

Case Officer: Rebekah Morgan

Applicant: Hexiqon Homes Ltd

Proposal: Change of Use from 5 bedroom Dwelling (class C3) to 8 bedroom HMO (class sui generis)

Ward: Bicester East

Councillors: Councillors Tom Beckett, Donna Ford and Robert Parkinson

Reason for Referral: Called in by Councillor Donna Ford and supported by Councillors Tom Beckett and Robert Parkinson for the following reasons: Highway safety concerns, reduction in family housing (impact on the area), potential noise and disturbance, lack of refuse/recycling provision, lack of need for HMO's, cumulative impact of HMO's in the area and pressures on drainage and sewer infrastructure.

Expiry Date: 23 March 2026

Committee Date: 19 March 2026

SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is comprises of a two storey, semi-detached property that is currently undergoing works to construct a replacement single storey rear extension, erection of front porch (consent granted under application 25/02433/F) and conversion of the integral garage to additional residential accommodation.
- 1.2. The dwelling is constructed of buff brick with a plain tile roof. The site has an existing vehicle access with a driveway accommodating one parking space.
- 1.3. The property is located within a predominantly residential area of Bicester. It is within 10 minutes walking distance of Bicester town centre, 15 minute walking distance of Bicester Village train station and under 10 minutes walking distance of the nearest supermarket.

2. CONSTRAINTS

- 2.1. Protected and notable species are identified on the constraints data within close proximity of the site.
- 2.2. There are no heritage constraints to the site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application seeks a change of use of the property from a 5 bedroom dwelling to an 8 bedroom House in Multiple Occupation (HMO).

4. RELEVANT PLANNING HISTORY

4.1. The following planning history is considered relevant to the current proposal:

25/02433/F: Replacement single storey rear extension and erection of single storey front porch. APPROVED

5. PRE-APPLICATION DISCUSSIONS

5.1. No pre-application discussions have taken place with regard to this proposal.

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **9 January 2026**, although comments received after this date and before finalising this report have also been taken into account.

6.2. 11 letters of objection have been received. The comments raised by third parties are summarised as follows:

- Insufficient on-site parking – the proposed plans would only give 2 viable spaces
- Increased parking and traffic on an already busy road
- Increase in vehicle movements
- On road parking would impact on visibility for other road users – located on a blind bend
- Highway safety – road is used as a walking route for school children
- Existing pressure for on street parking
- Parked cars mounting the kerb can block the pavement and impact access for other users which conflicts with the Equality Act (2010) and paragraph 103F of the NPPF.
- Loss of a family home
- Change in residential character – the neighbour claims there are no other HMOs register in Longfields nor the adjacent streets
- Represents an inappropriate and excessive intensification of use
- Potential noise and disturbance
- Concerns regarding the dynamic and type of residents who will occupy the property
- There is reference to HMOs on London Road which is a different type of road
- Inadequate refuse and recycling facilities for a property of this size
- Existing provision of HMOs in Bicester. No evidence to suggest there is any identified housing need for a HMO in this area
- Set an undesirable precedent for similar conversions in the area.

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

7.2. BICESTER TOWN COUNCIL: No comments received.

- 7.3. OCC HIGHWAYS: **no objections** subject to conditions in respect of width of the access and the layout, surfacing and drainage of the parking areas.

Following on from my response dated 27/01/2026, the applicant has now provided additional supporting information.

This includes a Parking Stress Survey which demonstrates that there is sufficient on-street parking capacity available within the surrounding area. On this basis, OCC as the LHA are satisfied that the proposal would not result in a severe parking impact.

The applicant has also submitted updated plans showing the provision of three on-site parking spaces within the driveway.

However, it should be noted that the previously indicated intention to extend the dropped kerb across the full width of the site frontage would not be considered acceptable, as this could negatively impact pedestrian safety by reducing the availability of refuge space for pedestrians along the footway.

