



Section 55 Town and Country Planning Act

Design and Access Statement

82 Arlington Drive, Marston, Oxford, OX3 0SJ

Conversion of loft into a bedroom and change of use of the property from 4-bedroom house (Class C3) to an 8-bedroom/8-person HMO (Sui Generis), installation of 9 solar panels, 3 velux windows and provision of bin and bike storage

Site Information

Consultant	Francelita Balbido
Checked by	Keith Oliver
Client	Chloe Rose
Site Address	82 Arlington Drive, Marston, Oxford, OX3 0SJ
LA	Oxford City Council
Description of Development	Conversion of loft into a bedroom and change of use of the property from 4-bedroom house (Class C3) to an 8-bedroom/8-person HMO (Sui Generis), installation of 9 solar panels, 3 velux windows and provision of bin and bike storage.
Pathway (PD/Application/Appeal)	Planning Application

Constraints Review

Flood Risk Zone	1
Contaminated Land	No
Tree Preservation Order	No
Heritage Assets	No
Noise Abatement Areas	No
Explosive Hazard Areas	No
National Landscape	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 2038 (adopted 8 June 2020)

Effective Policies in Development Control

Policy H6: House in Multiple Occupation (HMO)
Policy H15: Internal Space Standards
Policy RE2: Efficient Use of Land
Policy RE7: Managing the Impact of Development
Policy DH1: High-Quality Design and Placemaking
Policy M1 : Prioritising Walking, Cycling and Public Transport
Policy M2 : Assessing and Managing Development
Policy M3 : Motor Vehicle Parking
Policy M5 : Bicycle Parking

SPG/SPD's

Landlord's Guide to Amenities and Facilities for HMO 2019

Planning History

23/01990/FUL | Approved - 20 October 2023
Change of use of dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4). Conversion of garage to habitable space. Installation of 14no. solar panels to front roof slope. Removal of 1no. garage door and insertion of 1no. window to front elevation. Alterations to rear fenestration. Provision of bin and bicycle storage. (amended description).

67/00369/M-H | Approved - 22 June 1967
Extension to form new bedroom

Relevant History

Report Date

25 January 2024

1. Introduction

1.1. The application site relates to a two-storey semi-detached house (C3) situated at 82 Arlington Drive, Marston, Oxford.

1.2. The property is currently a 4-bedroom dwellinghouse and the owner would like to convert it to an 8-bedroom/8-person HMO through loft conversion and internal configuration.

1.3. The Town Planning Expert is the agent for this application.

About Town Planning Expert

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

Our VICTORY © Framework

1.5. 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

1.6. Planning permission is sought for the change of use of a 4-bedroom dwellinghouse (Class C3) to an 8-bedroom/8-person HMO (Sui Generis) by internal configuration, conversion of loft into a bedroom, installation of 9no. solar panels, 3no. Velux windows and provision of bin and bike storage.

1.7. The property has a previously approved application in 2023 for a Change of use of dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4). Conversion of garage to habitable space. Installation of 14no. solar panels to front roof slope. Removal of 1no. garage door and insertion of 1no. window to front elevation. Alterations to rear fenestration. Provision of bin and bicycle storage. (Reference number 23/01990/FUL)

Executive Summary

1.8. This application document is prepared in accordance with the related national and local policies. The proposal contributes to meeting the objectives of the government in providing appropriate housing and accommodations without significant negative impacts on the surroundings and environment.

2. National and Local Development Frameworks.

National Planning Policy Framework

2.1. The National Planning Policy Framework was revised in response to the Levelling-up and Regeneration Bill: reforms to national planning policy consultation on 19 December 2023 and sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018, updated in February 2019, revised in July 2021 and updated in September 2023.

2.2. The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. 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). The relevant sections of the NPPF are set out below:

Introduction

1. The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans can provide for sufficient housing and other development in a sustainable manner. Preparing and maintaining up-to-date plans should be seen as a priority in meeting this objective.

2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. 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.

3. The Framework should be read as a whole (including its footnotes and annexes). General references to planning policies in the Framework should be applied in a way that is appropriate to the type of plan being produced, taking into account policy on plan-making in chapter 3.

Achieving sustainable development

7. 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. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.

8. 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 well-designed, beautiful and safe places, 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 protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9. 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.

10. 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).

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

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;

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, 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; 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.

Decision Making

38. 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

47. 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.

Planning conditions and obligations

55. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

56. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

Delivering a sufficient supply of homes

60. 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.

