

JPPC ref: JS/5543/62WC  
Portal ref:PP 12902932

18<sup>th</sup> March 2024

Dear Sirs

**62 Warburg Crescent, Oxford, OX4 6BS**  
**Planning application for the change of use of residential dwelling (C3) to use as a small HMO (C4), including removal of garage door and provision of window**

Please find enclosed an application seeking planning permission for the change of use of the above premises from a C3 dwelling to a C4 House of Multiple Occupation (up to six people living together as a single household).

The application includes the following items:

- Application forms & Certificates
- Location Plan
- Block plans proposed and existing
- Floor Plans existing and proposed
- (relevant) Elevations existing and proposed
- Bin store and bike store proposed
- This letter which contains our justification for the proposal
- CIL form 1

In due course, we look forward to your confirmation that the application is registered and will be pleased to answer any questions.

Yours faithfully

**Josh Sharp** BSc (Hons) MSc  
Planner

## **Introduction**

This statement has been prepared by John Philips Planning Consultancy (JPPC) in support of a submission for the change of use of current residential use (C3) to a small house of multiple occupancy (C4).

In this report we set out why the proposed development should be considered acceptable, following a site appraisal, and reference to the relevant planning policy, site constraints and material considerations.

This report should be read in conjunction with all plans and other documents submitted as a part of this proposal, a list of which is on the front page of this letter.

## **Site and its surroundings**

The house is a 2-storey town house situated in a residential area in the southeast of Oxford. The area is typically residential in character and has close access to bus routes, local amenities such as shops and services are within walking distance at the Blackbird Leys centre and workplaces at Cowley, BMW, the Oxford Science Park and Kassam Entertainment Complex. The area is close to an excellent corridor for public transport with regular buses running to other parts of the city and further beyond.

## **Relevant Planning Policy**

### **Oxford local Plan 2036**

S1 - Sustainable development  
RE2 - Efficient use of Land  
RE4 - Sustainable and foul drainage, surface  
DH1 - High quality design and placemaking  
DH7 - External servicing features and stores  
H6 - Houses in Multiple Occupation (HMO)  
H14 - Privacy, daylight and sunlight  
H15 - Internal space standards  
H16 - Outdoor amenity space standards  
RE7 - Managing the impact of development  
M3 - Motor vehicle parking  
M5 - Bicycle Parking

## **Relevant Site History**

24/00104/CPU – Lawful development certificate for the removal of garage door and replacement with walling and insertion of window for the conversion of the garage for use as habitable space. – LDC granted on 12<sup>th</sup> March 2024.

## **Principle of development**

### Concentration of HMOs

A planning application is required in this instance, due to the adoption of an article 4 direction across the city in 2012 which states that planning permission is to be required for change of use of a C3 dwelling house to a C4 'small' HMO with 3-6 occupiers. Otherwise, a simple development of this kind would be able to make use of permitted development rights for such a change and not need an application.

Policy H6 of the Oxford Local Plan states that the change of use of a C3 dwelling to a 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%.

We have examined the Council's licensing records which appear to be up to date for this area, but presently exclude No61 Warburg (which has planning consent but is not

active yet nevertheless is factored into our calculations) and in accordance with the Appendix 3.6 guidelines for applying policy HP6. Within 100m either side of 62 Warburg Crescent, there are a total of 61 buildings, including the host property. There are currently 3 HMOs (Nos. 134 Balfour Road and 59 & 61 Warburg Crescent) within 100m of the site and the proposal would result in a total of 4 of these buildings being classed as an HMO. The proposed HMO at 62 Warburg Crescent, would result in a total of 4.91%, well within the allowed 20%. There is thus also a healthy margin for error.

Space standards

In accordance with the proposed floor plan there will be a gross internal area measuring 111.8m<sup>2</sup>.

As a result of the lawful development certificate received 12<sup>th</sup> March 2024, the dwelling has capacity for 5 bedrooms- 3 upstairs and 2 downstairs by using the living room as a bedroom and converting the garage to another.

The garage has not yet been converted into a bedroom but that would be permitted development to do either now or if the property was already a C4 HMO. These works are included within this application for the avoidance of doubt.

The proposal is to have five bedrooms all operated as single rooms to allow 5 people to live on site.

To ensure accordance with the required internal space standards technical guidance, two of the existing first floor bedrooms will be adjusted to uplift the existing small bedroom to have at least 7.5sqm of floor space (what is shown as bedroom 3 has less than 7.5sqm currently) but still retaining a large enough adjacent room.

