

Extension: Revised expiry date	3 June 2024
'Hold Date'	

## Bristol City Council Development Management

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### Delegated Report and Decision

**Application No:** 24/00271/F **Registered:** 31 January 2024

**Type of Application:** Full Planning **Expiry Date:** 27 March 2024  
**Case Officer:** [REDACTED]

**Site Address:**

59 Langton Road  
Bristol  
BS4 4ER

**Description of Development:**

Change of use from a dwellinghouse used by a single person or household (C3) to a large dwellinghouse in multiple occupation (sui generis) for eight households/twelve people.

**Ward:** Brislington West

**Site Visit Date:**

**Date Photos Taken:**

**Consultation Expiry Dates:**

**Advert  
and/or Site  
Notice:**

**Neighbour:** 27 Feb 2024

#### SITE DESCRIPTION

This application relates to the dwelling known as 59 Langton Road in Brislington West, east Bristol.

The application site is situated on the western side of Langton Road, approximately 45m south of the junction connecting to Bloomfield Road.

The application site comprised of a mid-terrace property.

The application site is not situated within a Conservation Area.

The application site is not located within an Article 4 area.

#### APPLICATION

This application seeks full planning permission for the change of use from a dwellinghouse used by a single person or household (C3) to a large dwellinghouse in multiple occupation (sui generis) for eight households/twelve people.

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RELEVANT PLANNING HISTORY

23/01590/CP - Application for a Certificate of Proposed Development - erection of a garage with fenestrations. A loft conversion/dormers with fenestrations. A single storey side/rear extension with fenestrations. - CERTIFICATE NOT ISSUED

24/00349/CP - Application for a Lawful Development Certificate for a Proposed Use or Development - Change of use from a C3a dwellinghouse to a small house in multiple occupation for 3-6 people (C4). CERTIFICATE OF LAWFULNESS ISSUED

23/04943/CP - Application for a Lawful Development Certificate for the proposed erection of rear roof extensions, front elevation rooflights, single storey rear infill extension, single storey rear extension and extension to existing rear garage. CERTIFICATE OF LAWFULNESS ISSUED

RESPONSE TO PUBLICITY AND CONSULTATION

Neighbour notification letters were issued to adjacent properties. 107 objections were received.

The main concerns were in regard to exacerbation to the exiting parking pressure and potential impact on highway safety. Due to the fact that St Anne's Church Brislington hosts a large number of social and sports clubs, in the day, during evenings as well as weekends.

Other concerns include;

HMO being out of character with the pattern of development.

Impact on residential amenity in particular in terms of noise and refuse.

Over development of the site

Pressure on local healthcare facilities cause by additional residence

Those objection raised with planning merit will be assessed in the report below.

INTERNAL CONSULTATION

Transport development management comments;

The transport team originally commented with the following;

The applicant must provide amended plans showing the proper number of refuse and recycling containers (1x sets of containers per 3x bedrooms) located within 30m of the adopted highway. This may involve relocating or removing the garage or locating the bins within the garage.

We acknowledge the numerous public objections to this application, but the applicant has provided evidence that there is likely sufficient on-street parking provision available locally to accommodate the needs of the development.

Subject to resolving the refuse storage concerns as above, TDM would recommend approval, subject also to the following conditions:

C5A Implementation/Installation of Refuse Storage and Recycling Facilities Shown on approved

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plans

C13 Completion and Maintenance of Cycle Provision Shown on approved plans

D19 Restriction of Parking Level on site

I055 Street Name and Numbering

I045A Restriction of parking permits future controlled parking zone/residents parking scheme

Once the Transport Development team became aware of the unique characteristics of the site location in terms of the proximity to St Anne's Church and the number of community activities it host throughout the day and evening the team changed there position to that of an objection, their comments are as follows.

In light of the further information about the regular use of the church hall during evenings, and the representations from the residents about the parking survey, TDM now conclude that the parking survey does not fully assess the impact of parking at the peak parking times.

In view of this, there is insufficient evidence that the impact of unrestricted parking arising from the development proposal on the local streets will not cause road safety issues, and TDM cannot support the application in its current form.

Pollution Control comments;

There does appear to be a considerable intensification of use here with a 3 bedroom single dwelling house becoming a 8 bedroom HMO with upto 12 occupiers. To enable this, the loft has been subdivided and an external garage is converted to a bedroom. I have concerns that this intensification of use will lead to an increase in the potential noise nuisance from the property, particularly to the adjoining neighbour.

