



Appeal Decision

Site visit made on 29 March 2022

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 21st April 2022

Appeal Ref: APP/Z0116/W/21/3288680

11 The Greenway, Speedwell, Bristol, BS16 4EZ

- 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 Missiato against the decision of Bristol City Council.
 - The application Ref 21/00985/F, dated 22 February 2021, was refused by notice dated 29 October 2021.
 - The development proposed is double storey side extension together with change of use from C3 dwelling house to Sui Generis HMO.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the character and appearance of the area.

Reasons

3. Whilst it might not be recognised as such through any formal designation, the area has the character of a substantial planned garden suburb. Dwellings are consistently arranged in pairs that occupy sizeable plots, with substantial areas of open space and primary thoroughfares lined with significant street trees and wide verges. Corners of road junctions are mainly marked by wide side gardens, with dwellings set back significantly, and in all situations built form is set back from the road edge.
4. The appeal building is something of an anomaly. It occupies a corner position, but its side elevation is closer to the road than other comparable corner plots. Furthermore, unlike nearby roads, built form to the southwest of the appeal site does not form a strong building line relative to Cherry Tree Crescent, as a result of the large building adjacent to the appeal site that is set back much further than the semi-detached pairs beyond. For these reasons I am satisfied that the appeal proposal would not breach a well defined building line.
5. However, it would bring substantial two-storey built form right up to the road edge, leaving a very small gap between the front corner of the extension and the plot boundary. Although the existing gap at the side of the dwelling is more modest than most comparable plots in the area, it would be almost entirely lost by the proposal. The very close siting of the extension relative to the road would be entirely at odds with the consistent placement of semi-detached dwellings set back significantly from the road, and would also fail to respond positively to the provision of wide side gardens to nearby corner plots.

6. At my visit to the site I could see no other examples of substantial built form close to the road, in the form of either primary buildings or extensions. The examples given by the appellant largely relate to more modest extensions or single storey buildings. Where large side extensions have been added to corner plots large gardens have been retained, allowing the verdant and open character of these corner plots to be retained. Extensions similar to the proposed extension exist on the semi-detached pairs to the east of the appeal site, however these do not extend built form up to the road edge.
7. I accept that the extension would hold a largely subservient relationship with the host dwelling derived from its set back at the front, lower ridge height and narrow width at the rear. These factors however do not outweigh the harmful scale of the extension relative to the road.
8. In summary, the proposal would have a significant adverse impact on the character and appearance of the area, owing to the scale of the proposal relative to the road. It would be contrary to Policy BCS21 of the Bristol Development Framework Core Strategy 2011 (CS), and Policies DM21, DM26, DM27, DM28 and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies 2014 (SADMP), which together seek to ensure that development proposals do not harm the character and appearance of an area by respecting the local pattern and grain of development.
9. In its refusal reason the Council refers to Policy DM29 of the SADMP. This relates to new buildings. The proposal is to extend an existing building. This Policy has not therefore been determinative.

Other Matters

10. The Council's second refusal reason relates to the proposed use of a gas fired boiler that does not adhere to the heat hierarchy set out in Policy BCS14 of the CS. The proposal is an extension to an existing dwelling to facilitate the change of use. The gas boiler and the system that it feeds already exist. It would be logical and more economical to continue to use this current system for a proposal of this scale. Indeed, introducing a new system to serve the whole building would require the disposal of the existing system and the fitting of a replacement system, which in itself would have an environmental impact.
11. The proposal would achieve the required 20% reduction in carbon emissions and would incorporate solar photovoltaic panels. These are significant benefits taking into account the nature of the proposal, and achieve the aims and objectives set out in Policies BCS13, BCS14 and BCS15 of the CS. I am thus satisfied that this matter need not constitute a main issue of this appeal.

Planning Balance

12. The Housing Delivery Test results for 2021 show that the Council's delivery of housing over the previous three years continues to fall below 75% of its housing requirement. Footnote 8 of the National Planning Policy Framework (the Framework) indicates that paragraph 11 d) should be engaged for applications involving the provision of housing.
13. The proposal is to convert the existing dwelling into a house in multiple occupancy (HMO). Although one of the existing bedrooms may be undersized when assessed against the Nationally Prescribed Space Standards, it is clear that it is laid out as a three bedroom family home.

14. The proposal is for an eight bedroom HMO. The eight bedrooms would be served by shared bathrooms and a shared living space and Kitchen. Six of the proposed eight bedrooms would be single occupancy, and it would be highly likely that future occupants would regularly utilise the shared living space owing to the small bedroom sizes. I am therefore of the view that the HMO would function in a manner that would be more akin to a large single household, and would not therefore deliver the provision of additional housing that is meaningfully beyond that which already exists at the site, to the extent that paragraph 11 d) of the Framework should be engaged.
15. There would be some economic benefit arising from the construction process and the potential for additional persons to reside at the site who would make use of local services and facilities. These benefits would however be limited by the small scale of the proposal and modest uplift in the number of potential occupants. The proposal would deliver a HMO, which would increase the choice and mix of homes available in an area which is not saturated by HMOs. Whilst these matters weigh in favour of the proposal I am not satisfied that they are sufficient to outweigh the level of harm to the character and appearance of the area.

Conclusion

16. In conclusion, the proposal would conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, the appeal should be dismissed.

A Tucker

INSPECTOR