

RESIDENTIAL CONVERSIONS SUPPLEMENTARY PLANNING DOCUMENT

Draft, December 2022

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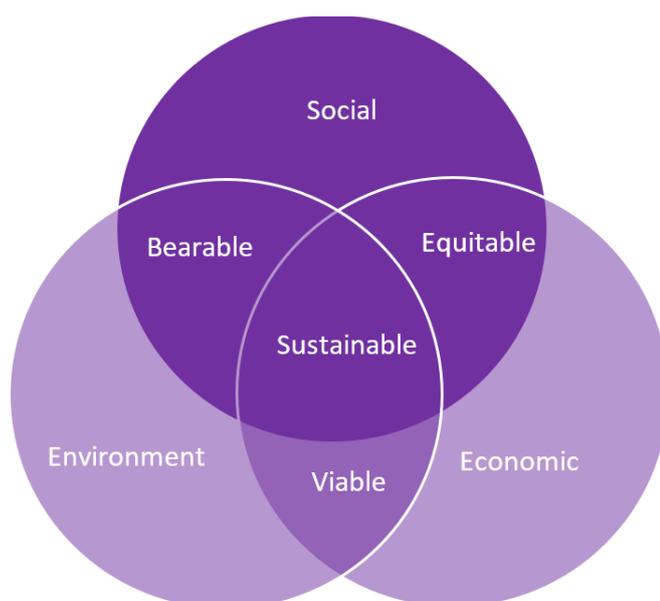
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1. Introduction

Background

- 1.1 Residential conversions have an important role to play in housing land supply in Reading. The subdivision of large houses has often enabled renovation and affordable maintenance of properties. Conversion to flats and houses in multiple occupation has also added a valuable supply of reasonably affordable private rented accommodation, meeting a need in the market.
- 1.2 Generally, the goal of policy and this guide is to promote sustainable mixed communities in Reading. The implications of this goal will vary in scope and substance based on the specifics of the situation in question. In some circumstances, residential conversions have proved unsatisfactory, providing poor or inadequate accommodation for tenants and leading to problems and issues for adjoining residents and for wider local areas. The significant loss of family housing can erode the character of an area through insensitive individual conversions and the cumulative impacts of physical changes to properties as a result of such use. At a minimum, acceptable proposals will not harm the sustainability of the area it is in. This means a diverse mix and distribution of housing types will be sought throughout the Borough for a number of reasons relating to the social, environmental, and economic pillars of sustainable development. Conversions, either individually or cumulatively, can have a harmful impact on the character of the area through unduly diluting mixed and sustainable communities. Conversely, in locations with already high numbers of flats or houses in multiple occupation, conversions to single family housing could help create a more mixed and sustainable community.

Figure 1: The three pillars of sustainable development



- 1.3 Whilst the Reading Borough Local Plan (2019) seeks to continue to develop a healthy private rented sector, this must be undertaken in a manner that minimises the potential adverse impacts that high concentrations of conversions and intensification of use can bring to areas of the Borough.
- 1.4 For the purposes of this SPD, residential conversions are considered to include flats and houses in multiple occupation (HMOs), which are sub-divided into small and large HMOs. A definition for both flats and the two types of HMO is set out below.

Definitions and Permitted Development Rights

- 1.5 **Flat:** Is a separate and self-contained set of premises constructed for use for the purpose of a dwelling and forming part of a building from some other part of which it is divided horizontally.
- 1.6 There are two types of HMO referred to for planning purposes and throughout this document. These are defined below:
- **C4 HMO (or small HMO):** Broadly a property which is occupied by 3-6 unrelated individuals, who share one or more basic amenities¹.
 - **Sui Generis HMO (or large HMO):** If there are more than 6 unrelated individuals sharing one or more basic amenity, it is likely to be classed as a ‘large HMO’ falling outside Use Class C4 and classed as sui generis.
- 1.7 Note: The Environmental Health, Council Tax and Building Control departments operate under different legislation and requirements and their definition of an HMO may not be entirely consistent with the planning definition. Therefore, individual departments should be contacted with regards their specific legislation and requirements.
- 1.8 Permitted development rights under Part 3 of the General Permitted Development Order (GPDO) apply to dwellinghouses (flats or buildings containing flats are excluded). A dwellinghouse is considered to be a house occupied by a single person, or people regarded as forming a single household (basically a family); a house occupied by up to 6 residents living as a single household and receiving care (e.g. supported housing); or certain other limited cases (e.g. small religious communities, or owners residing with up to two lodgers).
- 1.9 Houses occupied by unrelated people are considered to be ‘houses in multiple occupation’ and, depending on the number of occupants, are likely either to fall within the C4 Use Class, or to be outside the Use Class altogether. **In either case, houses in multiple occupation are not considered to be in use as dwellinghouses for the purposes of the GPDO i.e. they will not have permitted development rights under Part 3.** An application for a certificate of lawfulness may be advisable

¹ The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010 (SI 2010/653) confirms that, ‘For the purposes of Class C4 a ‘house in multiple occupation’ does not include a converted block of flats to which section 257 of the Housing Act 2004 applies but otherwise has the same meaning as in section 254 of the Housing Act 2004’.

in order to establish what is the lawful use of the property, and whether or not permitted development rights are available.

Policy Background

- 1.10 Since the existing Supplementary Planning Guidance on '*Residential Conversions Supplementary Planning Document*' was adopted in November 2013, there have been several significant changes to national legislation, the GDPO, and the Reading Borough Local Plan.
- 1.11 Of particular note is policy H8: Residential Conversions and H2: Density and Mix of the Reading Borough Local Plan (2019). Policy H8 sets out the strategic approach to converting residential properties into self-contained flats or for multiple occupation, covering aspects such as impact on the amenity and character of the area, loss of privacy, ensuring adequate car parking etc.
- 1.12 Policy H8 also sets out additional detailed matters for consideration of all types of conversions, self-contained flats and sui generis HMOs (i.e. those which already required planning permission before the C4 Use Class was introduced, typically those housing more than 6 unrelated persons.) This includes for example, unduly diluting or harming an existing mixed and sustainable community, minimum size for converting properties to flats or 'sui generis' HMOs and to ensure that 'sui generis' HMOs have an appropriate balance between communal and private areas.
- 1.13 With regard to HMOs within Reading, in particular, evidence demonstrated that in an area around the University, incorporating parts of Redlands, Park and Katesgrove wards, there were exceptional circumstances and strong justification for the removal of permitted development rights for converting from a house to a small HMO. Planning permission is now required to convert from a house to a small HMO within a defined area and from a house to a large HMO in any part of the Borough.
- 1.14 Adopted policies covering all residential conversions plus the introduction of the Article 4 Direction for HMOs together aim to find the right balance between:
 - Making a contribution towards identified housing needs;
 - Ensuring adequate standards of accommodation, which are suited to the needs of the growing number of smaller households;
 - Protecting existing residential amenity;
 - Providing acceptable levels of on-site amenity space and car parking;
 - Ensuring a mixed and sustainable community; and
 - Maintaining the supply of single family housing.

Purpose and Structure of the SPD

- 1.15 This draft SPD is split into two sections; the first (Section A) deals with conversion of properties into self-contained flats or for multiple occupation, including both small (C4) HMOs and larger (sui generis) HMOs. The second section (Section B) will focus on how applications that are required as a result of the 'Article 4 Direction'

that came into force on 16th May 2013, will be assessed. The Article 4 Direction removes permitted development rights to convert from a dwellinghouse (C3 use) to a small house in multiple occupation (C4 use) in parts of Redlands, Katesgrove and Park Wards. It should be noted that applications required as a result of the Article 4 Direction will also be considered under Section A of the SPD.

Weight of this SPD

- 1.16 Once adopted, this Supplementary Planning Document (SPD) will be a material consideration in the determination of planning applications. This guidance supersedes the previous ‘*Residential Conversions Supplementary Planning Document*’ adopted November 2013.

Consultation and next steps

- 1.17 This version is a draft for consultation, and we welcome your views. Please provide any comments by 5 pm on Monday 13th February 2023.
- 1.18 Comments should be made in writing, either by e-mail or post. Please e-mail responses to:

planningpolicy@reading.gov.uk

Or send responses by post to:

Planning Policy
Reading Borough Council
Civic Offices
Bridge Street
Reading
RG1 2LU

- 1.19 Your comments will be taken into account in producing a final version of the SPD, which will be adopted for use in determining planning applications.

2. All Conversions

- 2.1 This part should be used in the assessment of any application for a residential conversion and, in particular, provides detail on the interpretation of policy H8: Residential Conversions of the Reading Borough Local Plan (2019). The full policy is set out in Appendix 5. Some parts of the document also draw on other policy requirements, and these are referenced as appropriate.

Physical Character of the Area

- 2.2 A report by Ecotec that was commissioned by the Government entitled “Evidence Gathering - Housing in Multiple Occupation and Possible Planning Responses” (CLG, 2008)² found that the poor management of rented HMO accommodation can lead to amenity and character issues which directly affect a local community. These issues

² www.communities.gov.uk/publications/planningandbuilding/evidencegatheringresearch

can include: poor refuse management; on-street parking pressure; noise and anti-social behaviour; high property turnover; neglected gardens and lack of maintenance to housing stock. These issues tend to be exacerbated where there is a high concentration of HMOs.

External Alterations

- 2.3 Many house conversions affect the outside appearance of a property. External alterations may include the removal of boundary treatment and landscaping along the frontage to accommodate bin storage, cycle storage or additional parking or facilitate access to an enlarged or altered parking area. Satellite dishes and television aerials may also be added to external elevations. Where these require planning permission, they may also be considered under this Section.

Checklist 1 (H8, H9, and CC8): Any external alterations must be carried out sympathetically, respecting the physical character of the area.