Usually for such applications I would want to see information as to how the property will be managed in order to control any noise or antisocial behaviour from residents. Without any such information I find it difficult to make a fully reasoned judgement on this application. I would therefore have to object to this application in its current form with this number of bedrooms and no information regarding the management of the premises.

As well as the overall intensification of residential use at the property if permission were to be granted I would also have concerns over the potential for noise from the communal living room on the ground floor which is on the party walls with the adjoining properties. With the increased numbers of residents at the property there will be the potential for noise from the use of the living room if there is insufficient sound insulation. It could well be the case that some improvements will be needed for the sound insulation properties of the party wall in order to ensure that the use of the rooms does not cause harm to the neighbouring property. I would ideally like to see further information provided as part of the application or that the following condition be applied to any approval:

1. Noise insulation

Due to the increased numbers of occupants of the property, prior to the commencement of any development, an assessment, including any appropriate scheme of mitigation measures, for the transmission of noise between the following areas and the adjoining residential property has been submitted to and approved in writing by the Council.

Living room on any party walls

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The sound insulation assessment shall be prepared by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 8233:2014 " Guidance on sound insulation and noise reduction for buildings. Any approved scheme of mitigation measures shall be implemented prior to commencement of the use and be permanently maintained thereafter.

Private Housing;

For HMOs over 10 people private housing needs to be consulted in terms of space provision. The proposal for 32.73m<sup>2</sup> of kitchen / living space would be considered acceptable for meeting the size requirement for amenity standards, provided that the kitchen itself amounts to approximately 12m<sup>2</sup> and includes all of the requirements of the standard with regards to workspace, storage, equipment etc.

**RELEVANT POLICIES**

National Planning Policy Framework – December 2023

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocation and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2015 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

**KEY ISSUES**

**(A) PRINCIPLE OF DEVELOPMENT**

Policy BCS18 (Housing Type) of the Core Strategy states that all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

Policy DM2 (supported by the HMO Supplementary Planning Document, adopted 3 November 2020) aims to ensure that the intensification of use of existing HMOs preserves the residential amenity and character of an area and that harmful concentrations of HMOs do not arise.

Part 1 of Policy DM2 states that the intensification of use of existing HMOs will not be permitted if it would harm the residential amenity or character of the locality as a result of any of the following:

1. Levels of activity that cause excessive noise and disturbance to residents; or
2. Levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; or
3. Cumulative detrimental impact of physical alterations to buildings and structures; or
4. Inadequate storage for recycling/refuse and cycles

Part 2 of Policy DM2 refers to whether or not the development would create or contribute to a harmful concentration of HMO's; of which there are two parts:

-Harmful due to worsening effect on existing conditions (including 1-4 above); and or

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-Harmful due to a reduction in the choice of homes in the area by changing the housing mix

The HMO Supplementary Planning Document (adopted 3 November 2020) explains that the intensification of an existing HMO, in either or both of the following two scenarios, is unlikely to be consistent with Local Plan policy:

1) An intensified HMO would sandwich up to three single residential properties (use class C3) between two HMO's (being the intensified HMO and an existing HMO), and/or, would sandwich a single residential property (use class C3) between two HMOs (being the intensified HMO and an existing HMO) in any two of the following locations: adjacent, opposite and to the rear.

2) An intensified HMO would be sited in an area (defined as a 100-metre radius of the application property) where 10% or more of the total dwelling stock is already occupied as HMOs. The assessment also includes the concentration and location of purpose-built student accommodation (PBSA) in relation to the development, and also the type/nature of the PBSA.

The HMO count is the number of licenced HMOs plus any properties that have been given planning permission for HMO use and do not currently have a licence.

The principle assessment for this application concerns policies BCS18 and DM2.

Impact of the a large HMO on the Mix and Balance of the Area

There is overlap between policies BCS18 and DM2, as both seek to avoid harmful concentrations of uses in areas, albeit DM2 provides further criteria to assess this. Policy BCS18 includes a more demographical approach, stating that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. For example, in common with policy DM2, policy BCS18 would resist a proposal that would reduce the choice of homes in an area by changing the housing mix. However, policy BCS18 is less explicit in defining what a harmful impact on the mix balance of a community would be, whereas policy DM2 defines that a harmful concentration of uses within a locality would exacerbate existing harmful conditions, including:

- o Levels of activity that cause excessive noise and disturbance to residents; or
- o Levels of on-street parking that cannot be reasonably accommodated or
- o regulated through parking control measures; or
- o Cumulative detrimental impact of physical alterations to buildings and structures; or
- o Inadequate storage for recycling/refuse and cycles.

