



Appeal Decision

Site visit made on 29 August 2023

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 September 2023

Appeal Ref: APP/E0345/W/23/3319441

48 Cardigan Road, Reading RG1 5QL

- 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 Yuentung Chiu against the decision of Reading Borough Council.
 - The application Ref 221856, dated 4 December 2022, was refused by notice dated 10 February 2023.
 - The development proposed is described as a 'change of use from C3 to a 4-bedroom C4 HMO with minor interior amendments and rear extension (amended)'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development is taken from part E of the appeal form and the Council's Decision Notice. This is in the interest of completeness and clarity.

Main Issues

3. The main issue in this case is whether the proposal would provide adequate living conditions for future occupiers, with respect to light, outlook, noise and disturbance and the quality of internal space.

Reasons

4. Policies CC8 and H8 of the Reading Borough Local Plan (2019) (LP) require development to provide acceptable living conditions for new residential properties.
5. The proposal would provide a bedroom (bedroom 3) in the loft space. The appellant sets out that this space is currently used as a bedroom, however, at present the space does not have a doorway, and one will be put in place to create a private bedroom, which would be served by a single rooflight.
6. I observed that the space is limited in height, and no drawings have been provided which illustrate the height of the ceiling, which is compromised by a sloping roof. The appellant has provided handwritten measurements on photographs; however, I am unable to make out these measurements. In any case, this would not provide details of the usable floorspace available.
7. As such, I cannot be certain that the proposal would meet the requirements set out in the Supplementary Planning Document 'Residential Conversions' (2013) (SPD), which sets out that *'there may be situations where a room meets the minimum floor area but is not suitable due to its shape or ceiling height. When*

measuring a unit's floorspace only the useable space will be considered. 'Useable space', in this instance, refers to that part of the proposed unit where the occupant can comfortably move about.'

1. I observed that the existing rooflight provides adequate light, and whilst the outlook is restricted to above eye level, this is not an uncommon arrangement for loft conversions. I acknowledge that a building regulations certificate is provided by the appellant, however this does not necessarily mean that the room meets the minimum floor area guidance set out above in the SPD.
2. The SPD also requires residential conversions to avoid layouts which '*locate living rooms, bathrooms and kitchens, next to, above, or below, proposed or neighbouring bedrooms*'. In this instance, bedroom 1, located at the rear, would be sited above the dining room/kitchen area. However, this is not an uncommon arrangement and difficult to avoid in a small HMO such as this. As such, I am satisfied that this arrangement would not lead to unacceptable noise and disturbance to the occupiers of bedroom 1. In addition, the Council raise issue with the position of bedroom 4, on the ground floor. However, this room is separated from dining room/kitchen area by a staircase. Again therefore, I am satisfied that this arrangement would not lead to unacceptable noise and disturbance.
3. Nevertheless, to conclude, I find that, given that it has not been demonstrated that bedroom 3 would be provided with appropriate internal ceiling height and floorspace, the proposal would not provide adequate living conditions for future occupiers. There is therefore conflict with the satisfactory living conditions requirements of LP Policies CC8 and H8, and the advice set out in the SPD. The proposal does not therefore meet the objectives of the National Planning Policy Framework (the Framework) with regards to supporting healthy communities and fostering well designed places.

Other Matters

4. The proposal would provide privately rented accommodation in a location with good access to services and facilities, increasing options for those seeking to rent in the area. However, this is balanced against the loss of family housing, and it has not been established that HMO development or a privately rented C3 dwelling that provides suitable living accommodation would not provide these benefits. As such, I give this little weight. Similarly, the economic benefits of HMO rented accommodation over a family property is not substantiated and again, it has not been demonstrated that a HMO development that provides suitable living accommodation would not provide the same benefits.
5. The appellant has set out that the development would comply with other policies and the Framework, and would meet standards and not cause harm with regards to matters such as, amongst others, the principle of HMO development in this location, overlooking and external space. However, compliance with the development plan in these respects is neutral matter in the overall planning balance.
6. Consequently, the benefits of the scheme do not individually or cumulatively outweigh the harm identified to the living conditions for future occupiers.

Conclusion

7. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be dismissed.

B Phillips

INSPECTOR