

## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 3<sup>rd</sup> April 2019

**Ward:** Minster

**App No:** 182152

**Address:** 12 Boston Avenue

**Proposal:** Change of use to 6 bedroom HMO, single storey rear extension and garage conversion.

**Applicant:** Mr. S. Gupta

**Date validated:** 19 December 2018

**Target Date:** 13 February 2019

**Extension:** 1 March 2019

### RECOMMENDATION

**Delegate to Head of Planning, Development and Regulatory Services to:**

i) GRANT Full Planning Permission, subject to conditions and informatives

Conditions to include:

#### Standard

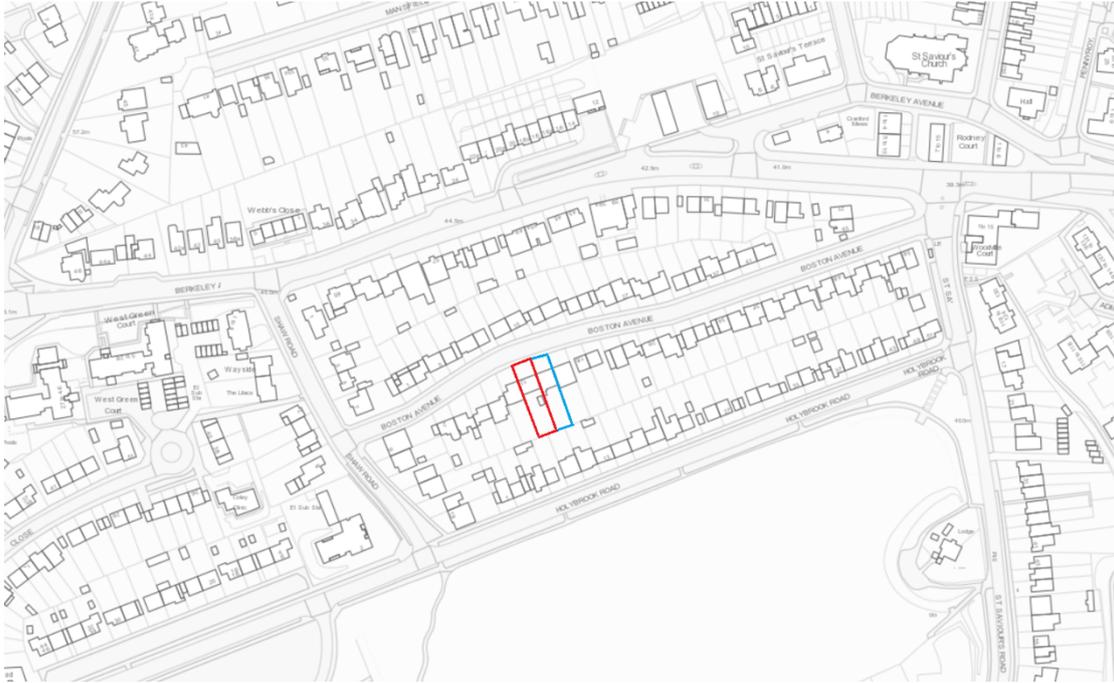
1. Time limit for implementation (3 years)
2. Use of materials (to match existing)
3. Approved plans

Informatives to include:

1. Positive and Proactive Statement
2. Terms and conditions
3. Need for building regulations
4. No automatic entitlement to parking permits
5. HMO Management Plan

## 1. INTRODUCTION

- 1.1 The application site is located on the southern side of Boston Avenue, and comprises of a linked semi-detached property.



Location plan - not to scale

## 2. PROPOSALS

- 2.1 The proposed scheme involves extending the applicant property 4 metres to the rear at single storey level on the south-eastern corner of the property. This was initially sought to be 8 metres, but was later amended. This extension will be setback from the neighbouring property's rear elevation by 0.55 metres. The proposed extension will provide an additional bedroom and shower room to the property.
- 2.2 This proposed extension also involves converting the ground floor garage space to an additional bedroom and corridor leading to the proposed extension.
- 2.3 The existing garage has a mono-pitched roof sloping from 2.8 metres to 2.7 metres. The proposal seeks to change this to a flat roof with a height of 2.75 metres. The roof change also seeks to add a dual pitch at the front of this flat roof, which will have a ridge height of 3.35 metres and will have a depth of 1.4 metres.
- 2.4 In addition to these external changes, the use of the property is proposed to change from C3 residential use to C4 (6-bed HMO).

### Plans:

Plan Type	Description	Drawing Number	Date Received
Location Plan		N/A	7 Dec-18
Block Plan		N/A	6 Feb-19
Plans	Existing & Proposed, Plans & Elevations of property and cycle storage	18/1256/01 Rev C	11 Feb-19

### 3. PLANNING HISTORY

3.1 None relevant.

### 4. CONSULTATIONS

4.1 Statutory:  
None

4.2 Non-statutory:

4.2.1 The Transport Development Section was consulted on 20 December 2018. Comments received on 7 January 2019 state; *“The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core and extends to walking distances of 2 kilometers from the centre of Reading. This zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone.*

*In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 0.25 spaces per HMO room equating to 2 parking spaces. Plans have been submitted illustrating proposed parking layout for 3 vehicles; however the sizes of the spaces are not consistent. The Councils current SPD states that parking spaces should be a minimum of 2.4m x 4.8m. Revised plans are required.*

*In accordance with the adopted Parking SPD, the development is required to provide a minimum of 0.5 cycle parking spaces for each HMO room in a conveniently located, lockable, covered store. This equates to a minimum of 3 cycle parking spaces for this development. Plans illustrate cycle and bin storage at the rear of the property it is not clear how these would be accessed other than being transported through the property which would not be deemed acceptable.*

*Revised plans illustrating cycle storage and bin storage and revised parking layout are required before this application can be fully determined”.*

*Revised plans were sought and after negotiation, the final comments received from the transport department on 11 February 2019 state; “Only 3 cycle spaces are really required in accordance with the current standards. I suggest reducing the no of Sheffield stands to 2, this will still provide 4 spaces and allow for more space. The wide opening doors should be retained for easy access but by reducing the number of stands the space between the stands can be increased. There should be a 1m distance between the stands and a minimum of 550mm from the sides of the unit”.*

4.2.2 The Environmental Protection Department was consulted on 20 December 2018. No comments were received.

4.3 Public consultation:

4.3.1 Forty-four letters of representation have been received from twenty-one households in the surrounding area. The main issues raised are as follows:

- No.14 Boston Avenue has applied to be an HMO.
- 23 Berkley Avenue is an HMO.
- Boston Avenue cannot accommodate the extra cars generated by HMOs.

- Boston Avenue is a dangerous road due to heavy traffic and speeding cars.
- Boston Avenue is too dangerous for children to play in the street.
- Health and safety regulations will be breached to existing resident's safety due to overcrowding as a result of No.12 and No.14 becoming HMOs.
- The scheme is for companies to make a large sum of money.
- The residents of Boston Avenue will be renewing the application to introduce parking restriction in Boston Avenue in 2019.
- Detrimental impact upon the surrounding community.
- The look and feel of the surrounding area will be negatively impacted.
- Up to 12 people living in one house originally built to suit a family is unacceptable.
- The amount of rubbish produced by up to 12 people with fortnightly collections is likely to produce issues with smell and pests.
- As a result of the proposed extension, much needed green spaces will be lost for good with negative impact for the local wildlife.
- There is a very low water pressure in the area due to ongoing repair works and new built houses.
- No.12 and No.14 Boston Avenue look like an institution or a hotel with the adjoined paving and metal bars.
- Neighbouring properties in the area have suffered from continuous building work at No.12 and No.14 Boston Avenue.
- An 8 metre rear extension will be visually out of keeping with the surroundings.
- From the Council's planning website it seems that there are currently no large HMOs in the road that have obtained approval for this type of change of use.
- Although there are in principle 3 parking spaces on this 'drive', these would only all be useable if tenants are willing to juggle their vehicles in a way that's much less likely to be workable in an HMO than it would be for a single household. A further 1 space on the road outside brings the theoretical parking provision to 4 spaces, but a 6 bedroom HMO could reasonably be expected to have more cars than this.
- The adopted Parking Standards and Design SPD only demands 0.25 parking spaces per HMO room, and this is unrealistically low.
- The submitted proposed block plan shows provision in the back garden, yet the proposed floor plans show there would be no practical way of wheeling bins or bikes through the property.
- A side extension would create a terracing effect if made two storey at a later date.
- No business is to be run from any address in Boston Avenue (according to deeds). An HMO is a business.
- If a dropped kerb is allowed to extend the full length of the property, all houses in Boston Avenue should be allowed to do the same.
- Increasing the extent of the dropped kerb will remove one on-street parking space and create an addition private one.
- Neighbouring properties have been devalued as a result of No.12 and No.14.
- Neighbouring resident's privacy will be impacted.
- Precedence will be set.
- The applicant did not consult neighbours before putting in the application.
- Boston Avenue will become a commercial district.
- This is a retrospective planning application, which shows complete lack of respect for other residents of the street.
- If an HMO licence is granted either here or at number 14, the rooms should be limited to 4 or 5 in each property.

