



Appeal Decision

Site visit made on 10 July 2024

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8th August 2024

Appeal Ref: APP/Z0116/W/24/3337059

1 Bonnington Walk, Bristol, BS7 9XF

- 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 Jon & Dan Fox against the decision of Bristol City Council.
 - The application Reference is 23/00141/F.
 - The development proposed is the erection of an attached dwelling house (Use Class C4) HMO, and the erection of a single storey rear extension to existing dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on a) living conditions for neighbours and b) the character and appearance of the locality.

Reasons

3. The appeal property comprises a semi-detached two storey dwellinghouse in multiple occupation (Use Class C4), set angularly on the junction of Bonnington Walk with Wordsworth Road. The curtilage is triangular at the front and rectangular to the rear with the end of the garden abutting a mainline railway embankment which drops steeply. The property has an attached single storey side extension and a conservatory to the rear. Elevations are simple and pleasing and formed of brick with a dual pitched main roof and gabled side elevation. The locality is of established residential character and has an attractive air of fairly spacious suburbia. The proposal is as described above.

Living conditions

4. The development proposed at the appeal site is of significant scale. Regrettably this massing of both the planned two storey and single storey elements, given their siting, orientation and proximity relative to the rear garden and elevation of would be markedly intrusive. Neighbours would have a most uncomfortable feeling of being hemmed-in by built form and would lose a sense of spaciousness to the rear. The development would be unduly dominating and overbearing and unreasonably impinge upon the level of amenity which occupiers would reasonably expect in this neighbourhood.
-

5. I appreciate that 'permitted development' rights are cited but I have no tangible fall-back position before me, an application has been made, and amenity issues are consequently fully within my remit on this proposal. I would also add that I have to protect the amenity of a neighbouring property for the long term notwithstanding that the present occupiers may be neutral or supportive of any particular scheme.
6. Policies BCS21 of the Bristol Core Strategy (CS) as well as DM29 and DM30 of the Site Allocations and Development Management Policies (DMP) are relevant. Taken together and amongst other matters they seek well designed development which would not impinge upon residential amenity. Given the characteristics of the proposal I conclude that it would run contrary to these policies.
7. I deal above with the first arm of amenity impact; the second element raised by the Council is one of harm through 'sandwiching'. DMP Policy DM2 sets out the circumstances where the conversion of an existing dwelling to a house in multiple occupation (HMO) will not be permitted and further guidance is contained within the Supplementary Planning Document – Managing the development of houses in multiple occupation (2020). This describes the situations where the sandwiching of an existing residential property, or properties, by HMOs on both sides will not be acceptable. The Council references sandwiching but I would agree with the Appellants that 1 Bonnington Walk is already an HMO and the planned *new* HMO within this scheme, given its separation from any dwelling house, would not cause sandwiching or conflict with DMP Policy DM2 on this front.

Character and appearance

8. The planned attached two storey structure which turns the corner would in my opinion have a jarring and alien visual appearance. The roof arrangement would appear contrived. The fenestration would be markedly out of sync with that adjoining and around. The structure would stand overly prominently and incongruously in the streetscene. The appearance would be one of unfortunate unbalanced over-development and not reflective of the character or layout of the surrounds or the host property.
9. Previously cited CS Policy BCS21 as well as DMP Policies DM26 and DM27 are relevant. Taken together and amongst other matters the policies call for well-designed development; at a suitable density, scale and layout; being reflective of local character and architecture; and sympathetic to context and streetscene. Given the above I conclude that the scheme would run contrary to these policies.

Other matters

10. The Council raises concerns over parking arrangements. However, had I been minded to allow the appeal I would agree with the Appellants that reference to the submitted amended plan would have satisfactorily dealt with this matter.
11. The Council also raised concerns over the need to demonstrate that the scheme would avoid incurring unacceptable impacts on the integrity of the

adjacent railway embankment. On this point, if I had been minded to allow the appeal, I could have imposed an appropriate planning condition. I note the Appellants raise this proposition and in parallel the Council has put forward a draft condition to address this matter; a suitable solution could certainly have been forthcoming.

12. The Appellants comprehensively underline the present and future need for single person and childfree couples' housing and housing supply issues in the city generally. I entirely take the points made and I recognise that the scheme would help on these fronts. However, my conclusion is that the disbenefits would outweigh these positive factors. The contribution from the proposal would be modest and I am of the view that this appeal scheme by reason of its social and environmental impacts would not reasonably be termed sustainable development.
13. I understand the Appellants' wish to improve and modernise the HMO accommodation at the appeal property I hope that an acceptable amended solution can be found on this front. I recognise that the existing boundary walling is not attractive; I do not however feel that removal of the wall carries any appreciable weight in favour of the scheme and enhancement could come forward in a number of ways.
14. I have carefully considered all the points raised by the Appellants but these matters do not outweigh the concerns which I have in relation to the main issues above.
15. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policies which I cite mirror relevant objectives within that document.

Overall conclusion

16. For the reasons given above I conclude that the appeal proposal would have unacceptable effects on living conditions for neighbours as well as the character and appearance of the locality. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR