

READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND  
NEIGHBOURHOOD SERVICES

TO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE		
DATE:	23 MARCH 2023	AGENDA ITEM:	13
TITLE:	ADOPTION OF THE RESIDENTIAL CONVERSIONS SUPPLEMENTARY PLANNING DOCUMENT		
LEAD COUNCILLOR:	COUNCILLOR LENG	PORTFOLIO:	PLANNING AND ASSETS
SERVICE:	PLANNING	WARDS:	ALL
LEAD OFFICER:	MARK WORRINGHAM	TEL:	0118 9373337
JOB TITLE:	PLANNING POLICY MANAGER	E-MAIL:	<a href="mailto:mark.worringham@reading.gov.uk">mark.worringham@reading.gov.uk</a>

1. EXECUTIVE SUMMARY

- 1.1 This report relates to the proposed adoption of the Residential Conversions Supplementary Planning Document (SPD), for use in determining planning applications for development in Reading. The SPD gives further detail to supplement the policies in the Reading Borough Local Plan (adopted November 2019) to deal with proposals for conversions of houses to flats and houses in multiple occupation (HMOs).
- 1.2 A Draft Residential Conversions SPD was approved for consultation by Policy Committee on 15<sup>th</sup> December 2022 (Minute 41 refers). Consultation took place between December 2022 and February 2023, and a total of 12 responses were received (albeit 5 were to state that there were no comments). A Statement of Consultation summarising the process and the responses is included as Appendix 2.
- 1.3 A revised version of the SPD has now been prepared, taking account of the responses received. This is included as Appendix 3. Committee is recommended to formally adopt this as part of the Council's planning policy for determining planning applications.
- 1.4 Appendices:  
Appendix 1: Equality Impact Assessment  
Appendix 2: Statement of Consultation on the Draft Residential Conversions SPD

Appendix 3: Proposed adoption version of the Residential Conversions SPD  
(with changes tracked following consultation)

**2. RECOMMENDED ACTION**

- 2.1 That the results of the consultation on the Draft Residential Conversions Supplementary Planning Document, undertaken between December 2022 and February 2023, as set out in the Consultation Statement at Appendix 2, be noted.**
- 2.2 That the Residential Conversions SPD (Appendix 3) be adopted as a Supplementary Planning Document.**

**3. POLICY CONTEXT**

- 3.1 The Council adopted the Reading Borough Local Plan in November 2019, which contains the policies that guide decisions on planning applications within Reading up to 2036. Since the adoption of the plan, progress has been made on putting in place Supplementary Planning Documents (SPDs) that provide further guidance on important issues and sites to supplement the Local Plan. SPDs are documents which supplement higher level policy in a development plan, but which cannot introduce new policy in themselves.
- 3.2 The policy covering changes of use from residential to Houses in Multiple Occupation (HMOs) or for conversions to flats is set out in policy H8 (Residential Conversions) of the Local Plan. The Council has an existing Residential Conversions SPD, adopted in November 2013. This pre-dates the adoption of the Local Plan and supplements the previous development plan documents that the Local Plan replaced. Whilst the policy approach of those documents has not significantly altered, and paragraph 4.4.72 of the Local Plan makes clear that the SPD continues to apply, a need has nonetheless been identified to update and revise the SPD to ensure that it links in full to the Local Plan policy. This will in turn ensure that it can be given appropriate weight in decision making.
- 3.3 Policy H8 is a criteria-based policy for assessing proposals to convert houses to flats or HMOs. The main principle is that proposals will be assessed against the impact on the amenity or 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.
- 3.4 As background, it is also worth being aware of some of the other measures that have been taken in relation to conversions to HMOs in Reading. In terms of Planning, there are two types of HMO:

- ‘Small’ HMOs, defined within the C4 planning use class, which consist of 3-6 unrelated inhabitants; and
- ‘Large’ HMOs, considered to be a ‘sui generis’ use (i.e. falling within its own use class), consisting of 7 or more unrelated inhabitants.

3.5 A conversion from a house to a large HMO (under sui generis) always needs planning permission. However, a conversion from a house to a small HMO benefits from permitted development rights under the General Permitted Development Order (GPDO) and does not therefore generally require planning permission.

