

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL

ITEM NO. 15

Ward: Park

App No.: 141298/FUL

Address: 11 College Road

Proposal: Change of use from residential dwelling (C3) to an HMO (C4) comprising six bedrooms

Applicant: Troy Mitchell

Date application valid: 13 August 2014

Minor Application: 8 week target decision date : 8 October 2014 - Extension agreed with applicant until - 21 January 2015

RECOMMENDATION

Subject to the receipt of plans relating to bin and cycle storage GRANT permission.

CONDITIONS TO INCLUDE

1. TL1 - Full - time limit - three years
2. Standard approved plans condition
3. Bin and cycle storage to be provided before occupation.
4. Parking permit condition 1 (notification of address to Council).
5. Parking permit condition 2 (new occupants shall be informed of the prohibition on entitlement to a car parking permit).
6. Restriction on hours of working during conversion works.

INFORMATIVES TO INCLUDE

1. Damage to highway
2. Environmental Health Licence
3. Building Regulations
4. Standard positive and proactive informative
5. No bonfires

1 INTRODUCTION

- 1.1 The site comprises a 4 bedroom terraced dwelling. The surrounding area comprises a mixture of residential uses, including single dwelling houses, flats and HMOs. A number of non-residential uses are also present, including a day nursery, Cranbury College and a nursing home.
- 1.2 This application, which would normally be dealt with under delegated powers, is reported to Planning Applications Committee at the request of Councillors Page and White.



Location of site, with 50 metre assessment radius.

2. PROPOSAL

2.1 This application is for a change of use from a four bedroom C3 dwellinghouse to a C4 small HMO of 6 bedrooms, some with ensuite bathrooms, a shared bathroom, a shared kitchen and a communal room. No additional extensions or changes to the external appearance of the house are proposed.

3. PLANNING HISTORY

None.

4. CONSULTATIONS

4.1 Statutory:

- No statutory consultations were required given the nature of the application.

4.2 Non-statutory:

- Transport Development Control - Given the proposal would not increase the demand for on-site park over and above the existing permitted use, there are no transport objections on parking grounds.

- Environmental Health - No objection subject to a condition restricting the hours of noisy work during conversion.
- HMO Team - No objections.

4.3 Public consultation:

- Surrounding properties were consulted by neighbour consultation letter. A site notice was displayed by the applicant. The consultation period expired on 29 September 2014.

32 objections to the applications have been received. In summary the comments are:

- The proposal will result in the proportion of HMOs within a 50m radius exceeding 25%. *Officer note - this concern is based on the incorrect assumption that HMOs on Wokingham Road fall within the 50m radius.*
- The proposal will result in an increased demand for parking.
- The proposal will alter the mix of the local community.
- Inadequate internal cooking and amenity space.
- Noise issue for immediate neighbours with comings and goings of tenants.
- The proposal will lower the value of homes in the vicinity.
- The drains will not cope with the additional occupants.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.

The following local and national planning policy and guidance is relevant to this application:

5.1 National Planning Policy Framework

Part 6 - Delivering a wide choice of high quality homes

5.2 Reading Borough Local Development Framework Core Strategy

CS18 (Residential Conversions)
CS24 (Car/Cycle Parking)

5.3 Sites and Detailed Policies Document

SD1 (Presumption in Favour of Sustainable Development)
DM4 (Safeguarding Amenity)
DM8 (Residential Conversions)

5.4 Reading Borough Council Supplementary Planning Guidance

Residential Conversions SPD (November 2013).
Parking Standards and Design (Supplementary Planning Document).

6. APPRAISAL

Main Issues

- 6.1 The main issues are:
- i. Whether the conversion of the property to C4 use will unduly dilute or harm a mixed and sustainable community.
 - ii. The impact on amenity of future residents of the property and those of nearby properties
 - iii. Transport issues
 - iv. Other issues raised by objectors
 - v. Equalities Impact Assessment

Background

- 6.2 In May 2012 Reading Borough Council made an Article 4 Direction under the General Permitted Development Order covering parts of Redlands, Katesgrove and Park Wards. This Direction came into force on 16th May 2013 and removes permitted development rights to convert a dwellinghouse (C3 use) to a house in multiple occupation (C4 - small HMO for 3-6 unrelated persons sharing at least one basic amenity). The application site is within the Article 4 Direction Area.
- 6.3 As noted in Section 5 above, this application has been assessed against a number of national and local planning policies. Section A of the Residential Conversions SPD deals with the 'General Assessment of all Conversions' (i.e. from C3 dwellinghouses to flats or HMOs (both small C4 use and sui generis HMOs). Section B specifically covers the assessment of applications for HMOs within the area covered by the Article 4 Direction. This application has been considered against both sections. The SPD sets out a number of checklist items and the relevant ones form the basis of the following appraisal.