The HMO SPD expands on DM2 to provide a definition of what represents a 'harmful concentration' in the wording of the policy. This relates to two principles; local level and area level. At local level, a harmful concentration is found to exist where 'sandwiching' occurs. This is where a dwelling (Use Class C3) is sandwiched on both sides by HMOs. With regards to the wider area, a harmful concentration is found to exist where a threshold proportion of 10% HMOs within a 100m radius of the site occurs. The SPD suggests that this is generally identified as a 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. However each case will need to be assessed on its own merits.

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The site is in an area where there is a lower concentration of HMOs than the Bristol ward level average. Specifically, the site is within the Brislington West. Data from the 2021 Census suggests that 7.7% of the properties in the ward are multi-family households, a similar level can also be seen at within the Lower Super Output Area (LSOA) of 7.1%.

Using the licencing data there are 75 licenced HMO properties which equates to 1.39%. It is acknowledged that the census data shows an apparent higher concentration of HMOs at the Ward and LSOA level than the licencing data, in Brislington west licencing of HMOs are only required for those with 5 or more unrelated people living together.

In recognising there are differences in the two data sets and that they are based on a slightly different matrix it is reasonable to considered that the difference is not due to a significant number of Large HMO's (sui generis) not captured by the licencing data, but instead mostly likely due to smaller HMO (C4) which do not require licenses in Brislington west.

As such greater weight should be placed on the adopted HMO SPD current calculations in terms of what represents a 'harmful concentration' and how an HMO is recorded.

Within a radius of 100m there are four licenced HMOs (Mandatory and Additional Licences) and no HMOs that have been given planning permission and do not currently have a licence.

In terms of concentration, the local area would not be above the 10% threshold. Therefore, the proposal would be consistent with policies BCS18 and DM2 in this regard.

- Sandwiching Test

Turning to the local level of the host property's neighbours, the guidance in the emerging SPD suggests that a harmful concentration can arise at a localised level when an existing dwelling is sandwiched between two HMOs. Specifically, the guidance in the emerging SPD states:

"Proposals for the development or intensification of houses in multiple occupation are unlikely to be consistent with Local Plan policy where the development would create a harmful concentration of such uses as a result of any residential property being located between two houses in multiple occupation" (Page 7).

Based on Council records there are no HMOs (Mandatory and Additional Licences) as such would not result in the sandwiching effect as such would comply with policy in this regard.

**B) WILL THE PROPOSAL PROVIDE A SATISFACTORY LIVING ENVIRONMENT FOR FUTURE OCCUPIERS?**

Bristol City Council Site Allocations and Development Management (2014) Policy DM2 states that houses in multiple occupation will not be permitted where:

i. The development would harm the residential amenity or character of the locality as a result of any of the following:

- Levels of activity that cause excessive noise and disturbance to residents; or

- Levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; or

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- Cumulative detrimental impact of physical alterations to buildings and structures; or
- Inadequate storage for recycling/refuse and cycles.

ii. The development would create or contribute to a harmful concentration of such uses within a locality as a result of any of the following:

- Exacerbating existing harmful conditions including those listed at (i) above; or
- Reducing the choice of homes in the area by changing the housing mix.

Where development is permitted it must provide a good standard of accommodation by meeting relevant requirements and standards set out in other development plan policies.

Adopted Bristol Core Strategy Policy (2011) BCS18 makes specific reference to residential developments providing sufficient space for everyday activities and space which should be flexible and adaptable. In addition, Policy BCS21 sets out criteria for the assessment of design quality in new development and states that development will be expected to create a high-quality environment for future occupiers. A HMO at this site may require a Mandatory License under the Housing Act 2004. The Local Authority also has adopted amenity standards which apply to HMOs under this separate legislative framework. Whilst it is recognised that this is non-planning legislation and therefore not a material consideration in planning decision making, these standards also provide an indication of the standard of accommodation expected within shared occupancy housing locally.