- 2.4 Conversions should normally be carried out within the existing shell of the building, but where external alterations, including an extension is proposed the details will be assessed against the Council’s adopted policies, in particular policy CC8: Safeguarding Amenity and H9: House Extensions and Ancillary Accommodation of the Reading Borough Local Plan (2019), plus SPD, ‘Design Guide to House Extensions’ (2021).
- 2.5 Policy CC8 highlights the need to ensure proposals do not have a detrimental impact to the living environment of existing or new residents, taking into account issues such as:
- Privacy and overlooking;
 - Access to sunlight and daylight;
 - Visual dominance and overbearing effects of a development;
 - Noise and disturbance; and
 - Crime and safety.
- 2.6 Policy H9 emphasises the need to respect the character of the house in terms of scale, location, materials and design, plus the character and pattern of neighbouring properties. The location of satellite dishes and television aerials should be located to have minimum visual impact and respect the character of the house as much as possible, particularly in conservation areas.
- 2.7 Additionally, Policy H10: Private and Communal Outdoor Space explains that house extensions should not reduce the amount of amenity space for the property to an unacceptable degree.

Checklist 2 (CC8, H9, H10): Extensions must achieve acceptable residential amenity for existing and new occupiers plus respect the character of the existing house and area ensuring outside amenity space is not unacceptably reduced.

Mixed and sustainable community

- 2.8 Note: this criteria should be taken into account for any residential conversion. Where the residential conversion relates to the creation of an HMO within the area covered by the Article 4 Direction for HMOs, section 2 of this SPD provides additional detail on how such applications will be considered.
- 2.9 It is recognised that residential conversions have an important role to play in housing land supply in Reading with the subdivision of large houses providing a valuable supply of reasonably affordable private rented accommodation. However, the significant loss of family housing can erode the character of an area and either individually or cumulatively, can have a harmful impact on the character of the area through unduly diluting mixed and sustainable communities, as set out in more detail in the supporting text to policy H8: Residential Conversions.
- 2.10 In certain parts of the Borough, there are high concentrations of flat conversions and houses in multiple occupation, in part reflecting the very high student population which is especially prevalent around the universities. In the vicinity of the universities, a high proportion of the housing accommodates students. Given that they are predominantly present during term time only, it can leave some roads and areas feeling quite dormant at other times, adding to the problems and issues arising from failing to achieve a mixed and sustainable community.
- 2.11 In order to achieve an appropriate mixed and sustainable community that respects the physical character of the area, any residential conversion must demonstrate:
- How it will contribute to an acceptable housing mix, taking into account the thrust of policy H5: Standards for New Housing even where less than 20 new dwellings are proposed and policy CR6: Living in the Central Reading as appropriate.
 - That single family housing would remain the dominant form of dwelling within the vicinity of the application.
 - That there would not be an undesirable intensification of the use of the property which cumulatively, in addition to other conversions, may impact on the physical character of the area.

Checklist 3 (H8): 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 and ensuring there is not a detrimental impact on the physical character of the area.

Useable Outdoor Amenity Space

- 2.12 The provision of outdoor amenity space can make a vital contribution to a high quality of life, it benefits occupants (in terms of outlook and amenity) and maintains space between buildings. Policy H10: Private and Communal Outdoor Space and the supporting text sets out the standards that will be considered acceptable when considering applications.

- 2.13 Policy H10 sets out that houses will be provided with private outdoor space whereas flats may be provided with communal outdoor space, balconies and/ or roof gardens.
- 2.14 When considering HMOs an equivalent level to a house will be considered appropriate, in that the useable private outdoor space should be no less than the gross floor area of the dwelling to which it relates (measured externally and including garage space).
- 2.15 Flats outside central Reading will be expected to provide:
- For 1 and 2-bedroom flats: 25sqm per flat;
 - For 3 or more bedroom flats: 40sqm per flat.
- 2.16 Development in central Reading will not always be expected to comply with the standards above. Open space is nonetheless required, unless exceptional circumstances prevail, to accommodate modest sitting out areas and clothes drying facilities. Ideally this open space should benefit from direct sunlight particularly during the summer months.
- 2.17 Where amenity space can be provided for non-family units it should be conveniently accessible. The Council recognises that not all residents, will, however, want to own and/ or maintain an area of private amenity space. Where a communal area is provided, there may be problems with its maintenance if there is not a sense of ownership by residents. The Council is committed to ensuring that outdoor amenity space, where provided, is accessible and put to ‘best use’.

Checklist 4 (H10): An appropriate level of private outdoor space will be expected.³

Intensification of Activity and Safeguarding Amenity

- 2.18 Adopted policy CC8: Safeguarding Amenity recognises that development must be designed so that an acceptable living environment for both existing and new residents is provided. Without careful planning, an intensified use of a building may result in a poor standard of development and may harm the residential amenity of both prospective occupants and nearby residents. When considering an application for conversion:

Checklist 5 (CC8, H8): Issues such as those below need to be taken into account in any residential conversions application:

- ***Privacy and overlooking;***
- ***Access to sunlight and daylight;***
- ***Visual dominance and overbearing effects of a development;***
- ***Noise and disturbance; and***
- ***Crime and safety⁴.***

³ Note: Checklist point 9 should also be referred to in the case of flat conversions.

⁴ Where appropriate, an informative could be added to any permission granted to draw the applicant’s attention to Part 2 of the Secured by Design, which is a minimum standard for security.⁴

Minimum Size of Property (maintaining family supply of housing)

- 2.19 The Council’s policies seek to deliver appropriate residential conversions whilst maintaining a supply of family housing and protecting the character and amenity of the surrounding area. In this regard properties must be a minimum size as detailed below in order for a conversion to a flat or large HMO to be considered acceptable.

Checklist 6 (H8): The property to be converted to a flat or large HMO should have four or more bedrooms⁵ or measure more than 120 square metres gross. When calculating the floor area of the property the measurement should be based on the external dimensions as at 1st July 1948 or when built (whichever is the later).

Internal Floorspace

- 2.20 Policy H8 states that a property or properties resulting from conversion should include adequate internal floorspace and headroom for residents. The policy states that these standards are defined in the Residential Conversions SPD.

Checklist 7 (CC8, H8): Internal floorspace and headroom should be provided in all forms of residential resulting from conversions to allow for a high quality of life. The nationally-described space standards provide a good basis for assessment.

- 2.21 There are national minimum internal space standards set out in the nationally described space standards⁶. These apply where a local planning authority has opted into the standards with a Local Plan policy. The Local Plan only includes this as a requirement for new-build outside defined centres. It is recognised that, within dwellings to be converted, achieving these standards in full will not always be possible. However, these space standards are a useful starting point, and applications that propose to provide reduced standards should justify why this is the case.

Noise and Disturbance

Checklist 8 (CC8, H8): It will be necessary to ensure appropriate sound insulation between proposed and neighbouring units before a converted property is occupied.

- 2.22 Such works are likely to be required by way of condition attached to any planning permission issued, and a minimum standard of sound insulation is also required under the Building Regulations. Failure to adequately sound-proof conversions when built could lead to complaints, which may result in action under the Environmental Protection Act (1990) (as amended).

⁵ ‘Four or more bedrooms’ means the original number of bedrooms in the property as built i.e. bedrooms that are a result of extensions or using ground floor rooms intended as reception rooms cannot be used to be counted as bedrooms for the purposes of checklist 6.

⁶ [Technical housing standards – nationally described space standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

- 2.23 In accordance with Building Regulations entrance lobbies should be provided for each flat so that entry is not achieved directly into a living room from a flight of communal stairs. Adequate ventilation and daylight must be available to all rooms.

Stacking and Location of Rooms and Sound Insulation

- 2.24 When considering a conversion the impact from noise and disturbance, in terms of the number and layout of units proposed and the proximity of the property to other residential properties, will need to be addressed.

Checklist 9 (CC8, H8): Acceptable proposals for layouts will avoid locating living rooms, bathrooms and kitchens next to, above, or below proposed and neighbouring bedrooms. Instead, the ‘stacking’ of rooms of a similar type is preferable.

Checklist 10 (CC8, H8): Habitable rooms, such as living rooms and bedrooms, will include an external window. The provision of natural light and ventilation is a legal requirement under Environmental Health legislation.

- 2.25 These requirements will often be secured through Building Regulations and Environmental Health legislation and, therefore, pre-application discussion with a Building Control and Environmental Health Officer is advised.

Unneighbourly Siting of HMOs (sandwiching)

Checklist 11 (CC8, H8): A proposal for conversion should not result in a dwellinghouse being located directly between two HMOs.

- 2.26 It is recognised that there is particular potential for noise and disturbance impacts as a result of HMO accommodation, particularly in locations of older housing where there are thin party walls without sound insulation. This can be magnified in a situation where a dwellinghouse shares a party wall with HMOs on either side. This situation should be avoided. Avoiding ‘sandwiching’ of HMOs also contributes towards maintaining a mixed and balanced community.
- 2.27 For the avoidance of doubt, this requirement will only apply where a property would directly adjoin an HMO on either side with a party wall. It will not apply where, on one side, a dwellinghouse is separated from the HMO property by a gap such as a road, pathway or side garden.

Basements

- 2.28 A large proportion of Reading’s existing housing stock, particularly within the town centre, is terraced. Those units that are, in principle, capable of being converted often contain a basement level. However, not all basements are suitable for conversion to a separate unit of living accommodation. In terms of daylight provision, outlook and headroom the basement level is often deficient. There are no adopted standards relating specifically to basements, but a planning judgement will be made as to the suitability of the accommodation proposed.

Checklist 12 (CC8, H8): Proposals for self-contained units solely within a basement will normally be permitted where this unit would benefit from dual aspect*, an acceptable outlook** and sufficient headroom.***

A unit with dual aspect is one which provides residents with an outlook in two different directions. ** An acceptable outlook is one that, for example, provides residents with a view of a garden area and/ or the sky and is not restricted to narrow light wells and associated retaining walls. *There is no statutory minimum requirement for ceiling heights, although Building Regulations requires a 2.0 metres headroom clearance for staircases. It is, nevertheless, generally recommended that residential accommodation should have a ‘good practice’ minimum floor to ceiling height of 2.3 metres. This standard will be applied to the principal rooms of accommodation, which include kitchens, bathrooms and living rooms. This will prevent cramped residential accommodation.*

- 2.29 When a basement is proposed for conversion the application should be supported by drawings of the building in section.

Loft/Attic Accommodation

- 2.30 The Local Planning Authority recognises that attic accommodation can provide a valuable housing resource. It is, however, evident that many attics are not suitable for conversion to a separate unit of residential accommodation as they often result in a cramped form of living space. The addition of dormer windows may not be a suitable solution to providing additional headroom and useable space.