The house is therefore compliant with the space standards requirement for 5person home.

Storage spaces are also included.

Oxford City HMO standards

For a 5-person home minimum kitchen size is required to be 7sqm, with a separate living room of at least 11sqm.

<https://www.oxford.gov.uk/downloads/file/1215/landlords-guide-to-hmo-amenities-and-facilities-2019>

| Minimum bedroom size   | Total number of people in HMO | Minimum kitchen size | 1 to 2 storey HMO minimum living space   | 3+ storey HMO minimum living/ dining space   |
|--|-------------------------------|----------------------|--|--|
| 1 occupant 6.5m <sup>2</sup><br>or<br>2 occupants<br>10.22m <sup>2</sup> | 3-5 people                    | 7m <sup>2</sup>      | 11m <sup>2</sup> separate living room;<br>or<br>18m <sup>2</sup> combined kitchen/living room (of which 7m <sup>2</sup> must be dedicated kitchen area)  | Either: 11m <sup>2</sup> separate living room within 1 floor distance of kitchen;<br>or: 18m <sup>2</sup> combined kitchen/living/dining room (of which 10m <sup>2</sup> must be dedicated to kitchen area). |
|  | 6-10 people                   | 10m <sup>2</sup>     | 14m <sup>2</sup> separate living room;<br>or<br>24m <sup>2</sup> combined kitchen/living room (of which 10m <sup>2</sup> must be dedicated kitchen area) | Either: 14m <sup>2</sup> separate living room within 1 floor distance of kitchen;<br>or: 24m <sup>2</sup> combined kitchen/living/dining room (of which 10m <sup>2</sup> must be dedicated to kitchen area). |

### Good practise guidance on HMOs

The proposed C4 does comply with the Oxford City Guidance on good practise for HMOs.

### **Design**

The only external changes occurring as a result of the development will be the removal of the garage door and its replacement with a window and walling to facilitate the garage conversion, which has an existing lawful development certificate to carry out these works, granted 12<sup>th</sup> March 2024 under ref. 24/00104/CPU.

The property next door, number 61, has consent to undergo similar alterations. Removal of the garage door and its replacement with a window will not cause the resulting dwelling to appear as incongruous or discordant in the street scene. A window will be suitably friendly in amenity terms.

The HMO complies with the space standards technical guidance and will respond to similar development in the area, ensuring the prevailing character and intensity of residential use in the vicinity is not adversely affected.

### Residential amenity

There are no side facing windows proposed and the only operational development includes the installation of a window at the ground floor, but set back from the pavement edge. There will be no undue overlooking, shadowing or dominance to neighbouring amenity as a result of the development. The dwelling will be a comfortable and suitably private place to live.

The use will remain as residential and will not be at conflict with any other neighbouring uses.

### **Access and transport**

The number of bedrooms is increasing by 1, resulting in a 5-bedroom dwelling. The internal garage parking space is being lost. However, there are 3 car parking spaces remaining on the driveway. The dwelling is not in a controlled Parking Zone (CPZ).

In accordance with policy M3 and the Residential Parking standards in appendix 7.3 of the OLP'36 for new developments states that at least 1 parking space per dwelling is needed, and that HMOs' provision will be decided on a case-by-case basis. Given the council's emphasis on sustainable modes of transport, that the HMO granted at number 61, with a greater number of bedrooms than proposed here, received approval showing 2 parking spaces at the frontage - This proposal will not harm highway safety in the area.

Policy M5 and appendix 7.4 state that the minimum provision of bicycle storage must be complied with. For HMOs at least one secure bicycle space per occupant is required. There will be at least 6 secure bicycle spaces provided.

### **Bin storage**

Policy DH7 states that planning permission will be granted where it can be demonstrated that bin and bike storage is provided in a way that does not detract from the overall design of the scheme or the surrounding area.

The bins and bike storage will be situated in discrete locations at the frontage of the property, so as not to detract from the visual amenity of the area, yet will remain useable.

**External amenity space**

Policy H16 states that planning permission will only be granted for dwellings that have direct and convenient access to an area of private open space.

To the rear of the site is a garden area. The private outdoor amenity space to the rear is adequate for seating, clothes drying with reasonable circulation etc

**Conclusion**

The proposal is compliant with the HMO policy H7 and all other relevant considerations. We trust that this application is clear but if you have any queries please do not hesitate to call.