- Pollution will increase.
- Noise concerns.
- The kitchen will receive little natural light as it will be served by a small window.
- The garage conversion should involve a step back from the front elevation, rather than retaining the existing line.
- Although the amended plans show the cycle shed in front of the property, it will be ugly.

## 5. RELEVANT PLANNING POLICY AND GUIDANCE

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Reading relevant to the application site comprises the Reading Local Development Framework ‘*Core Strategy*’ 2008 (Altered 2015) and ‘*Sites and Detailed Policies Document*’ 2012 (Altered 2015).

5.2 The application has been assessed against the following policies:

National Planning Policy Framework 2019  
 National Planning Practice Guidance 2019  
 Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018

Reading Borough Local Development Framework Core Strategy (RCS)  
 (Adopted January 2008 - amended 2015)  
 CS1: Sustainable Construction and Design  
 CS2: Waste Minimisation  
 CS4: Accessibility and Intensity of Development  
 CS7: Design and the Public Realm  
 CS18: Residential Conversions  
 CS24: Car/Cycle Parking  
 CS34: Pollution and Water Resources

Sites and Detailed Policies Document (2012)(Altered 2015)  
 SD1: Presumption in Favour of Sustainable Development  
 DM4: Safeguarding Amenity  
 DM8: Residential Conversions  
 DM9: House Extensions and Ancillary Accommodation  
 DM10: Private and Communal Outdoor Space

Supplementary Planning Guidance  
 “A Design Guide to House Extensions” (2003)  
 “Parking Standards and Design” (2011)  
 “Residential Conversions” (2013)

## 6. APPRAISAL - Planning Applications

6.1 Considering there are two elements to this scheme - the extension and the use change - each section of this appraisal will be broken down to discuss each element.

6.2 The main issues are considered to be:  
 (i) Principle of Development

- (ii) Design and impact on the character of the surrounding area
  - (iii) Impact on neighbouring amenity
  - (iv) Parking
  - (v) Other Matters
- (i) Principle of Development

#### Extension

- 6.3 Single storey extensions are common, and can often be constructed under permitted development. The property in question is a linked semi-detached property and therefore under permitted development, rear extensions are limited to 3 metres, with maximum heights of 4 metres (and the eaves is limited to 3 metres if within 2 metres of the boundary curtilage).
- 6.4 Although the extension proposed within this application cannot be constructed under permitted development, that does not necessarily mean it is not acceptable, and therefore the impact of the extension on the character of the surrounding area, street scene and neighbouring amenity needs to be assessed.
- 6.5 Therefore in principle, a rear extension could be deemed acceptable as long as there is no detrimental harm as a result of it.

#### HMO Use

- 6.6 The property is not located in an area constrained by an Article 4, as such the property is allowed to implement its permitted development rights to change the use class of the property to C4 - a small HMO with up to 6 persons as set out.
- 6.7 This element of permitted development falls under Schedule 2, Part 3, Class L (small HMOs to dwellinghouses and vice versa); which states:

#### ***Permitted development***

##### ***L. Development consisting of a change of use of a building—***

- (a) from a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule;***
- (b) from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.***

#### ***Development not permitted***

##### ***L.1 Development is not permitted by Class L if it would result in the use—***

- (a) as two or more separate dwellinghouses falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order of any building previously used as a single dwellinghouse falling within Class C4 (houses in multiple occupation) of that Schedule; or***
- (b) as two or more separate dwellinghouses falling within Class C4 (houses in multiple occupation) of that Schedule of any building previously used as a single dwellinghouse falling within Class C3 (dwellinghouses) of that Schedule.***

- 6.8 The property will gain an additional door; this will only serve a single bedroom, which utilises the communal facilities provided by the rest of the house. It is therefore not possible to function as a separate dwelling, and as such the proposal is in compliance with Class L.

6.9 Therefore there is no objection in principle to the use of the dwellinghouse as an HMO for a maximum of 6 persons.

(ii) Design and impact on the character of the surrounding area

#### Extension

6.10 The garage conversion will alter the front elevation of the property, by removing the garage door, and providing a single door and double window. This is not considered to have a detrimental impact upon the character of the surrounding area, and as such is deemed acceptable. It is worth noting that these adjustments can often be done under permitted development.

