

Section 55 Town and Country Planning Act

Design and Access Statement

3 bedroom house Class C3 to a 6 bedroom - 6 person HMO (Class C4)

Together with rear extension

61 Warburg Crescent, Oxford, OX4 6BS

Site Information

Consultant	Grant Collier
Client	Chloe Waller
Site Address	61 Warburg Crescent, Oxford, OX4 6BS
LA	Oxford City Council
Description of Development	3 bedroom house Class C3 to a 6 bedroom - 6 person HMO (Class C4) together with rear extension
Pathway (PD/Application/Appeal)	Planning Application

Constraints Review

Flood Risk Zone	Not in a flooding zone
Contaminated Land	No
Tree Preservation Order	No
Heritage Assets	No
Noise Abatement Areas	No
Explosive Hazard Areas	No
Area of Outstanding Natural Beauty	No
Special Protection Area	No
Site of Special Scientific Interest	No
RAMSAR Convention Site	No
Site of Importance to Nature Conservation	No
Article 4(2) Directions	No

Local Policy Requirements

Local Plan/Core Strategy

Oxford Local Plan 2036 - Adopted 8th June 2020
GPDO - Adopted 15th April 2015

Effective Policies in Development Control

Policy H4: Mix of dwelling sizes
Policy H6: Houses in Multiple Occupations (HMO)
Policy H15: Internal space standards
Policy H16: Outdoor amenity space standards
Policy RE1: Sustainable design and construction
Policy RE2: Efficient use of land
Policy DH1: High quality design and placemaking
Policy DH2: Views and building heights
Policy M1: Prioritising walking, cycling, and public transport
Policy M3: Motor vehicle parking
Policy M5: Bicycle Parking

SPG/SPD's

None relevant

Planning History

Relevant History

None relevant

Report Date

4 October 2023

Room 204, Technopole Portsmouth, Kingston Crescent, Portsmouth,
Hampshire, PO2 8FA
023 9252 3352 - help@tpexpert.org - www.tpexpert.org
Jonathan McDermott, Keith Oliver are Chartered
Town Planners regulated by the Royal Town
Planning Institute Town Planning Expert is a trading
name of RP(UK) Ltd Registered in England and
Wales: 08298125 VAT REG 197 6095 56



1. Introduction

1.1. The application site relates to a 2-storey terraced dwelling house. The property is sited at Warburg Crescent at No. 61. The application seeks to get approval to increase the occupancy from a 3 bedroom house (Class C3) to a 6 bedroom - 6 person HMO (Class C4) and the construction of a rear extension.

About Town Planning Expert

1.2. Town Planning Expert is a general needs planning consultancy formed in 2012 and practising as a Chartered Planning Practice. Town Planning Expert is instructed to submit a planning application for development as set out below.

Our VICTORY © Framework

1.3. Our VICTORY Framework applies a policy, plan lead, approach to development with the intent of gaining planning permission in a manner that complies with National and Local Planning Policy in accordance with S38 of the Planning and Compulsory Purchase Act 2004.

The Development Proposed

1.4. Planning Permission is sought for the conversion of the existing building from a 3 bedroom house (Class C3) to a 6 bedroom - 6 person HMO (Class C4) and the construction of a rear extension. As such the applicant now presents that proposal for consideration by the LPA.

Executive Summary

1.5. The Adopted Local Plan and NPPF make clear that planning permission should be granted for new housing lead development in sustainable locations within existing towns and cities. As this statement will demonstrate the proposal will enable the change of use of this property in a manner that is acceptable and would enhance the character and appearance of the Area.

2. National and Local Development Frameworks.

National Planning Policy Framework

2.1. The Ministry of Housing, Communities and Local Government published the revised National Planning Policy Framework on 24 July 2018. This was the first revision of the National Planning Policy Framework since 2012. It implemented around 85 reforms announced previously through the Housing white paper, the planning for the right homes in the right places consultation and the draft revised National Planning Policy Framework consultation. Following a technical consultation on updates to national planning policy, we have made very minor changes to the text and published an updated Framework in 2023. The National Planning Policy Framework is a vital tool in ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment.

