



Appeal Decision

Site visit made on 2 August 2022

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 11 August 2022

Appeal Ref: APP/E0345/W/22/3290997

30 Essex Street, Reading RG2 0EH

- 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 Sylvia Geeves against the decision of Reading Borough Council.
 - The application Ref 210069, dated 13 January 2021, was refused by notice dated 24 August 2021.
 - The development proposed is change of use of dwelling (Class C3) to house in multiple occupation (Class C4).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the Council's description of development as this more accurately describes the proposal.

Main Issue

3. The main issue is whether the proposed development would lead to an over concentration of Houses in Multiple Occupation, with specific regard to the character and appearance of the area.

Reasons

4. The appeal property is a mid-terrace dwelling, situated on a residential cul-de-sac. The cul-de-sac is made up of other similar terraced dwellings, some of which are also occupied as Houses in Multiple of Occupation (HMOs). An Article 4 Direction currently restricts permitted development rights for the change of use of a residential dwelling to an HMO within the area.
5. Policy H8 of the Reading Borough Local Plan (2019) (Local Plan) seeks to control HMO development, to help avoid an over-concentration of HMOs within any given area across the city. This is due to the different impact that HMOs can have on the character of an area when compared to traditional dwellings, which is often attributed to the more transient nature of their occupiers. In terms of physical harm, the policy highlights that a high concentration of HMOs can typically lead to poor refuse management, neglected gardens and a lack of property maintenance, as occupiers may be less invested in the property's upkeep when compared to owner/occupiers.
6. Policy H8 therefore establishes a threshold test which should be adopted when proposals for HMO development are considered. In areas where an Article 4

Direction is in place, the test says that planning permission for a new HMO should not be granted if approval would result in the proportion of HMOs exceeding 25% of the total number of buildings within a 50-metre radius of the relevant property.

7. The Council's evidence shows there are 49 residential properties within 50 metres of the appeal dwelling, of which 16 are currently in HMO use (excluding the appeal property). This would mean the current HMO percentage is approximately 32.6%, thereby exceeding the 25% threshold. Any additional HMO development in this location would therefore breach the threshold limit even further.
8. Conversely, the appellant says there are 66 properties within a 50-metre radius of the appeal property. It further states that two of the properties alleged to be in HMO use (by the Council) are now occupied as family-dwellings. It therefore calculates the percentage of HMOs within a 50-metre radius of the appeal property (including the appeal property) as approximately 22.7%, which would be within the permitted threshold.
9. Nonetheless, no substantive evidence has been presented by the appellant to support its calculations. This is contrary to guidance in paragraph 5.37 of the Residential Conversions SPD¹, which says "*supporting data*" should be submitted alongside any estimate of HMOs. Without such supporting data, I cannot properly assess the accuracy of these calculations. Moreover, given that the Council's calculations are based on data collected from Environmental Health, licensing, Council tax records, planning permissions and estate agency information, their conclusions appear more robust.
10. It was also apparent on my site visit that Essex Street is already notably cluttered with overflowing bins and abandoned furniture, which are indicative signs of the physical harm that can be attributed to an over-concentration of HMOs. In this instance, it is therefore even more important that any HMO calculations are corroborated by robust supporting data.
11. Without additional evidence to the contrary, I therefore consider that the development would breach Policy H8 of the Local Plan, as it would lead to an over-proliferation of HMOs in the vicinity of the appeal site. In turn, the proposal would harm the character and appearance of the area, as it would risk unduly diluting the prevailing mixed and sustainable character of the community.

Conclusion

12. The development would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, that would outweigh this finding. The appeal should therefore be dismissed.

James Blackwell

INSPECTOR

¹ Residential Conversions, Supplementary Planning Document, Conversion of Properties to Self-Contained Flats or for Multiple Occupation (2013)