

West Area Planning Committee

13th December 2016

Application Number: 16/02405/FUL

Decision Due by: 10th November 2016

Proposal: Change of use from dwellinghouse (Use Class C3) to Large House in Multiple Occupation (Sui Generis). Erection of a single storey rear extension. Conversion of garage and workshop to habitable space with replacement of doors to windows.

Site Address: 79 Harefields. **Appendix 1**

Ward: Wolvercote Ward

Agent: Mr Diego Vargas

Applicant: Ms A Marsh

Application Called in – by Councillor Goddard, supported by Councillors Fooks, Wade and Wilkinson.
for the following reasons - concerns over the density of development in an already over-crowded area, and about the shortage of parking in the immediate area for a development of such density.

Recommendation:

West Area Planning Committee is recommended to grant planning permission for the following reasons:

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- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 On street parking
- 5 Bike and bin storage

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP10** - Siting Developmnt to Meet Functional Needs
- TR13** - Controlled Parking Zones

Core Strategy

- CS18_** - Urban design, town character, historic environment

Sites and Housing Plan

- HP7_** - Houses in Multiple Occupation
- HP13_** - Outdoor Space
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking
- MP1** - Model Policy

Other Material Considerations:

National Planning Policy Framework
Planning Practice Guidance

Relevant Site History:

69/21759/A_H - Erection of 6 no maisonettes and 92 no. town houses (1-159 (odd) and 4-38 (even) Harefields).. PER 22nd July 1967.

91/00701/NF - Two storey side extension. PER 29th July 1991.

91/01104/NF - Three storey side extension (amendment to approval NF/701/90 - two storey side extension). PER 23rd December 1991.

98/01504/P - Balustrade around the perimeter of the flat roof of garage.. PRQ 10th March 1999.

Statutory and Non-Statutory Consultees:

Oxfordshire County Council Highways: No objection subject to a condition restricting on street parking to 3no. spaces.

Oxford Civic Society Substandard accommodation, lack of parking and visibility of bins and bicycles to the front of the property.

Wolvercote Neighbourhood Forum: Overdevelopment, lack of facilities for occupiers, lack of bin storage, lack of secure bike storage and lack of parking.

Representations Received:

23, 32, 36, 37, 39, 41, 43, 59 and 77 Harefields, 14, 23 Marriott Close and 38 Templar Road:

- Amount of development on site
- Effect on adjoining properties
- Effect on character of the area
- Effect on privacy
- Noise and disturbance
- On-street parking
- Open space provision
- Parking provision
- Impact on pollution
- Impact on local facilities

1 Edinburgh Grove (Leeds), 31 Woodins Way, East Oxford Lettings, 50 Firs Meadow, Glendale Road, No address provided, Comments in support of application:

- Provides housing
- Proposals are acceptable
- Positive comments relating to management of properties

Site Description and Proposal

1. 79 Harefields is a substantial three storey end of terrace property in the Cutteslowe area of North Oxford. The property currently benefits from a driveway and garage. This application relates to the change of use of the property from a dwellinghouse (Use Class C3) to an HMO (Sui Generis) including a single storey rear extension and conversion of the integral garage to a habitable room
2. Officers recommend that the main considerations for the determination of the application are:
 - Proportion of HMOs
 - Design/Residential Amenity
 - Highway Impact
 - Bike and Bin Storage

Officers Assessment**Proportion of HMOs**

3. Policy HP7 of the Sites and Housing Plan stipulates that changes of use to an HMO will only be granted where the proportion of buildings used in full or part as an HMO within 100m of street length either side of the application site does not exceed 20%.
4. Within 100m either side of 79 Harefields there is a total of 57 properties of which this proposal would result in 7 of these being classed as an HMO resulting in a total of 12.3%, within the allowed 20%.

5. The Sites and Housing Plan highlights that the HMOs in Oxford 'play an important role in meeting people's housing needs, by providing shared accommodation that is affordable to young workers, postgraduate students, some undergraduate students, and others. Without HMOs, many young professionals and students would not be able to afford to live in Oxford.'

Design/Residential Amenity

6. Policy HP7 also states that the applicant needs to demonstrate they have complied with the Council's good practice guidance on HMO amenities and facilities. The proposal contains 10 ensuite bedrooms, two of which are on the ground floor, four on the first and four on the second. All bedrooms meet the minimum room size for study bedrooms of 8.5m². In addition a separate living room of 10.37m² which is above requirements. The ground floor kitchen/diner also exceeds the minimum space standard of 16m². The proposal is therefore not considered to have a detrimental impact on the amenities of the occupiers.
7. The proposed extension to enlarge a ground floor rear bedroom would have a depth of 1 metre and is proposed to have a window overlooking the garden only. The proposed extension would be constructed of matching brick. Due to the location away from neighbouring occupiers and its small scale nature the proposal is not considered to have a detrimental impact on the amenity of the neighbouring occupiers in terms of loss of light, overbearing impact or loss of privacy. The proposals would not significantly alter the character and appearance of the host property.
8. The proposal is therefore considered to comply with policies CP1, CP6, CP8 and CP10 of the Local Plan and HP7 and HP14 of the Sites and Housing Plan.

Highway Impact/Bike and Bin Storage

9. The Design and Access Statement confirms the HMO will comprise ten ensuite bedrooms with provision of two on-site car parking spaces and cycle spaces. Notwithstanding the submitted plans, further details of the location and appearance if the cycle parking is recommended to be required by condition.
10. It is noted that the DAS identifies that the site is within a Controlled Parking Zone. In accordance with the adopted Oxford Transport Strategy "The County Council will seek to restrict access to parking on the public highway for new developments and change of use developments, such as Houses in Multiple Occupation (HMOs), to protect existing residents' access to parking and reduce parking demand in Oxford".
11. The County Council considers that the change of use from a 4-bed dwelling to a 10-bed HMO is likely to lead to an increase in on-street parking demand,

particularly when considering that the parking restrictions are only in place for part of the day and that the site is not within a particularly accessible location. The County Council also considers that on street parking should not be relied upon to accommodate increases in parking demand from new developments or changes of use.

12. The parking standards for HMOs (Sui Generis) as set out in the Sites and Housing DPD is 1 space per 2 habitable rooms. The proposal is for the creation of a 10 bed HMO yet only includes 2 off-street parking spaces meaning a deficiency of 3 parking spaces to meet this policy. However, the applicant has provided a parking survey which has demonstrated that there is sufficient capacity for on-street parking in the vicinity of the site and the surrounding area.
13. In light of the above, the County Council recommends that 79 Harefields is limited to 3 resident's parking permits. In addition to the 2 off road parking spaces this meets the requirements of 1 space per 2 habitable rooms.
14. The proposal is therefore considered to comply with Policies CP1 of the Local Plan and HP7, HP13, HP15 and HP16 of the Sites and Housing Plan.

Other matters:

15. Comments have been received in relation to sewage. The scale of the scheme is not considered appropriate to request a fowl sewage assessment and there is no indication the proposal would have an adverse impact on the sewage network.
16. Fire safety is not considered at planning application stage and is addressed during the licensing stage along with quality of accommodation being provided.

Conclusion:

Officers recommend that West Area Planning Committee approve the application subject to the conditions as set out above.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance

with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant approval, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

16/02405/FUL

Contact Officer: Sarah Orchard

Date: 2nd December 2016