2.2. The current Core Strategy post dates the 2006 relevance date within the NPPF and together with the NPPF provides the most current planning policy for Southend. The relevant sections of the NPPF are set out below:

Introduction

1. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise 3. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

2. The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications.

Achieving sustainable development

3. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

4. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

5. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

6. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development .?(paragraph 11).

7. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*

i. the application of policies in this Framework that protect areas or assets of particular Importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area;
or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay;

or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date 7, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed 6;

or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

**6 The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change. 7 This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.*

Decision Making

8. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Determining Applications

9. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

10. Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given) 22.

**22 During the transitional period for emerging plans submitted for examination (set out in paragraph 214), consistency should be tested against the previous Framework published in March 2012.*

Delivering a sufficient supply of homes

11. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

12. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

13. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

14. Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Promoting healthy and safe communities

15. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.*

Promoting sustainable transport

16. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.*

17. Planning policies should:

a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;

b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;

c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;

d) provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);

e) provide for any large scale transport facilities that need to be located in the area 42, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. In doing so they should take into account whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements;

and f) recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government’s General Aviation Strategy 43.

18. If setting local parking standards for residential and non-residential development, policies should take into account:

a) the accessibility of the development;

b) the type, mix and use of development;

c) the availability of and opportunities for public transport;

d) local car ownership levels; and

e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

19. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

20. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

21. Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.

Making effective use of land

22. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

23. Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)⁴⁸; and*
- e) support opportunities to use the airspace above existing residential and*

commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

Achieving well-designed places

24. Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.*

Annex 1: Implementation

25. The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this replacement Framework has made. This should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.

26. However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

27. The policies in the previous Framework published in March 2012 will apply for the purpose of examining plans, where those plans were submitted 69 on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, The policies contained in this Framework will apply to any subsequent plan produced for the area concerned.

28. The Housing Delivery Test will apply from the day following the publication of the Housing Delivery Test results in November 2018. For the purpose of footnote 7 in this Framework,

delivery of housing which was substantially below the housing requirement means where the Housing Delivery Test results published in:

a) November 2018 indicate that delivery was below 25% of housing required over the previous three years;

b) November 2019 indicate that delivery was below 45% of housing required over the previous three years;

c) November 2020 and in subsequent years indicate that delivery was below 75% of housing required over the previous three years.

Local Policy

2.2.1 The relevant policies are located within the Adopted Local Plan.

2.2.2 The applicant sets out below their reasons why this development complies with the noted policies in full.

Policy	Comment
Policy H4: Mix of dwelling sizes	The proposal complies with this policy.
Policy H6: Houses in Multiple Occupations (HMO)	The proposal complies with this policy.
Policy H15: Internal space standards	The proposal complies with this policy.
Policy H16: Outdoor amenity space standards	The proposal complies with this policy.
Policy RE1: Sustainable design and construction	The proposal complies with this policy.
Policy RE2: Efficient use of land	The proposal complies with this policy.
Policy DH1: High-quality design and placemaking	The proposal complies with this policy.
Policy DH2: Views and building heights	The proposal complies with this policy.
Policy M1: Prioritising walking, cycling, and public transport	The proposal complies with this policy.
Policy M3: Motor vehicle parking	The proposal complies with this policy.
Policy M5: Bicycle Parking	The proposal complies with this policy.

3. Site, Context and Comparable Forms of Development

3.1. The application site relates to a two-storey terraced dwellinghouse.

3.2. The property has 3 bus stops located within 0.9 miles in distance.

3.3. The property is 0.7 miles from the A4142.

4. The Development Team

4.1. The developer is Chloe Waller of OX LIVING LIMITED.

4.2. Where possible the applicant utilises local builders and other trades in order to carry out development.

5. Alternative Forms of Development Considered

5.1. The existing building comprises a 3-bedroom house. This comprises the fallback position for this property should this application be unsuccessful.

