

Public Document Pack

Witney Town Council

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Town Clerk

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Mayor of Witney



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20 November 2019

To: Members of the Planning and Development - R Smith, J Aitman, L Ashbourne, T Ashby, V Gwatkin, M Jones, A McMahon and A Prosser (and all other Town Councillors for information)

You are hereby summonsed to a Meeting of the **Planning and Development** to be held in the Gallery Room, The Corn Exchange, Witney on **Tuesday, 26th November, 2019 at 6.00 pm** for the transaction of the business stated below.

RECORDING OF MEETINGS

Under the Openness of Local Government Bodies Regulations 2014 the council's public meetings may be recorded, which includes filming, audio-recording as well as photography. As a matter of courtesy, if you intend to record any part of the proceedings please let the Town Clerk or Democratic Services Officer know before the start of the meeting.

AGENDA

All Council Meetings are open to the public and press, unless otherwise stated.

1. **Apologies for Absence**

To consider apologies and reasons for absence.

Committee Members who are unable to attend the meeting should notify the Democratic Services Officer (nicky.cayley@witney-tc.gov.uk) prior to the meeting, stating the reason for absence.

Standing Order 30(a)(v) permits the appointment of substitute Councillors to a Committee whose role is to replace ordinary Councillors at a meeting of a Committee if ordinary Councillors of the Committee have confirmed to the Proper Officer **before** the meeting that they are unable to attend.

2. **Declarations of Interest**

Members are reminded to declare any disclosable pecuniary interests in any of the items under consideration at this meeting in accordance with the Town Council's code of conduct.

3. **Minutes** (Pages 3 - 16)

To receive and consider the minutes of the meetings held on 24 September, 15 October and 5 November 2019.

4. **Public Participation**

The meeting will adjourn for this item

Members of the public may speak for a maximum of **five minutes** each during the period of public participation, in line with Standing Order 42. Matters raised shall relate to the following items on the agenda.

5. **Planning Applications** (Pages 17 - 20)

As per schedule.

6. **Planning Decisions** (Pages 21 - 24)

Schedule enclosed.

7. **Appeal Decision - 100 Eastfield Road** (Pages 25 - 30)

To receive the appeal decision for 100 Eastfield Road (enclosed).



Town Clerk

**PLANNING AND DEVELOPMENT COMMITTEE COMMITTEE MEETING OF THE
WITNEY TOWN COUNCIL**

Held on Tuesday, 24 September 2019

At 7.00 pm in the Council Chamber, Town Hall

Present:

Councillor R Smith (Chair)

Councillors:	J Aitman	A McMahon
	M Jones	A Prosser
Officers:	Nicky Cayley	Democratic Services Officer
Others:	# members of the public.	

P392 ELECTION OF VICE CHAIR

Cllr Prosser was elected Vice Chair for the ensuing municipal year.

P393 APOLOGIES FOR ABSENCE

Apologies for their absence were received from Cllrs Ashbourne and Ashby.

P394 DECLARATIONS OF INTEREST

Cllr Jones declared a non-pecuniary interest in application WTC/175/19 as the applicant was known to her. Cllr Smith declared a non-pecuniary interest in application WTC/174/19 as the applicant was known to her.

P395 PUBLIC PARTICIPATION

There were no members of the public present for this item.

P396 MINUTES

The Committee received and considered the minutes of the meetings held on 23 July, 13 August and 3 September 2019.

RESOLVED: that the above minutes be agreed as a correct record and signed by the Chair.

P397 PLANNING APPLICATIONS

RESOLVED: that the comments, as per the attached schedule, be forwarded to West Oxfordshire District Council.

P398 **PLANNING DECISIONS**

RESOLVED: that the schedule, as circulated, be noted.

P399 **OXFORDSHIRE COTSWOLDS GARDEN VILLAGE AREA ACTION PLAN (AAP) - PREFERRED OPTIONS**

The Committee received and considered a consultation from WODC on the proposed Oxfordshire Garden Village at Eynsham.

