

UPDATE REPORT

BY THE EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES	ITEM NO. 11
READING BOROUGH COUNCIL	Pages 79 - 134
PLANNING APPLICATIONS COMMITTEE: 1 June 2022	

Ward: Abbey

App No: 220291/FUL

Address: 2 Howard Street, Reading

Proposal: Conversion of a single dwelling (Class C3) to a Sui-Generis House in Multiple Occupation (HMO) for 9 persons, and conversion of the existing garage to a cycle and garden store, plus erection of two dormer windows, bin storage and associated enabling internal works and minor external works (re-submission of 211420/FUL)

Applicant: Gravitas Property Limited

Minor Application: 8 week target decision date: 25th April 2022

Extended of time date: 8th June 2022

RECOMMENDATION:

GRANT Planning Permission subject to conditions and informatives as per the main report

1. Clarification regarding the threshold calculation

- 1.1 Following the main report, officers have been asked to clarify how the threshold calculation has been interpreted.
- 1.2 Paragraph 6.6 of the main report explains that the application site lies outside the Borough's Article 4 Direction Areas where HMO developments are more strictly controlled and that Policy H8 only refers to the use of the 25% threshold inside these areas.
- 1.3 The SPD on Residential Conversions in paragraph 4.2 does state that 'planning applications for the change of use of properties into large HMOs will be assessed using the threshold limit' but there is no requirement in the overarching Policy H8 for this threshold to be applied. However, in paragraph 6.6 of the main report it is noted that the threshold represents a good 'rule of thumb' for testing whether a proposal would unduly dilute or harm an existing mixed and sustainable community.
- 1.4 The threshold calculation is based on the number of HMOs within a 50m radius of the application site. Paragraph 4.4.65 of Policy H8 states '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.' Paragraph 5.35 of the SPD states 'any existing flat conversions will be included in the number of C3 dwellings and will not be included in the number of HMOs for the purposes of the threshold calculation'.
- 1.5 The threshold calculations have been clearly set out in the main report under paragraph 6.8 and the total number of residential properties (including existing flat

conversions as per paragraph 5.35 of the SPD). This shows that 41 residential properties were counted and, including the application site should it be approved, there would be then 6 HMOs or 14.6% of residential properties, which is below the guidance threshold of 25%.

- 1.6 This methodology of using properties and not buildings for the threshold calculation has recently been highlighted in a recent planning appeal decision for 27 Newcastle Road (application ref: 210127 - see Appeals Report elsewhere on agenda papers) which allowed extensions to create an 8 person sui generis HMO. Officers counted the number of buildings only and not the number of residential properties. The Inspector allowed the appeal and awarded partial costs for an inaccurate threshold calculation. Specific reference to Policy H8 and the SPD were also highlighted as the appeal site was not within an HMO Article 4 Direction. The Inspector commented:

Policy H8 of the RBLP and the Supplementary Planning Document 'Residential Conversions' 2013 (the SPD) provide policy and guidance on the provision of HMOs. These advise that in areas covered by an HMO Article 4 Direction, permission will not normally be granted where the proportion of HMOs exceeds 25% of all residential properties within a 50-metre radius. However, there is no dispute that the site is not within an HMO Article 4 area. Policy H8's 25% threshold does not therefore apply to the appeal proposal

I have nevertheless considered whether the proposal would have an adverse impact to the community's character, mix and balance. The Council states that there are four out of 17 houses in multiple occupancy within the area already.

However, some of these 17 properties have been divided into flats, each of which constitutes a separate residential property, rather than each building being one unit as assumed by the Council. This increases the baseline number of existing single-family units so that, were the appeal development allowed, the number of HMOs would not exceed the threshold, even if it were to apply. This further indicates to me that there is not a high concentration of houses in multiple occupation locally.

Although the conversion would result in three HMOs being immediately adjacent to each other, the area consists predominantly of houses or flats for single-family residential housing. Even taking into account the HMOs identified by the Council beyond 50 metres, I consider that a 'tipping point' has not been reached or would be breached because of the proposal.

- 1.7 In the decision for costs the Inspector found, in addition to other matters, that:

The Council sought to apply a policy restriction from Policy H8 of the Reading Borough Local Plan adopted November 2019. However, its 25% restriction only applied to areas covered by an HMO Article 4 Direction. It is common ground that the appeal site is not located within such an area, but the Council still sought to apply this policy restriction to the appeal proposal. Furthermore, the Council's reference to the percentage of HMOs and single-family dwellings within a 50 metres radius of the appeal site was also inaccurate.

- 1.8 Officers are therefore satisfied that the threshold calculation has been interpreted correctly in line with Policy H8 and the SPD. This confirms that the principle of the

proposed conversion of the property to a 9 person sui generis HMO remains acceptable.

2. Conclusion

2.1 The officer recommendation remains to grant planning permission subject to the conditions and informatives as outlined in the main report.

Case Officer: Claire Ringwood