Planning permission is sought for the change of use of the property from a single dwellinghouse to a 8-bedroom for up to 12 people large HMO (sui generis). The property accommodation will comprise of the following;

- Bed 1 (two person) - 14.45 square metres
- Bed 2 (one person) - 8.93 square metres
- Bed 3 (one person) - 10.99 square metres
- Bed 4 (Two person) - 11.68 square metres
- Bed 5 (two person)- 13.12 square metres
- Bed 6 (one person) - 7.74 square metres
- Bed 7 (one person) - 8.84square metres (within sloped roof space reduced head height)
- Bed 8 (two person) - 19.29 square metres (located in converted garage outbuilding)

Kitchen/Lounge - 32.73 square metres

In terms of floor space, the proposal would be adequate to meet the requirement for an HMO with the proposed level of occupation. Although details are not provided regarding the kitchen area, which equates to approximately 12m<sup>2</sup>, nor the workspace, storage, equipment, etc., this information would be required to obtain an HMO licence. As a licence is mandatory for an HMO of this size, details meeting the requirement could be secured later and thus would not warrant a refusal on these grounds.

Every bedroom in the property will exceed the 6.5 square metre minimum footprint for a 1 person bedroom in line with the requirements set out in Bristol City Councils HMO License Standard.

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For rooms 1-6, although a section has not been provide, the drawings appear to show there would be adequate levels of daylighting, outlook and ventilation in order to provide for an acceptable internal living environment as well as sufficient head height.

However, bedroom 7 is likely to provide poor living conditions. The bedroom would be contained within the front roof slope this would result in only 5.3 sqm above 2m in height, while the remainder reduces down to 1.5m. Due to the geometry of the room the accommodation would only provide a thin strip of 1.25m wide where it would be possible to comfortably stand. The outlook would be poor as it would be solely provided by two roof lights. This would be further exacerbated by their positioned which at a height starting approximate 1.2m from floor level would make it difficult to see out if not stood up.

This would result in an unacceptably poor living environment for future occupants of bedroom 7, a situation made worse by the nature of the HMO accommodation. Whereby in an HMO, occupants rely on their bedrooms as their sole private space within a shared living environment, making the quality of the bedroom as a principal living area even more crucial.

It is also acknowledged that the fallback position created by the lawful development certificate designates this attic room as a bedroom. However, the current proposal differs. Under the proposal achievable through permitted development, there would be alternative locations to allow for respite from the main shared space, such as the study on the first floor. Additionally, the shared spaces would experience less intensive use if occupied by 6 people rather than the proposed 12 people.

Bedroom 8 would be contained within the former garage which is position at far end of the rear garden. Outlook would be provided by a small window and glazed door. The entrance of the main house is situated 14m from the entrance the outbuilding. Located between the two is both the communal bin store and the communal bicycle store.

Bedroom 8 is likely to have poor living condition due to the 14m separation between the entrance the main dwelling and that of the outbuilding. This would require the occupants to walk 14m past bins and down external step all weathers to cook food. As such would result in poor living conditions. The occupants are likely to be further impacted by the presence of the shared bin store and cycle storage immediately adjacent the window of bedroom 8.

This would have the potential to cause an unduly high number of coming and goings by the occupants of the main dwelling immediately adjacent the bedroom window of bedroom 8. Reducing privacy or requiring the occupant of bedroom 8 to 'keep the curtains closed' resulting in lower natural light levels and reducing the outlook.

This would result in an unacceptably poor internal living environment for future occupiers of the bedroom 8, a situation made worse by the nature of the HMO accommodation. Whereby in an HMO, occupants rely on their bedrooms as their sole private space within a shared living environment, making the quality of the bedroom as a principal living area even more crucial.

On this basis the application should be refused.

**C) RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPIERS INCLUDING NOISE AND DISTURBANCE**

Paragraph 130 of the National Planning Policy Framework (2023) states that planning decision should ensure developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.



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Paragraph 185 further states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Development should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Policy DM2 in the Site Allocations and Development Management Policies (2014) states that shared housing will not be permitted where it would harm the residential amenity or character of the locality as a result of levels of activity that cause excessive noise and disturbance to residents.

Policy BCS21 requires development to safeguard the residential amenity of surrounding properties.

The proposed development would naturally result in an increase in the number of people living at the host property, given the increase in the overall number of bedrooms from three to eight. As such, there would be a significant intensification of use at the site. It is also acknowledged that the site has a certificate of lawful use for an HMO for up to 6 people; therefore, this fallback position is given material weight.

The proposed development would have a maximum occupancy rate of 12 people, which is a considerable intensification of use over that of a 3-bedroom single dwelling. Furthermore, this also equates to a considerable intensification over a 5-bedroom, 6-person HMO.

No information has been provided regarding how the property will be managed to control any noise or antisocial behaviour from residents. In this regard, the pollution control officer has objected to the proposal. Concerns have also been raised regarding the potential for noise from the communal living room on the ground floor, which shares party walls with the adjoining properties. Considering the occupancy rate is significantly above what is achievable through permitted development, this could be managed by way of an appropriate sound insulation condition.

However, the use of the former garage as a double room raises concerns. The outbuilding would rely on the main house for all cooking needs, which would generate a significantly higher level of coming and going in close proximity to the windows of number 57. In particular, occupants approaching the main house would be able to look (or perceived to be looking) directly into the first-floor bedroom windows of number 57, which would be significantly beyond what would be reasonable to expect for a neighbour using their garden or accessing a cycle store. As such would result in a detrimental loss of privacy.

Given the overall intensification of use at the site, it is the view of the Local Planning Authority that the introduction of an additional 6 occupants would increase levels of activity beyond what would be reasonably expected. The application is therefore considered unacceptable on this basis.

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**D) TRANSPORT AND HIGHWAYS**

Section 9 of the NPPF (2023) states that transport issues should be considered from the earliest stages of development proposals so that opportunities to promote walking, cycling and public transport use are identified and pursued and the environmental impacts of traffic and transport

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infrastructure can be identified, assessed and taken into account including appropriate opportunities for avoiding and mitigating any adverse effects. This policy further states that development proposals should ensure that net environmental gains, and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. The planning system should actively manage patterns of growth in support of these objectives.

Policy BCS10 in the Bristol Core Strategy (2011) states that developments should be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. Proposals should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

Policy DM23 in the Site Allocations and Development Management Policies (2014) in addition states that development should not give rise to unacceptable traffic conditions. Examples of unacceptable traffic conditions referred to in the policy include the introduction of traffic of excessive volume, size or weight on to unsuitable highways/or in to residential or other environmentally sensitive areas. This could result in high levels of transport noise and disturbance, a decrease in air quality and unsafe conditions both on the highway and for pedestrians. This policy further states that development proposals will be expected to provide an appropriate level of safe, secure, accessible and usable parking provision (including cycle parking) and that proposals for parking should make effective and efficient use of land and be integral to the design of the development. The approach to the provision of parking aims to promote sustainable transport methods, such as walking, cycling and public transport, as encouraged by Core Strategy Policy BCS10.

Policy BCS15 in the Bristol Core Strategy states that all new development will be required to provide satisfactory arrangements for the storage of refuse and recyclable materials as an integral part of its design. Policy DM32 in the Site Allocations and Development Management Policies states all new developments will be expected to provide recycling facilities and refuse bins of sufficient capacity to serve the proposed development. This policy further states that the location and design of recycling and refuse provision should be integral to the design of the proposed development. In assessing recycling and refuse provision, regard will be had to the level and type of provision, having regard to the above requirements and relevant space standards; and the location of the provision, having regard to the need to provide and maintain safe and convenient access for occupants, while also providing satisfactory access for collection vehicles and operatives. Policy DM23 also states that the provision in new development of safe, secure, well-located cycle parking can be very important in encouraging people to cycle regularly. It is important that development proposals incorporate these facilities and parking at the outset of the design process. Applicants should refer to the council's 'Guide to Cycle Parking Provision' for guidance on this matter.

Policy DM2 in the Site Allocations and Development Management Policies states that the sub-division of dwellings into houses in multiple occupation will not be permitted where the development would harm the residential amenity or character of the locality as a result of levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; as well as inadequate storage for recycling/refuse and cycles.

#### Car Parking

Due to the regular use of the church hall during evenings and the representation made by residence the transport development officer concluded that the parking survey does not fully assess the impact of parking at the peak parking times.

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In view of this, there is insufficient evidence that the impact of unrestricted parking arising from the development proposal on the local streets will not cause road safety issues as such the proposed development is considered unacceptable on this basis.

#### Cycle Store

A suitable cycle store is proposed for the rear garden of the site. Storage would be provided for 8 bicycles, accessed via the rear service lane, allowing future occupants to use the storage without going through the house. As such, the proposed cycle store is considered acceptable.

#### Refuse Storage

HMOs are required to provide 1 set of containers for every 3 bedrooms there will be 8 bedroom as such they will require 3 sets of containers. The proposed site plan shows a provision for 2 sets as such this would be insufficient.

