

## Synopsis

We bought 187 Divinity Road OX41LP on 7/01/2013, before we bought the house for our family to live in, it was let by the previous owner for traditional full-board and lodgings.

In 2015 we completed necessary minor internal alterations to the property to enable us to meet all the HMO standards. We have been certificated by Oxford County Council to provide HMO accommodation since 2015. In the multiple reviews we have completed since this time over the last eight years the inspectors have all said it one of the best HMO letting homes (rather than letting house) in Oxford.

In terms of HMO space requirements all rooms exceed the guidelines by some measure. We have converted one of small bedroom into additional ensuite shower room , all the bedrooms are much bigger than standard double room size. The tenants can enjoy uninterrupted use of an extensive garden. We provide secure shelter for bicycles and continue to be strongly in favour of sustainability and manage the recycling and general use bins well. We have a policy to let to only post doctorship and professional tenants. We have never received a complaint from our neighbours about the behaviour of our tenants. It is an exceptionally well managed HMO over the last eight years. In terms of HMO density within 100 meters either side and including all the HMO's in that space we are at or below 20% - when the current Divinity 187 HMO licence is included. We are delighted with the new traffic management system on Divinity Road – it is life changing to the whole of Divinity Road. We strongly encourage micro-journeys to be by foot, cycle or local transport (which is within 160 meters of the property). We will not be seeking any additional parking permits.

## Key National Planning Policy Framework and the Oxford Local Plan 2036.

The following list has been identified as the key sections of national and local planning guidelines.

- S1 - Sustainable development.
- DH1 - High quality design and place making.
- DH7 – External features and stores.
- H6 - Houses in Multiple Occupation (HMO).
- H14 - Privacy, daylight and sunlight.
- H15 - Internal space standards RE2 - Efficient use of Land.
- RE7 - Managing the impact of development.
- M1 - Prioritising walking, cycling & public transport.
- M3 - Motor vehicle parking.
- M5 - Bicycle Parking.

## Site History:

65/15998/A\_H - Alterations to form bathroom. PDV 9th February 1965. 73/00245/A\_H - Ground floor extensions to form bedroom.

PDV 16th February 1973. RESPREA 22/01585/PAC

Site: 187 Divinity Road was built as a semi-detached property. The property 185 Divinity, at some stage in its past, has been connected to 183. This gives the appearance of a terrace. But the design features of the property reveal that the buildings were, at one stage separate therefore in our opinion and subject to full scrutiny to us 187 Divinity is a semi-detached building. 187 Divinity is a two-storey property located in the east of Oxford. The property sits on the north side of the street and is

constructed under a tiled roof and finished in render. The property benefits from a two-storey bay window to the front elevation.

Mrs Yan Zhang and Mr Stephen Holley are the current owners of 187 Divinity. 187 Divinity was purchased on the 07/01/2013. The previous owner provided full-board and lodging accommodation with separately metered rooms, we cannot identify whether she had applied for HMO status. The previous owner had separate electricity meter in each bedroom where her lodgers paid for their own metered usage (advised by the vendors agent), they were removed when the electrical system was rewired. We bought the property and lived in the property as a family for 2 years before we moved to our current home.

In 2015 we applied for and were awarded HMO status and from that point forward we began to let 187 Divinity on a multi-occupancy basis. To comply with HMO requirements, we made all the necessary changes to the property including converting a bedroom into an ensuite, completing fire safety standards. Since 2015 we have had uninterrupted licences and met all the review requirements. The current HMO licence (23/009917/HMOMAN) was issued on the 17/01/2023. For eight years we have successfully managed the property as an HMO. Reports from the HMO re-inspection have included the statement that it is one of the best presented HMO's in Oxford – of which we are rightfully proud.

We have made every effort to maintain the property to a high standard and provide our tenants with the best possible living environment. We were pleased with the positive comments made by the HMO officer, who regarded our property as one of the best homes rather than a typical letting house. Our policy for letting is exclusive to young professional post doctoral graduates. They are invariably employed by the University, Hospitals, or Technology businesses in the Oxford. These tenants typically have fixed-term employment contracts with their employers lasting for between 1 or 2 years. On average they stay with us for the whole period of their employment contract. Many of our tenants work in the medical/biomedical sectors, contributing to the thriving Biotech sector in Oxford. Our tenants have enjoyed their stay, and when they move on recommended the property to their colleagues.

We are now seeking retrospective permission to use the property as C4, which denotes a house in multiple occupation. We believe that since the property has always been used for multi-occupancy (except for the two-year period when we lived there as a family), and we solely let to professional tenants, we have not altered the housing market in Oxford. In essence, we see this as not a change of use but rather a retrospective license to continue the current use.