RESOLVED: that the following comments be forwarded to WODC as a response to the consultation:

- The development should consider transport connections to Witney;
- The development should consider ease of access for public transport;
- The Town Council expresses dissatisfaction on the concentration ongoing on plans for the A40 – the Town Council is not satisfied that such plans will be sufficient to mitigate the increase in cars that will come with the development; It would like to see plans for better connectivity and there should be a rapid transport link;
- The Town Council would like the Shores Green junction to be fully operational before this development is built;
- The Town Council would like reassurance that future rail links will not be ruined by the development;
- The Town Council notes the high likelihood of increasing strain on Witney’s healthcare provision such as G.P surgeries, the Community Hospital and Minor Injuries Unit and would like the impact on Witney’s community infrastructure to be considered;
- The Town Council would like to see walking and cycle routes planned within the garden village and also would like to be reassured that the sewage from the garden village will not affect the rivers.

The meeting closed at: 8.50pm

Chair

* The Town Council would like to see a separate bay for smaller buses in addition to the coach bay.

* The Town Council also wishes to see a solid construction traffic plan in place.

* The Town Council asks that the planting/landscape plan should encourage biodiversity and that plants that absorb carbon particles are utilised where possible.

397- 4 WTC/172/19 Plot Ref :-19/01976/HHD Type :- HOUSEHOLDE
Applicant Name :- MORRIS, MR AND MRS Date Received :- 03/09/2019
Location :- 47 LARCH LANE Date Returned :- 24/09/2019
LARCH LANE
WITNEY
Proposal : Alterations and erection of single storey rear extension.
Observations : Witney Town Council has no objections regarding this application

397- 5 WTC/173/19 Plot Ref :-19/02154/FUL Type :- FULL
Applicant Name :- LEES, MR GARY Date Received :- 29/08/2019
Location :- UNIT 1 - 5 AVENUE TWO Date Returned :- 24/09/2019
AVENUE TWO, STATION LANE.
WITNEY
Proposal :
Observations : Witney Town Council has no objections regarding this application

397- 6 WTC/174/19 Plot Ref :-19/02430/HHD Type :- HOUSEHOLDE
Applicant Name :- OFFORD, MR AND MRS Date Received :- 06/09/2019
Location :- CRUNDEL COTTAGE, CRUNDEL Date Returned :- 24/09/2019
RISE
CRUNDEL RISE
WITNEY
Proposal : First floor rear extension to include alterations to ground floor rear fenestration.
Observations : Witney Town Council has no objections regarding this application.

397- 7 WTC/175/19 Plot Ref :-19/02476/HHD Type :- HOUSEHOLDE
Applicant Name :- MULLINS, MR PETER Date Received :- 06/09/2019
Location :- 66 NEW YATT ROAD Date Returned :- 24/09/2019
NEW YATT ROAD
WITNEY
Proposal : Erection of a detached carport with log and bin storage,
Observations : Witney Town Council has no objection to this application in principle but it does have concerns about the height of the car port which seems excessive.

397- 8 WTC/176/19 Plot Ref :-19/01869/FUL Type :- AMENDED
Applicant Name :- SOMAIYA, MR Date Received :- 10/09/2019
Location :- 68 HIGH STREET Date Returned :- 24/09/2019
HIGH STREET
WITNEY

Proposal : Amended Plan to show inclusion of cycle stands and amenity space.

Observations : Witney Town Council considers the amended plans to be an improvement with the addition of cycle racks. However, the Council would ideally like to see some covered storage areas for pushchairs/scooters for residents.

397- 9 WTC/177/19 Plot Ref :-19/02503/FUL Type :- FULL
Applicant Name :- HAMMOND, MR ANDREW Date Received :- 16/09/2019
Location :- UNIT 2 DE HAVILLAND WAY Date Returned :- 24/09/2019
WINDRUSH INDUSTRIAL PARK
WITNEY

Proposal : Extension to existing building to provide additional B* warehousing and ancillary offices with separate B8 storage warehouse to rear.

Observations : Witney Town Council has no objection to the proposal but considers it an excellent opportunity to consider mitigation of carbon footprint by installing solar panels on the roof of the new unit and installing electrical charging points for vehicles.