3.6 Due to concerns about the impact of changes from houses to small HMOs, the Council has legal directions in place under Article 4 of the GPDO covering much of Park, Redlands and Katesgrove wards (since May 2013) as well as Jesse Terrace (since February 2017) that removes this permitted development right to change a C3 dwellinghouse to a small HMO, meaning that, in those areas only, planning permission is required. For this reason, policy H8, as well as the existing SPD, specifies that proposals for a conversion to a small HMO in these areas should not result in the proportion of HMOs within 50m of the application property exceeding 25%.

#### 4. THE PROPOSAL

##### (a) Current Position

4.1 Policy Committee approved the Draft Residential Conversions SPD for consultation on 15<sup>th</sup> December 2022 (Minute 41 refers).

4.2 Consultation was undertaken between 19<sup>th</sup> December 2022 and 13<sup>th</sup> February 2023, a total of eight weeks, an extension of the usual consultation period of six weeks to reflect the fact that it spanned the Christmas period. The draft SPD was placed on the Council’s website, and all of the contacts on the Council’s consultation list were written to advising them of the consultation. A total of 12 written responses were received, albeit that five of these points were simply to state that there were no comments. The main points raised are summarised below.

- A need to make greater reference to the importance of the physical character of an area in terms of the historic environment;
- Concerns that the threshold approach were too little, too late and that a moratorium on new HMOs should be put in place and ideally existing licenses revoked;
- Concerns that the threshold approach is a blunt tool which is used in place of a more balanced judgement;
- The potential to seek financial contributions for cultural development through Section 106 agreements;
- The importance of reviewing conservation area appraisals;

- That national minimum space standards should be applied to proposals for flat conversions;
  - A large number of detailed comments on the application of the threshold approach and the accuracy and usefulness of the worked example; and
  - A number of further comments on detailed wording.
- 4.3 A full Statement of Consultation, detailing the consultation measures and the responses received, is included as Appendix 2. Proposed Council responses to each representation are also included within the Statement of Consultation.
- (b) Option Proposed
- 4.4 Committee is recommended to approve the responses to the representations received as set out in the Statement of Consultation in Appendix 2 and adopt the revised version of the Residential Conversions SPD as attached at Appendix 3 (which is presented in tracked changes format). This will ensure that an up to date policy framework is in place to guide decisions on planning applications.
- 4.5 The main changes that have been made to the SPD compared to the version that was consulted upon are summarised below:
- A variety of changes to emphasise the impacts on historic character, reference relevant heritage policies and inclusion of a new paragraph and checklist point to refer to listed buildings;
  - Reordering of part of section 2 to ensure that those elements that deal with the location of a proposal are grouped together;
  - Changes to the period for which a house must have exceeded 120 sq m to allow for conversion, because the Local Plan policy to which this SPD relates no longer refers to properties being 120 sq m as built or in 1948;
  - Updating information on enforcement immunity periods relating to forthcoming legislation;
  - New maps in Appendix 1 showing updated information on concentrations of converted houses and HMOs;
  - Significant redrafting of Appendix 3, containing the worked example, to improve clarity and useability;
  - Removal of consultation details and general updates to turn the draft into an adopted version; and
  - Other detailed wording changes.
- 4.6 Once adopted, the SPD will be used to supplement the Local Plan in determining planning applications.

(c) Other Options Considered

- 4.7 The main alternative option is not to progress the SPD at this stage. Whilst the existing SPD would continue to apply, the fact that it pre-dates Local Plan policy could cause issues in terms of its weight in decision-making. It would also fail to take the opportunity to address deficiencies in the existing SPD that have become apparent through its application in recent years.

**5. CONTRIBUTION TO STRATEGIC AIMS**

- 5.1 Adoption of the Residential Conversions SPD will guide future development in a way that will contribute to achieving the Council's priorities as set out in the Corporate Plan (2022-2025). It will contribute towards 'Healthy Environment' by ensuring that developments avoid detrimental effects on the character of the local environment, for example by inadequate or inappropriate bin storage. It contributes towards 'Thriving Communities' by seeking to avoid conversions to HMOs or flats harming existing mixed and sustainable communities.