Will the conversion of the property to C4 use unduly dilute or harm a mixed and sustainable community?

- 6.4 *Checklist 3 - Does the residential conversion contribute to achieving an appropriately mixed and sustainable community by providing an acceptable housing mix, ensuring that, as appropriate, single family housing remains the dominant form of dwelling in the vicinity of the application site and ensuring there is not a detrimental impact on the physical character of the area - YES -* The SPD identifies that the '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 defines that "*planning permission will not normally be granted where the proportion of HMOs will result in HMOs representing 25% or more of the residential properties within a circle of 50m radius measured from the application site*" (para. 5.43). The concentration of HMOs in the area surrounding the application site has been calculated as a percentage of the total estimated number of existing HMOs (C4 or sui generis) against the total number of residential properties, i.e. those falling with C3, C4 or sui generis HMO use. Available data from Environmental Health and Council Tax, has been used. The total number of residential properties within the 50m radius, including the application site, has been calculated as 24. The total number of properties in HMO use, using the above sources of data, is estimated to be 3. If the application site is converted to a C4 HMO, the overall percentage

would be 17%. A number of objectors have stated that an additional HMO, not identified by the Council, is also present in the 50 metre radius. If this is the case allowing the present application would result in 5 HMOs in the radius, increasing the proportion to 21%. This is below the threshold maximum of 25% and therefore, even taking into account the status of the disputed property, in this regard the principle of the conversion of the application property to a C4 small HMO is considered acceptable.

The impact on amenity of future residents of the property and those of nearby properties

- 6.5 *Checklist 4 - Provide an appropriate level of outdoor space?* - YES - The garden has an area of 147 square metres, which is considered to be a sufficient size for six individuals.
- 6.6 *Checklist 5 -Affect privacy and overlooking, access to sunlight and daylight; visual dominance and overbearing effects of a development; noise and disturbance, crime and safety* - NO - The proposal does not include any external changes or extensions, so the effects on privacy, access and daylight and visual dominance and overbearing effects are no different to the use of the house as a C3 dwelling. In terms of noise and disturbance there is no evidence to suggest that 6 unrelated adults would create greater levels of noise than a fully occupied four bedroom family house. There is also no evidence to suggest that the proposal would have implications for crime or safety.
- 6.7 *Checklist 7 - Consideration of the application against the Council's adopted minimum internal floorspace standards [set out in Appendix 1 of the SPD as bedroom minimum of 6.5sqm; kitchen minimum 7sqm]* - YES - all of the bedrooms are greater than 6.5sqm, and the kitchen is 8.1sqm.
- 6.8 *Checklist 8 - Does the property have appropriate sound insulation between it and the neighbouring units?* - NO - The applicant has not submitted any evidence that specific sound insulation will be used, however, the level of noise generated from a six person HMO is unlikely to be significantly greater than a fully occupied four bedroom family dwelling. In terms of Building Regulations requirements specific sound insulation would only be required where independent units were being created.
- 6.9 *Checklist 10 - Do habitable rooms benefit from an external window?* - YES.
- 6.10 *Checklist 17 - Are there sufficient and suitable refuse containers within the curtilage of the application building?* -NO- The applicant's agent has been asked to address this matter. An update will be given at your meeting.
- 6.11 *Checklist 21 - Has early contact been made with Building Control?* - NO - It is recommended that an informative is added to this permission confirming that a Building Regulations application may be required.
- 6.12 *Checklist 22 - The HMO team should be contacted about Environmental Health matters* - The property would require an HMO licence as it is 3 storeys and would have 5 or more occupants. A proposed informative is included to this effect.

Transport issues

- 6.13 *Checklist 14 - HMOs located within a street where a residents' parking permit scheme operates will not be entitled to on-street car parking permits* - The Council's Transport Strategy Section have raised no objection to the proposed conversion. There is an approved residents' parking permit scheme. Although the scheme is not currently in operation it is recommended that a condition and informative regarding the restriction on car parking permits for future occupants is attached to this planning permission.
- 6.14 *Checklist 16 - Is there the provision of secure outdoor cycle storage? -NO-* The applicant's agent has been asked to address this matter. An update will be given at your meeting.

Other issues raised by objectors

- 6.15 Drainage is a matter which would be addressed through the Building Regulations. Informatives are proposed regarding the need to seek other relevant approvals.
- 6.16 With regard to the reduction of property value, the government's Planning Practice Guidance confirms that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property is not a material consideration.

Equalities impact assessment

- 6.17 In determining this application the Committee is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, sexual orientation. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application.
- 6.18 In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

7. CONCLUSION

- 7.1 The proposed application is considered to comply with the relevant Development Plan Policies as assessed above. It is therefore recommended that approval be granted, subject to suitable conditions.

Plans: 13.325 110



Case Officer: Ben Pratley