of bins are provided. Plans illustrating the location of bins will be required.

In accordance with the Councils current adopted standards a 7 bedroom HMO would require 0.5 storage spaces per room, this equates to 4 spaces (2 Sheffield stands) for the development. Bin bike storage has been illustrated at the rear of the site utilising Sheffield type stands.

Given the location of the site in a residential CPZ area a scaled down version of a CMS is recommended to cover key areas such as storage of material, parking and deliveries etc.

Public Consultation

A site notice was displayed at the application site. No neighbour letters of representation were received.

4. 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’. 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

CC5: WASTE MINIMISATION AND STORAGE

CC7: DESIGN AND THE PUBLIC REALM

CC8: SAFEGUARDING AMENITY

EN3: ENHANCEMENT OF THE CONSERVATION AREA

EN6: NEW DEVELOPMENT IN A HISTORIC CONTEXT.

EN12: BIODIVERSITY AND THE GREEN NETWORK

EN14: TREES, HEDGES AND WOODLAND

EN16: POLLUTION AND WATER RESOURCES

H1: PROVISION OF HOUSING

H7: PROTECTING THE EXISTING HOUSING STOCK

H8: RESIDENTIAL CONVERSIONS

H10: PRIVATE AND COMMUNAL OUTDOOR SPACE

TR1: ACHIEVING THE TRANSPORT STRATEGY

TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

SPD

Revised Parking Standards and Design (2011)

Residential Conversions (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 submission draft of the Local Plan 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 (aside from Policy H1, which is acknowledged to be out-of-date) and that the objectives of those policies remains very similar in the submission 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' (aside from Policy H1).

5. APPRAISAL

Land Use Considerations

Policy CC1 (Presumption in favour of Sustainable Development) requires a positive approach to development proposals that reflect the presumption in favour of sustainable development, which lies at the heart of the National Planning Policy (NPPF). To achieve sustainable development a proposal needs to meet economic, social and environmental objectives.

Principle of loss of housing stock and the conversation

Policy H7 Protecting the existing housing stocks restricts the loss of residential accommodation with Policy H8 Residential conversions stating "Proposals to convert buildings into self-contained flats or for multiple occupation will be assessed against the impact on the amenity and character of the surrounding area, particularly in terms of intensification of activity, loss of privacy, loss of external amenity space, the provision and location of adequate on-site car parking and the treatment of bin storage areas and other related servicing".

The application site has a certificate for a 6 bedroom HMO as such the family house has already been lost nevertheless policy H8 requires an assessment on neighbours and the wider areas as well as the street scene this will be discussed further within the report below.

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. The Residential Conversions SPD requires one communal room for every 4-6 bedrooms (depending on the size of the bedroom) to be provided, which will have acceptable amenity standards and appropriate access for all residents.

Future occupants

The proposed development seeks to intensify the use of the property through its conversion to a 7-bedroom House in Multiple Occupation (HMO). In assessing the scheme, careful consideration has been given to the quality of accommodation that would be provided for future occupiers, having regard to Policies CC8 and H8 of the Reading Borough Local Plan (2019) and the guidance set out within the Residential Conversions Supplementary Planning Document (SPD) (2023).

All proposed bedrooms have been assessed against the minimum gross internal floor area standards set out within the SPD. Whilst each bedroom meets the minimum requirements. Notwithstanding this

compliance, it is well established in the SPD that meeting minimum space standards alone is not sufficient to ensure acceptable living conditions, and a broader assessment of light, outlook, and overall amenity is required.

The proposed basement bedroom/flat raises significant concerns in respect of residential amenity. The accommodation would be served solely by a lightwell at ground level. Due to the constrained nature of the lightwell, the modest size of the windows, and the level difference between the room and external ground level, it has not been adequately demonstrated that sufficient levels of natural daylight would be achieved.

Furthermore, the basement room would have no meaningful outlook, with views restricted to the lightwell enclosure. This would result in a poor quality living environment, contrary to the expectations set out in the SPD paragraph 2.28 which emphasises the importance of adequate daylight and outlook for all habitable rooms. Whilst the room exceeds minimum space standards, this does not outweigh the fundamental deficiencies in terms of light and outlook, and the overall living conditions would be substandard.

Similar concerns arise in relation to the proposed attic bedroom. This room would rely exclusively on rooflights for the provision of natural light and would not benefit from any direct outlook. Whilst rooflights can provide acceptable lighting in certain circumstances, the absence of any outlook would result in a sense of enclosure and a poor quality of accommodation for future occupants. This is more important when there is a lack of alternative living space. The SPD paragraph 2.25 seeks to ensure that habitable rooms benefit from both adequate daylight and outlook, and this arrangement fails to meet those objectives.

A key deficiency of the proposal is the insufficient dedicated communal living space. The Supporting Statement states *"This SPD states in paragraph 4.10 that where all bedrooms significantly exceed minimum room standards, one communal room per six bedrooms can be considered appropriate."* It does not acknowledge para 4.9 which states *"If the bedrooms provided as part of the HMO are at the minimum size considered appropriate, then a standard of one communal room per four bedrooms as a guide would be sought. Each communal room must provide sufficient space for four occupants, given that bedrooms are likely to have little or no room for any living space. It is not sufficient to have one large room, as with a significant number of residents living together this is considered more likely to result in conflict between the users. It should be assumed that the provision of a communal room 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."*

Furthermore, the wording of para 10 of the SPD is actually *"Where all bedrooms significantly exceed minimum room standards and Environmental Health confirms that any licence demonstrates the rooms are intended for single occupancy only, as a guide, one communal room per six bedrooms **may** be considered appropriate."* (bold my emphasis).

In this instance not all bedrooms do significantly exceed minimum room standards. The two smaller bedrooms (7.5m² and 7.9m²) would, due to the small area and kitchenettes, appear particularly confined. The nature of HMOS is that occupants live more independently than in a shared house or family home, this entails keeping most belongings within the bedroom and using it a space not only to sleep but to work, study, relax and possibly eat meals. As such, the overall quality of that space, beyond its basis size is also an important consideration. As the bedrooms are residents' sole private living space, it is important they provide an acceptable living environment. The shortcomings in the space and quality of the bedrooms increases the importance of communal space. In this instance the only communal space is the kitchen. Not only does this not comply with SPD paragraph 10 but the kitchen is small for 7 occupants with no room for dining. Whilst as above the more independent living patterns of HMO occupants means it is unlikely that all residents would require the space at the same time, its

cramped size and layout would inconvenience even a couple of residents looking to cook or eat or relax at the same time. There is no other separate communal area such as a lounge that would afford occupants some recreational space.

Given the scale of the development (7 bedrooms), it is reasonable to expect the provision of a usable shared living area to support the day-to-day needs and wellbeing of occupants. The lack of such space would limit opportunities for social interaction and relaxation, placing undue pressure on individual bedrooms to serve multiple functions. This is particularly problematic given that several bedrooms provide suboptimal levels of amenity, as outlined above.

The reliance on one oversized bedroom (the basement unit) to compensate for the absence of communal space elsewhere is not considered acceptable, particularly as this room itself suffers from significant amenity issues.

Notwithstanding the above, the Council's SPD at paragraph 2.26 states that acceptable layouts should avoid locating living rooms, bathrooms and kitchens next to, above or below proposed and neighbouring bedrooms, with the stacking of rooms of a similar type being preferable. In this case, a proposed bedroom would be located directly above the communal kitchen. Given that the kitchen would serve a seven-bedroom HMO and would represent the only communal living space within the property, it is likely to experience frequent and prolonged use throughout the day and evening. This arrangement would give rise to unacceptable levels of noise and disturbance for the occupier of the bedroom above, to the detriment of their residential amenity. This is unaided with the relatively small size of the communal kitchen, combined with the absence of any alternative communal space, would concentrate social activity within this room, exacerbating noise transmission and increasing the potential for conflict between communal and private living areas.

Taking all factors into account, the proposal would result in a poor standard of accommodation for future occupiers. The inadequate levels of natural light and absence of outlook within the basement and attic rooms, combined with the lack of any meaningful communal living space and the unacceptable stacking of rooms would give rise to a substandard residential environment.

The development therefore fails to deliver the high-quality living conditions required by Policy CC8 of the Reading Borough Local Plan, which seeks to secure development of a high standard of design and amenity. Furthermore, it conflicts with Policy H8, which requires that Houses in Multiple Occupation provide suitable living environments for occupants, and with the detailed guidance set out in the Residential Conversions SPD (2023).

Neighbouring properties

The proposed development does not involve any external alterations to the property and, as such, there would be no direct impacts in terms of loss of light, outlook, overbearing impact, or loss of privacy to neighbouring occupiers.

However, the proposal would intensify the use of the property through its occupation as a large 7-bedroom HMO. It is recognised that larger HMOs typically generate a higher level of activity compared to a single dwelling or smaller shared household, particularly in relation to comings and goings, use of shared facilities, and general day-to-day living patterns.

In this instance, concerns arise in respect of potential noise and disturbance to adjoining properties, particularly given the absence of dedicated communal living spaces within the proposal. The lack of a defined communal area may result in increased use of circulation spaces or external areas, as well as intensified use of kitchen facilities, all of which could give rise to additional noise.

Furthermore, the application has not been supported by a Noise Impact Assessment or any supporting information to demonstrate that appropriate mitigation measures would be in place to safeguard neighbouring amenity. In the event that the application had been considered acceptable in all other respects, it is likely that a condition requiring details and implementation of enhanced acoustic insulation measures to the party walls and floors would have been necessary to mitigate potential impacts.

Notwithstanding the above, given the absence of supporting acoustic information and the overall intensification of use proposed, there remains some uncertainty regarding the extent of potential noise impacts on adjoining occupiers.

Highway Consideration

Policy TR5 of the Reading Borough Local Plan (2019) and the Parking Standards SPD require parking provision to reflect site accessibility, with HMOs typically requiring 0.25 spaces per lettable room. The application site lies within a highly accessible location in the Castle Hill/Russell Street/Oxford Road Conservation Area and is subject to controlled parking restrictions, including double yellow lines and a Controlled Parking Zone (CPZ).

