



Appeal Decision

Site visit made on 26 June 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 August 2025

Appeal Ref: APP/Z0116/W/24/3355614

203 Church Road, Redfield, Bristol, BS5 9HL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Landrose Bristol 03 against Bristol City Council.
 - The application Ref is 24/03003/F.
 - The development proposed is a proposed change of use and extension of existing building to create a scheme of 13 x HMO Cluster Units (42 beds) together with associated Gym and Communal Workspace facilities (Sui Generis). Change of use of Drinking Establishment floorspace (Sui Generis) to Commercial floorspace (Sui Generis)
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have determined this appeal on the basis of the Council's failure to determine the planning application within the statutory timescale. However, I have had regard to the Council's appeal statement, in so far that it provides clarity on the reasons why the Council would have refused planning permission had it been able to do so.
3. In the absence of any evidence from the Council to indicate otherwise, it would appear that there is no dispute between the main parties as to the acceptability of the other elements of the proposal. I shall therefore confine my detailed considerations to parking provision and refuse.

Main Issues

4. The main issues are the effect of the proposed parking arrangement on highway safety, and whether there would be adequate provision for refuse storage and collection.

Reasons

Parking

5. Policy DM23 of the Bristol Local Plan – Site Allocations and Development Management Policies, July 2014 (the LP) sets out that development proposals should provide an adequate amount of parking provision, having regard to various matters including parking standards, the level of accessibility by sustainable means, and any parking management regimes.

6. Appendix 2 to the LP sets out the maximum parking standards for different uses. There are no identified standards for large houses in multiple occupation (HMO's) which forms part of the proposed development before me. Nevertheless, for smaller HMO's, the maximum standard is one space per dwelling for one bedroomed flats. The proposed development would involve the provision of 13 'clusters' with a total of 42 rooms which would be individually occupied. On this basis, it is not unreasonable to consider that the maximum parking standard for the development would be 42 car parking spaces.
7. The Council has referenced Census data which indicates that, for shared ownership rented accommodation in this location, car ownership is 34%. On that basis, they consider that the proposed development should provide 15 spaces, rather than the four proposed. While I acknowledge that the Census data includes accommodation that contains more than one bedroom, I do not find that the Council's assumptions are unrealistic. In contrast, the appellant has suggested that the Census figure of 34% ownership should be applied per 'cluster' rather than per room. However, in my view, this is not an appropriate approach given that the rooms would all be occupied individually, and therefore the number of clusters seems irrelevant to the consideration of this matter.
8. There is no doubt that the appeal site is located in a sustainable location with easy access to services and facilities. In addition, there are bus routes nearby that provide services to other parts of the city. It is therefore possible to live in the area without owning a car. However, a degree of car ownership is inevitable among future occupiers of the development, particularly as there is not a parking permit scheme in place in the immediate area.
9. The appellant has not provided a parking survey as part of their application. However, the Council has referred to a survey that was submitted as part of a previous application for the site. This demonstrated very little in the way of available parking. I note that the appellant has not disputed this point. The survey was undertaken in January 2024, and while the information is now out of date, it is highly unlikely that parking conditions have improved since then. Indeed, while only a snapshot in time, I did observe during my site visit that there were very few available spaces indeed within the vicinity of the site, and that several cars were parked partly on pavements, thereby causing an obstruction.
10. The appellant has provided a Transport Statement (TS) which was prepared by Paul Basham Associates in July 2024. Furthermore, the same consultancy provided additional evidence in January 2025 as part of the appellant's final comments. The documents refer to two other comparable developments in the wider area which appear to have very low levels of car ownership. I note that one of these developments is closer to Lawrence Hill train station than the appeal site and so is not directly comparable. Furthermore, they are only two examples, and in isolation, I do not consider that this represents sufficient evidence to justify such a low amount of parking provision in this instance.
11. The TS provides information on accident data and notes that, within the immediate vicinity of the site, six accidents were recorded between 2018 to 2022. While the accidents may have been minor in nature, this does demonstrate that such incidents have occurred in recent years. Furthermore, the area surveyed is very tightly drawn around the appeal site, and it is likely that further accidents would have occurred in the surrounding area.

12. The TS also notes that there are two car clubs in operation nearby. However, it appears that the proposed accommodation would not include membership of these clubs and so this matter attracts little weight. The location of public car parks nearby also carries little weight on the basis that future occupiers would likely seek to find on-street spaces which they would not need to pay for.
13. Based on all of these considerations, and in the absence of an up-to-date parking survey to demonstrate otherwise, I am of the view that four spaces would represent a significant under provision, and that the development could result in substantial harm by way of additional cars being parked in a manner that causes highway safety issues. As such, the proposed development would conflict with LP Policies DM2 and DM23, as well as Policy BCS10 of the Bristol Core Strategy, 2011 (the CS). Taken together, the relevant aspects of these policies seek to ensure that new development, including shared housing, makes adequate provision for parking and that it does not result in highway safety concerns. It would also conflict with the Managing the Development of Houses in Multiple Occupation Supplementary Planning Document November 2020, parts of which have similar aims.

Refuse

14. As part of their final comments, the appellant has provided a Refuse and Recycling Storage Provision Response Statement, dated January 2025. The statement seeks to address the Council's concerns about the size of the refuse store for domestic waste, as well as the arrangements for refuse collection on the very narrow Mary Street to the rear of the building.
15. The statement provides an alternative layout plan for the ground floor which shows an enlarged domestic refuse store to cater for a greater number of receptacles. Furthermore, the statement sets out a solution for collection whereby domestic waste would be wheeled to the storage area on Victoria Street by the in-house management team the night before collections are due.
16. Based on this information, I am satisfied that arrangements could be made to ensure that appropriate refuse storage and collection is included as part of the development. These arrangements could be secured via a condition which would require the submission and approval of a waste management plan.
17. As such, I conclude that the proposed development would make adequate provision for refuse. It would therefore conform with LP Policies DM2, DM23, DM26, DM27, DM28, DM30 and DM32, as well as CS Policies BCS10 and BCS21. Taken together, the relevant aspects of these policies seek to ensure that new development, including the alteration of existing buildings, is well designed, including by making suitable provision for the storage of recycling and refuse as well as its collection from the highway in a safe manner. It would also conform with the Managing the Development of Houses in Multiple Occupation Supplementary Planning Document November 2020, parts of which have similar aims.

Other Matters

18. The appellant has provided a completed planning obligation to secure a contribution of £2000 towards employment and skills plan monitoring. I am satisfied that the obligation is adequate and that it is necessary in order to accord

with CS Policy BCS11 which seeks to secure appropriate infrastructure and developer contributions.

Conclusion

19. It is not in dispute that the Council cannot currently demonstrate a 5-year supply of deliverable sites for housing. Indeed, the current figure is 4.14 years, and I have no evidence before me to suggest that this position is likely to improve in the short-term. As a result of the shortfall, policies related to the location and supply of housing are deemed to be out of date. In such circumstances, Paragraph 11d and footnote 8 of the National Planning Policy Framework (the Framework) require that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
20. In this instance, the benefits of the proposal include the provision of the HMO and commercial space, support for local facilities, and the creation of jobs, both during the construction phase and after completion. The proposal would also make efficient use of an existing building. Furthermore, the building is regarded as a non-designated heritage asset. Its significance is, in part, derived from its attractive façade, the prominence of the building within the street, and its 1930's cinema interior. While the proposal would result in changes to the external and internal appearance of the building, I am satisfied that its fundamental character would be retained when viewed from Church Road, while details of the historic interest of the interior could be recorded. As such, the re-use of a non-designated heritage asset also provides a benefit. Given the relatively limited scale of the proposal, I attribute moderate weight to these matters in total.
21. I have concluded that the development could result in material harm in relation to highway safety. The support for the principle of development within the Framework is countered by the importance it places on the provision of development that ensures that highway safety is not compromised. In this instance, the potential harm arising from inadequate parking provision would be significant and enduring. As a result, when assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits.
22. Consequently, for the reasons given, the proposed development conflicts with the development plan as a whole, and there are no other considerations, including the provisions of the Framework, that outweigh the identified harm. The appeal is therefore dismissed.

C Butcher

INSPECTOR