Checklist 13 (H8): Proposals which seek to convert attic/ loft space will normally be permitted where the attic/loft space would benefit from sufficient headroom and is incorporated into a self-contained unit which is split over two floors of accommodation.

- 2.31 In larger properties the conversion of an existing attic space to self-contained living accommodation may be acceptable when adequate headroom and useable space can be provided. When an attic is proposed for conversion the application should be supported by drawings of the building in section.
- 2.32 The use of dormer windows to accommodate additional headroom should be sensitively designed so as not to dominate the roof. Applications will be considered against the criteria contained in the adopted Sites and Detailed Policies Document, policy DM9: House Extensions and Ancillary Accommodation plus the Council’s SPG on House Extensions and where relevant, policy EN1: Protection and Enhancement of the Historic Environment. In some cases, a double glazed roof-light may be a more acceptable alternative to a dormer window.

Location of Adequate On-site Parking

- 2.33 The Council’s parking standards are set out in the adopted SPD ‘Revised Parking Standards and Design’. This document sets out the required parking standards across the Borough. The urban nature of Reading, coupled with good alternatives to the

private car provide an ideal base to create a zonal system for parking standards. The principle is that developments located close to public transport and local centres will require less parking than equivalent developments in less sustainable areas of the Borough.

- 2.34 The table for Residential Parking Provision on page 15 of the ‘Revised Parking Standards and Design’ SPD sets out the required parking levels for all types of residential development, including C3, C4 and Sui Generis HMOs in all of the four zones in Reading Borough.

Checklist 14 (H8, TR5): Parking standards for all residential conversions should be in accordance with the Council’s adopted ‘Revised Parking Standards and Design’ (2011) SPD.

Parking Permits

- 2.35 Residents parking schemes operate in many streets within the Borough. The Reading Borough website provides information on the streets involved plus other relevant information at: [Parking permit scheme - Reading Borough Council](#)
- 2.36 Where there is already strong demand for on-street parking space, it is likely that the issue of residents’ parking permits to the occupants of new flats will not be possible.. Where this is the case, an informative will generally be placed on a planning permission for conversion to flats or an HMO, although it should be noted that an absence of such an informative will not imply that a permit will be granted.

Checklist 15: HMOs located within a street where a residents’ parking permit scheme operates will not be entitled to on-street car parking permits. The same restrictions may apply to new flats in such streets, see the ‘Revised Parking Standards and Design’ SPD.

- 2.37 Where a site is providing off-street car parking, the laying of hardstanding will only be considered acceptable where it is in keeping with the character of the area. Similarly, if access to off-street car parking is dependent on the removal of boundary walls or other boundary treatment this will not be considered acceptable where the boundary treatment makes a valuable contribution to the character of the area. Proposals which result in the loss of existing green landscaping that currently makes a valuable contribution to the streetscene, such as boundary hedging and planting, will not normally be permitted. Opportunities should be taken to enhance existing green landscaping on road frontages as part of any proposal. Also see the ‘external alterations’ section of the SPD.

Checklist 16 (CC7, H8, H9): Removal of boundary treatment to accommodate parking or access to parking will not be permitted where it makes a valuable contribution to the character of the area.

Cycle Storage

- 2.38 The provision of cycle parking must be considered essential for most developments. The quality of any cycle parking should reflect the likely usage with more secure

systems being used for longer term storage such as within residential developments. Standards for cycle parking should be applied as minimum standards and reflect the potential for cycling.

- 2.39 Cycle parking and storage facilities should be designed with consideration for the following objectives:
- Conveniently located in relation to the trip origin and destination;
 - Where the cycle can be easily secured;
 - Secure cycle storage, to contribute to designing out crime; and
 - Covered.

Checklist 17 (TR5, CC8, H8, TR5): The provision of outdoor cycle storage should have a secure, covered and convenient location. The storage area should be lockable with provision to secure bicycles within it.

Bin Storage

Checklist 18 (H8, H10, H11): Sufficient and suitable refuse containers should be provided within the curtilage of the application building which are easily accessible for all occupants of the house and the refuse collectors and ensuring they are sympathetically located with regard to their visual impact.

- 2.40 The use and layout of external space to the front and rear of the property should be carefully considered. For instance, the visual impact of converted dwellings can be lessened by screening refuse storage areas and providing external spaces that are easy to maintain (i.e. with hard standing and hardy plant species). Bin storage should have a level access to the public highway in order to facilitate collection. Bin storage should be located with a maximum carry distance of 9 metres for refuse collectors. Details of the refuse disposal arrangements must be included as part of any planning application for a conversion. Consideration should include the cumulative effects of bin storage as a result of neighbouring conversions.

Accessibility

- 2.41 Society's awareness of access issues is being raised and a number of pieces of legislation have been introduced in recent years to tackle the issue. The NPPF emphasises the need for '*Designing the built environment, to be inclusive, in that all buildings and their surrounding spaces, can be accessed and used by everyone*'. Policy CS5: Inclusive Access re-emphasises this requirement at the local level. When considering an application for conversion:

Checklist 19 (CC7): Where possible, a level access from the public highway to the building's principal entrance should be provided or retained.

- 2.42 It is however, recognised that many buildings suitable for conversion are already constrained by existing levels and steps.

Planning Obligations

- 2.43 Development impacts on local amenity and the provision of infrastructure, affordable housing, services and facilities etc. Development is required to play a role in delivering sustainable development and should minimise damage, loss and impact upon existing infrastructure and environmental assets.

Checklist 20 (CC9, H3, TR1, EN9, H3, H6): Developers should compensate for loss or damage created by a development and mitigate any impact caused. A planning obligation to secure a financial or other contribution towards physical or social infrastructure improvements may be sought.

- 2.44 In line with the Local Plan, there may be a need for impacts on infrastructure or other matters to be covered by a planning obligation under Section 106 of the Town and Country Planning Act 1990. Such contributions are sought in accordance with adopted policy, including CC9: Securing Infrastructure, H3: Affordable Housing, TR1: Achieving the Transport Strategy, and EN9: Provision of Open Space .
- 2.45 It is most likely that such contributions will be sought where development represents a particular intensification of the use, in particular where additional floorspace will be provided. The supporting text to policy H3 notes that conversions from houses to flats that do not provide additional floorspace will not be expected to contribute towards affordable housing, but if additional development is proposed to accommodate a larger number of dwellings, an affordable housing contribution in line with policy H3 will be necessary. A conversion from a house to an HMO without additional development will also not need to make an affordable housing contribution.
- 2.46 Additionally, development may be liable to pay the Community Infrastructure Levy (CIL). Conversions from houses to flats or HMOs would not be liable for CIL unless additional floorspace is to be created to allow an additional dwelling. Further information on CIL can be found on the Council’s website⁷.

Planning Enforcement and Lawful Development Certificates

Checklist 21: The Council can serve an Enforcement Notice where conversion works have been carried out without planning permission. This action can result in the unauthorised works being removed (or the unauthorised use discontinued) and the building/ use being reinstated. Non-compliance with the provisions of an enforcement notice constitutes a criminal offence.

- 2.47 However, the planning system provides the possibility of obtaining a statutory document confirming that an existing use is lawful for planning management purposes. For instance, unauthorised house conversions to self-contained flats may claim the ‘four year rule’ and apply for a Lawful Development Certificate (LDC). In those circumstances where an application for a LDC for a conversion is accompanied by appropriate evidence (such as Council Tax information, Environmental Health Licencing information, utility bills, tenancy agreements etc confirming that the

⁷ [Community Infrastructure Levy - Reading Borough Council](#)

number of units created by the sub-division have been paying Council Tax, had a licence, paid bills, paid rent etc for a minimum continuous period of 4 years from a specific date) the Council will regularise the use accordingly. However, there may still be action taken by Environmental Health and/ or Building Control Officers in respect of, for instance, fire safety or sound insulation.

- 2.48 Applications for HMOs will need to demonstrate that the property has been used in that manner continuously for 10 years from the date a specific date unless an applicant is seeking to demonstrate that permitted development rights for C4 HMOs have been exercised.
- 2.49 In all cases the onus of proof lies with the applicant to provide relevant evidence and where appropriate continuous use for the specified time periods. Further information is available on the planning portal website at <http://www.planningportal.gov.uk/permission/responsibilities/planningpermission/ldc>

Other Departments of Council most actively involved with Residential Conversions

Building Regulations Requirements

Means of escape:

Checklist 22: Early discussions with a Building Control Officer will improve the internal layout of the scheme and may avoid the need for external fire-escapes (which may require planning permission in their own right).

Building Regulation Requirements

- 2.50 External fire escapes are often unsightly and result in unacceptable levels of overlooking towards neighbouring property. Where external fire escapes are necessary and do not cause harm to residential amenity, particular attention should be given to the position, design and colour of the escapes. These details should be included as part of the planning application to enable a full assessment of the implications and should also comply with Building Regulations.

Environmental Health Legislation

- 2.51 The HMO team should be contacted about matters such as
- Council Inspections and Procedures
 - Enforcement Powers
 - Housing Act 2004 - Housing Health and Safety Rating System
 - Licensing of Houses in Multiple Occupation
 - Fire Safety in Houses in Multiple Occupation
 - Space Standards in Housing

Checklist 23: The HMO team should be contacted about Environmental Health matters.

3. Flats

- 3.1 The Council’s policies seek to deliver appropriate residential conversions whilst maintaining a supply of family housing and protecting the character and amenity of the surrounding area.
- 3.2 The NPPF highlights the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. When determining an application for a house conversion, the provision of choice will be an important issue to consider and the provision of only one-bed units will fail to provide that choice for potential occupants. Instead, such a development will result in the loss of a family-sized unit and is likely to lead to an undesirable intensification of the use of the property in terms of noise and activity. It may also dilute the existing character of the street; many of which are currently characterised by a mix of family dwellings and smaller households. To achieve this aim, the following considerations should be taken into account when considering planning applications:
- 3.3 Note: In order for a conversion to a flat the residential building must have four bedrooms or measure more than 120 square metres. See checklist point 6 above.

Provision of Family Accommodation (maintaining supply of family housing).

Checklist 24 (H8): At least one unit of accommodation created should be suitable for family occupation with a minimum of two bedrooms.