#### HMO Use

6.11 The change of use will not alter the external appearance of the property (although the garage conversion will - covered in the paragraph above).

6.12 The principle behind the C4 small HMO use class, and the reason why changing from a Class C3 dwelling to Class C4 is usually permitted development, is that a residential dwelling could easily have 6 people living there. It is therefore considered that the change of use to an HMO will not have a detrimental impact upon the character of the surrounding area.

(iii) Impact on neighbouring amenity

#### Extension

6.13 The proposed extension will not protrude further than the rear elevation of No.14 Boston Avenue, and will therefore not cause any detrimental impact upon this neighbour. As for No.10 Boston Avenue, this property is considered to be far enough away from the extension to not be detrimentally impacted in regards to overlooking, overshadowing or outlook.

#### HMO Use

6.14 As the use of the property as a small HMO falls under Permitted Development, we cannot assess the impact upon the residents of the property as regardless of our assessment, the property can operate as a small HMO.

In terms of the impact of the property operating as a small HMO upon the neighbouring properties, it is considered that the intensity of this use will be no different to that of a large family dwelling.

(iv) Parking

6.15 Parking is an issue which has been brought up by representation letters. The transport section was consulted on this application, and the amended plans are now satisfactory. The comments received can be found within the 'consultations' section of this report (above).

6.16 In addition to this, the change of use from a C3 dwellinghouse to a C4 HMO under permitted development does not require any works to help alleviate potential transport issues.

6.17 However, an informative is recommended, if planning permission is granted, to advise about entitlement to a parking permit were a parking permit scheme to be introduced in the street.

(iv) Other Matters

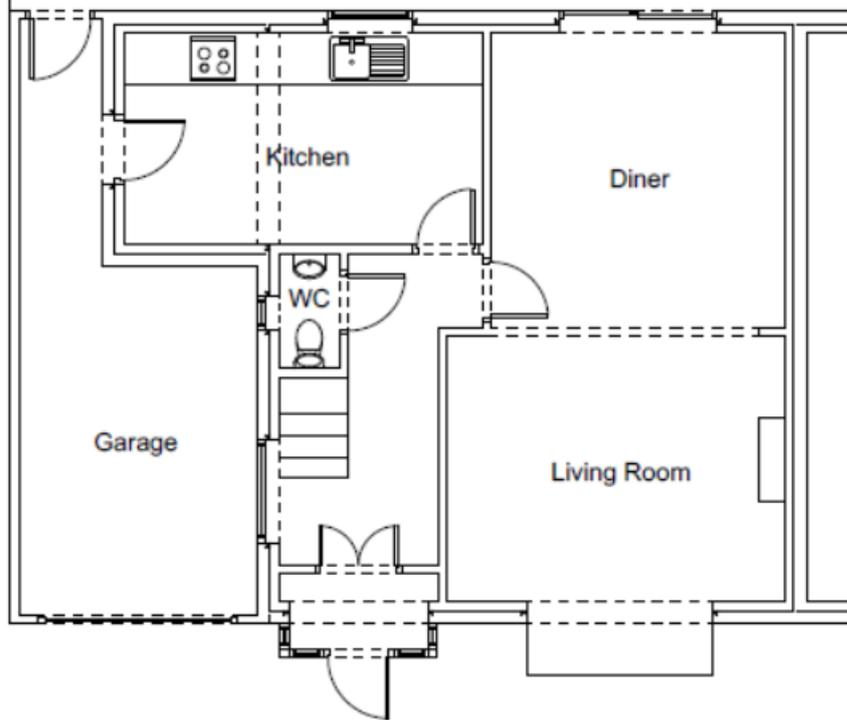
- 6.18 Terracing effect - the front elevation of the property will not alter much, and therefore it is considered that there will be no further terracing effect when compared to the existing street scene.
- 6.19 The deeds say that no businesses are to be run from any of the properties within Boston Avenue - Deeds are not taken into account during planning assessments.
- 6.20 Retrospective - Upon the Planning Officer's site visit, the extension had not commenced construction; and the HMO is permitted development. Therefore this is not considered to be a retrospective planning application.
- 6.21 Noise concerns - the noise generated by six independent adults will not be different to a family with four mature/adult children.
- 6.22 Equality Act  
In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to the particular planning application. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

## 7. PLANNING BALANCE AND CONCLUSION

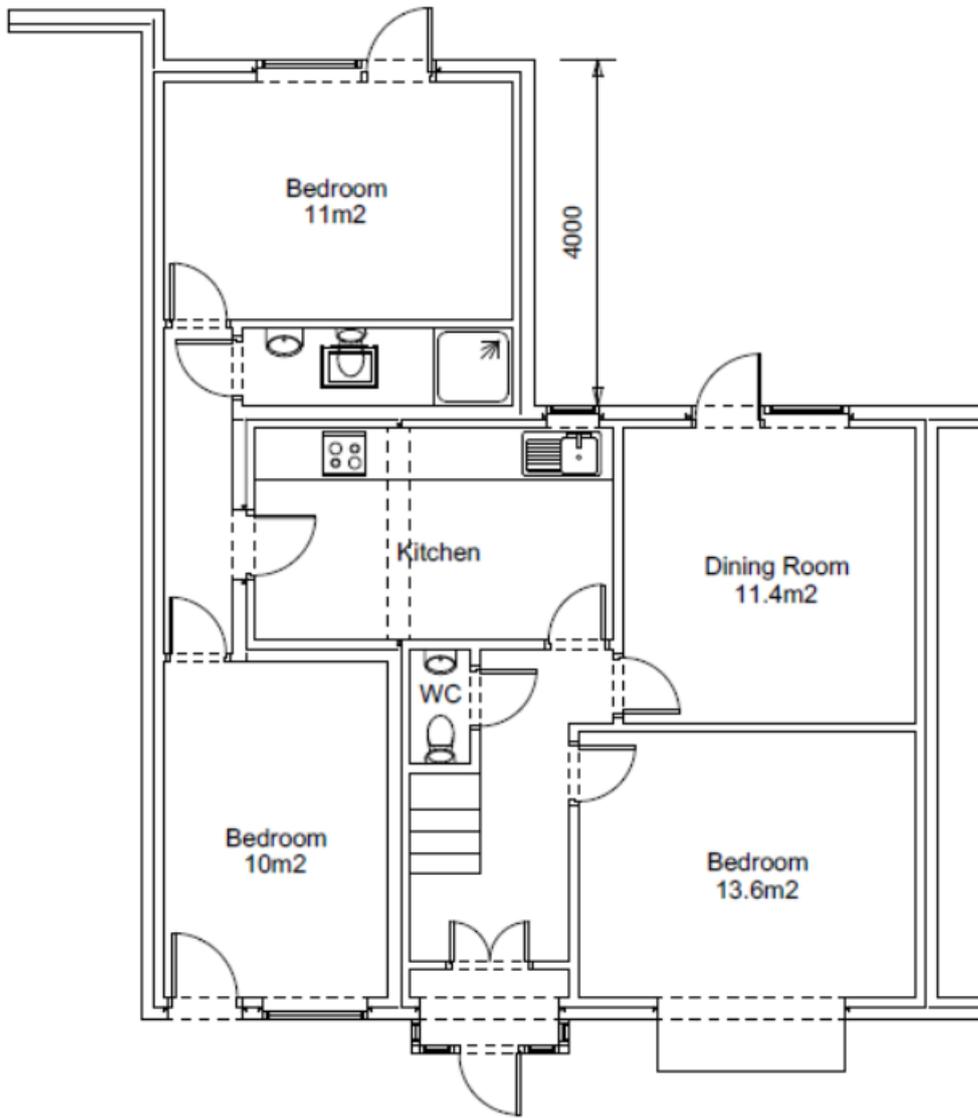
- 7.1 On balance it is considered that the Council cannot have any objection to the change of use of No.12 Boston Avenue from C3 dwellinghouse to C4 HMO as this can be done under permitted development rights. As for the rear extension, this is considered to be a minor addition to the property, which will not have a detrimental impact upon neighbouring amenity nor the residents of the property itself.
- 7.2 As such the proposed scheme is considered to be in accordance with the Policies set out within the Local Development Framework, the National Planning Policy Framework and the General Permitted Development Order.
- 7.3 The application is therefore recommended for approval.

Case Officer: J.O.

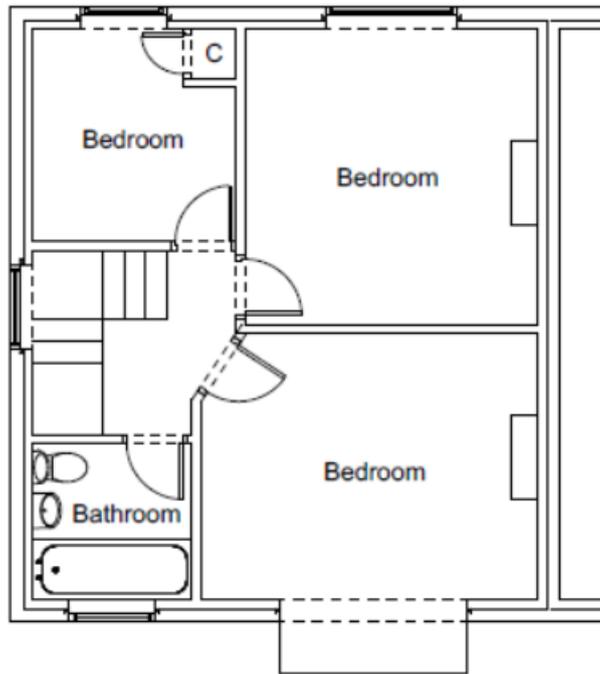
Appendix



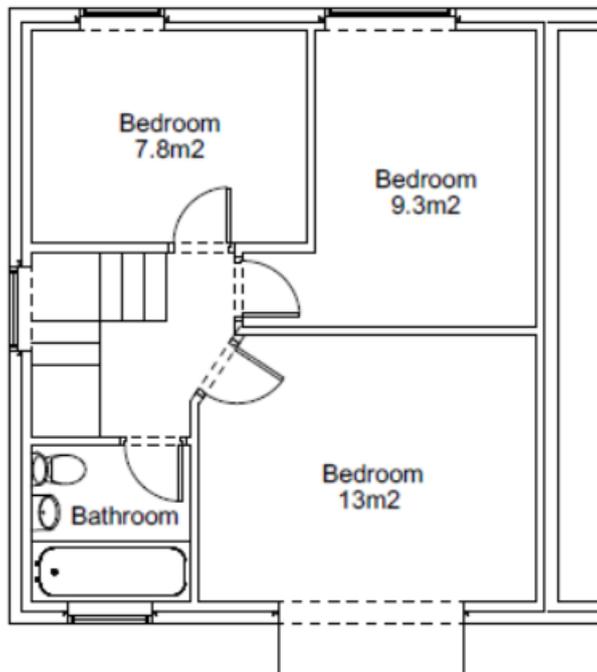
Existing Ground Floor



Proposed Ground Floor



Existing First Floor



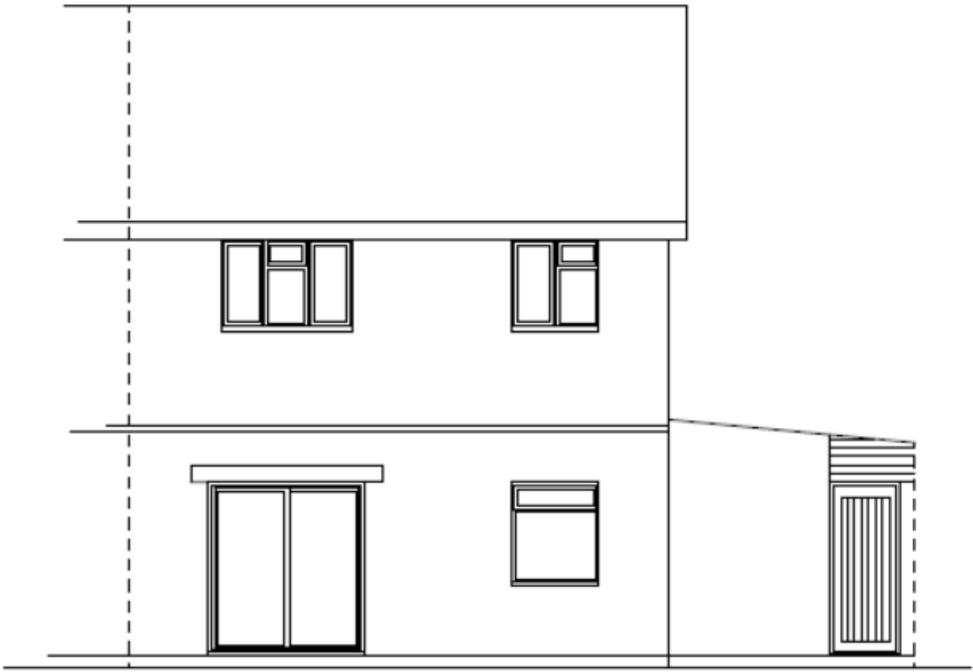
