



Appeal Decision

Site visit made on 27 May 2025

by **JJ Packman MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 July 2025

Appeal Ref: APP/Z0116/W/25/3360210

163 Wordsworth Road, Horfield, Bristol BS7 0EQ

- 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 Mr Cameron Corstorphine against the decision of Bristol City Council.
 - The application Ref is 24/00990/F.
 - The development is the change of use from C3 dwelling house to C4 6 bedroom HMO.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from C3 dwelling house to C4 6 bedroom HMO at 163 Wordsworth Road, Horfield in accordance with the terms of the application Ref 24/00990/F and the plans submitted with it, subject to the following conditions:
 1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
 2. The development hereby permitted shall be undertaken in accordance with the following approved drawings: 1806(L01, 1806 L02; 1806(L10, 1806 (L11), 1806 (L12), 1806(L13), 1806 (L14), 1806(L15), 1806(L16), 1806(L17), 1806(L20), 1806(L21), 1806(L22), 1806 (L23), 1806 (L24), 1806 (L25), 1806 (L26), 1806 (L27), 1806 (L28), 1806 (L29).
 3. No building or use hereby permitted shall be occupied or use commenced until the refuse store and area/facilities allocated for storing of recyclable materials has been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.
 4. No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Preliminary Matters

2. Evidence has been submitted with this appeal to demonstrate that following the refusal of planning application 24/00990/F, a Certificate of lawfulness for a proposed development was obtained for the erection of a side dormer roof extension at the appeal property (ref: 24/04656/CP). During my site visit I observed that the dormer roof extension has now been completed. This is considered to effectively resolve the Council's second reason for refusal. To make any further determination on the dormer window in this appeal decision would serve no planning purpose.

Main Issue

3. The main issue is the effect that the proposal would have on the living conditions of the occupants of 165 and 167 Wordsworth Road, with regard to noise and disturbance.

Reasons

4. 163 Wordsworth Road comprises the northernmost house of a small residential terrace of four dwellings. To the north of no.163, is a pair of semi-detached houses (no.s 165-167). The buildings are physically separated by a narrow driveway to the north of no. 163, a hedge / fence, and a narrow portion of side garden to the south of no.165. The separation distance between the two properties is broadly comparable to other separation distances locally.
5. No.s 165-167 are both dwellings, beyond them and forming part of further pair of semi-detached houses is no. 169. Both the Council and appellant have indicated that no. 169 is an HMO.
6. The proposal is for the change of use of no. 163 into a 6 bedroom HMO, which will result in no.s 165-167 being situated between two HMOs.
7. In determining the planning application, the Council have cited Policy DM2 of the Bristol City Site Allocations and Development Management Policies (SA&DM) Local Plan (2014). The supporting text of Policy DM2 acknowledges that the sub-division of existing accommodation and the supply of shared housing provide an important contribution to housing choice. Notwithstanding this, the policy aims to ensure that 'harmful concentrations do not arise'.
8. Policy DM2 is supported by the Council's adopted SPD, Managing the development of houses in multiple occupation (November 2020). The SPD provides guidance to identify situations where harmful HMO concentrations are likely to arise, including 'sandwiching' and whether more than 10% of dwellings are occupied as HMOs.
9. In assessing the proposal, the case officer concluded the proportion of HMOs within a 100m radius of the site would be 1.12%, and so significantly below the 10% threshold identified within the SPD. Nevertheless, the officer concluded that the proposal would have a harmful sandwiching effect on no.s 165-167 as a result of these dwellings being situated between two HMOs.
10. The proposal is indeed caught by the specific circumstances identified in para. 4.1 of the SPD which states that potential sandwiching situations include 'up to three single residential properties in a street located between two single HMO properties'. The guidance also states that 'sandwiching situations apply irrespective of limited breaks in building line'.

11. Although I attribute significant weight to the guidance within the SPD, there are other material considerations against which the proposals should be weighed. In this instance the nature of the use, the fallback position, the specific relationship between the properties and the concentration of HMO's within the local area more generally.
12. The proposal is for a 6 bedroom HMO falling under Use Class C4. C4 uses, which may have up to 6 unrelated residents are generally considered to have a levels of activity broadly compatible with existing residential uses. This is reflected in the fact that typically planning permission is not required for the change of use from Use Class C3 to C4. In this instance an Article 4 direction prevents permitted development rights being exercised.
13. Whilst there is the potential for a 6 bedroom HMO to have a greater level of noise, disturbance and activity than a 6 bedroom dwelling, I do not consider the difference would be harmfully significant. In this case the fallback position, being a 6 bedroom dwelling, has the potential to generate similar levels of activity.
14. In considering whether the concentration of proposed HMOs would be 'harmful', it is necessary to take into account the physical relationship and proximity between the HMO's and the dwellings. Notwithstanding the advice given in para. 4.1 of the SPD, the break in the building line, the resulting separation between the buildings, and associated boundary treatment would have a mitigating effect on disturbance originating from the HMOs. Furthermore, it is worth noting that each dwelling would only be exposed to an HMO on one side.
15. Finally, it has been demonstrated through the Council's own analysis that the general concentration of HMO's within the local area is very low, standing at 1.12%. No.169 is currently the only HMO within a 100 metre radius of the appeal property.
16. I consider that the cumulative effect of these mitigating factors would not result in an unacceptably harmful effect on the living conditions of the occupants of 165 and 167 Wordsworth Road, with regard to noise and disturbance.
17. Consequently, the proposal is considered to accord with Policies DM2 and DM29 of the Bristol SA&DM Local Plan (2014) in that the scheme would not result in a harmful concentration of HMOs and would achieve a high standard of design quality. It is also considered that the proposal would accord with Policy BCS18 of the Bristol Development Framework Core Strategy (June 2011) by contributing to a mix of housing tenures types and sizes.

Other Matters

18. I note interested party comments about the potential effect of the proposal on car parking provision. As the rooms are single occupancy, and it is unlikely that not all residents will have cars, it is not considered that the demand for additional car parking will be significantly above that of a Class C3 dwelling with the same number of bedrooms. The provision of cycle parking will encourage the use of non car modes of transport. I also note that no concerns were raised by highways officers. Accordingly, I consider that the proposal would be acceptable in terms of highways impact.

Conditions

19. The Council has suggested four conditions, a standard 3 year time limit and conformity with the submitted plans, and conditions relating to the provision and retention of cycle storage and refuse storage facilities.
20. I have reviewed these conditions and consider them necessary to achieve an acceptable development. A dedicated area for the storage of recyclable materials will help maintain good living conditions for residents and neighbouring properties. The provision of cycle parking will assist in encouraging the use of bicycles, potentially reducing the pressure on the local road network.

Conclusion

21. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

JJ Packman

INSPECTOR