- 3.4 There may be exceptional circumstances where the retention of a family unit is not physically possible and, in these cases, the Council will consider such applications on their own merits. The onus will be on the applicant to demonstrate that a building cannot be converted in accordance with the above Checklist Note.
- 3.5 This requirement may result in non-family sized units being approved without direct access to amenity space, although these units will still benefit from an enhanced outlook. On balance, the Council believes that conversions which provide family-sized accommodation with direct access to a useable area of private amenity space will result in the ‘best use’ of amenity space. All units should meet the requirements of policy DM10: Private and Communal Outdoor Space. Also, see general section on useable outdoor amenity space.

4. Sui Generis HMOs

- 4.1 The Council will expect any proposals for non self-contained accommodation to be of good standard with an appropriate level of facilities. To this end full consultation will be undertaken with the Council's Environmental Health and HMO Team when considering proposals for non self-contained accommodation and regard will be had for the standards set out in their code of practice. All units of accommodation shall have access to a kitchen or cooking facilities that are conveniently accessible, suitable and sufficient for the number of occupants.

- 4.2 Planning applications for the change of use of properties into large HMOs will be assessed using the threshold limit as discussed in Section 2 of this SPD.
- 4.3 Planning permission will be required to change the use of a small HMO to a large HMO, or to intensify the use of a lawful large HMO (without any physical extension or external alteration to the property) by increasing the number of occupiers. In this instance the threshold limit will not be triggered as the HMO has already been established in the street and, therefore, have no further effect on the concentration of HMOs and balance and mix of households in the local community.
- 4.4 These types of planning applications will be assessed on their own individual merits on a case by case basis against the Council’s relevant policies and guidance, including mixed and sustainable communities, character of the area, residential amenity, parking standards, cycle storage and bin storage, as set out in adopted policy and in this SPD.
- 4.5 To achieve these aims; the following points should be taken into account in the determination of such an application:

Minimum Size of Property for Conversion (maintaining supply of family housing)

- 4.6 See checklist point 6 above, in the general part of the SPD about residential conversions which sets out that properties need to be a minimum size to be considered appropriate for such conversions in addition to other considerations as set out in this SPD.

Appropriate Balance Between Communal and Private Areas

- 4.7 The amount of communal space in larger HMOs that is considered appropriate will depend on the number of bedrooms and the size of the bedrooms proposed.
- 4.8 Communal rooms will be expected to have an acceptable outlook and meet the amenity standards as set out in policy CC8 in particular, in terms of access to sunlight and daylight, noise and disturbance and artificial lighting to ensure the standard of accommodation meets the needs of the occupants using this space.
- 4.9 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.
- 4.10 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.

- 4.11 All units of occupation shall have independent access to the communal areas. Proposals which rely on access through another unit of occupation will not be accepted.

Checklist 25 (H8): A standard of one communal room for every 4-6 bedrooms (depending on the size of the bedroom) will be provided, which will have acceptable amenity standards and appropriate access for all residents.

- 4.12 The applicant will be required to fully provide all communal spaces as approved prior to first occupation by the tenants and, thereafter, retained unless otherwise agreed in writing with the Council. Where appropriate, it may be required that a proper agreement is in place to secure acceptable management of the HMO which will cover all internal and external communal areas.

Checklist 26: A proper agreement may be required to ensure acceptable management of all communal parts of the HMO.

5. Applications for HMOs within Areas Covered by Article 4 Direction

Local Background and Context

- 5.1 In Reading, 6.9% of dwellings, which is higher than the national average, are estimated to be Houses in Multiple Occupation (HMOs) as defined under the Housing Act 2004, distributed unevenly across the Borough. In wards with higher concentrations of HMOs the complex and often conflicting issues surrounding these properties can at times be keenly felt by residents.
- 5.2 A map showing the distribution of all HMOs across the Borough, based on Environmental Health data is included at Appendix 1.
- 5.3 Reading is home to the University of Reading, as well as Reading College. Residential conversions, often in the form of houses in multiple occupation, provides suitable accommodation sought by students who often spend some time at University in shared houses. Over recent years, there has been substantial growth in university places. Housing areas close to universities have seen an expansion in houses being bought and converted for let to students. It is unclear if this trend will continue, given changes to fees on one hand and changes to housing benefits for single people under 35 years on the other, plus other factors including the recession. Nevertheless, students and other more transient populations currently have, and are likely to continue to have, a significant effect on several parts of Reading Borough.
- 5.4 The issues surrounding residential conversions including conversions to houses in multiple occupation (HMOs) are complex and often conflicting. On the one hand, such conversions contribute to the provision of reasonably affordable rented accommodation, meeting an important need in the market. They can also contribute to the need for small, flexibly let accommodation reflecting household formation

trends in the population and the more transient nature of some households, e.g. student households and parts of the labour market.

- 5.5 On the other hand, where there are concentrations of flats and HMOs, they are often perceived as being the cause of environmental and social problems, impacting on the character and appearance of an area or street, bringing increased pressure for parking and other issues associated with the more intensive use of properties. In addition, there are concerns about the mix of communities along with various social and anti-social behavioural problems.

Background of Article 4 Direction

- 5.6 HMOs are treated differently under planning law according to their size. Larger HMOs of 7 or more unrelated individuals are categorised as ‘sui generis’, of its own use class, and a conversion from a house to a larger HMO always requires planning permission. A small HMO of 3-6 unrelated individuals is classed as the C4 use class⁸. There are permitted development rights under the General Permitted Development Order (GPDO) to convert a dwellinghouse (C3 use) to a small HMO (C4 use) without requiring planning permission, which means that permission would not be required unless those rights have been removed.
- 5.7 There are powers for local authorities to remove permitted development rights through making an ‘Article 4 Direction’. In Reading, there are two Article 4 Directions that apply to changes of use from a dwellinghouse to a small HMO, and within these areas planning permission will be required to make such a change:
- Parts of Redlands, Katesgrove and Park wards (in force since May 2013); and
 - Jesse Terrace (in force since February 2017).
- 5.8 The SPD will be used to assess applications that are required as a result of the ‘Article 4 Direction’ that was made in May 2012. This Direction removes permitted development rights to convert from a dwellinghouse (C3 use) to a house in multiple occupation (C4 use) in parts of Redlands, Katesgrove and Park Wards.
- 5.9 As set out above in paragraph 4.3, in cases where small HMOs are proposed to be converted to a larger, sui generis HMO, they will not trigger the threshold criteria. Paragraph 4.3 explains how they will be considered.
- 5.10 A map of the Article 4 Direction in Reading covering parts of Redlands, Park and Katesgrove Wards is included at Appendix 2. This Article 4 Direction came into force on 16 May 2013.
- 5.11 Adopted policy H8 in particular will form the basis for consideration of such applications. The SPD will provide detail on the interpretation of policy H8 in particular with regard to applications required as a result of the Article 4 Direction.

⁸ A property, which is occupied by 3-6 unrelated individuals, who share one or more basic amenities, is an HMO under the new Use Class C4: Houses in Multiple Occupation. See also footnote 1. If there are more than 6, it is likely to be classed as a ‘large HMO’ (sui generis) which will be outside Use Class C4.

Securing a Mixed and Sustainable Community - Significant Loss of Single Family Housing/ Background

- 5.12 As set out both in the introduction to this SPD and general section on ensuring a mixed and sustainable community:

‘Residential conversions have an important role to play in housing land supply in Reading and contributing to the provision of reasonably affordable rented accommodation. However, conversions, either individually or cumulatively, can have a harmful impact through unduly diluting mixed and sustainable communities.’

- 5.13 There is therefore a need to identify what proportion of properties an area can accommodate as HMOs and what proportion of properties would represent a ‘significant loss of single family housing’ which would result in ‘unduly diluting or harming an existing mixed and sustainable community’.

- 5.14 This proportion is defined as a ‘tipping point’, i.e. when the concentration of HMOs becomes over-dominant and the community is no longer considered to be mixed and sustainable. Some streets within the area covered by the Article 4 Direction have already exceeded this ‘tipping point’. In those areas, it is unlikely that further HMOs would be permitted. If properties in an HMO use are converted back to a single family use, it may be possible to start to redress the balance over time. However, residents that have lawfully converted their property prior to the Article 4 Direction coming into force will be entitled to continue to use their property as an HMO.

Defining the Tipping Point

- 5.15 It is difficult to identify precisely what constitutes a mixed and sustainable community. It is evident that areas with high concentrations of HMOs experience negative impacts on the sustainability of the communities (especially as perceived by permanent residents).

- 5.16 Paragraph 62 of the NPPF states that:

- *“the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*

- 5.17 In order to help define a tipping point, various considerations have been taken into account including:

- Changes to the population structure of households in the three wards have been compared over a 10 year period using Census data from 2001 and comparing this to Census data from 2011.
- Reviewing Environmental Health and Council Tax data to establish known levels of HMOs.
- Feedback from consultations within the Article 4 Direction area.

- 5.18 The Census data indicates that across England there are around 3.6% of multi-person households. This figure is just over 80% higher in Reading at 6.6% of households in 2011.
- 5.19 For Reading as a whole, the proportion of multi-person households has remained virtually the same throughout the 10 year period from 2001 to 2011 at 6.6 and 6.7% respectively. Breaking this figure down further, Redlands Ward has seen the largest increase in the total number of multi-person households with an increase from 14.8% of the total households in 2001 to 20.5% in 2011, representing a 37.9 percentage increase.
- 5.20 Multi-person households are split into two sub-sections in the Census data; a) All full time students; b) Other multi-person households.
- 5.21 When the statistics are broken down further, England, the South East and Reading Borough have seen an approximate 50% percentage increase in the multi-person households occupied by full time students. In Redlands, this percentage increase is over double that amount at 126%. In Park ward there has been a percentage increase of multi-person households occupied by full time students of 30.9%.
- 5.22 In Redlands there is almost three times the proportion of HMOs compared to Reading Borough. Park has just over double the proportion compared to Reading Borough and Katesgrove has just under double this figure. Reading Borough itself has almost double the proportion compared to the proportion in England as a whole.
- 5.23 The 2011 Census data therefore demonstrates that the levels of HMOs in these three wards are significantly higher than the average mix for other parts of the Borough and country.
- 5.24 Furthermore, research carried out when considering the area for the Article 4 Direction identified that large numbers of respondents, when questioned about the impacts of HMOs and what happens to an area when there are lots of HMOs, responded that there is the breakdown of the community and lack of interest by student tenants in the local community. There is a loss of families and children in the area, which are replaced by transient tenants. The social structure changes affect shops, schools and other amenities and there is a loss of a sense of community due to the increasing numbers of transient tenants.
- 5.25 This is contrary to the aims of the NPPF and the Local Plan. Both the Census data and research collected from residents demonstrate that in parts of these wards, levels are such that the community is already considered to no longer be mixed and sustainable.
- 5.26 The definition of a tipping point must take into account historical data and a comparison of that data with current data and consideration of the impacts of the changes to the population.
- 5.27 The figures in the 2011 Census data represent the entire ward. As shown in Figure 1 above, there are definite hotspots of HMOs within certain parts of these three wards, with larger more concentrated hotspots in Redlands and Park wards. In terms of levels of HMOs, Council Tax and Environmental Health information indicates that

levels of HMOs in some of these roads in Redlands and Park Ward are in excess of 40%. These roads are already suffering severe impacts in terms of the breakdown of the community structure as highlighted through feedback from residents during consultation carried out in these areas as well as various physical impacts on the character of the area.

- 5.28 The tipping level, or threshold, needs to be set significantly below the current levels of some hotspots of HMOs in these areas given that these are already considered to be severely suffering from the effects of a community that is no longer mixed and sustainable.
- 5.29 The threshold needs to recognise that many streets are already suffering severe impacts and are no longer considered to be balanced and unsustainable, whilst also acknowledging the proximity of the university to the area covered by the HMO Article 4 Direction.
- 5.30 A threshold of 25% meets this balance. This level would fall well below these concentrated hotspot levels, but would be above the average level for each of the wards as identified in the 2011 Census data.

Implementing the Threshold

- 5.31 Having considered different radii, a 50m radius provides a fair and balanced area to create a meaningful sample size that will also respond to area specific concentrations.
- 5.32 The centre of the radius will be the front door of the property. A 50m radius will be drawn from this point and any properties or any part of a building falling within the radius will be taken into account in the assessment. If a part of a building falls within the circle and partly without, then the property will form a part of the assessment.⁶
- 5.33 This approach provides a consistent method of identifying the area surrounding the application site affected by a concentration of HMOs. A radius of 50m defined in this way, will almost always include the immediate neighbours to the application site and will typically include some properties on nearby streets.
- 5.34 Where the radius includes properties that are within Reading Borough's administrative boundaries but outside the area covered by the Article 4 Direction, they will be taken into account in the assessment.⁹
- 5.35 Where the radius includes properties that lie outside Reading Borough's administrative boundaries (for example they fall within Wokingham Borough boundary), they will not be taken into account in the assessment and only those properties in Reading Borough will contribute to the assessment.

⁹ Where a garage is attached to a property, it will be taken as a part of the property and where it is detached, it will not be taken into account in the assessment. Outbuildings will be considered in the same way. Extensions that have been completed and result in a property falling within the 50m radius, the property will be taken into account in the assessment. Where there is any doubt as to whether an extension is completed, it will also be taken into account.

- 5.36 Where the radius includes entire buildings falling within an A, B, C1 or C2 use class, D or Sui Generis Use Class apart from a Sui Generis HMO they will be discounted from the total number of buildings in the radius¹⁰. Similarly, purpose built flats will be discounted from the total number of buildings in the radius. Any existing flat conversions will be included in the number of C3 dwellings (with the residential building being counted as opposed to the individual flats) and will not be included in the number of HMOs for the purposes of the threshold calculation. Any concern about how the number of flats contributes to the mixed and sustainable community will be considered in the general section about mix above.

Identifying types of properties

- 5.37 The Council will use information available to it to identify which of these properties is within an HMO use (either C4 or Sui Generis). It is anticipated that the information to calculate the percentage will initially be based primarily on environmental health and council tax information. Given data protection and other regulations preventing the use of certain information, these will form the principal sources of information. As part of data protection controls, the council tax information will be unable to identify specific properties in any public report, but will be able to refer to percentages of known HMOs within the defined area. However, it is intended that the evidence base would be built up over time from other available sources such as estate agency information.
- 5.38 The applicant should also undertake their own estimate of the number of HMOs to accompany the planning application and provide all of their supporting data. It is advised that pre-application advice is sought prior to submitting any planning application. It should also be noted that where the threshold in an area already is at, or exceeds, 25%, there will be a presumption against permitting any further HMOs within the Article 4 Direction area.
- 5.39 Using the above information and other sources as they emerge, the concentration of HMOs within the defined area will be calculated. The concentration of HMOs in the area surrounding the application site is calculated as a percentage of the ‘total estimated number of existing HMOs’ against the ‘total number of residential properties’, following the methodology set out above under ‘Implementing the Threshold’.
- 5.40 Any extant but as yet unimplemented planning permissions will be counted as being in that use. For example, where a Sui Generis HMO has been granted planning permission, this would count towards the proportion of HMOs, even if it had not yet been implemented.
- 5.41 There may be existing HMOs which are occupied but unknown to the Council. Prior to 2013, the reclassification of existing dwellings to C4 use within these areas did not require planning permission and therefore will not be registered on the Council’s register of planning applications.

¹⁰ For clarification, if a building is partly within an B, C1 or C2 use class, E, F or Sui Generis Use Class (apart from a Sui Generis HMO) and partly used as a C3, C4 or sui generis HMO, the C3, C4 or sui generis HMO use will still count towards the threshold calculation.

- 5.42 Environmental health, council tax information and planning records provide a reasonable indication of the numbers and location of HMOs in a street. Further investigation of individual properties may be required by the planning officer to provide greater confidence in the estimate, but it is emphasised that it will not be possible to guarantee a 100% accurate count in all cases. Where there is significant doubt as to whether a property is an HMO, it will not be counted towards the threshold.
- 5.43 The Council does not have a comprehensive database or register of HMOs and it would be impossible to create or maintain one with the resources available.

Threshold Guidance

- 5.44 In implementing policy H8 and ensuring that any change of use to a HMO within the area covered by the Article 4 Direction, either individually or cumulatively, does not unduly dilute or harm an existing mixed and sustainable community through the significant loss of single family housing, the following guidance will be used to determine a planning application:

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.*

**Paragraph 5.31 explains how the radius would be measured and paragraph 5.35 explains how various building uses would be taken into account in calculating the percentage and additionally which buildings would be discounted from the calculations.*

- 5.45 For clarification in interpreting the threshold guidance; if by permitting a planning application, it would result in the proportion of HMOs being taken from below 25% to 25% or over, then planning permission will not normally be granted. For the avoidance of doubt, the application property will be taken into account in calculating this percentage of properties.
- 5.46 A worked example of the threshold approach is included at Appendix 3.

6. Applications for HMOs and flat conversions outside areas covered by Article 4 Direction

- 6.1 Local Plan policy H8 states that in all areas proposals to convert properties into self-contained flats or multiple occupation would only be acceptable where they “would not, either individually or cumulatively, unduly dilute or harm an existing mixed and sustainable community through the significant loss of single family housing”. Whilst, unlike for the areas covered by Article 4 direction, policy H8 includes no specific threshold approach to proposals for flat conversions or HMOs in other areas, it is nevertheless clear that the same concerns around harming a mixed and sustainable community apply.

- 6.2 There is therefore a need for this SPD to give further clarity on how this policy criterion is to be applied outside the areas covered by an Article 4 direction relating to changes of use of C3 dwellinghouses to C4 small HMOs.

Outside the areas covered by an Article 4 direction relating to small HMOs, planning permission for a conversion of a dwellinghouse to flats or to a large HMO will not normally be granted where any of the following apply:

- The proportion of houses within a 50m radius of the application site that are in use as HMOs or which have been converted to flats would not exceed 50%;
- The application is for an HMO and the area falls within the 30% most deprived areas in England according to the Indices of Multiple Deprivation; or
- There is other evidence of dilution or harm of a mixed and sustainable community.

Threshold approach

- 6.3 The previous section has established a tipping point for identifying a tipping point of when a community is no longer mixed and balanced, and defined this as 25% of residential properties within 50m of the application site being HMOs. This is an appropriate tipping point within the Article 4 Direction areas, which represent particular hotspots of HMOs. However, outside this area the picture is somewhat different because it is not purely the proportion of HMOs which is the issue, rather it is the combined effect of HMOs and, in particular, flat conversions. In some parts of Reading, whilst the proportion of HMOs is relatively low by comparison with some of the areas within the Article 4 area, the number of flat conversions is very high, and it means that the overall proportion of houses which have been converted to either flats or HMOs exceeds 80% and, in some cases, 90%.
- 6.4 Therefore, outside the Article 4 areas, it is important that a threshold approach reflect not only the number of HMOs but also the number of flat conversions. In this case, it is considered that the appropriate threshold is 50%. This represents a clear-cut situation where family housing has become outnumbered by flats and HMOs and is clearly a situation where a mixed and sustainable community is likely to have been harmed or diluted.
- 6.5 The threshold is to be applied in the same way as outlined for the approach within the Article 4 area as described in section 5. Of particular relevance:
- The proportion is to be calculated as a proportion of current (or former) residential houses. Purpose-built flats are to be excluded, as are any uses not within use classes C3, C4 or sui generis HMOs.
 - The 50m radius is to be measured from the front door of the application site.
 - A building is to be included within the calculation where any part of the building falls within the 50m radius.
 - Buildings that fall within the 50m radius but outside Reading Borough are excluded.

- Any extant permitted conversions to flats or HMOs will be counted as being in that use for the purposes of the threshold.
- 6.6 It is also important to note that, although changes of use to C4 HMOs do not require planning permission outside the Article 4 Direction area, where there is evidence that a property outside the Direction area is a C4 HMO, this will count as a HMO for the purposes of calculating the threshold.
- 6.7 Appendix 3 contains a worked example of how to calculate the threshold.
- 6.8 The threshold is not the sole determining factor, and consideration must also be given to the matters below as well as other matters in both policy H8 and this SPD. Compliance with the threshold alone does not indicate that a proposal is acceptable.

Deprivation

- 6.9 One important criterion to take into account could be the level of deprivation in the local area. Recent research into the topic of HMOs impact on deprivation suggests there are significant impacts where a particularly high concentration exists. Research has found that:
- High concentrations of HMOs are linked with a ‘broken window effect’ where poorly maintained HMOs impact the perceptions of other people living nearby causing average or decent sites to suffer from increased wear and tear. This effect has been shown to reduce the overall quality of housing upkeep in an area impacting residents and the quality of housing overall.
 - High concentrations of HMOs are also linked with a reduction in overall social cohesion of a community as residents are typically more transient than average renters.
 - HMO adult residents over 30 are frequently recently divorced and or single parents with children living with them. Concentration of low-income residents geographically ties into other concerns relating to the “post-code lottery.”
- 6.10 Outside London, Reading has one of the highest proportions of residents living in HMOs. This is likely due in part to University students, but also due to the concentration of deprivation within the Borough compared to the Greater Reading area. Reading has areas that are relatively affluent, and others which fall within some of the most deprived areas in England. Many parts of Reading have actually seen their relative levels of deprivation worsen from 2015 to 2019. Stacking HMOs into such areas can serve to further exacerbate issues relating to access to services and educational opportunity.
- 6.11 A number of areas within Reading fall within the 30% most deprived in England according to the Indices of Multiple Deprivation, the most recent version of which was produced in 2019. Not only are these areas deprived in absolute terms, but the contrast with other areas of Reading is particularly stark given the overall affluence of the area.

- 6.12 For reasons of the exacerbating effect that HMOs can have on the experience of deprivation, it will not generally be considered appropriate for additional HMOs to be located within these areas that fall within the 30% most deprived. Information on relative deprivation levels can be seen on a map on the website¹¹.

Other evidence

- 6.13 There may be other indications in the local area that there is a particular threat to a mixed and balanced community as a result of a loss of family housing, and this matter should be considered on a case-by-case basis. For instance, there may be evidence that local services upon which certain sections of the community depend, such as nurseries or primary schools, health services or community centres, are under threat or have been lost. In these cases, it may indicate that further loss of dwellinghouses should be avoided.

7. Conversions of flats to a dwellinghouse

- 7.1 This document is mainly focused on conversions from houses to HMOs or to flats, but proposals for conversions back to houses are received on a relatively regular basis. These are primarily judged against policy H7 in the Local Plan, which states that:

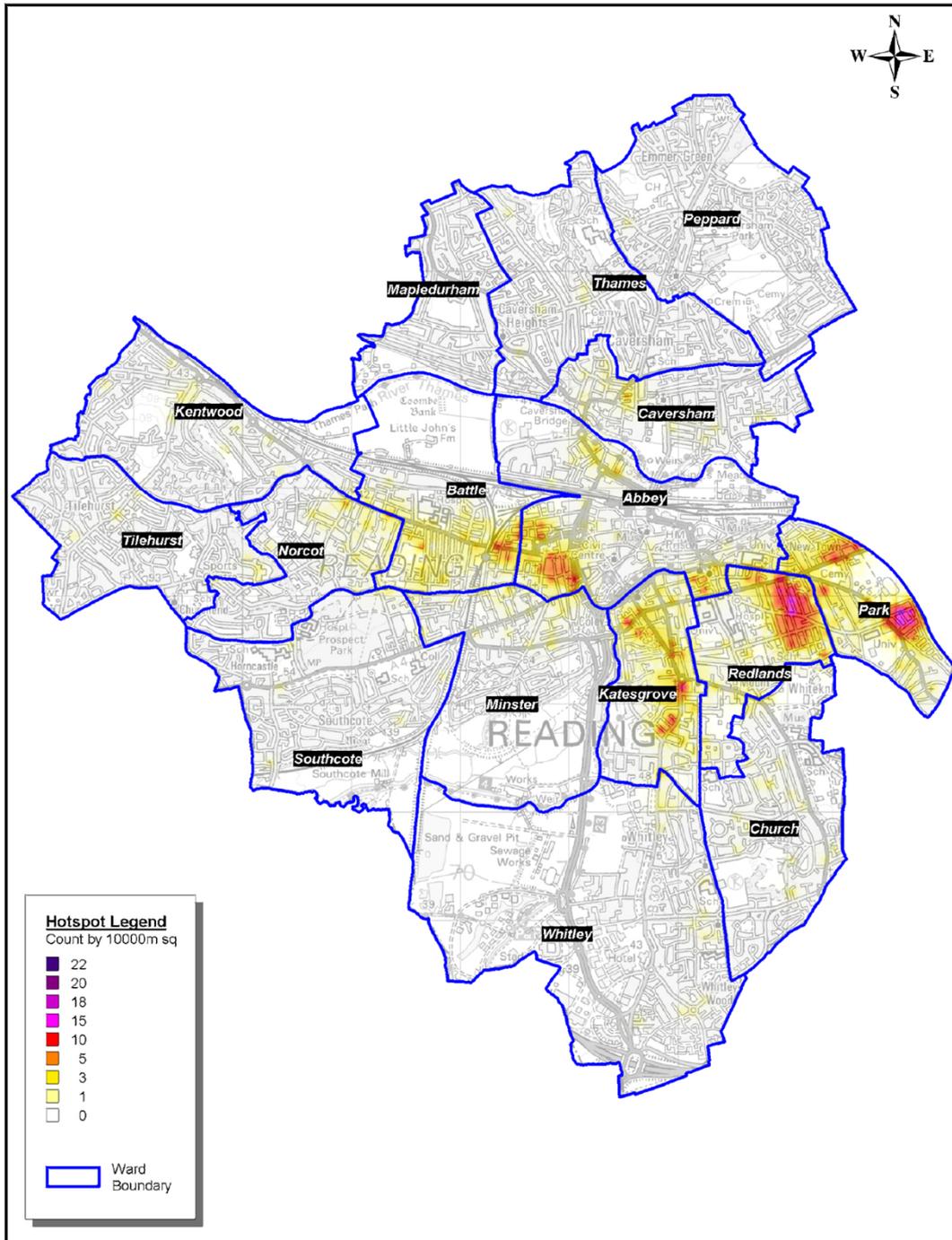
“Planning permission will not be granted for any loss of residential accommodation or land unless there are exceptional circumstances. Planning permission will not be granted for a net loss in the number of residential units or gross floor area.”

- 7.2 A conversion from an HMO to a dwellinghouse will not conflict with this policy, but a conversion from flats (or other smaller dwellings) to a single dwelling or a reduced number of dwellings will lead to a net loss in the number of residential units and will therefore need to be considered against policy H7. Indeed, as has arisen in recent appeal decisions, the compliance with policy H7 is in fact relevant to whether or not such proposals require planning permission at all.
- 7.3 The supporting text to policy H7 (4.4.56) notes some exceptional circumstances where a net loss may be appropriate, such as where it *“would help to meet other key identified needs, for instance for a specific identified need for accommodation for vulnerable groups (see policy H6) or to reinstate a use more appropriate to the significance of a heritage asset”*. This list is not however exhaustive, and there are other possible exceptional circumstances where such a conversion would be appropriate. These include:
- Where the proposal would help to meet another identified need, such as a net gain in family accommodation of three bedrooms or more or affordable housing;
 - Where an application for the original conversion to flats would not be considered appropriate under current policy in the Local Plan and this SPD were it determined today; or

¹¹ [Indices of Deprivation 2015 and 2019 \(communities.gov.uk\)](https://communities.gov.uk)

- Where the proposal would provide a significantly more satisfactory standard of accommodation, for instance in terms of internal space standards or layouts.

Appendix 1: Distribution of HMOs across the Borough (based on 2011 Census data)



Title: Census HMO Data 2011 - Hotspot Theme

Drg.No.:
Produced by GIS & Mapping Services

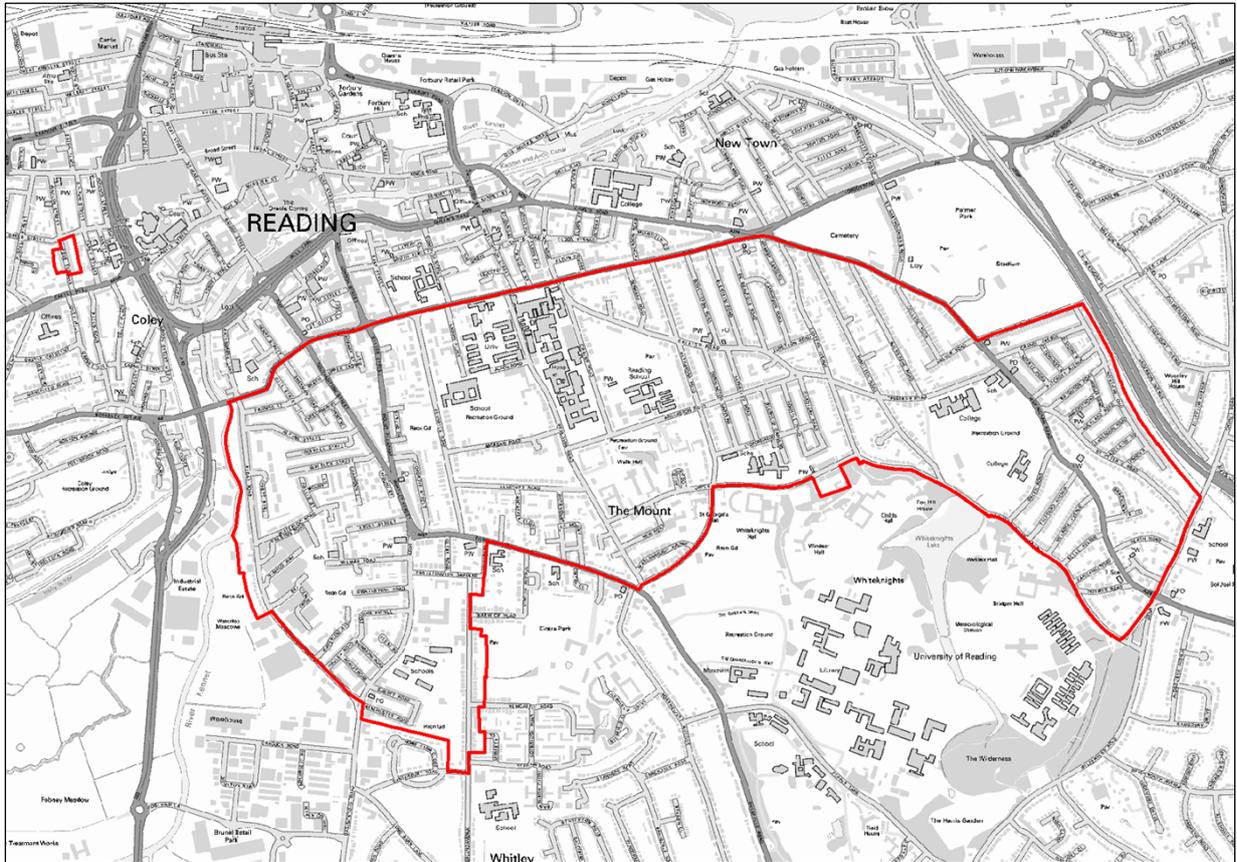
Date: 07/04/2011 Scale at A4: 1:46000
Ref: 35075\Census HMO Data 2011, Hotspot - A4P wor



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Note: More up-to-date information on HMO distribution is expected to become available from the 2021 Census, but has not been published at the time of this draft. If information is available at the time of adoption, this appendix will be updated.

Appendix 2: Map showing areas covered by the ‘Article 4 Direction’ relating to small HMOs



Appendix 3: Worked examples of the threshold guidance

A3.1 The detailed guidance on how the threshold should be operated is set out in the SPD. In practice, there are four steps:

- Step 1 - draw a 50m radius from the front door of the property
- Step 2 - Identify the number of properties which fall wholly or partly within the radius
- Step 3 - Identify current number of HMOs and flat conversions
- Step 4 - Work out proportion of HMOs and flat conversions

A3.2 These steps are explored below, using an example of a fictional address, 2 Oak Road.

Step 1 - draw a 50m radius from the front door of the property

A3.3 Step 1 involves defining the 50 metre radius from the front door within which the assessment is to be carried out.

A3.4 The radius drawn for 28 Oak Road is below.

Figure A3.1: Worked example - map of radius



Step 2 - Identify the number of properties which fall wholly or partly within the radius

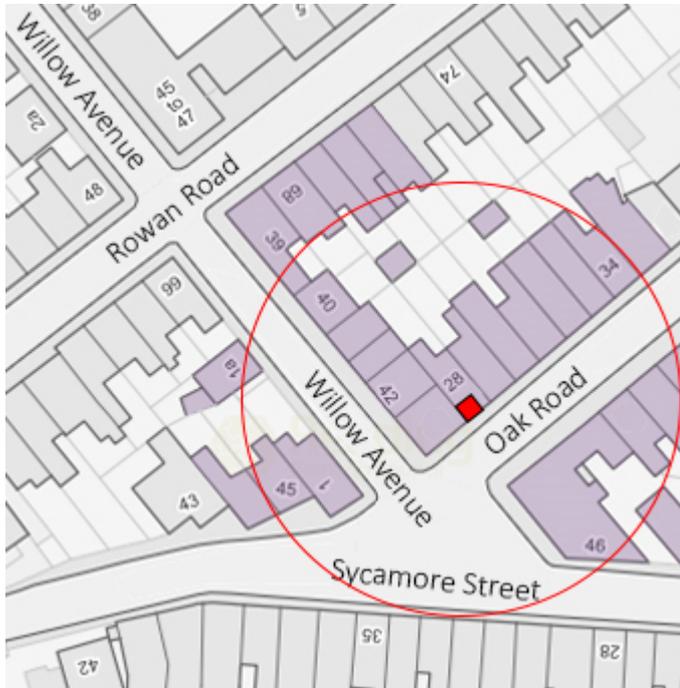
A3.5 The next step is to identify the total number of residential properties within the radius. This step is less straightforward than it may appear.

A3.6 Inclusion within the calculation is based on the building footprint, not the curtilage. If even a small part of the building is within the radius, the whole

building is included. This includes attached garages. However, if only part of the garden or detached outbuildings are within the radius, the building is not included.

- A3.7 For the example of 28 Oak Road, the map below shows all of the buildings included in the radius in purple. The total number of buildings identified is 26.

Figure A3.2: Worked example - identifying properties wholly or partly within radius



- A3.8 However, not all of these buildings are to be included in the total. The SPD clarifies that any buildings wholly in use for A, B, C1, C2, D or sui generis uses (excluding HMOs) is to be excluded. Equally, purpose built flats are to be excluded. This means that, from the map above, 46 Sycamore Street is excluded as it is wholly non-residential. 43 Willow Avenue, containing both commercial and residential, is not excluded as it is a traditional flat over a shop. There are no other purpose-built flats within this example - all other flatted development in this location has resulted from conversions.
- A3.9 In a situation where the radius extends outside the Borough boundaries (as would be the case for instance in parts of Redlands and Park), any buildings outside the Borough boundaries are not counted. This is mainly for practical reasons, as the Council will not hold information on HMOs outside its boundaries.
- A3.10 54 dwellings have been identified in the radius in 25 residential buildings, as set out below.

Table A3.1: Worked example - types of properties identified

Address	Number of residential properties	Type
28 Oak Road	1	House
29 Oak Road	1	House

Address	Number of residential properties	Type
30 Oak Road	6	Flats/HMO
31 Oak Road	1	House
32 Oak Road	5	Flats/HMO
33 Oak Road	1	House
34 Oak Road	6	Flats/HMO
35 Oak Road	2	Flats
24 Oak Road	1	House
25 Oak Road	2	Flats
26 Oak Road	1	House
44 Sycamore Street	1	House
45 Sycamore Street	1	House
1 Willow Avenue	2	Flats
18 Willow Avenue	1	House
39 Willow Avenue	2	Flats
40 Willow Avenue	1	House
40b Willow Avenue	2	Flats
41 Willow Avenue	1	House
42 Willow Avenue	1	House
43 Willow Avenue	1	Flat
68 Rowan Road	1	House
69 Rowan Road	6	Flats/HMO
70 Rowan Road	2	Flats
71 Rowan Road	5	Flats/HMO
TOTAL	54	N/A

Step 3 - Identify current number of HMOs and Flat Conversions

- A3.11 The next stage is to identify the number of residential properties that are in HMO or flat conversion use within the radius. There are a number of sources of data that are typically used, including Environmental Health, Council Tax, planning permissions for HMOs/flat conversions, data on property websites, and data held by the Planning Enforcement team.
- A3.12 A property with unimplemented planning permission for an HMO or flat conversion use will be counted as being in HMO or flat conversion use for the purposes of these calculations. In this worked example, there are no such planning permissions, but this may well occur more often in the Article 4 area where small HMOs in use class C4 also require permission.
- A3.13 In the case of 28 Oak Road, the case officer would identify five existing HMOs, marked in yellow on the map below. In this case, all five were on the Council's HMO Register, whilst three of them could also be identified as HMOs in Council Tax

records. Six buildings which have undergone flat conversions has been identified and marked in blue on the map below.

Figure A3.3: Worked example - identifying number of HMOs and flat conversions



Step 4 - Work out proportion of HMOs

- A3.14 Using this example, five existing HMOs have been identified of a total number of residential properties of 25. This means there are currently 20% HMOs, i.e. 5/25. Six other residential properties have records demonstrating they were single-family residential dwellings which have been converted into flats. This means that at least 24% are flat conversions, i.e. 6/25. A combined total of 44% of the residential properties are currently HMOs or flat conversions.
- A3.15 A proposal to turn 28 Oak Street into an HMO would result in an increase to six HMOs out of a total of 25 residential properties. This means 24% would be HMOs, i.e. 6/25 and a combined total of HMOs and residential conversions would be 48%, i.e. 12/25.
- A3.16 Both the existing and proposed situations therefore exceed the policy threshold of 25% within 50 metres.
- A3.17 It is also worth noting that the most recent approval for conversion of a house to a HMO, 32 Oak Road, would not have been possible under the existing rules due to the unneighbourly sandwiching effect on number 31 and 33 Oak Road.

Summary

- A3.18 Under the above example, the threshold would have been exceeded prior to the proposal. However, it should be noted that there are a number of other criteria within both policy H8 and the SPD which would also need to be considered,

including physical changes, noise and disturbance and the size of the dwelling to be converted.

Appendix 4: Checklist

The following checklist is for the full assessment of an application for a residential conversion. Prior to engaging in the assessment developers and officers should first consider for developments in areas not covered by an Article 4 direction relating to small HMOs, planning permission for a conversion of a dwellinghouse to flats or to a large HMO whether the following applies:

- The proportion of houses within a 50m radius of the application site that are in use as HMOs or which have been converted to flats would not exceed 50%;
- The application is for an HMO and the area falls within the 30% most deprived areas in England according to the Indices of Multiple Deprivation; or
- There is other evidence of dilution or harm of a mixed and sustainable community.

As such development will not normally be granted permission as they would harm or dilute the mix and sustainability of the community.

Checklist 1 (H8, H9, and CC8): Any external alterations must be carried out sympathetically, respecting the physical character of the area.

Checklist 2 (CC8, H9, H10): Extensions must achieve acceptable residential amenity for existing and new occupiers plus respect the character of the existing house and area ensuring outside amenity space is not unacceptably reduced.

Checklist 3 (H8): 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 and ensuring there is not a detrimental impact on the physical character of the area.

Checklist 4 (H10): An appropriate level of private outdoor space will be expected.

Checklist 5 (CC8, H8): Issues such as those below need to be taken into account in any residential conversions application:

- Privacy and overlooking;
- Access to sunlight and daylight;
- Visual dominance and overbearing effects of a development;
- Noise and disturbance; and
- Crime and safety.

Checklist 6 (H8): The property to be converted to a flat or large HMO should have four or more bedrooms or measure more than 120 square metres gross. When calculating the floor area of the property the measurement should be based on the external dimensions as at 1st July 1948 or when built (whichever is the later).

Checklist 7 (CC8, H8): Internal floorspace and headroom should be provided in all forms of residential resulting from conversions to allow for a high quality of life. The nationally-described space standards provide a good basis for assessment.

Checklist 8 (CC8, H8): It will be necessary to ensure appropriate sound insulation between proposed and neighbouring units before a converted property is occupied.

Checklist 9 (CC8, H8): Acceptable proposals for layouts will avoid locating living rooms, bathrooms and kitchens next to, above, or below proposed and neighbouring bedrooms. Instead, the ‘stacking’ of rooms of a similar type is preferable.

Checklist 10 (CC8, H8): Habitable rooms, such as living rooms and bedrooms, will include an external window. The provision of natural light and ventilation is a legal requirement under Environmental Health legislation.

Checklist 11 (CC8, H8): A proposal for conversion should not result in a dwellinghouse being located directly between two HMOs.

Checklist 12 (CC8, H8): Proposals for self-contained units solely within a basement will normally be permitted where this unit would benefit from dual aspect*, an acceptable outlook** and sufficient headroom***.

A unit with dual aspect is one which provides residents with an outlook in two different directions. ** An acceptable outlook is one that, for example, provides residents with a view of a garden area and/ or the sky and is not restricted to narrow light wells and associated retaining walls. *There is no statutory minimum requirement for ceiling heights, although Building Regulations requires a 2.0 metres headroom clearance for staircases. It is, nevertheless, generally recommended that residential accommodation should have a ‘good practice’ minimum floor to ceiling height of 2.3 metres. This standard will be applied to the principal rooms of accommodation, which include kitchens, bathrooms and living rooms. This will prevent cramped residential accommodation.*

Checklist 13 (H8): Proposals which seek to convert attic/ loft space will normally be permitted where the attic/loft space would benefit from sufficient headroom and is incorporated into a self-contained unit which is split over two floors of accommodation.

Checklist 14 (H8, TR5): Parking standards for all residential conversions should be in accordance with the Council’s adopted ‘Revised Parking Standards and Design’ (2011) SPD.

Checklist 15: HMOs located within a street where a residents’ parking permit scheme operates will not be entitled to on-street car parking permits. The same restrictions may apply to new flats in such streets, see the ‘Revised Parking Standards and Design’ SPD.

Checklist 16 (CC7, H8, H9): Removal of boundary treatment to accommodate parking or access to parking will not be permitted where it makes a valuable contribution to the character of the area.

Checklist 17 (TR5, CC8, H8, TR5): The provision of outdoor cycle storage should have a secure, covered and convenient location. The storage area should be lockable with provision to secure bicycles within it.

Checklist 18 (H8, H10, H11): Sufficient and suitable refuse containers should be provided within the curtilage of the application building which are easily accessible for all occupants of the house and the refuse collectors and ensuring they are sympathetically located with regard to their visual impact.

Checklist 19 (CC7): Where possible, a level access from the public highway to the building’s principal entrance should be provided or retained.

Checklist 20 (CC9, H3, TR1, EN9, H3, H6): Developers should compensate for loss or damage created by a development and mitigate any impact caused. A planning obligation to secure a financial or other contribution towards physical or social infrastructure improvements may be sought.

Checklist 21: The Council can serve an Enforcement Notice where conversion works have been carried out without planning permission. This action can result in the unauthorised works being removed (or the unauthorised use discontinued) and the building/ use being reinstated. Non-compliance with the provisions of an enforcement notice constitutes a criminal offence.

Checklist 22: Early discussions with a Building Control Officer will improve the internal layout of the scheme and may avoid the need for external fire-escapes (which may require planning permission in their own right).

Checklist 23: The HMO team should be contacted about Environmental Health matters.

Checklist 24 (H8): At least one unit of accommodation created should be suitable for family occupation with a minimum of two bedrooms.

Checklist 25 (H8): A standard of one communal room for every 4-6 bedrooms (depending on the size of the bedroom) will be provided, which will have acceptable amenity standards and appropriate access for all residents.

Checklist 26: A proper agreement may be required to ensure acceptable management of all communal parts of the HMO.

Appendix 5: Policy H8 of the Reading Borough Local Plan

H8: RESIDENTIAL CONVERSIONS

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.

Proposals to convert properties into self-contained flats or for multiple occupation will only be acceptable where:

- *The proposal respects 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 proposal would not, either individually or cumulatively, unduly dilute or harm an existing mixed and sustainable community through the significant loss of single family housing;*
- *There are no unacceptable adverse impacts to residents of the scheme or surrounding properties arising from noise and disturbance in terms of the number and layout of units proposed and the proximity to other properties;*
- *There is no inappropriate stacking and location of rooms between units;*
- *Bin and cycle storage is of an appropriate size and standard for the units proposed and should be located at ground floor level with easy access; and*
- *The resulting property or properties would provide adequate internal floorspace and headroom¹² for residents.*

Additionally, in the case of conversions of houses to self-contained flats:

- *The property to be converted measures more than 120 square metres gross;*
- *At least 25% of the units formed and, where there are 4 or fewer units at least one unit of accommodation, should be suitable for family occupation with a minimum of two bedrooms.*

Additionally, in the case of sui generis houses in multiple occupation (HMOs):

- *The property to be converted measures more than 120 square metres gross;*
- *There is sufficient communal space¹².*

Additionally, in areas covered by an Article 4 direction that restricts changes of use from Class C3 to Class C4:

- *Planning permission will not normally be granted 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.*

4.4.57 Residential conversions have an important role to play in housing land supply in Reading. The subdivision of large houses has often enabled renovation and

¹² This is defined in the Council's Residential Conversions SPD – see www.reading.gov.uk/readingldf

affordable maintenance of properties. Conversion to flats has also added a valuable supply of reasonably low cost private rented accommodation, meeting a need in the market. Generally, conversions provide for a market need for small, flexibly let accommodation reflecting household formation trends in the population and the more transient nature of parts of the labour market.

- 4.4.58 Council Tax data indicates that 27.4% of the dwellings in Reading are currently rented privately, compared to a national rate of only 11.9%. Work on the private rented sector by the Council in developing its Housing Strategy, using data such as Private Sector Stock Condition Survey, shows significant problems and issues associated with private rented sector property in Reading. Whilst the strategy wishes to continue to develop a healthy private rented sector, this must be undertaken in a manner that minimises the potential adverse impacts that high concentrations of conversions and intensification of use can bring to areas of the Borough.
- 4.4.59 There are potential adverse effects from such conversions, particularly where there are concentrations. The significant loss of family housing can erode the character of an area through insensitive individual conversions and the cumulative impacts of physical changes to properties as a result of such use. Such streets are suffering from impacts such as significant car parking problems; clutter and untidiness; unsightly accumulation of satellite dishes; poor building maintenance; increased activity, noise and nuisance, etc. The quality of conversions, particularly where unregulated, can also be poor, with poor standards of accommodation and health and safety concerns.
- 4.4.60 Conversions, either individually or cumulatively, can also have a harmful impact on the character of the area through unduly diluting mixed and sustainable communities. In certain parts of the Borough, there are high concentrations of flat conversions and houses in multiple occupation, in part reflecting the very high student population which is especially prevalent around the University. Given that students are predominantly present during term time only, it can leave some roads and areas feeling quite dormant at other times, failing to achieve a mixed and sustainable community. In locations with already high numbers of flats or houses in multiple occupation, conversions to single family housing could help create a more mixed and sustainable community.
- 4.4.61 This policy relates to both small and large Houses in Multiple Occupation (HMOs) in addition to conversions to flats. A small HMO (those occupied by 3-6 unrelated individuals sharing one or more basic amenity/ies) falling within a C4 use class has permitted development rights to change between the C4 and C3 (general residential) use classes without the need for a planning application, unless it is subject to an Article 4 direction (see below).
- 4.4.62 If there are more than six unrelated occupants sharing one or more basic amenities, the property is likely to be classed as a 'large HMO' (sui generis) which will be outside use class C4. Planning permission will always be required for a change to a large HMO.

- 4.4.63 In areas where there is considered to be a need to control the spread of HMOs, the Council can introduce an ‘Article 4 direction’, which removes the automatic right to convert a dwellinghouse to a small HMO, and means that planning permission is required. Two such directions have so far been introduced - in a large area covering much of Katesgrove, Park and Redlands wards close to the University, and in a smaller area covering Jesse Terrace in west Reading. Details of these areas can be found on the Council’s website. If any new directions are introduced after publication of this Plan, those details will also be on the website.
- 4.4.64 In ensuring that any change of use to a HMO within the area covered by the Article 4 Direction, either individually or cumulatively, does not unduly dilute or harm an existing mixed and sustainable community through the significant loss of single family housing in line with the policy, the following guidance will be used to determine a planning application for change of use from C3 (dwellinghouse) to a HMO.
- 4.4.65 Planning permission will not normally be granted 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.
- 4.4.66 The centre of the radius will be the front door of the property. A 50m radius will be drawn from this point and any properties or any part of a building falling within the radius will be taken into account in the assessment. If a part of a building falls within the circle and partly without, then the property will form a part of the assessment.
- 4.4.67 Where the radius includes properties that lie outside Reading Borough’s administrative boundaries (for example they fall within Wokingham Borough boundary), they will not be taken into account in the assessment and only those properties in Reading Borough will contribute to the assessment.
- 4.4.68 Where the radius includes entire buildings falling within an A, B, C1 or C2, D or sui generis use class (apart from a sui generis HMO) they will be discounted from the total number of buildings in the radius. Similarly, purpose-built flats will be discounted from the total number of buildings in the radius. 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.
- 4.4.69 The Council will use information available to it to identify which properties are within an HMO use (either C4 or sui generis). It is anticipated that the information to calculate the percentage will initially be based primarily on Environmental Health and Council Tax information, given data protection and other regulations preventing the use of certain information. Where there is significant doubt as to whether a property is an HMO, it will not be counted towards the threshold. For the avoidance of doubt, the application property will be taken into account in calculating this percentage of properties.
- 4.4.70 The applicant should also undertake their own estimate of the number of HMOs to accompany the planning application and provide all of their supporting data. It is

advised that pre-application advice is sought prior to submitting any planning application.

- 4.4.71 Planning permission will be required to change the use of a small HMO to a large HMO, or to intensify the use of a lawful large HMO (without any physical extension or external alteration to the property) by increasing the number of occupiers. In this instance the threshold limit will not be triggered as the HMO has already been established in the street and, therefore, have no further effect on the concentration of HMOs and balance and mix of households in the local community.
- 4.4.72 It is important to read this policy in conjunction with Policy CC8 on safeguarding amenity, as many of the planning issues associated with house conversions relate to impacts on neighbours. The Supplementary Planning Document (SPD) on Residential Conversions provides further guidance on these points. The method for calculating nearby HMOs using a 50m radius reflects current practice, but this may be amended by any future changes to the SPD.

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