The Meeting closed at : 8.50pm

Signed : _____ Chairman Date: _____

On behalf of :- Witney Town Council

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**PLANNING AND DEVELOPMENT COMMITTEE MEETING OF THE
WITNEY TOWN COUNCIL**

Held on Tuesday, 15 October 2019

At 6.00 pm in the Lobby, The Corn Exchange, Witney

Present:

Councillor R Smith (Chair)

Councillors:	J Aitman	M Jones
	L Ashbourne	A McMahon
	T Ashby	V Gwatkin
Officer:	Nicky Cayley	Democratic Services Officer
Others:	0 members of the public.	

P413 APOLOGIES FOR ABSENCE

AN apology for his absence was received from Cllr Prosser.

P414 DECLARATIONS OF INTEREST

There were no declarations of interest in matters to be discussed at the meeting.

P415 PUBLIC PARTICIPATION

There were no members of the public present for this item.

P416 PLANNING APPLICATIONS

The Committee received and considered the schedule of planning applications circulated prior to the meeting.

RESOLVED: that the schedule, as circulated, be noted.

P417 ROAD CLOSURE APPLICATION - WITNEY WONDERLAND

The Committee received and considered correspondence from West Oxfordshire District Council concerning an application for a road closure for Witney Wonderland on 29 and 30 November, and 6 December 2019. The Town Council noted that the applicant had indicated that the Town Council had been consulted, when in fact it was the WODC Officer who had noticed that the Town Council did not appear to have been consulted.

The Committee had no formal objection but did wish Station Lane to remain open and had concerns about how the school might be impacted.

RESOLVED: Witney Town Council understands that the road closure will be directly in front of the Church and has no objection as long as it does not impact on Henry Box School or those living in Station Lane. The Town Council would have liked formal notification from the applicant as indicated on the form, rather than from West Oxfordshire District Council Officers.

The meeting closed at: 6.55 pm

Chair

Observations : Witney Town Council has no objections regarding this application

416- 5 WTC/182/19 Plot Ref :-19/02728/HHD Type :- HOUSEHOLDE
Applicant Name :- CATT, MR AND MRS Date Received :- 02/10/2019
Location :- 164 BURWELL DRIVE Date Returned :- 15/10/2019
BURWELL DRIVE
WITNEY

Proposal : Erection of single storey rear extension.

Observations : Witney Town Council has no objections regarding this application

416- 6 WTC/183/19 Plot Ref :-19/02732/HHD Type :- HOUSEHOLDE
Applicant Name :- TURNER, MR AND MRS JOE Date Received :- 08/10/2019
Location :- 8 STANWAY CLOSE Date Returned :- 15/10/2019
STANWAY CLOSE
WITNEY

Proposal : Single storey rear extension and porch extension to front. Link garage to house with loft conversion and dormer windows to front. (Amendments to 16/02805/HHD).

Observations : Witney Town Council has no objections regarding this application

416- 7 WTC/184/19 Plot Ref :-19/02591/HHD Type :- HOUSEHOLDE
Applicant Name :- MOHAMMED, MR Date Received :- 07/10/2019
Location :- RAZZI HOUSE, 31 MOORLAND Date Returned :- 15/10/2019
CLOSE
MOORLAND CLOSE
WITNEY

Proposal : Amendments to approved plans under application 18/00077/HHD to allow increase height to annex, external paving and alterations and additional windows. To regularise works. (Part retrospective)

Observations : Witney Town Council objects to this proposal as it results in a loss of privacy to the neighbours and also results in the loss of the ability to maintain the fence belonging to 31 Moorland Close.

The Meeting closed at : 6.55pm

Signed : _____ Chairman Date: _____

On behalf of :- Witney Town Council

**PLANNING AND DEVELOPMENT COMMITTEE MEETING OF THE
WITNEY TOWN COUNCIL**

Held on Tuesday, 5 November 2019

At 6.00 pm in the Main Hall, The Corn Exchange, Witney

Present:

Councillor R Smith (Chair)

Councillors:	J Aitman	V Gwatkin
	L Ashbourne	M Jones
	T Ashby	A Prosser
Officers:	Nicky Cayley	Democratic Services Officer
Others:	0 members of the public.	

P424 APOLOGIES FOR ABSENCE

An apology for his absence was received from Cllr McMahon.

P425 DECLARATIONS OF INTEREST

Cllr Aitman declared a non-pecuniary interest in application WTC/190/19 as the applicant was known to her.

P426 PUBLIC PARTICIPATION

There were no members of the public present for this item.

P427 PLANNING APPLICATIONS

The Committee received and considered the schedule of planning applications as circulated with the agenda.

RESOLVED: that the comments, as per the attached schedule, be forwarded West Oxfordshire District Council.

P428 APPEAL DECISION

The Committee received and considered the appeal decision for 106 Raleigh Crescent, which had been dismissed.

RESOLVED: that the appeal decision be noted.

The meeting closed at: 6.45 pm

Chair

Witney Town Council

Planning Minutes - 5 November 2019

427

427- 1 WTC/185/19 Plot Ref :-19/02708/HHD Type :- HOUSEHOLDE
Applicant Name :- BRODRICK, MR AND MRS Date Received :- 10/10/19
Location :- 80 TOWER HILL Date Returned :- 05/11/19
TOWER HILL
WITNEY

Proposal : Alterations and erection of a single story rear extension.

Observations : Witney Town Council has no objections regarding this application

427- 2 WTC/186/19 Plot Ref :-19/02649/S73 Type :- VARIATION
Applicant Name :- RUBIN, MR DANIEL Date Received :- 10/10/19
Location :- STANLEY COURT, RICHARD Date Returned :- 05/11/19
JONES R
RICHARD JONES ROAD
WITNEY

Proposal : Removal of condition 4 of planning permission 19/00787/S73 to allow flexibility of use.

Observations : Witney Town Council has no objections regarding this application

427- 3 WTC/187/19 Plot Ref :-19/02595/HHD Type :- HOUSEHOLDE
Applicant Name :- BUTLER, MISS LIANNE Date Received :- 15/10/19
Location :- 27 CRAWLEY ROAD Date Returned :- 05/11/19
CRAWLEY ROAD
WITNEY

Proposal : Drop kerb.

Observations : Witney Town Council has no objections regarding this application

427- 4 WTC/188/19 Plot Ref :-19/02953/RES Type :- RESERVED
Applicant Name :- DAVIES, MR MARK Date Received :- 23/10/19
Location :- LAND AT WEST WITNEY Date Returned :- 05/11/19
DOWNS ROAD
DOWNS ROAD

Proposal : Reserved matters application for approval of all remaining landscaping areas on site pursuant to outline permission 12/0081/P/OP.

Observations : Witney Town Council has no objection to this application in principal, but would like to comment that the proposed hoggin path is not durable and not appropriate for children riding cycles, and for pushing buggies. The Town Council also has some concern that the pathways may not be wide enough for mobility scooters. The Town Council would also like to be reassured that the pathway network connects to schools and work areas. The Town Council would

also like the developer to use non chemical pest and weed control.

427- 5 WTC/189/19 Plot Ref :-19/02718/FUL Type :- FULL
Applicant Name :- ABBOTT DIABETES CARE Date Received :- 24/10/19
Location :- RANGE ROAD Date Returned :- 05/11/19
RANGE ROAD
WITNEY

Proposal : Erection of first floor extension and balcony to enlarge existing canteen space together with fire exit external staircase.

Observations : Witney Town Council has no objection to this application but would like to see replacement planting for any that is lost.

427- 6 WTC/190/19 Plot Ref :-19/02782/HHD Type :- HOUSEHOLDE
Applicant Name :- HILL, MS Date Received :- 30/10/19
Location :- 15 OXLEASE Date Returned :- 05/11/19
OXLEASE
OX28 3QZ

Proposal : Single storey rear extension.

