



Appeal Decision

Site visit made on 15 September 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd November 2020

Appeal Ref: APP/E0345/W/20/3253531

35 Norris Road, Reading RG6 1NJ

- 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 Mrs Baldev Kaur against the decision of Reading Borough Council.
 - The application Ref 200169, dated 22 January 2020, was refused by notice dated 7 May 2020.
 - The development proposed is change of use from a C3 dwellinghouse to a small HMO (C4).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would breach the Council's threshold for the maximum proportion of houses in multiple occupation (HMO's).

Reasons

3. The Council's Residential Conversions Supplementary Planning Document (2013) (SPD) identifies the appeal site as being located within an area subject to an Article 4 Direction. This Direction removes permitted development rights to convert a dwellinghouse (Class C3) to an HMO (Class C4). Policy H8 of the Reading Borough Local Plan (2019) (Local Plan) identifies a set of criteria against which proposals will be assessed. Within Article 4 Direction areas, the policy states that planning permission will not normally be granted where the proportion of HMOs would represent 25% or more of the residential properties, when measured within a circle of 50m radius from the application site.
4. Submissions have been made by both parties with regards to Policy H8 and the overall concentration of surrounding existing HMOs. There are however, differences between the parties with regards to both the number of properties and the number of HMOs within the search area. This in turn, results in different figures with regards to the total concentration of existing HMOs. However, regardless of the detail behind these numbers, both parties are in agreement that, within the identified search area, the threshold of 25% is already exceeded.
5. On the face of it therefore, the proposal would be contrary to Policy H8 of the Local Plan. It has however been put to me that this numerical assessment is only one part of Policy H8 and that the other criteria should be weighed against

this conflict. The SPD identifies that the proportion is defined as the tipping point, beyond which the concentration of HMOs is considered to overly dominate the mix of house types within the area. I regard the purpose for defining a threshold within the development plan, as providing a measure by which the proportion of HMOs within a defined area can be assessed and calculated, to ensure the overall aims of the policy, which is to maintain a sustainable balanced community within the area, can be delivered. Therefore, proposals should meet all relevant aspects of Policy H8 to be acceptable.

6. My attention has been drawn to the lack of objections to the proposal on highways, living conditions of existing and future residents, and upon the visual character and appearance, along with an overall need for additional HMOs within the area. Whilst the proposal would result in a modest increase in the number of HMOs, and the impact of a single additional property being used as an HMO would be limited, given the overall aims of Policy H8, this does not provide enough justification for the proposal or provide sufficient material considerations so as to overcome the harm caused by the identified conflict with Policy H8.
7. For the above reasons, I therefore conclude that the proposed development would breach the Council's threshold for the maximum proportion of HMOs within the area and, in this respect, is contrary to Policy H8 of the Local Plan, which amongst other things, seeks to avoid the loss of single family housing above which there would be undue diluting or harm of an existing mixed and sustainable community.

Other Matters

8. My attention has been drawn to a number of other decisions which are submitted in support of the appeal. With regards to the reference to the confidential nature of data surrounding HMOs, I have in this case been provided with evidence, including plans and schedules by both parties with regards to the number and location of surrounding HMOs. In any event, I am not fully aware of all the circumstances around either of these cases and I am required to determine this appeal on its own merits.

Conclusion

9. I conclude, for the reasons outlined above, that the appeal should be dismissed.

Adrian Hunter

INSPECTOR