**6. ENVIRONMENTAL AND CLIMATE IMPLICATIONS**

- 6.1 The Local Plan policy to which the SPD relates has been subject to a Sustainability Appraisal process, which assesses the impacts of policies on environmental, social and economic objectives. No significant adverse environmental impacts were identified. Use of the climate assessment tool identifies a low positive impact in terms of waste and energy and a nil effect elsewhere. Conversions to flats or HMOs can have positive environmental impacts where they reduce the need for new build housing, but a careful balance is required because a reduction in family housing stock through conversions could also increase the need for new build family housing.

**7. COMMUNITY ENGAGEMENT AND INFORMATION**

- 7.1 The Council's consultation process for planning policy, as set out in the Statement of Community Involvement (adopted March 2014), is that the widest and most intensive community involvement should take place at the earliest possible stage, to allow the community a genuine chance to influence the document. Therefore, significant and wide-ranging community involvement exercises took place during development of the new Local Plan. This established support for the policies and the draft SPD simply outlines details for implementation.

- 7.2 Community involvement on the Residential Conversions SPD took place between 19<sup>th</sup> December 2022 and 13<sup>th</sup> February 2023, a period of eight weeks. Paragraph 4.2 of this report summarises the consultation process already undertaken, and this is set out in more detail in the Statement of Consultation in Appendix 2. The community involvement stages were

undertaken in line with the Statement of Community Involvement (adopted March 2014).

## **8. EQUALITY ASSESSMENT**

- 8.1 The Sustainability Appraisal of the Pre-Submission Draft Local Plan incorporated the requirement to carry out a screening stage of an Equality Impact Assessment. This did not identify any negative impacts of the policy in terms of equality. Nevertheless, an Equality Impact Assessment has been carried out in Appendix 1. This is unchanged from the version included in the report to Policy Committee on 15<sup>th</sup> December on the draft version as the proposed changes do not alter its effects. This has identified that there are potential implications of the SPD in terms of age, where family housing that can accommodate children must be balanced against HMOs which are frequently occupied by young adults. These effects will be quite geographically specific, and are unlikely to result in a significant negative effect overall in Reading.

## **9. LEGAL IMPLICATIONS**

- 9.1 Regulation 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for undertaking consultation on Supplementary Planning Documents. Regulation 14 sets out the requirements for adoption. The production of and consultation on the SPD are in compliance with the requirements under the Regulations. Once the SPD is adopted by the Council, it will hold weight in the determination of planning applications for development in the Borough.
- 9.2 The Levelling-Up and Regeneration Bill 2022 contains proposals to replace SPDs with Supplementary Plans, which would be subject to public examination as part of the process. The details of production of such Supplementary Plans and any transitional arrangements are delegated to future regulations, and it is likely that future work will be required to put an equivalent supplementary plan in place for this SPD as well as others. It is not clear at this stage what that would entail or when it would need to be undertaken, and it is recommended that progress on SPDs continue to be made, because this will reduce the workload in producing such a Supplementary Plan in future.

## **10 FINANCIAL IMPLICATIONS**

- 10.1 The work undertaken on drafting the documents and the expenditure on community engagement has been funded from existing budgets.
- 10.2 The SPD does not contain any proposals that would have additional financial implications for the Council.

Value for Money (VFM)

- 10.3 The preparation of a new SPD will ensure that development is appropriately guided and that significant effects are minimised. Production of the SPD, in line with legislation, national policy and best practice, therefore represents good value for money.

Risk Assessment

- 10.4 There are no direct financial risks associated with the report.

**BACKGROUND PAPERS**

None

## APPENDIX 1: EQUALITY IMPACT ASSESSMENT

### Provide basic details

**Name of proposal/activity/policy to be assessed:**

Adoption of the Residential Conversions SPD

**Directorate:** DEGNS - Directorate of Economic Growth and Neighbourhood Services

**Service:** Planning

**Name:** Mark Worringham

**Job Title:** Planning Policy Manager

**Date of assessment:** 08/02/2023

### Scope your proposal

**What is the aim of your policy or new service?**

To provide detailed policy and guidance on proposals to convert houses to flats or houses in multiple occupation.