Promoting sustainable transport

108. 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.*

Making effective use of land

123. 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.

Local Policy

2.3. The relevant policies are located within the adopted Local Plan 2011-2031 of Oxford City Council.

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

Policy	Comment/Compliance
Policy S1: Presumption in Favour of Sustainable Development	The proposal is within a built-up residential area.
Policy H1: The Scale of New Housing Provision	Creating mixed and balanced communities and providing affordable rent through the creation of HMO.
Policy H6: Houses in Multiple Occupation (HMO)	The proposal is within the allowable number of HMOs in the area.
H15: Internal Space Standards	The proposal exceeds the minimum requirements for HMO and the nationally described space standards.
H16: Outdoor Amenity Space Standards	The proposal exceeds the minimum allocated space for an outdoor area of 1.5m x 3 metres.
Policy RE1: Sustainable Design and Construction	Use of low carbon energy with the installation of 9 solar panels.
Policy RE2: Efficient Use of Land	The proposal makes the best use of the property by providing good amenities and additional accommodations.
Policy RE6: Air Quality. The whole city was declared an Air Quality Management Area.	Provide interventions to encourage walking, biking and use of public transport.
Policy RE7: Managing the Impact of Development	Ensure community, neighbours and occupiers are protected.
Policy DH1: High Quality Design and Placemaking	The design and the allocated space for each amenity exceed the minimum requirements.
Policy M1: Prioritising walking, cycling and public transport	Provision of bike storage.
Policy M2: Assessing and Managing	The site is in a sustainable location and in a

Development	Controlled Parking Zone (CPZ)
Policy M3: Motor Vehicle Parking	One parking space is provided. The future occupiers are expected to have limited or no access to cars.
Policy M5: Bicycle Parking	Provide a bike shed that will accommodate 8 bikes (1 space per occupant).

3. The Planning History

3.1. 23/01990/FUL | Approved | Change of use of dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4). Conversion of garage to habitable space. Installation of 14no. solar panels to front roof slope. Removal of 1no. garage door and insertion of 1no. window to front elevation. Alterations to rear fenestration. Provision of bin and bicycle storage.

3.2. 67/00369/M-H | Approved | Extension to form a new bedroom.

4. Site, Context and Comparable Forms of Development

4.1. The application site is on the west side of Arlington Drive, It is in the established residential area to the north of the Oxford City Centre and within easy reach of Marston Road, John Radcliffe Hospital, Ring Road and Summertown.

4.2. The application site is surrounded by schools and universities and backs onto the Watt and Norris Conservation for arts and some archaeological objects. From Arlington Drive, there is a footpath which leads to Wolfson College and in turn to the City Centre. Marston offers a good range of local shops, post office and other amenities. Headington, Summertown and the City Centre provide a more comprehensive range.

4.3. The 2-storey semi-detached property at 82 Arlington Drive has easy access to public transport.

4.4. The area has a mixture of two-storey semi-detached and detached buildings on both sides of the road.

5. The Development Team

5.1. The developer comprises a small business operating within Oxford and delivering quality units of living accommodation for local occupations. They are specialists in HMO development and management providing good quality accommodations in convenient locations for young professionals and workers.

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

6. Alternative Forms of Development Considered

6.1. As a single-family dwellinghouse the property has permitted development allowances under Classes A to E of Part 1 of Schedule 2 of the General Permitted Development Order 2015 and these comprise the fallback position in this case. Alternatively, the applicant can implement the approved HMO.

7. Constraints to Development

7.1. Removal of the Permitted Development Rights under an Article 4 direction. As of 24th February 2012, planning permission is required to change the use of any dwellinghouse (Use Class C3) in Oxford City to a house in multiple occupation (Use Class C4).

7.2. With this change of use, no external changes are proposed apart from the installation of solar panels and Velux windows on the roof; therefore, there will be no impacts on the appearance of the building and the character of the area.