Observations : Witney Town Council has no objections regarding this application

The Meeting closed at : 6.45pm

Signed : _____ Chairman Date: _____

On behalf of :- Witney Town Council

- 6 . 5 **WTC/195/19** Plot Ref :- 19/02849/LBC Type :- LISTED BUI
 Applicant Name :- BROOKES, MR NIGEL Date Received :- 05/11/2019
 Parish :- SOUTH Date Returned :-
 Location :- 45 CORN STREET Agent
 CORN STREET
 WITNEY
 Proposals :- Internal and external alterations to include demolition of existing outbuildings and construction of ground floor, one bed flat. Conversion of existing flat over shop to create two, one bedroom flats, including first floor rear extension and bedrooms on existing second floor. Provision of storage facilities within existing courtyard.
 Observations :-
-
- 6 . 6 **WTC/196/19** Plot Ref :- 19/03054/HHD Type :- HOUSEHOL
 Applicant Name :- STRUTT, MR NIGEL Date Received :- 05/11/2019
 Parish :- SOUTH Date Returned :-
 Location :- 10 SOUTH LAWN Agent
 SOUTH LAWN
 WITNEY
 Proposals :- Two storey rear extension.
 Observations :-
-
- 6 . 7 **WTC/197/19** Plot Ref :- 19/02819/FU: Type :- FULL
 Applicant Name :- n/a Date Received :- 11/11/2019
 Parish :- SOUTH Date Returned :-
 Location :- UNIT 3 - 4 WOOLGATE Agent
 CENTRE
 WOOLGATE SHOPPING
 CENTRE
 WITNEY
 Proposals :- Two storey rear extension.
 Observations :-
-
- 6 . 8 **WTC/198/19** Plot Ref :- 19/03148/HHD Type :- HOUSEHOL
 Applicant Name :- RAPLEY, MRS JILL Date Received :- 11/11/2019
 Parish :- NORTH Date Returned :-
 Location :- 36A NEW YATT ROAD Agent
 NEW YATT ROAD
 WITNEY
 Proposals :- Single storey front extension.
 Observations :-
-
- 6 . 9 **WTC/199/19** Plot Ref :- 19/03005/HHD Type :- HOUSEHOL
 Applicant Name :- DICKSON, MR BEN Date Received :- 18/11/2019
 Parish :- SOUTH Date Returned :-
 Location :- 127 COLWELL DRIVE Agent
 COLWELL DRIVE
 WITNEY

Proposals :- Erection of two storey side extension.

Observations :-

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' C ' Contrary to District 'CD' Contrary Delegated
 ' D ' Delegated
 ' E ' Endorsed by District 'ED' Endorsed Delegated

Page No : 1

GRANTED PLANNING PERMISSIONS

E WTC/111/19	Approved	33 DENE RISE
C WTC/119/19 District COMMENT	Approved	LAND AT 36 HIGHWORTH PLACE Local COMMENT Witney Town Council objects to this application and does not consider the proposed parking is adequate in an area already prone to parking problems. The development also does not appear to take into account the ecology report provided for the site.
C WTC/137/19 District COMMENT	Approved	68 HIGH STREET Local COMMENT Witney Town Council does not object to the concept of town centre living with no parking, however, it objects to the proposal in its current form as there is no secure cycle storage. The Town Council would like to see provision for at least 2 cycles for this flat included. The Town Council also objects to the proposal as there is no amenity space for residents.
C WTC/139/19 District COMMENT	Approved	68 HIGH STREET Local COMMENT Witney Town Council does not object to the concept of town centre living with no parking, however, it objects to the proposal in its current form as there is no secure cycle storage. The Town Council would like to see provision for at least 2 cycles for this property included. The Town Council also objects to the proposal as there is no amenity space for residents.
C WTC/140/19 District COMMENT	Approved	68 HIGH STREET Local COMMENT Witney Town Council does not object to the concept of town centre living with no parking, however, it objects to the proposal in its current form as there is no secure cycle storage. The Town Council would like to see provision for at least 2 cycles for this property included. The Town Council also objects to the proposal as there is no amenity space for residents.
C WTC/141/19 District COMMENT	Approved	2 WOODLANDS ROAD Local COMMENT Witney Town Council objects to this application as it has concerns about the impact on neighbouring properties due to the excessive height of the proposed garden room.
E WTC/144/19	Approved	ABBOTT DIABETES CARE RANGE ROA
E WTC/145/19	Approved	10 LAVENDER VIEW
E WTC/146/19	Approved	THE BARREL HOUSE
E WTC/149/19	Approved	71A WOODSTOCK ROAD

