



Appeal Decision

Site visit made on 11 September 2019

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th September 2019

Appeal Ref: APP/E0345/W/19/3224647
6 Mason Street, Reading RG1 7PD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Raju Lakshmanan on behalf of Makathi Assets against the decision of Reading Borough Council.
 - The application Ref 181491, dated 21 August 2018, was refused by notice dated 20 December 2018.
 - The development proposed is described as proposed conversion of existing 4 storey terraced house to two self contained apartments comprising a 1 bedroom apartment at basement level and a 3 bedroom family apartment over the upper floors, including a new dormer extension to the roof space to improve headroom.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. Since the application was refused the National Planning Policy Framework 2018 has been replaced by the National Planning Policy Framework 2019 (Framework). As this happened before the appeal was lodged both main parties have had the opportunity to address any relevant changes introduced in it and I have taken all comments into account.
3. The Council has confirmed that the Submission Draft Reading Borough Local Plan 2018 (Draft LP) is now at an advanced stage. However, in relation to this appeal, the Council has not stated whether any objections have been raised to the policies they refer to and so I give limited weight to them.

Main Issues

4. The first main issue is the effect of the loss of a single family dwelling and its replacement by two flats on the character of the surrounding area. The second main issue is whether the proposed upper floors apartment would provide satisfactory living conditions for its occupiers, with particular regard to accessible private garden area. The third main issue is the effect of the proposed rear dormer extension on the character and appearance of the surrounding area.

Reasons

Supply of family homes and intensification

5. The Appeal site is located within an established residential area that is characterised by traditional family sized terraced two storey houses with generally modest sized front and rear gardens. It was clear from the appeal site visit that a number of the properties in Mason Street and the surrounding roads are currently in multiple occupation or divided into flats. This has clearly had a degrading impact on the character and appearance of Mason Road, parts of which are dominated by refuse and recycling bins, satellite dishes and other clutter. This, together with the level of on-street parking and general activity has resulted in the street scene appearing cluttered and untidy.
6. The submitted drawings indicate that the appeal property comprises a four bedroom dwelling arranged over four floors and which is set back from the street behind a small enclosed front garden. The appellant has however confirmed that the dwelling is currently occupied as a small House in Multiple Occupation (HMO).
7. Policy CS18 of the Reading Core Strategy 2008 (altered 2015) (CS), states that proposals for residential conversions will be assessed having regard to their impact on living conditions and the character of the surrounding area, particularly in terms of intensification of activity. The supporting text to this policy advises that whilst residential conversions benefit the supply of housing, the concentration of conversions can have a significant effect on the character of a street or area, which is a significant issue within the Borough.
8. To address this Policy DM8 of the Reading Borough Local Development Framework - Sites and Detailed Policies Document 2012 (altered 2015) (DPD), seeks to ensure that housing conversions do not create significant issues for surrounding areas, or erode the character of the area. Proposals should not individually or cumulatively unduly dilute or harm an existing mixed and sustainable community through the significant loss of family housing. Also, small conversion schemes should include at least 1No. two/three bedroom dwelling and the host house should have a minimum of four bedrooms or a floor area of at least 120m². The floor area should be based upon the external dimensions of the property as at 1 July 1948 or when built.
9. Reading Borough Council's *Residential Conversions - Supplementary Planning Document 2013*, (SPD), further explains that when assessing proposals against Policy DM8 of the DPD the number of bedrooms and floor area of the host dwelling should both relate to those of the host property when it was first built.¹ It also advises that in considering residential conversion schemes single family housing should remain the dominant form of dwelling in the vicinity. As an adopted SPD relates specifically to various adopted Development Plan policies, I give considerable weight to it. Policy H8 of the Draft LP is consistent with the above.
10. The proposal would result in the loss of a family dwelling, notwithstanding its current shared occupation. The creation of two independent flats would likely

¹ SPD- Paragraphs 2.19 and footnote 4

result in additional refuse bins, satellite dishes and an increased level of activity resulting from an additional household.

11. Whilst the appeal property currently has a floor area of some 122.5m² and four bedrooms, this includes a rear extension and loft conversion. Prior to these additions the floor area of the dwelling was materially less than 120m² and it had less than four bedrooms.
12. It is acknowledged that the appeal dwelling is currently used for a Class C4 HMO, as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Such use is effectively a shared house, with shared basic amenities and so it is quite distinct from two independent apartments. In addition, its occupants benefit from two living rooms, a separate dining room and the rear garden and so have ample internal living space. Conversely, the occupants of the proposed upper floors apartment would only have access to a small lounge which also forms a walkway between two sets of stairs. It would have no dining room and no private garden area and a large dormer extension is proposed to accommodate the third bedroom. This highlights the over-intensive nature of the proposal, which would be out of keeping with and would further undermine the loss of single family homes that has taken place in Mason Street and the locality.
13. As a result of these factors the proposal would materially and unacceptably result in further harm to the character and appearance of Mason Street and the locality. This harm would outweigh the benefits of providing an additional independent small dwelling in this accessible residential area.
14. I conclude on the first main issue that the proposed loss of a single family dwelling would have a harmful and unacceptable impact on the character of the surrounding area. It would therefore conflict with Policy DM8 of the DPD, Policy CS18 of the CS and the SPD.

Living Conditions

15. Policy DM10 of the DPD states that dwellings will be provided with functional private and communal open space. The stated aim of this policy is to ensure that households have access to appropriate levels of open space to ensure a healthy lifestyle and high quality of life. One of the reasons for this policy is that there is an identified need for family housing and good levels of outdoor space area is a necessary element of such housing. Conversion schemes will not be acceptable where they are unable to comply with this policy.² Policy H10 of the Draft LP is consistent with this.
16. The SPD advises that the provision of outdoor amenity space can make a vital contribution to a high quality of life. As a guide, outside Reading's defined central area, flats will be expected to provide private outdoor space at a ratio of 25m² for a one or two bedroom flat and 40m² for a three or more bedroom flat. In addition, family sized flats should have their own private gardens. A more relaxed approach is taken within central Reading, where such provision may not be possible. This is on the basis that within the central area flats are less likely to attract families and the ability to walk to areas of public open space reduces the need for private open space.

² DPD paragraphs 5.6.2 to 5.6.6

17. The appeal site is not located within the Reading Central Area and so the proposed three bedroom apartment should have direct access to functional private amenity space, which is expected to be at least 40 square metres in size. The proposed three bedroom apartment would have no outside private garden area and the front garden would not provide any private open space. The front garden would be used to accommodate a refuse storage area, cycle stands and the access to the proposed apartments. In addition, the modest size of the proposed living room highlights the importance and need for the provision of private outdoor space, particularly for children.
18. Taken together these factors highlight the intensive nature of the proposal and that the proposal would fail to meet with the requirements and expectations of the policies and guidelines set out above. These concerns are not a matter that could be satisfactorily dealt with by condition.
19. For these reasons I conclude on the second main issue that the proposal would fail to provide satisfactory living conditions for the occupiers of the proposed three bedroom apartment, due to the absence of direct access to an appropriate level of private garden space. Accordingly, the proposal would conflict with Policy DM10 of the DPD, Policy CS18 of the CS, the SPD and Policy H8 of the Draft LP. It would also conflict with paragraph 127 of the Framework which seeks to create places with a high standard of amenity for existing and future users.

Proposed rear dormer extension

20. The terrace in which the appeal property is located has a modest sized, shallow pitched roof, which reflects the modest scale and uncluttered lines of the terrace. The proposed dormer extension would fill most of the rear roof-slope. Whilst the proposed windows would respect the size, form and alignment of the windows on the lower floors, due to its mass and size, the proposed dormer extension would appear top heavy both on the host property and within the terrace. It would materially detract from the character and appearance of the host terrace and its surroundings.
21. It is noted that there are several similar sized and designed dormer extensions in the locality, including one at the opposite end of the host terrace. Rather than set a precedent for the proposal they serve to demonstrate the harm that would be caused by it.
22. As pointed out by the appellant, if the host property reverted back to a single dwellinghouse rather than an HMO, the proposed dormer extension would fall within the tolerances set out in the Town and Country Planning (General Permitted Development) (England) Order 2005, as revised. Whilst this may be the case the property is currently used for an HMO and already has four bedrooms and a second, upper floor living room. Having regard to my conclusions on the first two issues I am far from convinced that this fallback position would be pursued to serve either a single family dwelling or a small HMO for a maximum of four persons. For this reason, I give little weight to this factor.
23. I conclude on the third main issue that the proposal would unacceptably harm the character and appearance of the surrounding area. It would therefore conflict with Policies DM8 and DM9 of the DPD, Policies CS7 and CS18 of the CS and the SPD. Collectively and amongst other things they require all

development to be of a high design quality which maintains and enhances the character and appearance of Reading. Development should respond positively to its local context and dormer extensions should be sensitively designed so as not to dominate the roof of the host property.

Conclusion

24. The conclusions on all three main issues amount to compelling reasons for dismissing this appeal.

Elizabeth Lawrence

INSPECTOR