The dropped kerb can be extended by an additional 2 metres beyond the existing dropped width. This would allow for the practical provision and use of two on-site parking spaces, whilst maintaining sufficient footway for pedestrian movement and safety. This can be secured by the provided condition.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011-2031 PART 1 (CLP 2015)

- PSD1: Presumption in favour of Sustainable Development
- BSC1: District Wide Housing Distribution.
- ESD15: The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28: Layout, design and external appearance of new development
- C30: Design of new residential development
- ENV1: Development likely to cause detrimental levels of pollution

- 8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Design Guide (2018)
- Cherwell District Council HMO Standards 2018
- Oxfordshire County Council Parking Standards for new developments

9. APPRAISAL

- 9.1. The key issues for consideration in this case are:

- Principle of development
- Design and impact on the character of the area
- Residential amenity
- Highway safety
- Biodiversity Net Gain (BNG)

Principle of Development

- 9.2. In determining the acceptability of the principle of new dwellings regard is paid to Government guidance contained within the NPPF. This explains that the purpose of the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 9.3. Paragraph 8 of the NPPF sets out the Government's view of what sustainable development means in practice for the planning system. It is clear from this that sustainability concerns more than just proximity to facilities, it clearly also relates to ensuring the physical and natural environment is conserved and enhanced as well as contributing to building a strong economy through the provision of new housing of the right type in the right location at the right time.
- 9.4. The development plan does not include any policies that specifically relate to HMOs. HMOs provide affordable accommodation to rent (to individuals who are unrelated) within a shared dwelling with communal facilities. It is worth noting that emerging plan (Cherwell Local Plan Review 2042) Policy COM7 (Sub-Division of Dwellings and Homes in Multiple Occupation) identifies residential amenity and parking provision as the two principal material planning considerations when assessing this type of application. This reflects the way in which such proposals have previously been assessed.
- 9.5. The site is located within the built-up limits of Bicester, which has good access to public transport links, local shops and amenities. It is considered that the site is in a sustainable urban location.
- 9.6. Third party comments have raised concerns the proposal would change the character of the area because they believe there are no other HMOs within the locality of the site. The Council's Housing Team has confirmed HMO licences have been granted for a property on Fallowfields and 2 properties on Linden Road (both streets adjoining Longfields); all are smaller HMOs (up to 6 occupants) and therefore did not require planning permission. This shows there are some HMOs in the area but not an overabundance. Within neighbourhoods it is important to create mixed communities with housing types that appeal to a range of people at different ages and stages of life. The proposal would offer a more affordable option for single people wanting to live in the area.
- 9.7. Given the above, it is considered that the principle of converting the existing dwelling on this site to a HMO, which is a higher density form of residential accommodation, is acceptable. However, the overall acceptability of the proposed development is also clearly dependent on it not causing demonstrable harm to: the visual amenities of the locality; residential amenity; and highways safety. These issues are discussed below.

Design and impact on the character of the area

- 9.8. Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the

opportunities for improving the character and quality of an area and the way it functions.

- 9.9. Policy ESD15 of the CLP 2015 states that: "New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards."
- 9.10. Saved Policy C28 of the CLP 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context.
- 9.11. The application seeks a change of use only, although some ancillary structures and works to the parking area would be required. The property has previously been extended (planning permission 25/02433/F) and the current application does not propose any external alterations to the building.
- 9.12. The frontage has an existing vehicle access and driveway that would be widened to accommodate two parking spaces. The waste bins and cycle storage would be located at the front of the property and therefore visible within the street scene. Whilst a storage area to the rear would be more preferable, there is no side access to the rear, so as with the current arrangement, the bins would have to be housed to the front of the property. Details have been submitted showing relatively small timber structures are proposed for both the cycle store and bin store. They would not be visually intrusive and are in keeping with the residential character of the area.
- 9.13. It is considered that the proposed development would be acceptable with regard to the impact it would have on the character and appearance of the area. In this respect, the proposal accords with Policy ESD15 of the CLP 2015 and Policy C28 of the CLP 1996 and government guidance contained within the NPPF.

