



Appeal Decision

Site visit made on 17 November 2025

by **A O'Neill BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 January 2026

Appeal Ref: APP/G3110/W/25/3373344

128 Dene Road, Oxford, Oxfordshire OX3 7EG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Hongwei Yao against the decision of Oxford City Council.
 - The application Ref is 25/01259/FUL.
 - The development proposed is described as: Change of use of dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4). Provision of bin and cycle stores.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the delivery of a balanced mix of housing.

Reasons

3. Policy H6 of the Oxford Local Plan 2036 (OLP) recognises the important role that Houses in Multiple Occupation (HMO) play in meeting housing needs in Oxford. However, it also identifies that in some areas of Oxford, high concentrations of HMOs are resulting in changes to the character of the local area, leading to concerns that communities are becoming unbalanced.
4. Policy H6 supports the change of use of a dwelling in Use Class C3 to an HMO where specified criteria are satisfied. Criterion a) of the policy requires that the proportion of buildings used in full or part as an HMO within 100 metres of the street length either side of the application site does not exceed 20%. The policy defines how street length is measured and Appendix 3 of the OLP provides further guidance on applying the calculation, including an illustrated example showing how buildings which 'turn the corner' from the application street are counted. Appendix 3 also confirms that, in counting individual properties, regard will be had to the number of houses, flats or buildings that are licensed HMOs, or for which a licence application is pending.
5. The Council's appeal evidence includes a map, following the approach set out in Appendix 3, showing 55 buildings within 100 metres street length of the site. Of these, 11 properties have an HMO licence, and one property has a pending licence application, exceeding the 20% threshold set by policy H6.
6. The appeal site is located between the junctions of Dene Road with Benson Road and Bulan Road. The 100 metre street length measurement from the site extends

into both of these roads, but to different extents. The appellant contends that the distance measured along Benson Road and Bulan Road from their junction with Dene Road should be equal, as illustrated in the example in Appendix 3. This would result in fewer buildings and fewer HMOs being included in the calculation which, the appellant suggests, would mean the 20% threshold is not breached.

7. However, the appeal site location differs to the example site in Appendix 3. The appeal site is not equidistant from the two roads and is closer to the junction with Benson Road. Therefore, measuring 100 metres from the appeal site, turning the corner into Benson Road necessarily includes a greater length of that road than the same measurement taken into Bulan Road. Accordingly, in the absence of substantive evidence to the contrary, I do not find that the Council has erred in its calculation.
8. My attention has been drawn to a planning application for an HMO at 88 Dene Road (application reference: 23/00057/FUL) which, it is stated, did not breach the 20% threshold defined in Policy H6. However, I have not been provided with the full details of this application, nor the evidence on which the decision was based. Therefore, I cannot be satisfied that it is directly comparable to the current appeal. As such, this consideration does not lead me to a different conclusion on this matter.
9. Taking all of the above into account, I find that the proposal would conflict with the aims of Policy H6 which seeks to avoid over concentrations of HMOs and deliver a balanced mix of housing.

Other Matters

10. Concerns regarding the manner in which the planning application was considered by the Council fall outside the scope of this decision. The appellant refers to unreasonable behaviour by the Council, but no costs application has been submitted for me to consider.

Conclusion

11. For the reasons given above, the proposal conflicts with the development plan and there are no material considerations that indicate that a decision should be made other than in accordance with it. I therefore conclude that the appeal should be dismissed.

A O'Neill

INSPECTOR