Proposed First Floor



Existing Front Elevation



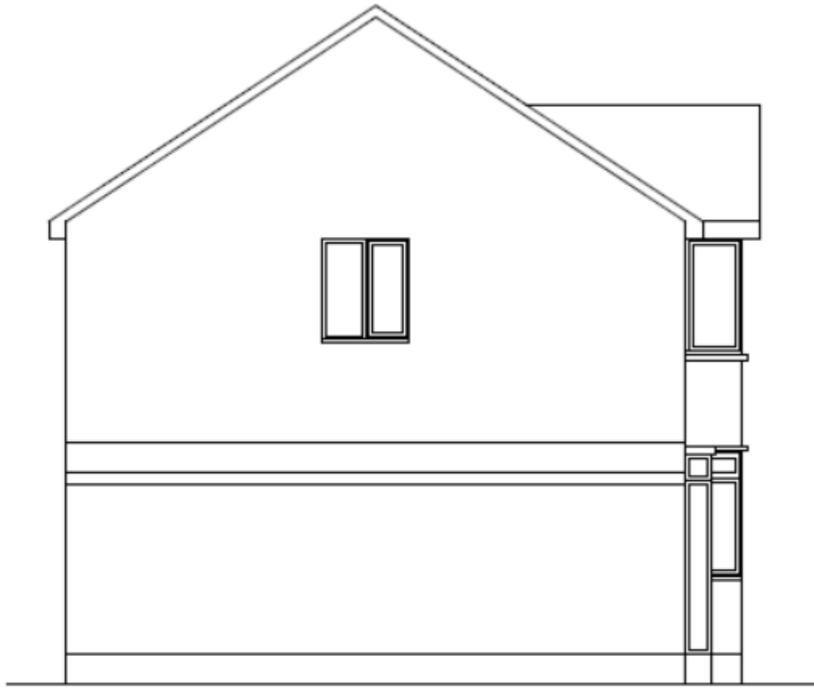
Proposed Front Elevation



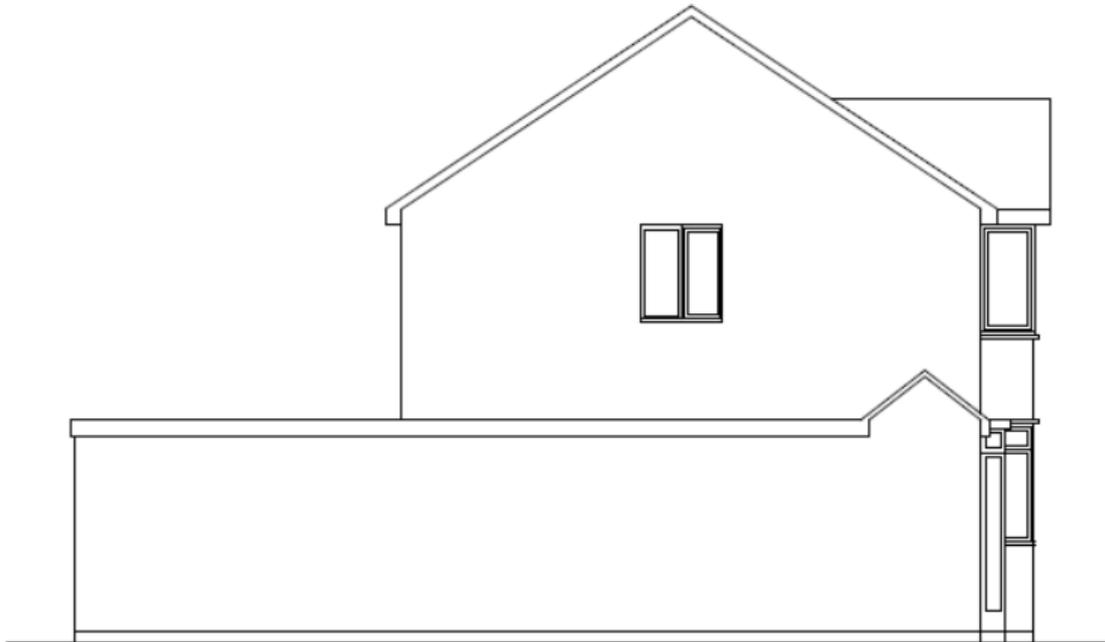
Existing Rear Elevation



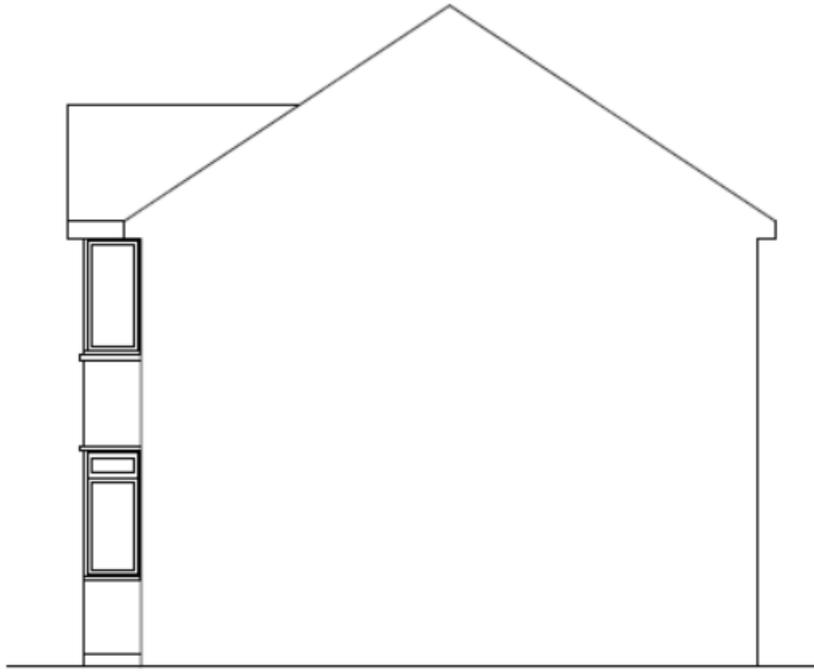
Proposed Rear Elevation



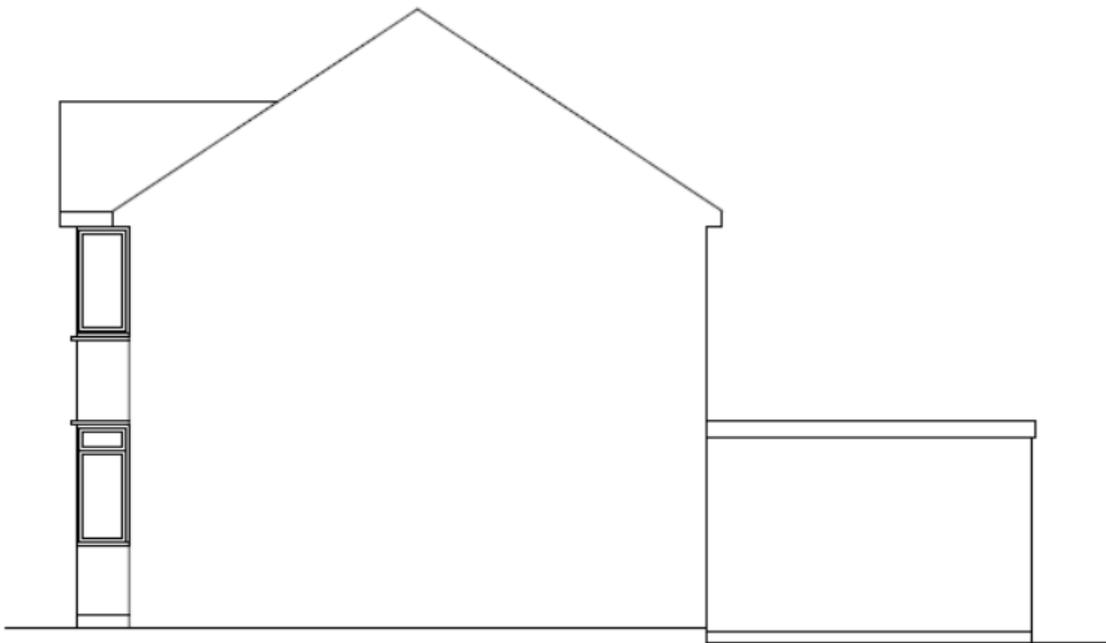
Existing East-facing Side Elevation



Proposed East-facing Side Elevation



Existing West-facing Side Elevation



Proposed West-facing Side Elevation