

Planning Statement
Change of Use to Small HMO
396 Hotwell Road, Bristol, BS8 4NU



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1 INTRODUCTION

- 1.1 This is a short Planning Statement to support an application for the Change of Use only of 396 Hotwells Road from a dwelling (Use Class C3) to a Small HMO (NB: still a dwellinghouse) within Use Class C4 i.e. use as a dwellinghouse by generally not more than six residents. This change would normally be Permitted Development, but this right is removed by an extant Article 4 Direction (Clifton West).
- 1.2 No.396 is an existing already refurbished three storey, five bed terraced dwelling and a copy of the latest Sale Particulars are attached at **Appendix 1**. The property has an EPC rating of C and benefits from mains gas central heating, double glazed and low energy lighting (**Appendix 2**). Today the property comprises a ground floor entrance lobby / hall, living room, kitchen/dining room and toilet; two bedrooms (one with ensuite) at first floor and three bedrooms and large bathroom on the second floor. The property fronts the fast and busy Hotwell Road, which is a main arterial route into the City of Bristol and a key link to south Bristol, the Ashton Gate sports ground and the Airport. The road and the properties that front it are included in the Clean Air Zone.
- 1.3 The property is part of a unique terrace of dwellings that once fronted the Avon and benefited from this historic frontage and the Clifton Rocks railway link to the north. This of course is now largely destroyed by the busy Hotwell Road as a link into the City and the lack of easy access to City Centre facilities and particularly the steep access up into Clifton Village itself.
- 1.4 The property has no vehicle access or parking although residents are entitled to “parking permits”. The dwelling is set well above the level of the frontage highway and is accessed via a raised pedestrian pavement and steep set of steps to a small hard paved front garden and front door. The rear garden is also steep, enclosed and accessed via a narrow flight of external stairs. The rear of the garden is defined by the rising cliff face of the Clifton Gorge.
- 1.5 The dwelling (nor any other property in this terrace) is listed but the site is situated in the Clifton Conservation Area. Nos.372 – 388 (St Vincents Terrace) to the south and 410/412 and 414-420 to the north are Grade II Listed buildings. The site is outside the River Avon Site of Nature Conservation Interest and is not at flood risk.
- 1.6 The dwelling is part of a terrace of nine properties. Deduced from local knowledge, available on-line planning history, the register of licenced HMOs and a site visit it is believed that three of the properties within this terrace (392, 398 and 408) are small HMOs. To the north is 410/412 and 414/420 and these are understood to be single dwellings. To the south is St Vincents Terrace and one of the properties here is also an HMO.
- 1.7 While review of statistical and property data e.g. from the Clifton Ward Profile, from reports on the Clifton LSOA or from the Strategic Housing Market Assessment, demonstrates a statistical over provision of small units / flats compared to the Bristol average, the property as noted is in a unique location where there is no practical alternative to change of use. Essentially the property is physically detached from Clifton village and/or Hotwells and has an environmental context and physical characteristics that make it unsuitable as a single family dwelling.
- 1.8 The property has been marketed as a family home by Accommodation Unlimited for 7 months and despite over 16 viewings it has not sold. The only credible offers have been from those wishing to acquire and rent as HMO accommodation.

2. THE DEVELOPMENT

- 2.1 Permission is sought for the change of use only of the existing dwelling into a Small HMO, a dwelling occupied by up to 6 people living together, although only 5No. bedrooms are proposed. No physical external or internal alterations are proposed. The existing internal layout is illustrated on the submitted plan / sales particulars and five bedrooms will be created as tabulated below. The ground floor living room will be converted to a bedroom to create a total of 5No. bedrooms. The ground floor kitchen/dining room, the extant ensuite bathroom, the ground floor toilet and the second floor bathroom will all be retained. The proposed bedrooms have the following floor areas:

Bedroom	Floor Area (m2)	Comment
1	25	First floor front
2	18	First floor rear (with existing ensuite)
3	15 (bedroom only)	Second floor front (Bedrooms 3 and 5 on particulars) now a single bedroom with associated dressing room.
4	12	Second floor rear
5	21	Ground floor lounge

- 2.2 As can be seen each bedroom meets the appropriate, “Technical housing standards – nationally described space standards”. Policy compliant bin and bike storage can be provided in the front garden pursuant to details to be submitted and approved pursuant to an appropriately worded planning condition.
- 2.3 No physical external or internal alterations need be made to the property other than the erection of secure bike and bin storage facilities and general internal decoration and refurbishment including improving the insulation of the existing roof space and water management.

3 PLANNING HISTORY

- 3.1 There is no Planning History in relation to the application site itself.

PLANNING POLICY CONTEXT

- 4.1 The Development Plan for the application site (so far as generally material to this application) comprises the Core Strategy (2011) and the Site Allocations and Development Management Policies Local Plan (2014).
- 4.2 Policy BCS10 prioritises the pedestrian and the cyclist ahead of the private car and prioritises the location of development in sustainable locations where sustainable travel patterns can be achieved.
- 4.3 BCS13-15 asks that development be designed to help mitigate climate change through high energy efficiency standards; the use of renewable energy; adequate waste and recycling storage and by locating development where alternative travel choices to the car exist.
- 4.4 BCS18 asks that residential development meets appropriate space standards. BCS21 seeks “high quality design”, BCS22 seeks to safeguard historic assets and BCS23 requires account to be taken of existing sources of noise or other pollution.

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- 4.5 DM1 restates the presumption in favour of sustainable development.
- 4.6 DM2 is a negatively worded policy stating that the conversion of dwellings to HMOs will not be permitted where amongst other things the residential amenity or character of the locality would be harmed by excessive noise or disturbance to residents or where the development would cause or contribute to a harmful concentration of such uses in the locality by reducing the choice of homes via a change of housing mix. This policy is supported by the Managing the Development of Houses in Multiple Occupation SPD (2020) and this is summarised below. Where permitted the policy requires a good standard of accommodation.
- 4.7 DM23 seeks appropriate facilities for pedestrians and cyclists and car parking in accordance with the standards set out in Appendix 2 of the plan. The car parking standards are “maximum” thereby allowing for “car free” development where appropriate.
- 4.8 DM31 requires the protection and where appropriate enhancement of heritage assets.
- 4.9 DM32 requires the provision of adequate waste and recycling facilities.
- 4.10 DM33 requires development in AQMAs to take account of air quality and to include mitigation measures where possible and DM35 does the same in relation to noise.
- 4.11 Other material considerations include Managing the Development of Houses in Multiple Occupation SPD (2020); Space Standards Practice Note (2021); Climate Change and Sustainability Practice Note (2020) and Waste and recycling: collection and storage facilities (updated 2022). Each of these documents is briefly summarised below.

Managing the Development of Houses in Multiple Occupation

- 4.12 The guide seeks to prevent the harmful concentration of HMOs e.g. where existing residential properties may be “sandwiched” or where the concentration of HMOs in a immediate neighbourhood (defined as a 100m radius) exceeds 10% and requires adequate Internal Living Space.

Space Standards Practice Note (2021)

- 4.13 The National Described Space Standards do not apply to HMOs or student accommodation but through the Space Standards Practice Note may be applied to conversions to shared living accommodation. In the NDSS a bedroom accommodating a single bedspace should have a minimum floor area of 7.5m² and be at least 2.15m wide.

Room Size and Amenity Standards for Licenced HMOs (2023)

- 4.14 This standard sets out that for a single person a bedroom should have an area of 6.51m² and for two people 10.22m². For a combined bed/living room the standard is 9m² for a single person and 14m² for two people.

Climate Change and Sustainability Practice Note (2020) and Addendum (2023)

- 4.15 Requires a proportionate exploration of energy use and waste management.

Waste and Recycling Storage Collection Facilities

4.16 Requires detail of waste and recycling facilities.

National Planning Policy Framework (2023)

4.17 The NPPF states that there is a presumption in favour of sustainable development and that this has economic, social and environmental components. Promoting and making the efficient use of land and delivering a sufficient supply of housing are also key policy drivers.

4.18 In making efficient use of land account should be taken of the identified need for different types of housing, local market conditions and viability and the desirability of maintaining an areas prevailing character.

5 Planning Consideration

5.1 The property has been marketed by Accommodation Limited from 21 September 2023 and remains on the market. The property is listed on the usual websites and details were sent to "mailshot" lists. In response they have had 16 viewings. Ten of these have been from people looking for a family home. However there has been no offer from potential family purchasers and below is a selection of the feedback received:-

- *"How do I get "Amazon" deliveries?"*
- *"Love the house but the garden is not family friendly"*
- *"Parking????"*
- *"Garden too dark"*
- *"Not suitable with a pushchair/pram"*
- *"Main road dangerous"*

5.2 The feedback has overwhelmingly referred to the lack of parking and the unsuitability of the garden. These issues are addressed in the sales particular (Appendix 1) but still no family purchasers have come forward.

5.3 There have had 5 viewings from "buy to let" investors looking for an HMO investment and in one case looking for a property that his daughter could live in whilst she studies at the UWE site at Bower Ashton. However, offers received have been well below the asking price primarily due to the property being in an "Article 4" area and the necessary requirement for planning permission.

5.4 The vendors are thus caught in an impossible position, they cannot sell the property as a family home as it is not conducive to family living due to its location and parking and garden issues and without planning permission in place they cannot secure a realistic offer from "buy to let" investors.

5.5 Therefore, despite over 16 viewings no credible offer has been received as a single family dwelling and the property remains vacant and a wasted asset. Alongside this there is a significant and pressing need for new residential accommodation in the City.

5.6 On the basis of the location and physical layout of the property, for all intents and purposes, a car free development is proposed alongside the provision of secure cycle parking all compliant with prevailing Development Plan and other material planning policy. By default the development is thus compliant with policy BCS10.