The proposal seeks to operate as a car-free development. The site does not currently benefit from a vehicle crossover or off-street parking provision, and any future crossover would require separate licensing from the Highway Authority. Given the constrained on-street parking environment and CPZ controls preventing unauthorised parking, a car-free approach is considered acceptable in this instance. To mitigate potential parking impacts, it would have been necessary to restrict future occupiers from obtaining resident or visitor parking permits via condition. This would ensure that the development would not place additional pressure on the already limited on-street parking supply.

In terms of cycle provision, the scheme provides storage in accordance with the SPD, equating to a requirement for 4 cycle spaces (2 Sheffield stands), which are shown to be located to the rear of the site. This is considered acceptable subject to conditions securing their provision and retention should the scheme have otherwise been supportable.

Details of refuse and recycling storage have not been clearly shown on the submitted plans, although reference is made to front-of-site storage. Further details would have been required by condition to ensure adequate provision in consultation with the Council's waste services team.

Given the scale of development in a constrained urban location, a Construction Method Statement (CMS) would have been required to manage deliveries, storage of materials, and contractor parking during construction.

Subject to the recommended conditions, the proposal is considered acceptable in highways and parking terms.

Design Consideration and Heritage

Policy CC7 aims to preserve or enhance the character of the area in which a development is in terms of layout, landscape, density, scale, height, massing, architectural detail and materials.

Policy EN3 states "The special interest, character and architecture of Conservation Areas will be conserved and enhanced. Development proposals within Conservation Areas must make a positive contribution to local character and distinctiveness"

Policy EN6 requires “New development will make a contribution to the historic character of the area by respecting and enhancing its architectural and visual qualities and considering how heritage considerations can influence the design of new development.

The application site lies within the Castle Hill/Russell Street/Oxford Road Conservation Area. Whilst no external alterations are proposed, it is recognised that intensification of use through larger HMOs can have incremental impacts on the character and appearance of the area, including increased activity and associated paraphernalia such as refuse, cycle storage and plant.

In this instance, detailed refuse and recycling storage arrangements have not been fully provided. However, given the proposal represents a limited intensification over the lawful 6-bedroom HMO use, it is considered that appropriate details could have been secured via condition without resulting in significant harm to the character and appearance of the Conservation Area.

It is also noted that insufficient detail has been provided regarding the external materials for the cycle storage and plant areas. Whilst these elements may have limited visibility, they nevertheless have the potential to influence the character of the Conservation Area. Furthermore, no landscaping details have been submitted. A landscape scheme, including soft landscaping, would represent an opportunity to enhance the street scene and the wider Conservation Area, and could also positively contribute to the setting of the listed building opposite (No. 55). Should the application have otherwise been supportable, this would have been secured by way of condition.

Taking all of the above into account, and noting that these matters could have been satisfactorily addressed through the imposition of planning conditions, the proposal is considered acceptable in design and heritage terms and would comply with Policies CC7, EN3 and EN6 of the Reading Borough Local Plan (2019).

Fallback Position

It is acknowledged that a Certificate of Lawfulness (Ref: PL/25/1331) has been granted in respect of the change of use from a Class C3 dwellinghouse to a Class C4 House in Multiple

This fallback position was assessed under Class L, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This provision grants permitted development rights for changes of use between a dwellinghouse (Use Class C3) and a small HMO (Use Class C4), subject to specified limitations and conditions.

The assessment of such applications is limited to matters of lawfulness and does not consider planning merits. In particular, there is no requirement under the General Permitted Development Order for an assessment of daylight, sunlight, outlook, or the provision of communal amenity space. Similarly, compliance with local and national planning policies, including those relating to residential quality and internal amenity standards, does not form part of the consideration of a Certificate of Lawfulness.

As such, it is recognised that the use of certain rooms, including the basement and attic accommodation, as part of a small HMO may be lawful under permitted development rights, notwithstanding their limited levels of outlook and constrained access to natural light. Furthermore, with fewer people, the living environment of a small HMO would be better for residents compared to that for occupiers of a larger HMO.

However, the current application seeks to intensify the use of the property beyond that fallback position, increasing the scale of the HMO to 7 bedrooms. This materially changes the nature and intensity of the occupation and brings the proposal within the scope of full planning assessment against the Development Plan and SPD guidance.

In this regard, the proposal fails to provide any insufficient communal living space and introduces additional bedrooms, including those with identified deficiencies in outlook and natural light. The intensification of use, combined with the absence of adequate communal facilities and the unacceptable stacking on rooms would result in a significantly poorer standard of accommodation than would be reasonably expected, even when taking into account the lawful fallback position.

Accordingly, whilst the fallback position is given weight, it does not justify the level of intensification proposed nor outweigh the identified harm arising from the substandard living conditions that would be created.

6. CONCLUSION

On the basis of the above and in light of any other material planning applications, the proposal is considered not to be in accordance with the development plan. Accordingly, recommendation is made to refuse planning permission.