



Appeal Decision

Site visit made on 26 February 2020

by Janet Wilson BA (Hons) BTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 13th March 2020

Appeal Ref: APP/E0345/W/19/3234479

15 Haywood Way, Reading RG30 4QP

- 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 and Mrs Glass against the decision of Reading Borough Council.
 - The application Ref 182095, dated 20 November 2018, was refused by notice dated 22 February 2019.
 - The development proposed is Retrospective planning permission for the change of use of a 6-bedroom HMO (C4 class) to a 7-bedroom HMO (Sui Generis) for a maximum of 7 professionals.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On 4 November 2019 Reading Borough Council adopted the Reading Borough Local Plan (the Local Plan) and as such the policy quoted in the decision notice¹ has been superseded. The parties were provided with an opportunity to comment this change and its relevance to this appeal, and I have taken the comments received into account.
3. At the time of my visit the seventh bedroom was furnished and appeared to be occupied as a bedroom and I have therefore dealt with the appeal on the basis that the expanded use has commenced.

Main Issue

4. The main issue is the effect of the development on the living conditions of the residents of the HMO, having regard to internal space provision.

Reasons

5. The appeal development as described above has entailed the conversion of a two-storey detached dwelling to a seven bedroom house in multiple occupation (HMO) increased from the previous permitted use as a Class 4 HMO with six occupants.
6. The number of occupiers of a larger HMO; increased by an additional individual would be unlikely to have any significantly greater impact on the comings and

¹ from the Reading Borough Local Development Framework, Sites and Detailed Policies Document 2012

goings to the property over and above the previous authorised use as an HMO for six people. However, the impact of the increased number on internal living conditions is an important factor to consider. The Council has adopted a Supplementary Planning Document on Residential Conversions (2013) (SPD). This guidance sets down specific guidance which relates to minimum sizes and requirements for communal space and this is also reflected in the recently adopted Local Plan.

7. The house has seven bedrooms and measures (at approximately 84sqm), significantly below the Council's minimum standards for residential conversions of this nature. Policy H8 of the Local Plan requires properties to be at least 120 sq metres in order to be converted to large HMOs and to have sufficient communal space. SPD also indicates that there should be at least one communal room per four bedrooms and this should be in addition to the kitchen. The SPD states that only where all rooms exceed minimum standards and are intended for single occupancy that one communal room per six bedrooms could be considered appropriate however this is not the case here.
8. Communal space in the property is limited to an area marked as a "kitchen/ dining room". This provides for two spaces to sit and eat and provides four to five spaces for people to occupy as relaxation space. This amount of space leads me to conclude that the single shared living space would be extremely cramped for seven occupants.
9. The appellants comment that the property provides seven spacious single bedrooms, however, five of the seven rooms measure less than 10 square metres in size. I also note that at the time of my visit all rooms were furnished with double beds and this exacerbates the cramped nature of the accommodation. The limited space provided in at least five of the seven bedrooms creates pressure on the communal space provided within the property from the occupants of those rooms, for most day-to-day domestic activities.
10. Furthermore, the lounge which forms part of the space used as the kitchen dining room would be an area of considerable activity unsuited to the needs of seven separate residents. As a result, the communal space in the appeal development fails to meet the day-to-day needs of the total number of seven occupants.
11. On the evidence before me, and from what I saw at the site, I find that the property is unacceptable for a sui generis HMO for seven occupants. Its use in this manner conflicts with Policy H8 of the Local Plan and the Councils SPD which together seek to ensure that there are no unacceptable adverse impacts on residents.

Other Matters

12. The appellants have drawn my attention to a copy of building control certificates and a licence from Reading Borough Council granting an HMO licence for 7 people (although I note an anomaly in that the letting information is inconsistent between the capacity of each individual room and the total permitted occupancy). Even so the licences referred to do not have a bearing on the planning matters which are before me and which I must consider in the context of the relevant development plan policy.

13. I note references in the appellant's statement to the location of the appeal building which it is argued makes it an appropriate location for shared accommodation; that the property is managed by a letting agent and that the compliance with an exemplar letting checklist. However, none of these points outweigh the fact that the conditions afforded to residents are excessively cramped and do not lead me to a different conclusion.

Conclusion

14. Whilst the appeal scheme would not result in harmful effects to the living conditions of the occupants of adjacent dwellings, such lack of harm has only a neutral effect on the overall planning balance. The living conditions of the occupants is harmed by the cramped and inadequate space available for day to day living as a result of the inadequate supply of communal living space and this harm is not outweighed by the limited benefits of an additional letting bedroom.
15. Accordingly, for the reasons set out above, and taking into account all other matters raised, the appeal is dismissed.

Janet Wilson

INSPECTOR