8. The Social Benefit to Development

8.1. Sustainable development reduces their environmental impact and promotes health and well-being.

8.2. In 2015 the House Builders Federation reported that housebuilding nationally:

- Supports 600,000 jobs
- Contributes £19.2bn a year to the UK economy
- Spends £5.5bn with suppliers, 90% of which stays in the UK
- Generates £1.4bn per year in tax revenues for the Exchequer
- Provides 32,000 affordable homes – worth £2.3bn – built or financed by private house building with a further £1bn paid to local authorities as a contribution to more affordable housing
- Pays £576M towards community facilities including;
- £225M towards education facilities alone - enough to fund 52,000 classroom places;
- £131m in open spaces and community and sports facilities, and
- Generates a £3.8bn spend in local shops and services

8.3. A Sustainable building has the following ten advantages:

- **Efficiency in energy use:** One of the primary benefits of sustainable building is increased energy efficiency. It can reduce carbon footprints because they use less energy. In addition, energy-efficient technologies such as double-paned windows and insulation are utilised.
- **Water Efficiency:** Sustainable buildings also conserve water. They use low-flow toilets, showers, and faucets and implement rainwater harvesting systems. As a result, water is saved, water bills are reduced, and local water resources are less strained.

- **Enhanced indoor air quality:** Indoor air quality is improved by sustainable buildings. They use low-emission materials, have sound ventilation systems, and promote healthy indoor air by reducing pollutants and allergens.
- **Durability:** Durable materials are often used in sustainable buildings. The result is both a reduction in waste generation and a reduction in the need for frequent maintenance and repairs.
- **Better Health:** Sustainable buildings promote better health for those who use them. The air quality is better, natural light is encouraged, and green spaces are available. This can lead to reduced stress levels and improved mental and physical health.
- **Increased Productivity:** Sustainable buildings have been shown to increase productivity. A healthier, more comfortable work environment leads to higher motivation and engagement.
- **Cost Savings:** Although Sustainable buildings may have a higher upfront cost, they can result in significant cost savings in the long term. Energy-efficient buildings reduce energy bills, and water-efficient buildings reduce water bills.
- **An increase in property value:** Sustainable buildings are often more valuable than conventional ones. They are in high demand and can fetch a higher rent or sale price.
- **Environmental Sustainability:** Environmentally friendly buildings reduce the impact on the environment. They conserve resources, reduce waste, and promote sustainable practices.
- **Increased Market Demand:** There is a growing demand for sustainable buildings from consumers and businesses alike. As a result, sustainable building technologies and practices have attracted more investment.

8.4. Ultimately, sustainable building offers a multitude of benefits to both individuals and the environment. It promotes energy efficiency, water conservation, improved indoor air quality,

durability, better health, increased productivity, cost savings, increased property value, environmental sustainability, and increased market demand.

8.5. To this end modern development on sites such as that as presented by this application assists the government in achieving the global sustainability goals and improves the sustainability of the wider area as a whole.

9. The Principle of Development

9.1. The NPPF encourages the use of land in a more efficient manner. The proposed development will add four additional accommodations through internal alterations and the conversion of the loft into a bedroom. This supports the economic objective of the NPPF and improves productivity.

9.2. The existing building is a two-storey semi-detached house comprising a lounge, kitchen and dining on the ground floor and four bedrooms and a bathroom on the first floor.

9.3. The size of the proposed bedrooms ranges from 9.40 to 16.30 which all exceeded the minimum required area of 8.50m² as shown below.

Facility/bedroom size (m ²)	Proposed Area (m ²)	Required Area (m ²)
Bedroom 1	9.40	8.50
Bedroom 2	9.59	8.50
Bedroom 3	11.00	8.50
Bedroom 4	9.76	8.50
Bedroom 5	11.00	8.50
Bedroom 6	11.00	8.50
Bedroom 7	10.70	8.50

Bedroom 8	16.30	14.00
Kitchen/dining	19.10	16.00

9.4. This development will give the opportunity to provide suitable housing with proper amenities for future occupants. It ensures to meet the changing needs of the people and community over a lifetime.

9.5. The Local Plan and National Planning Policy Framework do not contain any policy that would otherwise prevent the addition of bedrooms to this existing 4-bedroom house by reconfiguration of the interior and conversion of loft into a bedroom. As such, the principle of development is well-established.

9.6. Few HMO properties are found within a 100-metre length of Arlington Drive, and therefore, the proposal result is within the allowable 20% proportion of buildings used as an HMO.

10. Site Capacity Assessment.

10.1. The site is capable of accommodating changes without significant impacts to the surrounding environment.

Scale

10.2. The existing building has two storeys and each storey has a height of more than 2.3 metres. The proposed development will not change the height of the building.

Layout

10.3. Internal layout changed due to internal configurations needed for the change of use of the property.

Amount

10.4. Change of use of the property from a 4-bedroom house to an 8-bedroom/8-person HMO through internal configurations and conversion of loft into a bedroom. Installation of 9no. Solar panels and 3no. Velux windows to the roof.