Refuse is required to be stored no more than 30m from the collection point on the adopted highway, additionally it is unacceptable to require applicants to take refuse through the living accommodations. As such the proposed location for the recycling and refuse storage is inadequately located to allow refuse collection within these parameters.

There appears to be sufficient space to located these to the rear of the garage however this has not been demonstrated on the plan, the recycling and refuse storage could be secured by way of condition.

#### E) SCALE, DESIGN AND APPEARANCE

Policy BCS21 (Quality Urban Design) of the Core Strategy advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development.

Policy DM2 (Residential Sub-Divisions & Specialist Housing) of the Site Allocations and Development Management Policies (SADMP) Local Plan states that proposals for the subdivision of existing dwellings to flats will not be permitted where the development would harm the residential amenity or character of the locality as a result of cumulative detrimental impact of physical alterations to buildings and structures.

Policy DM26 (Local Character and Distinctiveness) of the Site Allocations and Development Management Policies (SADMP) Local Plan outlines that all development is expected to contribute positively to an area's character and identity. The policy builds on Policy BCS21 (above) by stipulating the characteristics which development should seek to respond to.

A roof extension and single storey rear extension are understood to have recently been built at the property achieved through permitted developed right. These are shown on the existing and proposed plans as compete. As such will not form part of the assessment. There are no other no external changes proposed other than the blocking up of the garage door and the construction of cycle and bin storage proposed. Therefore in this regard the proposal is considered acceptable.

#### F) SUSTAINABILITY

The practice note (2020) exempts this development from the requirements of policies BCS13-15 (in respect of energy efficiency and renewable energy technology) by way of being for a change of use only (<1000m<sup>2</sup>) involving no increase in floor space, or subdivision of units.

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**CONCLUSION**

The proposed development should be refused planning permission.

**COMMUNITY INFRASTRUCTURE LEVY**

Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

**EQUALITIES ASSESSMENT**

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.

**RECOMMENDED    REFUSED**

The following reason(s) for refusal are associated with this decision:

**Reason(s)**

1. The proposed development would fail to provide a high-quality and adequate living environment for future occupants due to cramped living conditions, poor outlook, and inadequate light, particularly in relation to bedroom 7 in the attic and bedroom 8 in the converted garage. The proposal is therefore contrary to Policy BCS21 of the Bristol Development Framework, Core Strategy (2011), and Policies DM2 and DM30 of the Bristol Local Plan, Site Allocations and Development Management Policies (2014).
2. The proposed development would have a harmful impact on neighbouring amenity due to the loss of privacy, noise transference, and disturbance as a result of the high number of occupants proposed. This is contrary to Policy BCS21 and BCS23 of the Bristol Local Plan, Core Strategy (2011), and Policies DM2, DM30, and DM35 of the Site Allocations and Development Management Policies (2014), as well as the requirements of the NPPF.
3. The application has failed to provide sufficient information to demonstrate that the proposed development would not result in harm to the amenities of the local area and would not exacerbate unacceptable traffic and highway safety conditions. This is due to the density of development, site context, and likely increase in demand for on-street parking in an area with limited on-street parking. The application is therefore refused due to conflict with the Council's 'Managing the Development of Houses in Multiple Occupation' Supplementary Planning Document (2020); Core Strategy (2011) Policy BCS10; Site Allocations and Development Management Policy (2014) DM23 and DM35; and the National Planning Policy Framework (2023).
4. The proposed development fails to make adequate and practical provision for the movement and storage of bins from the highway to the storage location within the curtilage. This is contrary to Policy DM2, Policy DM23, and Policy DM32 of the Bristol Local Plan, Site

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Allocations and Development Management Policies (2014), as well as the Council's 'Designing for Cycling' guidance, Cycle Infrastructure Design (LTN1/20), and Waste Management guidance.

**Advice(s)**

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-

Location plan, received 31 January 2024

4245.PL2.02 REV B Existing and proposed block plans, received 31 January 2024

4245.PL2.03 Existing floor plans, received 31 January 2024

4245.PL2.04 Existing elevation, received 31 January 2024

4245.PL2.05 Proposed floor plans, received 27 March 2024

4245.PL2.06 Proposed elevation, received 31 January 2024

4245.PL2.07 REV A Existing garage, received 31 January 2024

4245.PL2.08 REV B Proposed garden room, received 27 March 2024

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Case Officer: [REDACTED]

Authorisation: [REDACTED]

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