**Proposal:**

Retrospective application for change of use of the property from a C3 Dwellinghouse to a C4 HMO. Officers note that the pre-application advice has been sought on the basis of a retrospective application, given that from the information provided, as well as council records, the property has been in use as a C4 HMO since 2015.

DH1 - High quality design and place making.

Design Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high-quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1. The change of use would not result in the appearance of the building being materially different from the existing arrangement.

DH7 – External features and stores

187 Divinity has a shared access to the right of the building. This shared access, which is level to the kerb, leads to the garden. The shared access is 1.2m wide. Access is provided through a secured by a metal frame, solid wood external door which is lockable. Access then passes through a second locked gate into the back garden. The back garden is accessible through a second locked gate. The access then leads through a small courtyard to the garden. The garden is always accessible to the tenants. The rear garden is some 18.83m long by 5.44m providing 102.4m<sup>2</sup> accessible outside space. In the garden are two buildings - a permanent outside building (7m<sup>2</sup> on the Plan) and a second ordinary shed with roof. These two buildings provide secure shelter for at least five cycles. Therefore, the property provides tenants with bicycle parking provision as set out in Appendix 7.47.3. Bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street.

The front garden is accessed over red and black original tiled path. To the right in front of the house are two sections - a concrete hardstanding and a retained soil planting area section. The total space is enclosed to the front by a short brick wall (4.2m in length) and to the right a 2m high well maintained hedge. The total area is slightly less than 10sqm considering the bay window. The planter section is home to red roses, hydrangeas and, in spring, bluebells. The whole area could be converted to hardstanding for bins should it be required – our preference has been to retain the flowerbed. Currently there are three bins - general and two recycling. The three bins are stored on the property front hardstanding and off the road.

## H6 - Houses in Multiple Occupation (HMO) Residential Amenity Policy H6 of the Oxford Local Plan 2036

Residential Amenity Policy H6 of the Oxford Local Plan 2036 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.

Oxford City Council's: Landlord's Guide to Amenities and Facilities for Houses in Multiple Occupation 2019 (LGAFHMO 2019)

### S1 Private room space (LGAFHMO 2019)

The following image are the property sales details.



All bedrooms exceed the 6.51m<sup>2</sup> rule. The size of our bedrooms as below are doubled to triple to this standard

## Bedrooms

B1 Front Ground floor is:  $4.2 \times 4.06 = 17.05$  m<sup>2</sup> exceeding the 6.51 m<sup>2</sup>



B2 Front First Floor is:  $5.44 \times 4.22 = 22.95$  m<sup>2</sup> exceeding the 6.51 m<sup>2</sup>



B3 Middle First Floor  $3.63 \times 3.61 = 13.10$  m<sup>2</sup> exceeding the 6.51 m<sup>2</sup>



B4 Back First Floor plus ensuite is 4.06x3.35 = 13.60 m2 exceeding the 6.51 m2



**S1 Personal washing facilities/toilets: Bathroom shared by 1-4 people. (LGAFHMO 2019)**

The bathroom is fitted with a bath and shower, vanity sink unit and single double flush toilet. Has a locking door for privacy. The double-glazed window opens vertically and has privacy glass. The room is vented through an Expelair vent activated from the light pull.



**S1 Personal washing facilities/toilets: Ensuite to B4: Shared 1-2 people (LGAFHMO 2019)**

This was a small bedroom (5.71 m2) that was converted to provide a separate toilet and shower for occupants of bedroom B4 (13.60 m2). The shower is electric and therefore heats separately from the main hot water system. The ensuite cannot be accessed by the other occupants. The window is covered with obscure film.

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### S1 Kitchen (LGAFHMO 2019)

The kitchen is shared between 5 people. The kitchen has two large windows which are double glazed and which can be opened for additional ventilation. The kitchen has a five-gas burning (SMEG) hob plus double electric oven. The cooker is supplied with a recycling air hood (external access was prohibited). It also has a washing machine, 165 litre fridge freezer and wood burning stove. The kitchen is  $4.5 \times 3.33\text{m}^2 = 14.98 \text{ m}^2$  and in excess of the  $10 \text{ m}^2$  required (6 people). It has ample electrical sockets, storage facilities and working surfaces. The kitchen has a fire alarm and monoxide testing unit. The kitchen has been supplied with a fire blanket.



### S1 Lounge (LGAFHMO 2019)

The lounge is  $3.66 \times 3.61 = 13.21\text{m}^2$ . The lounge is provided with triple and double seat sofas and provides access to the rear garden.