Residential amenity

- 9.14. Both the NPPF and Policy ESD15 of the CLP 2015 seek to ensure development proposals provide a good standard of amenity for both existing and proposed occupants of land and buildings relating to privacy, outlook, natural light and indoor and outdoor space.
- 9.15. There are no external changes proposed to the building that would result in any material impact on the residential amenity of the neighbouring residents and the future occupiers of the proposed HMO. Both the existing and proposed uses are residential, and it is not concluded therefore that the proposal would have any additional impact in respect of overlooking or loss of privacy to the neighbouring residents.
- 9.16. Concerns have been raised about potential noise impacts on neighbouring dwellings. With regard to noise, the proposal would result in an increase in potential occupants of the building to create higher density form of residential accommodation. However, this itself should not result in excess noise as it would still be in a residential use. If anti-social behaviour did prove to be a problem in the future, the Environmental Health Team has legislative powers to take the necessary action.
- 9.17. The *CDC HMO Standards 2018* is a document used by the Council's Licencing Officers to determine the 'suitability for occupation' of HMOs for licencing purposes in accordance with the provisions of the Housing Act 2004, the Licencing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (as amended), The Licencing of Houses in

Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018, and its own HMO Licensing Policy.

- 9.18. In respect of the amenities of residents of the HMO. The sizes of the bedrooms range from 6.9m² to 11.2m², which meet the guidance for a single occupancy room to be used by a person over the age of 10 years (6.51m²). The shared kitchen/lounge is 25.5m². The HMO requirement for a 6-10 person HMO (1 to 2 storey) of 24m², and therefore the proposed communal area meets this requirement. The bedrooms are all en-suite and are in accordance with the Council's requirements set out in the CDC HMO Standards (2018). The applicant has confirmed occupancy will be 8 no. tenants in single rooms. A condition is included to restrict occupancy to the level stated.
- 9.19. On the basis of the above, the development would provide a suitable level of residential amenity to the future occupiers. The proposals are not considered to result in detrimental harm to adjacent neighbours nor the existing or future amenities of the residents of the proposed HMO. The proposals are therefore considered to accord with Policy ESD15 of the CLP 2015, Policy C30 of the CLP 1996 and Government guidance contained within the NPPF.

Highway safety

- 9.20. The NPPF (Para. 110) states that the planning system should actively manage patterns of growth in support of the achievement of promoting sustainable transport. However, notes that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 9.21. The NPPF (Para. 115) advises that in assessing specific applications for development, it should be ensured that:
- Sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
 - safe and suitable access to the site can be achieved for all users;
 - the design of streets, parking area, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design code; and
 - any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 9.22. Both Policies ESD15 and SLE4 of the CLP 2015 reflect the provisions and aims of the NPPF. Policy ESD15 states that: *“New development proposals should be designed to deliver high quality safe, attractive, durable and healthy places to live and work. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions”*; whilst Policy SLE4 states that: *“All development where reasonable to do so, should facilitate the use of sustainable modes of transport (and) development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported”*.
- 9.23. The OCC Parking Standards for new developments document states that HMOs are required to allow for 0.5 vehicle spaces per bedroom, which equate to 4 spaces in this instance. The Local Highway Authority Officer has stated that they would not support a full width dropped kerb at the property and therefore the property is limited to the provision of two on site parking spaces. Whilst this falls short of the guidance, the

applicant has submitted a parking stress survey which demonstrates there is capacity within the existing street for additional on road parking. Furthermore, the property is within reasonable walking distance of the town centre, supermarkets and public transport links (bus and train). So notwithstanding the concerns raised by neighbouring residents, the Local Highway Authority Officer is satisfied that the provision of two parking spaces is sufficient in this instance and would not have a detrimental impact on the safety or convenience of highway users.

- 9.24. Cycle storage is proposed to the front of the property with the provision of 8 cycle parking spaces provided in two, secure timber structures.
- 9.25. On the basis of the above, the proposal would not have detrimental impact on highway safety and is acceptable in this regard, complying with Policies ESD15 and SLE4 of the CLP 2015 and Government guidance contained within the NPPF.

Biodiversity Net Gain (BNG)

- 9.26. Mandatory Biodiversity Net Gain (BNG) came into force on 12 February 2024 requiring the provision BNG unless one of the exemptions is applicable.
- 9.27. In this case, the proposal complies with an exemption because it is below the threshold. The exemption applies where a development does not impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat. In this case the application seeks a change of use only, therefore there is no change to the footprint of the building and no impact on habitats. The provision of BNG is not required.

Other matters

- 9.28. One of the third party comments has raised concerns about the impact on accessibility of the area if cars park partially on pavements or block dropped kerbs. In particular reference is made to the Equality Act (2010).
- 9.29. The Council is aware of the importance of the Equality Act and takes it duties in relation to planning seriously. However, the applicant has demonstrated the proposal would not result in undue pressure on street parking and further it is beyond the scope of the application to control the manner in which people choose to park. The application has been amended to reduce the width of the proposed dropped kerb to ensure there is refuge space between dropped kerbs for pedestrians and the dropped kerb itself will need to be constructed to the standards of the Local Highway Authority to ensure it is accessible for all users.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation but are sought jointly and simultaneously.
- 10.2. The proposal would provide an additional form of residential accommodation within a sustainable, built-up residential location. The main potential harms relate to the intensified pattern of occupation and the associated impacts on neighbouring amenity and local parking.
- 10.3. The nature and scale of the development is compatible with the existing residential area and would not cause harm to residential amenity. The Local Highway Authority raise no objections and are satisfied there is sufficient capacity within the wider highway network for parking and safe and adequate car parking, and cycle parking

provision is provided. The proposal would provide smaller, affordable accommodation within the private rented market.

- 10.4. Overall, the proposal is considered to represent a sustainable form of development in accordance with the above-mentioned policies and as such the application is recommended for approval subject to the conditions set out below.

11. RECOMMENDATION

GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW

CONDITIONS

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans:

- Drawing number BP.01 Rev A – [Block Plan/Location Plan]
- Drawing number P.01 – [Proposed Elevations]
- Drawing number P.02 – [Proposed Layout Plans]
- Drawing number P.03 – [Proposed Kitchen and En-suite Layouts]
- Drawing number P.04 Rev B – [Proposed Site Plan]
- Drawing number P.05 – [Proposed Bin and Bike Stores]
- Drawing number P.06 – [Proposed Drainage Plans]

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. The development hereby approved shall not be occupied until details of how Secured by Design measures have been incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the details of how the scheme accords with the secure by design principles shall include: details of all bedroom doors being certified to PAS24, with a door viewer installed; details of a secure postal strategy; and details of a visitor notification system (doorbell) for each bedroom. The Secure by Design measures shall be implemented in accordance with the approved detail and be retained and maintained in perpetuity.

Reason: In order to ensure the safety and security of any future occupants of the site and to comply with Government guidance contained within the National Planning Policy Framework and the Crime and Disorder Act 1998.

4. Prior to the first occupation of the development hereby approved, the parking and manoeuvring area shall be provided in accordance with the plans approved (drawing numbers P.04 Rev B and P.05 and drawing titled 'Dropped kerb and

swept path analysis Rev A') and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring areas shall be retained in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

Reason: In the interests of highway safety and flood prevention and to comply with Policies ESD7 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

5. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with drawing number P.04 Rev B and P.05. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of promoting sustainable transport modes in accordance with Policy ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

6. Prior to the first use or occupation of the development hereby permitted, bin storage facilities shall be provided on the site in accordance with drawing numbers P.04 Rev B and P.05. The bin storage facilities so provided shall thereafter be permanently retained.

Reason: In order that proper arrangements are made for the disposal of waste, and to ensure the creation of a satisfactory environment free from intrusive levels of odour/flies/vermin/litter in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policies ENV1, C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. The House in Multiple Occupation, hereby approved, shall only be let as a single room occupancy to limit the tenant numbers to not more than 8 persons.

Reason: In order to safeguard the amenities and character of the area, in the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

CASE OFFICER: Rebekah Morgan