NOTIFICATIONS OF PLANNING DECISIONS FROM West Oxfordshire District Council

Minute Ref 5

Tue 26 November 2019

District Ref

' C ' Contrary to District 'CD' Contrary Delegated
' D ' Delegated
' E ' Endorsed by District 'ED' Endorsed Delegated

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GRANTED PLANNING PERMISSIONS

E WTC/151/19	Approved	85 MANOR ROAD
E WTC/152/19	Approved	MANOR ROAD
E WTC/153/19	Approved	128 OXLEASE
E WTC/155/19	Approved	UNIT 1 - 5, AVENUE TWO
E WTC/156/19	Approved	1 FRENCH CLOSE
E WTC/157/19	Approved	5 BEECH GROVE
E WTC/158/19	Approved	33 KINGSFIELD cRESCENT
E WTC/159/19	Approved	47 WOODGREEN
E WTC/160/19	Approved	40 MOORLAND ROAD
E WTC/161/19	Approved	ABBOTT DIABETES CARE
E WTC/162/19	Approved	95 WADARDS MEADOW
E WTC/163/19	Approved	133 VANNER ROAD
E WTC/165/19	Approved	43 DUCKLINGTON LANE
E WTC/166/19	Approved	ABBOTT DIABETES CARE, RANGE RO
E WTC/167/19	Approved	55 FARMERS CLOSE
E WTC/170/19	Approved	18 HILL CLOSE
E WTC/171/19	Approved	LAND AT WEST WITNEY
E WTC/172/19	Approved	47 LARCH LANE
E WTC/173/19	Approved	UNIT 1 - 5 AVENUE TWO
E WTC/174/19	Approved	CRUNDEL COTTAGE, CRUNDEL RISE
E WTC/176/19	Approved	68 HIGH STREET

NOTIFICATIONS OF PLANNING DECISIONS FROM West Oxfordshire District Council

Minute Ref 5

Tue 26 November 2019

District Ref

' C ' Contrary to District 'CD' Contrary Delegated
' D ' Delegated
' E ' Endorsed by District 'ED' Endorsed Delegated

Page No : 3

GRANTED PLANNING PERMISSIONS

E WTC/178/19	Approved	54 ABBEY ROAD
C WTC/179/19 District COMMENT	Approved	LAND NORTH OF BURFORD ROAD Local COMMENT Witney Town Council objects to this application as the new location has no approved flood strategy as pointed out by Oxfordshire County Council in its comments. The Town Council also considers that a redesign of the drainage for the properties is required and it does not approve of the re siting of these properties.
E WTC/181/19	Approved	DAMSON COTTAGES 65 OXFORD HILL
E WTC/182/19	Approved	164 BURWELL DRIVE
E WTC/183/19	Approved	8 STANWAY CLOSE

OTHER PLANNING DETAILS

WTC/168/19	Withdrawn	145 CORN STREET
WTC/169/19	Withdrawn	186 THORNEY LEYS
WTC/175/19	Withdrawn	66 NEW YATT ROAD

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Appeal Decision

Site visit made on 20 August 2019 by Alex O'Doherty LLB(Hons) MSc

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 October 2019

Appeal Ref: APP/D3125/W/19/3226125

100 Eastfield Road, Witney OX28 1HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Aidan Meller against the decision of West Oxfordshire District Council.
 - The application Ref 19/00081/HHD, dated 18 January 2019, was refused by notice dated 22 March 2019.
 - The development proposed is described as, "extension to house".
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing dwelling to house in multiple occupancy (Class C4) at 100 Eastfield Road, Witney OX28 1HW in accordance with the terms of the application Ref 19/00081/HHD, dated 18 January 2019, subject to the following conditions:
 1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: SU01, SK01 (Rev C).
 3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 4. The property shall not be occupied as a house in multiple occupation until space has been laid out within the site in accordance with drawing no. SK01 (Rev C) for 2 cars to be parked, and that space shall thereafter be kept available at all times for the parking of vehicles.
 5. The property shall not be occupied as a house in multiple occupation until space has been laid out within the site in accordance with drawing no. SK01 (Rev C) for bicycles to be parked, and that space shall thereafter be kept available at all times for the parking of bicycles.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The application form describes the proposal as, "extension to house". However, both the Council's Decision Notice and the appeal form describe the proposal as "conversion of existing dwelling to house in multiple occupancy". As the latter description more accurately describes the proposal, the appeal has been considered on that basis.
4. The Council mentioned that they approached this appeal as a proposal for an unrestricted House in Multiple Occupation (HMO), although the Decision Notice referred to a "Class C4 house in multiple occupation". The proposal involves 6 bedrooms and the appellant stated that the property is likely to house 6 people, which falls within Use Class C4. I have considered the appeal on this basis.
5. There is no dispute between the parties regarding the design and appearance of the proposed single storey rear extension, and I agree that this element of the proposal is acceptable. Therefore, this element is not considered further.

Main Issues

6. Considering the above, the main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the surrounding area;
 - highway safety in terms of off-road car parking provision; and
 - the living conditions of the intended future occupiers of the scheme and nearby occupiers, in terms of noise.

Reasons for the Recommendation

Character and appearance

7. Eastfield Road is a residential street characterised by semi-detached properties. Aside from the rear extension, the main changes sought by the proposal are internal. The changes to the front of the property, principally involving the removal of a wall, would be limited and would not adversely affect the character or appearance of the area. In terms of the physical appearance of the property itself, its use as a Class C4 HMO would be virtually indistinguishable from its use as a family-orientated home.
8. Compared to a dwelling occupied by a single household, the occupation of the HMO by up to 6 unrelated individuals could lead to some additional activity, such as the general coming and going of people and their visitors, to the property, including extra vehicle movements. The Council and others consider that such activities cause harm to the character of the area. However, there is no persuasive evidence before me to support these assertions. To my mind, the additional noise and general disturbance as a result of the HMO would not necessarily be greater than that which might occur if the appeal property were to be occupied by a large family.
9. Moreover, I am not persuaded that vehicle ownership and demand for on-road car parking would be significantly greater to that associated with a dwelling occupied by a family with young adults. It is noteworthy that the Highway Authority in its statement commented that HMOs may have a lower than

average level of car ownership. The proposal would be unlikely to have a perceptible impact on the condition of the roadside verges or the demand for on-street parking in the locality.

10. In my view, the HMO would not manifest itself significantly differently from the occupation of a property as a single dwelling in terms of its effect on the character and appearance of the area. There would be no material harm to the visual and spatial characteristics of the street scene or the local area to which the appeal property belongs. Therefore, I am unable to share the opinion of the Council and others that the appeal scheme would lead to an overly intensive use of the property or that it would unduly disrupt this residential neighbourhood.
11. I conclude therefore that the proposal would not have a harmful effect on the character and appearance of the surrounding area. There would be no conflict with Policy OS2 of the West Oxfordshire Local Plan 2031 (adopted September 2018) (Local Plan), which requires development to be located in the right place, or Policy H6 of the Local Plan which seeks to ensure that the sub-division of existing dwellings respects the character of the surrounding area and does not unacceptably affect the environment of people living in the area.

Highway Safety

12. From my observations and the evidence before me it is clear that on-road parking and parking on the roadside verges is a feature of the area. Many properties in the area do not appear to have provision for off-road car parking.
13. The appeal site has a hard-surfaced forecourt to the front of the property. Although the appellant has indicated that 3 cars could be parked on this area, I share the concern of the Council that realistically only 2 cars could be parked upon this area at the same time because of the presence of a telegraph pole outside the appeal site. This would result in a shortfall in the off-road car parking requirement of the Highway Authority of 1 space.
14. Given the above, I acknowledge that at least 1 vehicle associated with the HMO would be likely to park in Eastfield Road within the vicinity of the appeal site. Visitors to the property may also park in this road. This would be likely to result in a reduction in available parking spaces for nearby occupiers and their visitors and could exacerbate the 'chicane' effect described by the Council. However, there is little substantive evidence to demonstrate that the existing on-road parking situation has reached saturation point or that highway safety issues have occurred as a result.
15. As such, I conclude that the appeal proposal would not exacerbate on-road parking to the extent that highway safety or the free flow of traffic would be materially harmed. There would be no conflict with Policy T4 of the Local Plan in terms of parking provision. In reaching this conclusion I have had regard to paragraph 109 of the National Planning Policy Framework (the Framework) which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, neither of which apply to the appeal proposal.

