

East Area Planning Committee

2nd October 2013

Application Number: 13/01643/FUL

Decision Due by: 13th September 2013

Proposal: Change of use from a residential dwelling house (use class C3) to a House of Multiple Occupation (use class C4).

Site Address: 43 Gladstone Road, Headington, Oxford OX3 8LL
(Location Plan – Appendix 1)

Ward: Quarry And Risinghurst

Agent: N/A

Applicant: Miss Yuen Yee Lui

Application Called in – by Councillors – Sinclair, Lygo, Rowley and Clack

for the following reasons – proliferation of HMOs and pressure on on-street parking

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development will not result in an overconcentration of Houses in Multiple Occupation in the local area and provides an acceptable level of facilities and parking for future occupiers. Subject to conditions to ensure an acceptable level of screening and security to cycle and bin storage and in the interests of highway safety, the proposals comply with Policies CP1 and CP10 of the adopted Oxford Local Plan 2001 - 2016, CS23 of the Core Strategy and HP7, HP12, HP13, HP15 and HP16 of the Sites and Housing Plan. No objections have been received from third parties.
- 2 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 Specific exclusion approved plans
- 4 Details excluded submit revised plans the cycle and refuse bin stores, 001 and 004,
- 5 Variation of road traffic order

**Main Local Plan Policies:
Oxford Local Plan 2001-2016 (OLP)**

CP1 - Development Proposals

CP10 - Siting Development to Meet Functional Needs

Core Strategy

CS23 - Mix of housing

Sites and Housing Plan (SHP)

HP7 - Houses in Multiple Occupation

HP12 - Indoor Space

HP13 - Outdoor Space

HP15 - Residential cycle parking

HP16 - Residential car parking

MP1 - Model Policy

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

88/01111/NF - Single storey front extension. PER 1st November 1988.

98/00518/P - Demolition or part of front boundary wall to create vehicular access..
PNR 15th April 1998.

Representations Received:

No comments received

Statutory and Internal Consultees:

Local Highway Authority: No objection subject to conditions.

Issues:

Concentration of HMOs
Amenities and Facilities
Parking

Officers Assessment:Site description and proposal

1. 43 Gladstone Road is a mid-terrace house with an area of hard-standing to the front and a conservatory to the rear.
2. Permission is now sought for a change of use from a single family dwelling (Use Class C3) to a small House in Multiple Occupation (HMO – Use Class C4).

Concentration of HMOs

3. Policy CS23 of the Core Strategy states that Planning permission will only be granted for residential development that delivers a balanced mix of housing both within each site and across Oxford as a whole. Oxford has a large number of HMOs and in some areas of the city, high concentrations of HMOs are resulting in changes to the character of the local area.
4. The Sites and Housing Plan states that the Council will use its planning responsibilities to prevent any further over-concentration of HMOs in areas where there are already significant numbers. Policy HP7 of the Sites and Housing Plan states that permission for a change of use to an HMO will only be granted where the proportion of buildings used as an HMO within 100m of street length of the application site does not exceed 20%.
5. There are around 100 buildings within 100m street length of 43 Gladstone Road, both along Gladstone Road itself and along surrounding streets to a distance of 100m. Of these, licencing records indicate that 8 of these have, or have applied for an HMO licence. The actual number may be higher, due to some HMOs not being licenced, but the figures indicate that less than 10% of buildings in the relevant area are HMOs, well below the 20% concentration defined in Policy HP7. The surrounding area does not therefore show a significant concentration of HMOs and the current proposal will not materially harm the overall mix of housing in the local area and the application complies with Policy CS23 of the Core Strategy and Policy HP7 of the Sites and Housing Plan.

Amenities and Facilities

6. Policy HP7 of the Sites and Housing Plan also states that permission for a change of use to an HMO will only be granted where the applicant has demonstrated compliance with the City Council's good practice guide on HMO amenities and facilities.
7. The application shows the provision of storage for bins and cycles, the rooms are

of adequate size and there is the opportunity to provide an adequate level of bathrooms, WCs and kitchen facilities, although adequate screening and protection of the bins are not demonstrated. It is therefore considered reasonable for any grant of planning permission to be conditional on the submission of further acceptable information demonstrating appropriate screening and security for the storage of bins and bikes to ensure the development complies with Policy TR4 of the OLP and Policies HP7 and HP15 of the SHP in this regard.

Parking

8. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. The SHP makes it clear that C4 HMOs will be subject to the same standards as houses and flats and that different levels of parking will be suited to different areas. Oxfordshire County Council has published “Car parking standards for new residential developments” (parking standards) which includes detailed technical guidance on parking space dimensions and visibility, along with a guide to maximum parking provision in Appendix A.
9. Appendix A of the above parking standards suggests that a maximum of two parking spaces should be provided for a house of more than one bedroom. The house currently provides one compliant parking space. The submitted drawings show a second small space in front of the front door, but this of a sub-standard length and would be likely to result in a car overhanging the footway, to the detriment of highway safety and contrary to Policy CP1 of the OLP. It is therefore considered reasonable to exclude this space from any grant of planning permission.
10. However, the use of the house as an HMO may result in an increased number of cars associated with the site and a corresponding increase in pressure on on-street parking in the area. The site is within a Controlled Parking Zone and is considered a sustainable location with easy access to public transport and local shops. Subject to conditions removing the future occupants from eligibility for residents' parking permits and residents' visitors' parking permits and the provision of acceptable bin and cycle stores the Local Highway Authority has no objection and points out that HMOs tend to provide accommodation for a low car ownership demographic.
11. On balance, it is considered reasonable for any grant of planning permission to be conditional on the exclusion of the site from eligibility for residents' parking permits and residents' visitors' parking permits to ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1, CP6 and CP10 of the Adopted Oxford Local Plan 2001-2016 and HP16 of the Sites and Housing Plan.

Conclusion:

12. The development will not result in an overconcentration of Houses in Multiple Occupation in the local area and provides an acceptable level of facilities and parking for future occupiers. Subject to conditions to ensure an acceptable level of screening and security to cycle and bin storage and in the interests of highway safety, the proposals comply with Policies CP1 and CP10 of the adopted Oxford Local Plan 2001 – 2016, CS23 of the Core Strategy and HP7, HP12, HP13, HP15 and HP16 of the Sites and Housing Plan.

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 permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 13/01643/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 20th September 2013

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