
Appeal Decision

Site visit made on 11 June 2018

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 July 2018

Appeal Ref: APP/G1250/W/17/3191422

14 Bryanstone Road, Bournemouth BH3 7JE

- 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 Ian Richards against the decision of Bournemouth Borough Council.
 - The application Ref 7-2017-26611, dated 7 April 2017, was refused by notice dated 14 June 2017.
 - The development proposed is change of use from a dwelling (Use Class C3) to a HMO (Use Class C4).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed change of use on the balance and mix of households in the local community.

Reasons

3. Policy CS24 of the Bournemouth Local Plan: Core Strategy (2012) (CS) states that in order to encourage mixed and balanced communities, the change of use from a Class C3 dwellinghouse to a House in Multiple Occupation (HMO) will only be permitted where no more than 10% of dwellings in the area adjacent to the application property are within a Use Class C4 or Sui Generis HMO use. The policy sets out the precise methodology to be used in calculating this.
4. The Council estimates that, after taking into account the recent conversion of 1 Bryanstone Road from an HMO to flats, approximately 24% of the dwellings in the area (as defined in the policy) are occupied as HMOs. This figure is challenged as being exaggerated, but the appellant does not dispute that the policy threshold has already been exceeded. The Design and Access Statement quotes a figure of 15% based on a survey. In all probability this will be an underestimate, given that HMO uses are not always obvious from a visual inspection. The Council's approach of supplementing a site visit with desk-based analysis of its database of registered HMO uses, Council Tax records and the electoral register is likely to arrive at a more robust figure.
5. It is put to me that 10% is an unrealistic maximum limit in a coastal, university town where pressure on housing is increasing daily. However, this is the figure enshrined within development plan policy and it must be the starting point for

my assessment. S38(6) of the Planning and Compulsory Purchase Act 2004 stipulates that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

6. Statistics are cited to demonstrate that anti-social behaviour within Bryanstone Road is no higher than elsewhere within the BH3 postcode area. However, the characteristics of anti-social behaviour are such that not all cases get reported to the police. Consequently, crime reporting on its own is not a reliable indicator of whether increased concentrations of HMOs have adversely affected the living conditions of established residents. I have given some weight to the anecdotal evidence from the occupant of the dwelling three doors away from the appeal site which suggests that incidences of anti-social behaviour within Bryanstone Road have increased over the past decade.
7. It is contended that the proposal would not alter the character or appearance of the road. However, research carried out nationally has found that high concentrations of HMOs often give rise to accumulation of rubbish and an excess of to-let boards. I saw some evidence of the former during my visit. Although I did not witness any estate agent boards, the transient nature of the HMO market makes it far more likely that such signage will be erected at some point. This would lead to additional visual clutter in the street scene.
8. The proposal would provide for 4 parking spaces within the forecourt of the property, to serve future occupants and minimise on-street parking pressure. The demolition of a low boundary wall would result in the site frontage being dominated by hard surfacing and parked cars. This aspect of the scheme would cause further harm to the character and appearance of the area, contrary to the aspiration of CS Policy CS41 for high quality design.
9. Whilst I acknowledge the appellant's concern at being surrounded by HMO properties, this does not justify a proposal which would exacerbate the existing high concentration of such uses in the area. I do not agree that being flanked by HMOs gives rise to more harmful levels of overlooking than if the neighbouring properties were family dwellings.
10. CS Policy CS24 recognises the important contribution that shared housing makes both to the Borough's housing stock and to particular groups in society, but seeks to ensure that it is properly distributed to prevent communities becoming unbalanced. The proposal runs contrary to the development plan and in my judgement there are no material considerations of such substance or weight as to outweigh that policy conflict.

Other Matters

11. It has been suggested that the appellant will have little chance of selling the appeal property due to the proximity of HMOs. This assertion is not backed up with any marketing evidence and as such I have given it very limited weight.
12. I understand that a large number of student accommodation blocks are being built within Bournemouth. These developments are very different to HMOs, both in terms of the type of accommodation they provide and their impact on existing communities and residential neighbourhoods. Although the local media has predicted a shortfall in student accommodation based on information provided by the university, there is no compelling evidence to demonstrate that greater reliance on private sector HMOs is the only means of addressing this.

13. Concerns have been raised regarding the Council's handling of the application and its motives for refusing permission. However, such matters are not for my consideration. I have determined the appeal on its substantive planning merits.
14. I have had regard to all other matters raised, including the limited number of objections, but nothing changes my findings on the main issue.

Conclusion

15. For the reasons given above, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR