
Appeal Decision

Site visit made on 15 October 2019

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2019

Appeal Ref: APP/V3120/W/19/3233062

1 Hillhead, Lime Road, Oxford OX2 9EH

- 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 Mrs Maryanne Dyer against the decision of Vale of White Horse District Council.
 - The application Ref P19/V0357/FUL, dated 8 January 2019, was refused by notice dated 20 June 2019.
 - The development is change of use from 6 bedroom House in Multiple Occupation to an 8 bedroom large House in Multiple Occupation (Sui Generis).
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Decision

1. The appeal is allowed and planning permission is granted for change of use from 6 bedroom House in Multiple Occupation to an 8 bedroom large House in Multiple Occupation (Sui Generis) at 1 Hillhead, Lime Road, Oxford OX2 9EH in accordance with the application, Ref P19/V0357/FUL, dated 8 January 2019 subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Drawing No MD.015037.PP07.

Procedural Matter

2. The application form states the use applied has already commenced. I have determined the appeal on that basis.
3. The appellant has submitted an unsigned Unilateral Undertaking stating that no more than four car parking spaces will be available for occupiers of No 1 Hillhead. I have addressed this in my reasoning below.

Main Issues

4. The main issues are the effect of the development on the safe and efficient operation of the local highway network and on the character of the area.

Reasons

5. The appeal site comprises one half of a pair of semi-detached properties located within a residential area both in use as Houses in Multiple Occupation (HMO). A shared car park is located to the rear accessed off Turner Drive but spaces are not formally marked out. Properties in the area mainly benefit from off street parking.

Safe and efficient operation of the highway network

6. The appellant states the development provides for 4 off-street parking spaces, whereas the Council consider that 6 spaces should be provided based on their draft parking standards for HMOs.
7. However, cycle storage is also available for occupiers at the front of the property. Furthermore, the property is in an accessible location located on a regular bus route and close to amenities and facilities providing viable alternatives to private vehicles.
8. When taking the fallback position into account there is no substantive evidence to suggest that the additional 2 bedrooms results in a significant increase in demand for parking. Even if it did result in a demand which cannot be met off street, on street parking nearby is mainly unrestricted. There is no substantive evidence to suggest the level of parking demand generated by the increase in two bedrooms would compromise highway safety in the area. Overall, I find any effect in terms of highway safety as a result of parking demand arising from the development would be negligible.
9. Consequently, the UU is not necessary to make the development acceptable, furthermore, for the same reasons, there is no need to impose any planning conditions which require further details of parking to be agreed.
10. Therefore, taking all these matters into account the development does not harm the safe and efficient operation of the highway network. It therefore accords with Policies DC5 of the Vale of White Horse Local Plan (2011), Policies CP33 and CP35 of the Vale of White Horse Local Plan Part 1 (2016) and Policy DP16 of the Vale of White Horse District Local Plan Part 2 (2019) which seek to ensure adequate provision for vehicle and cycle parking, ensure developments do not cause safety issues or congestion, minimise impacts and promotes sustainable travel.

Character of the area

11. Whilst I witnessed parking taking place on grass verges on Lime Road and surrounding roads there is no substantive evidence before me to suggest that this parking is associated with the occupiers of the appeal property. There is also no evidence to suggest that an increase in bedrooms from 6 to 8 and the number of vehicles, frequency of deliveries and service providers associated with this increase materially harms the character of the area, especially when taking the fallback position into account.
12. As such I find that the development accords with Policy DC9 of the Vale of White Horse Local Plan (2011), CP37 of the Vale of White Horse Local Plan Part 1 (2016) and paragraph 127 of the National Planning Policy Framework which seek to protect the living conditions of neighbouring properties and the wider environment, to ensure that new development responds positively to the site and adds to the quality of the area.

Conditions

13. I have considered the imposition of conditions in accordance with the National Planning Policy Framework and Planning Practice Guidance. I have imposed a condition specifying the relevant drawings as this provides certainty. As the

application form indicates the use has commenced it is not necessary to impose a standard time limit condition.

Conclusion

14. For the reasons set out above the appeal is allowed.

B Thandi

INSPECTOR