Living Conditions

16. Regarding the Council's second reason for refusal (which referred to noise disturbance), the Council clarified that its main area of concern was not from vehicles, but from other residents within the proposed HMO causing disturbance to each other, and to the occupiers of No 98 Eastfield Road, which is the property attached to No 100.
17. Concern has been raised that the property is unlikely to be suitably sound insulated for the proposed use, both in terms of the individual rooms within the property and also the party wall between Nos 100 and 98. Whilst noting this matter I have no substantive evidence before me to demonstrate that the occupiers of the HMO are likely to create more noise than a family who may occupy the property, or indeed that there are issues at present in terms of noise within one part of the property being transferred to another, or from one property to its neighbour to the degree that causes nuisance or harm to living conditions.
18. In light of the foregoing, I conclude that the proposal would not harm the living conditions of the intended future occupiers of the scheme and nearby occupiers, in terms of noise nuisance and disturbance. There would be no conflict with Policy OS2 of the Local Plan, which requires development, amongst other matters to be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants or Policy H6 of the Local Plan which seeks to ensure that the sub-division of existing dwellings does not unacceptably affect the environment of people living in the area.

Other Matters

19. Whilst the Council has attempted to estimate the likely number of occupants generated by the proposal, the actual number of occupiers would be decided via the HMO licensing scheme and through associated legislation. The Council provided details of its HMO licensing scheme, which operates independently of the planning process, and I am satisfied that this scheme would provide the necessary protection regarding the occupancy level of the Class C4 HMO.
20. Neither party has provided substantive evidence regarding the effect of the proposal on the supply and mix of housing in the area. Whilst the Council has described the area as characterised by family dwellings, no substantive evidence has been provided to indicate that the HMO use in this location would unbalance the mix and type of homes in this area. Indeed, it is clear from the Council's Decision Notice that this was not a determining factor when it considered the planning application. Moreover, as the proposal would remove 1 family-orientated dwelling from the locality and replace it with a HMO, the scheme's impact on housing supply and mix would be likely to be minimal. The Council mentioned that Housing Land Supply figures do not traditionally take account of HMOs, however the loss of 1 dwelling to a HMO as proposed would be unlikely to have a discernible effect upon the supply of housing in the area.

Conditions

21. The Council has suggested a number of conditions it would wish to see imposed in the event that the appeal is allowed. I have considered the conditions against the advice on conditions set out in the Framework and the Planning Practice Guidance.

22. The Council suggested 2 conditions relating to commencement, but these related to an unrestricted HMO, and I consider that the standard time limit condition would cover all elements of the proposal. A condition is necessary requiring that the development is undertaken in accordance with the approved plans to provide certainty. A condition is also necessary controlling external materials to secure an acceptable appearance for the development. To reduce the pressure of parking within the road, conditions are necessary to secure the retention of the proposed car parking and cycle storage areas.
23. Regarding sound insulation, the Planning Practice Guidance advises that conditions requiring compliance with other regulatory regimes (including Building Regulations) will not meet the test of necessity and may not be relevant to planning. Accordingly, a condition has not been imposed regarding this matter. Similarly, a condition relating to the HMO licensing scheme is not necessary, as this matter falls under other legislation. The relocation of the telephone pole is not essential to provide the parking area for 2 cars and a condition requiring its removal is not necessary, and therefore a condition has not been imposed regarding this matter.

Conclusion and Recommendation

24. Based on the above, and having regard to all matters raised, I recommend that the appeal should be allowed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

25. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

RC Kirby

INSPECTOR

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