## Hallway



### **S1: Fire Safety (LGAFHMO 2019)**

**187 Divinity is a low risk shared tenancy household. There are no inner rooms. Each room is separated either with a fire door or solid wood door. Exit is through a hallway. There are two points of exit - front and back door. There are also multiple windows on the ground floor which can provide additional exit points.**

Appropriate fire doors have been fitted to the Kitchen providing in excess of 30 minutes fire protection. The hinges and door furniture are also 30 minute fire rated and intumescent door strips and hinge protectors have been used. The fire door is clearly marked and has a fire rated sprung closure door system. The whole house is appropriately wired in fire alarm. Bedroom, Bathroom and Front Door are fitted with internal turnkey locks.

### **S3: Space Heating (LGAFHMO 2019)**

187 Divinity is heated with a Vaillant Combination boiler providing hot running water and central heating. The rooms are all (including the bathrooms) heated with radiators which can maintain the house temperature at 21 degrees when -1 degree outside. Radiators are fitted with individual TVR's. The property complies with Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 SI 373.

### **S4: Recycling (LGAFHMO 2019)**

187 Divinity has two 240 litre BLUE recycling bin and one 240 Litre Green refuse bin. These are stored on the hardstanding outside the front of the building within an enclosed front garden. It is the tenants responsibility to make sure that the bins are moved to the pavement side on collections. The bins and recycling is unlikely to have any materially harmful amenity impacts

**Neighbouring Amenity Policy H14 of the Oxford Local Plan 2036** privacy, daylight and sunlight.

187 Divinity is not a new development. The change of use would not impinge upon the daylight or privacy more than would be possible under the existing use of the site.

### **HMO Density Policy H6 of the Oxford Local Plan 2036**

H6 Oxford Local Plans states that planning permission will only be granted for the change of use of a C3 dwellinghouse to a C4 House in Multiple Occupation (HMO) where the proportion of buildings used in full or part as an HMO within 100 metres of street length either side of the application site does not exceed 20%.



187 Divinity is located on the northern side of the street, within 100m to the east and west of the property are included property numbers 151 through to 206. In addition, there is 144 Morrell Avenue which can only be accessed from Divinity Road. There has been two additional newly completed “infill” houses - creating 193A and 193B which used to be part of the garden of 193. 193 was also completely refurbished. This stretch covers the following postcodes OX4 1LZ, OX4 1LP (Including 187 Divinity) OX4 1LS and OX41LR. Within this distance, there are 12 published HMO’s including 187 Divinity. There are also 59 properties. Therefore, the current 20% threshold is met – with the HMO of 187 Divinity included. The density guideline of 20% has not been exceeded.

### **H16 Outdoor Amenity Space Policy of the Oxford Local Plan 2036**

187 Divinity has an external rear garden of some 94 m2. The garden is mainly put to lawn, but it does have a border which is a flower bed containing: Peonies; roses; bluebells and rambling roses. This can be accessed by all the tenants through a back gate and a door from the lounge/living room. The change of use does not impact upon the outdoor amenity space and provides sufficient shared garden space amenity for the day to day needs of occupiers.



### **Car Parking Policy M3 of the Oxford Local Plan 2036**

187 Divinity is located within a 160m walk to frequent public transport services and within 800m walk to a local supermarket at the bottom of Divinity Road. There is ample storage of cycles 187 Divinity has two on-street permit parking space, from our experience, car parking space would not be required for most of time due to the tenant’s employment circumstance.

#### **In conclusion**

Prior to our family living in 187 Divinity the property was let for board and lodgings. We lived as a family in the home from 2013 to 2015. . Since 2015 we have made alterations to the property to enable us to meet the HMO standards. We have been certificated since 2015. Inspectors have said it one of the best HMO letting homes (rather than letting house) in Oxford. In terms of HMO space requirements all rooms exceed the guidelines by double if not triple.. The tenants can enjoy uninterrupted use of an extensive garden. We provide secure shelter for bicycles and continue to be strongly in favour of sustainability and manage the recycling and general use bins well. We have a policy to let to only postgraduate and professional tenants. We have never received a complaint from our closest neighbours. It is an exceptionally well managed HMO. In terms of HMO density within 100 meters either side and including all of the HMO’s we are at or below 20% - when OUR Divinity 187 HMO is included. We are delighted with the new traffic management system on Divinity Road – it is life changing. We will not be seeking any additional parking permits. We strongly encourage micro-journeys to be by foot, cycle or local transport (which is within 160 meters of the property).