Landscape

10.5. No landscaping is proposed. It is intended to maintain the existing garden.

Amenity of adjoining, surrounding and proposed occupiers.

10.6. The adjacent properties are used as dwellinghouses and the proposed use of the property from 4-bedroom house to an 8-bedroom HMO will be done through internal configuration and, therefore, has no significant impact on the neighbouring properties and its occupants.

10.7. If properly managed, adding four occupiers to the property is unlikely to cause harm in terms of noise and nuisance to the current occupants and neighbours.

10.8. In 2008 the Government produced a report, "Evidence Gathering – Housing in Multiple Occupation and possible planning responses". This identified a number of measures as evidenced by good practice around the country, by which local authorities can control anti-social behaviour associated with HMOs through non-planning mechanisms.

10.9. In 2010, the Department of Communities and Local Government commissioned a report entitled 'Evaluation of the Impact of HMO Licensing and Selective Licensing'. This report was produced by the Building Research Establishment in 2010.

10.10. Paragraph 4.4 is particularly pertinent:

4.4 Summary of the private rented sector in the twelve case studies

The Rugg¹ review provides a comprehensive analysis of the modern private rented sector. This study, however, looks closely at the HMO market, which has a defined role within this sector and the privately rented properties affected by selective licensing. Interviews with the case studies reveal that LAs vary in their understanding of the dynamics of the local housing market and the role of the private rented sector in these markets. Consequently, there are distinct differences in how they see private sector initiatives (including licensing) linking into their broader strategic roles. For some case studies, raising standards in the sector is a must for regeneration strategies. For other LAs, the private rented market has been left to its own devices. The following provides a summary of the issues raised by the case studies:

- the case studies underline the growing diversity and complexity of the private rented sector generally as 'new' tenants and landlords enter it. There has been an expansion at the 'top' end of the market to meet the needs of young professionals. Here, standards tend to be good, often managed by larger portfolio landlords.*
- large portfolio landlords were considered more knowledgeable and more experienced treating the profession as a business.*

10.11. Table 1 of that report identifies that there is a perception of the behaviour of HMO tenants. However, Table 11 determines that this is not the principal problem with this form of accommodation. As such, the perception of harm is much worse than the reality of the situation.

10.12. It is a long-standing tenet of planning that decisions should be based on evidence and not upon anecdotal or personal opinions. The above indicates that such evidence as exists show that HMOs create no greater nuisance than any other form of property.

10.13. This concluded that if properly managed HMO's caused no greater disturbance than other residential uses.

¹ The Private Rented Sector: Its Contribution and Potential. Julie Rugg and David Rhodes
Centre for Housing Policy. University of York 2008

12. Access and Parking Appraisal

12.1. The property can be accessed from Arlington Drive, as the main access to the property.

12.2. The proposed development will provide 1 car parking space, and bike storage for 8 bicycles.

12.3. Parking spaces for cars and bicycles were designed to accommodate the needs of future occupants in a manner that would follow national and local policies. The future occupants are expected to have low or no access to cars, this is why HMOs will be located within easy access to local transport.

12.4. The property benefits from good public transport access being near schools, colleges and universities. It is 100m away from Meadow Brook College, and there are local amenities that can be accessed on foot.

12.5. The site's proximity to local amenities and public transport will decrease future occupants' reliance on cars, and the provision of dry, secured bike storage at the property will encourage the occupants to use bicycles.

12.6. The proposed development will provide opportunities for walking and cycling which was one of the objectives set out in the NPPF.

12.7. Bin storage is located at the front of the property for easy access.

13. Planning Obligations and Affordable Housing Statement

13.1. Not applicable in this case.

14. Conclusion

14.1. The proposed development would result in the creation of additional dwellings that could be added to the housing requirement of the Council.

14.2. Few HMOs are found along the stretch of Arlington Drive (near the site), and therefore the concentration of HMOs is very low.

14.3. Within the planning balance the proposed development offers an opportunity to provide further dwellings for the area in a manner which would have no significant impact on the amenities of adjoining and surrounding occupiers and would have wider public benefits from bringing new sustainable forms of development to Headington, Oxford.

14.4. The property is in the CPZ and its proximity to local amenities and public transport is such that the development will have no significant impact on transport and parking in the area.

14.5. As such, it is submitted that planning permission should be granted for this development and the applicant looks forward to discussing the matter with the LPA if required.