5.2. The internal works pursuant to this development are exempted from the definition of development under S55(2)(a)(i) of the Town and Country Planning Act 1990 and the works to Creating 6 bedrooms are not in fact development requiring planning permission as this does not result in a material change of use on its own.

5.3. As such the only component of this development that requires full planning permission is the occupation of the building by three more persons thus resulting in a material change of use.

6. Constraints to Development

6.1. The proposal will add 3 more persons to the property by an internal reconfiguration of the building together with a rear extension.

6.2. The addition of 3 more bedrooms and a rear extension will have no demonstrable impact on the amenity of the occupiers and the neighbours of the property. The conversion of the property will have no impact on the characteristics or appearance of the area.

7. The Principle of Development

7.1. The application relates to a two-storey terraced 3-bedroom house. The property is sited at Warburg Crescent at No. 61.

7.2. This planning application seeks to change the use of the property from a Use Class C3 a 3-bed house to a 6-bed HMO together with adding an extension.

7.3. The applicant seeks to add 3 more bedrooms to the property with the help of internal reconfiguration and making effective use of the development. And adding an extension in the rear garden.

7.4. The addition of 3 more persons to the property and an extension will not have any demonstrable impact on the occupiers of the property and the amenities of the property. All the rooms are designed as per the National Space standard.

7.5. The proposal is to convert the ground level to 3 bedrooms with 1 shared bathroom to match the existing rooms. All existing and proposed rooms are greater than 8.5 sqm.

7.6. The property will be equipped with 2 toilets/showers available to all occupants of the property. A communal kitchen on the ground floor will be available to all occupants.

7.7. There is a driveway and also there is residential parking on-street.

7.8. There are additional external changes to the property required to add an extension. The three more bedrooms will be added by an internal reconfiguration.

8. Site Capacity Assessment.

8.1. This application seeks to convert the 3-bedroom house to a 6-bedroom (6 person) HMO together with a rear extension.

Scale

8.2. The scale of the building will be changed.

Layout

8.3. The internal layout of the building will be reconfigured to convert the 3-bedroom house into a 6-bedroom HMO.

Amount

8.4. The amount of development is restricted to a single HMO comprising six bedrooms and exceeding the National Space Standards for a two-storey dwelling.

8.5. As the amount of development proposed is optimal and does not result in an overdevelopment.

Landscape

8.6. There is a rear garden. There will be a bike shed and a bin storage shed added.

Amenity of adjoining, surrounding and proposed occupiers.

8.7. The conversion of the property into a 6-bed HMO will not have any demonstrable effect on the amenity of the surrounding neighbours and occupiers of the property. The proposal is to provide adequate amenity space for the occupiers of a 6-bedroom house in multiple occupations. It cannot be assumed that the occupants of the property will cause a nuisance to neighbours.

9. Appearance Assessment

9.1. The development will result in a material alteration to the external appearance of the building.

10. Access Appraisal

10.1. The proposed development has a driveway and has access to residential car parking which will meet the parking needs of the proposed use.

10.2. The development will promote means of transport other than the private car by adding a secure and weatherproof bicycle shed to the standard required by the Highway Authority. Also incorporating a bin storage shed.

10.3. As presented the development would not have a significant impact on the safety and convenience of the highway when compared to the existing 3 bedroom house.

11. Conclusion

11.1. Within the planning balance, the proposed development offers an opportunity to provide intensification of this property in a manner which would have no deleterious effect on the character and approved and appearance of the street scene, impact the amenity of adjoining and surrounding occupiers and would have wider public benefits from bringing new sustainable forms of development.

11.2. As such it is submitted that planning permission could be granted for this development and the applicant looks forward to discussing the matter with the LPA.

Room 204, Technopole Portsmouth, Kingston Crescent, Portsmouth,
Hampshire, PO2 8FA
023 9252 3352 - help@tpexpert.org - www.tpexpert.org
Jonathan McDermott, Keith Oliver are Chartered
Town Planners regulated by the Royal Town
Planning Institute Town Planning Expert is a trading
name of RP(UK) Ltd Registered in England and
Wales: 08298125 VAT REG 197 6095 56



RTPI

Chartered Town Pl