



Appeal Decision

Site visit made on 7 June 2023

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st June 2023

Appeal Ref: APP/Q3115/W/22/3296235

14 Haydon Road, Didcot OX11 7JD

- 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 David Granat against the decision of South Oxfordshire District Council.
 - The application Ref P21/S3973/FUL, dated 15 September 2021, was refused by notice dated 4 March 2022.
 - The development proposed is the change of use of a dwelling house (C3) to a large 10-bedroom House in Multiple Occupation (Sui genesis) facilitated by two storey side extensions, a single storey rear extension, and extension to the dropped kerb to create additional parking.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of a dwelling house (C3) to a large 10-bedroom House in Multiple Occupation (Sui genesis) facilitated by two storey side extensions, a single storey rear extension, and extension to the dropped kerb to create additional parking. at 14 Haydon Road, Didcot OX11 7JD in accordance with the terms of the application, Ref P21/S3973/FUL, dated 15 September 2021, subject to the following conditions:
 - 1) Within 2 months of the date of this decision, details of the siting, size and appearance of the refuse and recycling storage facilities shall be submitted to the Local Planning Authority. Within 2 months of those details being approved in writing by the Local Planning Authority, the refuse and recycling storage facilities shall be provided in accordance with the approved details, and thereafter retained.
 - 2) Within 2 months of the date of this decision, details of the siting, size and appearance of the bicycle storage facilities shall be submitted to the Local Planning Authority. Within 2 months of those details being approved in writing by the Local Planning Authority, the bicycle storage facilities shall be provided in accordance with the approved details, and thereafter retained for the storage of bicycles.
 - 3) Within 2 months of the date of this decision, details of the surfacing and drainage of the parking area shall be submitted to the Local Planning Authority. Within 2 months of those details being approved in writing by the Local Planning Authority, the parking area shall be surfaced and drained in accordance with the approved details, and thereafter retained for the parking of cars.

- 4) Within 2 months of the date of this decision, details of the siting and design of a bird box shall be submitted to the Local Planning Authority. Within 2 months of those details being approved in writing by the Local Planning Authority, the bird box shall be provided in accordance with the approved details, and thereafter retained.
- 5) Any first floor windows in the north elevation of the development hereby permitted shall at all times be glazed in obscure glass with a minimum of level 3 obscurity, and shall be fixed shut with the exception of a top hung openable fanlight.

Preliminary matters

2. At the time of my visit the works subject of this appeal had been undertaken.

Main Issues

3. The main issues are
 - a) whether the frontage works detract unacceptably from the character and appearance of the streetscape and
 - b) whether the noise and disturbance associated with the use would detract unreasonably from the living conditions of neighbouring residents.

Reasons

Character and appearance

4. Along Hayden Road are detached and semi-detached houses of a range of styles, that are set back from the pavement behind garden areas. The streetscape has an appreciable sense of openness, as the width of the carriageway and the presence of grass verges mean the houses on either side of the road are a substantial distance apart.
5. The frontages of dwellings have been treated in a great variety of ways. At many properties the front boundary treatment takes the form of walling, but the impact of this is not consistent as these walls are of differing heights, designs and materials, and some are breached by quite narrow vehicular entrances, with others having relatively wide ones. Not all premises have front boundary treatments though, with properties such as those nearby at the junction with Orchard Close or to the north beyond Garth Road having open gardens with no walling, fencing or similar. Behind, some of the front garden areas have been extensively hard-surfaced, and this too is apparent from the pavements and carriageway. As a result, whilst the appearance of the streetscape reflects what is commonly found in a residential area, the mix of dwellings and frontage treatments means that, in detail, little strong sense of uniformity is apparent.
6. In line with the plans before me, the appeal site now has no front boundary wall. Five parking spaces have been created, with areas of planting breaking them up into blocks. Moreover, although a second dropped crossing has been formed, a central area of verge has remained.
7. Given the general sense of openness on Hayden Road, noting the varied ways the frontages of properties have been treated, mindful of the retained section of verge in front of No 14, and taking into account the areas of landscaping

within the parking spaces, I consider that what is before me is not out of keeping with the street scene or erodes its verdant character.

8. I understand the extensions have already been approved. In any event I consider their scale, design and materials respect the property and its context. I have no reason to find the character or appearance of this building means it justifies any greater level of protection than would otherwise be expected for a dwelling in such a location.
9. Accordingly, I conclude the frontage works do not detract unacceptably from the character and appearance of the streetscape and so do not conflict with *South Oxfordshire Local Plan Policy DES1*, which seeks well-designed, high-quality development that respects its context.

Noise and disturbance

10. This building sits in a comfortable plot, and what is before me is a residential use in a residential area. No 14 could also be a sizeable house if I dismissed the appeal, which could well be attractive to a large family regarded as forming a single household. Furthermore, given its location near to a shopping centre and mindful that it provides access to various roads that run off it, I anticipate that Hayden Road carries a significant flow of vehicular and pedestrian traffic.
11. Little firm evidence was provided to substantiate the concern raised by this issue. I accept though that an HMO with 10 independent adult residents will result in different patterns of comings and goings when compared to that associated with a large dwelling. This is because a family are likely to have joint or shared trips during the daytime, while it is probable that the occupiers of the House in Multiple Occupation will each have independent movements that may occur later into the evening. Moreover, the use of the outside space by residents of the proposal will not necessarily be the same as if No 14 was occupied by a family. To my mind such factors though would not be sufficient to mean it would cause unacceptable harm in this location.
12. In assessing this issue, I have also given little weight to the appellant being the operator of the unit, as the appellant's management practices, or the site's ownership, could change over time.
13. Accordingly, even if taken together, I conclude that the use of the garden and the effects of the various comings and goings do not give rise to a level of noise and disturbance that detracts unduly from the living conditions of adjacent residents. As such, the scheme does not conflict with Local Plan Policy DES6, which seeks to avoid an adverse effect on the amenity of neighbouring uses.

Other Matters

14. The conversion progressed without the benefit of planning permission, so could well be construed as intentional unauthorised development. However, any harm resulting from this is not sufficient to justify the dismissal of the proposal in the light of the matters above, and the absence of any identified development plan conflict.
15. This is not an application for a hotel but rather for a House in Multiple Occupation. I have no basis to consider drivers will enter or leave the parking bays in a reckless manner that would endanger pedestrians, or to find the

scheme would unreasonably affect water pressure. Its proximity to services means this use could well attract those who did not have a private car, but given the character of the road I consider any parking demand that cannot be met on site would not compromise highway safety. My decision has no bearing on any private rights that other owners might enjoy, while any effect on property values does not affect the scheme's planning merits and so is not a basis for its dismissal.

Conditions

16. In the interests of sustainability cycle storage should be provided and suitable surfacing laid down on the parking area. Moreover, having regard to the character and appearance of the locality there should be adequate refuse and recycling storage. I am unaware as to whether what is now present on site meets the necessary standards, and so consider details should be agreed. Similarly, there should also be agreement of the location, design and delivery of a bird box for reasons of biodiversity. To protect highway safety the 5 spaces should be retained.
17. As the works have been more or less completed there is no need for a commencement condition or for the scheme to be in accordance with the approved plans. I have carried over though from the previous planning permission for the extensions, the condition requiring the first-floor windows on the north side to be obscured, so as to protect neighbours' living conditions.

Conclusion

18. For the reasons given above I conclude the appeal should be allowed.

JP Sargent

INSPECTOR