
Appeal Decision

Site visit made on 3 June 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 July 2025

Appeal Ref: APP/Z0116/W/25/3361471

12 Olveston Road, Horfield, Bristol BS7 9PB

- 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 Clinton McLeary against the decision of Bristol City Council.
 - The application Ref is 22/03414/F.
 - The development proposed is conversion into 5 bed HMO.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted additional plans showing the indicative positioning, layout and elevations of the refuse and cycle stores at the site. These plans do not involve a substantial difference or fundamental change, and the Council has been given the opportunity to comment on them. Whilst the plans have not been subject to public consultation, I am satisfied that it would not cause procedural unfairness to anyone involved in the appeal. As such I have considered these plans in making my decision.
3. The appellant has stated that the appeal property has been rented out to 5 individuals since 1 August 2024, and that the communal lounge and a bedroom are located to the front and rear of the ground floor respectively, and not as shown on the submitted plans. This accorded with what I saw during my site visit. However, I have dealt with the appeal on the basis of the plans before me.
4. Reference is made to Bates Close within the first reason for refusal attached to the Council's decision notice. This has been noted by the appellant within their submission and the Council has not commented upon this. The decision notice, as well as the Council's officer report, makes clear reference to the above appeal address and, as such, I consider the reference to a different street within the first reason for refusal was in error.

Main Issues

5. The main issues are the effect of the development on the housing choice in the locality and whether the development would provide adequate and practical cycle and refuse storage.

Reasons

Housing choice

6. Policy DM2 of the Bristol Local Plan Site Allocations and Development Management Policies (BLPSADMP) recognises that shared housing provides an important contribution to people's housing choice, and it aims to ensure that proposals do not result in harmful concentrations. A proposal would fail the second point of criteria ii) if it would create or contribute to a harmful concentration of such uses within a locality by virtue of reducing the choice of homes in the area by changing the housing mix.
7. The Council's 'Managing the development of houses in multiple occupation' Supplementary Planning Document (HMOSPD) provides further guidance on the implementation of Policy DM2, and it identifies situations where harmful HMO concentrations are likely to arise. Detrimental impacts can include a reduced housing choice as a result of housing type/tenure imbalance.
8. The HMOSPD highlights that a threshold proportion of 10% HMOs in a neighbourhood is considered a likely tipping point, beyond which negative impacts to residential amenity and character are likely to be experienced and housing choice and community cohesion start to weaken. The document adds that the HMO threshold assessment applies to the number of HMOs within a 100m radius of the property or site, and exceeding 10% is unlikely to be consistent with Local Plan policy.
9. The appeal site is a mid-terrace, 2-storey property, that has accommodation in the roof space. Olveston Road is a side street that has residential properties to one side and a primary school to the other. The development consists of the conversion of a 4-bed dwelling to a 5-bed HMO.
10. Utilising data from May 2024, an existing HMO concentration of 13.38% has been calculated by the Council, rising to 14.08% with the addition of the proposal. The appellant has contested this figure, claiming an existing concentration of 10.6%, climbing to 11.3% when including the appeal site. The Council has not made any comments on this claim.
11. The Council also reviewed the 2021 census data within the Seymour Road Lower Super Output Area (LSOA), which reflects the guideline size of a neighbourhood, and provides an idea of demography immediately surrounding the site. The review found that the proportion of shared housing was 13.6%, which is higher than the Bristol average of 10.2%.
12. Findings presented by the appellant at the lowest output level from the 2021 census data, indicates that 9.2% of households are part of a converted or shared house, including bedsits. I note that the appeal site is located to the edge of this particular subject area (Output Area: E00073297), and it does not include the properties to the immediate rear, along Ashley Down Road, which are located within 100m of the appeal property and contain a number of HMOs. Census data has also been submitted showing that 9.9% of housing within the Bishopston and Ashely Down Ward is part of a converted or shared house, which is significantly higher than the national average of 3.5%. The Council has not made any comments on this evidence.

13. I am mindful that a breach of the 10% threshold does not automatically result in an unacceptable level of harm, though it is considered a likely tipping point. In terms of the 100m radius, both scenarios presented to me show an existing breach and that the proposal would increase the concentration. Whilst findings from the 2021 census data give different results, depending on the area covered, they do illustrate a clear trend of the level of converted and shared housing in the area and how these compare with the City and national averages. All these factors together indicate that the 100m radius of the site is already at a tipping point in terms of housing choice by reason of a change to the housing mix. Consequently, I conclude that 10% is an appropriate threshold in this case and, as such, the proposal would create or contribute to a harmful concentration of similar uses within the locality.
14. My attention has been drawn to a number of appeal decisions¹ within the City, though these are materially different to the appeal scheme before me. They related to a mixed-use development with new build elements that included HMOs on a former chapel site, as well as the intensification of existing HMOs. A further decision² related to a site within the jurisdiction of a neighbouring Council and was determined in accordance with a different development plan. Moreover, the Inspector in that case identified that there would have been a realistic prospect of a fallback position being undertaken. As such, a comparison is of limited relevance in this instance, and I have considered the appeal before me on its individual merits.
15. It is argued that the proposal addresses the requirement of Policy BCS18 of the Bristol Development Framework Core Strategy (BDFCS) by responding to the requirements of a changing population. It is claimed that privately rented HMO rooms will be attractive to the growing market of young professionals who are seeking to find accommodation in the City, which is subject to ever increasing prices. Little evidence has been submitted to support this claim and as such I have afforded it limited weight in support of the proposal.
16. For the above reasons, the proposed development would be harmful to the housing choice in the locality. It would be contrary to Policy DM2 of the BLPSADMP and the HMOSPD, which seek to, amongst other things, prevent development from creating or contributing to a harmful concentration of such uses within a locality by reason of reducing the choice of homes in an area by changing the housing mix.

Cycle and refuse storage

17. The appeal site, like other properties on Olveston Road, has an enclosed rear garden that is only accessible through the building. Understandably this limits options with regards to cycle and refuse storage. I observed many properties placing wheelie bins within the small front yard, as well as a number utilising a storage structure, though it was not clear to me if these were also used as a cycle store. Some of these were positioned behind hedging or designed in a manner to reduce their visual impact on the street scene.
18. Indicative plans before me show a refuse store and separate store for 2 bikes within the appeal property's front yard. A further store for 3 bikes is indicated in the

¹ Appeal Refs: APP/Z0116/W/23/3335671, APP/Z0116/C/22/3312417, APP/Z0116/C/22/3312418, APP/Z0116/W/22/3312416,

² Appeal Ref: APP/P0119/W/EE/3297910

rear garden of the site, which means that these bikes would need to be brought through the house. The route would be through the hallway and into the dining/kitchen area which has a door to the rear garden. Due to the restricted access to the rear garden, this arrangement, whilst probably undesirable, would be feasible and I observed during my visit a bike being stored in the area shown as a dining area on the submitted plans.

19. From the evidence before me I am satisfied that the development would accommodate adequate and practical provision for the storage of cycle and refuse within the site. If I had been minded to allow the appeal, full details of these stores, including height, materials and any means of screening them, could have been dealt with via conditions. Accordingly, I find no conflict with Policies DM2, DM23 and DM32 of the BLPSADMP and the HMOSPD, which include the requirement for adequate cycle and refuse storage to encourage people to cycle regularly, to be located conveniently for occupants and collection, as well as to minimise their visual prominence.

Other Matters

20. I note that the Council's officer report references that the proposal would harm neighbour amenity by way of noise and disturbance, though this is not reflected in the reasons for refusal contained in the decision notice. However, there is no substantiated evidence before me to demonstrate this harm. Notwithstanding that, compliance with policy DM2 of the BLPSADMP, insofar as it relates to excessive noise and disturbance, as well as parking provision and physical alterations to the building, would have a neutral impact on the planning balance.

Conclusion

21. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

P Barton

INSPECTOR