**Who will benefit from this proposal and how?**

Local residents in areas subject to such proposals; applicants will benefit from clear policy.

**What outcomes will the change achieve and for whom?**

The production of the Residential Conversions SPD will ensure that there is up-to-date policy and guidance in place across the Borough to deal with proposals for conversions to HMOs and flats. This will achieve a consistent basis for decision making for applicants, local residents and the Council.

**Who are the main stakeholders and what do they want?**

Local residents - a policy framework that balances the need for housing with the impacts proposals can have on the amenity of local residents and the character of the local area.  
Applicants - a clear policy framework that allows for consistent decision making.

### Assess whether an EIA is Relevant

How does your proposal relate to eliminating discrimination; promoting equality of opportunity; promoting good community relations?

Do you have evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others?  
(Think about your monitoring information, research, national data/reports etc)

Yes  No



Is there already public concern about potentially discriminatory practices/impact or could there be? Think about your complaints, consultation, feedback.

Yes  No

If the answer is **Yes** to any of the above you need to do an Equality Impact Assessment.

If No you **MUST** complete this statement

An Equality Impact Assessment is not relevant because: N/A

### Assess the Impact of the Proposal

Your assessment must include:

- **Consultation**
- **Collection and Assessment of Data**
- **Judgement about whether the impact is negative or positive**

#### Consultation

Relevant groups/experts	How were/will the views of these groups be obtained	Date when contacted
Developers, residents	As part of Local Plan consultation. Consultation involved notifying consultees of the documents and publication on the website.  Consultation on draft SPD, involving notifying consultees of the documents and publication on the website.	January - March 2016 May - June 2017 November 2017 - January 2018  December 2022 - February 2023

#### Collect and Assess your Data

**Describe how could this proposal impact on Racial groups**

No specific impacts are identified.

**Is there a negative impact?** Yes  No  Not sure

**Describe how could this proposal impact on Gender/transgender (cover pregnancy and maternity, marriage)**

No specific impacts are identified.

**Is there a negative impact?** Yes  No  Not sure

**Describe how could this proposal impact on Disability**

No specific impacts are identified.

**Is there a negative impact?** Yes  No  Not sure

**Describe how could this proposal impact on Sexual orientation (cover civil partnership)**

No specific impacts are identified.

**Is there a negative impact?** Yes  No  Not sure

**Describe how could this proposal impact on Age**

Younger people are considered particularly likely to be residents of HMOs, particularly students and young professionals. A policy that has the effect of reducing the overall number of HMOs would potentially have a negative effect in terms of the overall availability of accommodation for younger people. However, the policies in the SPD are spatially concentrated to avoid serious detrimental impacts on specific areas, including order to prevent the loss of family accommodation. As such in these instances it could have a positive effect on the availability of homes for families with children. Due to the geographical concentration of the policies, it is not considered that there will be a negative overall effect on the availability of space within Reading.

**Is there a negative impact?** Yes  No  Not sure

**Describe how could this proposal impact on Religious belief?**

No specific impacts are identified.

**Is there a negative impact?** Yes  No  Not sure

Make a Decision

Tick which applies

1. **No negative impact identified** Go to sign off

2. **Negative impact identified but there is a justifiable reason**

You must give due regard or weight but this does not necessarily mean that the equality duty overrides other clearly conflicting statutory duties that you must comply with.

**Reason**

3. **Negative impact identified or uncertain**

**What action will you take to eliminate or reduce the impact? Set out your actions and timescale?**

**How will you monitor for adverse impact in the future?**

Monitoring the prevalence of HMOs in specific areas occurs through the planning application process, as it is required to assess applications. In overall terms, the impacts on the area in terms of loss of services, which may be a result of loss of family

accommodation, may be highlighted in the Annual Monitoring Report.

Signed (completing officer)	Mark Worringham	Date: 8 <sup>th</sup> February 2023
Signed (Lead Officer)	Mark Worringham	Date: 8 <sup>th</sup> February 2023