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- 5.7 The property is set back from and is higher than the frontage Hotwell Road and is already double glazed. With its current busy roadside location and without vehicle access or a level rear garden the property is however not suitable as a family home (evident from the lack of market interest in this respect referred to above) but the existing use is and will remain residential /dwellinghouse and therefore there is no change and the existing residential environment is thus acceptable.
- 5.8 The property has been relatively recently refurbished although it would likely be redecorated and the loft reinsulated before the HMO use is instituted (see below).
- 5.9 The application site comprises a single dwelling withing Clifton Ward. The Ward Profile (November 2003) unsurprisingly notes a significantly below Bristol average of households with dependent children, a significantly higher than Bristol Average percentages of 1 and 2 bedroom accommodation and a significantly higher percentage of flats and private owner rented accommodation. However, the property is part of a unique terrace actually detached form the majority of the Clifton and the Hotwells Ward(s) and it would be unreasonable and inappropriate to judge the development against these general statistics.
- 5.10 With 392, 398 and 408 already HMOs no 394 would be “sandwiched” between 396 (the application property) and 392 and would increase the number of rented multi bedroom lettings in the Clifton Ward. On face value, and having regard to this, the proposal may be judged to be contrary to parts of Policy DM2 and the supporting Managing the Development of Houses in Multiple Occupation SPD (2020). DM2 is however a negatively worded policy stating that the conversion of dwellings to HMOs will not be permitted where amongst other things the residential amenity or character of the locality would be harmed by excessive noise or disturbance to residents or where the development would cause or contribute to a harmful concentration of such uses in the locality by reducing the choice of homes via a change of housing mix (our underlying).
- 5.11 Development Plan policy must be considered and read in the round and while negatively worded, and acknowledged as a high profile issue within particularly more affluent areas in the north of the City, regard must be had to all material considerations.
- 5.12 The room sizes comply with the National described space standards and in this respect the proposal is compliant with policy DM2.
- 5.13 The location of the application property is unique and policy and related guidance needs to be interpreted reasonably and a judgement needs to be made as to whether any actual harm to residential amenity, or the character of the area or housing mix, would in the terms of policy DM2 be “excessive” or “harmful”. In this respect, of note is that there are 4No. existing HMOs (licenced or with pending licence applications) in the linear line of existing flats, student houses and dwellings comprised within the two terraces fronting Hotwell Road and other dwellings broadly with a defined 100m radius of the application site. Statistically, the current percentage of HMOs judged against the single dwellings and dwellings within converted buildings, is 7.6% and rising to 9.6% as a result of the development proposed. While this is below the policy guidance threshold of 10%, which may indicate harm, regard must still be had to the “unique” context of the site and the physical layout of the dwelling, up steep steps from the existing raised pavement and with a steep rear garden, and its current vacancy.
- 5.14 There is no reason to suspect that a reasonably managed small HMO (By Accommodation Unlimited or A N Other as management agent complying with the usual

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good practice and legal requirements) would result in “excessive” noise or disturbance” in the context that already exists. Also, another HMO would not result in a “harmful concentration” of HMOs in any logically defined 100m radius as the site is physically detached from the main concentration of Clifton properties located to the east at the top of the Gorge. Alongside this it is reasonable also to note that based on the marketing evidence of a recently refurbished and double glazed dwelling that the alternative to permission is vacancy and no use at all. Judged against the above the proposal is not contrary to policy DM2 and compliant particularly with the thrust of the NPPF.

- 5.15 On the basis that the change of use proposed only results from the imposition of an Article 4 direction (the property remains a refurbished and double glazed dwellinghouse albeit with up to 5 individual residents as opposed to a single family) and that the accommodation meets local and national space standards, there are no internal amenity, heritage, flood risk, noise or air quality objections.

Sustainability, Energy and Waste

- 5.16 The dwelling has been relatively recently refurbished and is double glazed. The property has a recent EPC rating of C with the potential to be B. It has good double glazing, good gas central heating and very good internal lighting but very poor internal roof insulation. The property is orientated west / east and is shaded by the high Gorge wall so is not suitable for solar panels but roof insulation can be improved to take the dwelling to EPC B.
- 5.17 As a probable car free use this is also sustainable and facilities are available within reasonable cycle and walking distance albeit it the route to Clifton Village itself is steep and generally unsuitable for the less abled. Facilities for waste and cycle storage are currently provided in the yard to the rear of the property but can be provided to the front if required.
- 5.18 Water efficiency can also be improved with the installation (relocation) of a rear elevation water butt.

Planning conditions

- 5.19 In addition to the usual plans list conditions the applicant would be happy to accept a planning condition related to the submission and approval of details in relation to cycle parking, recycling and bin storage facilities and sustainability (roof insulation) and water management and storage upgrades.

6 CONCLUSIONS

- 6.1 The property is situated in a unique location along the busy Hotwell Road. The property has no on-site parking and a steep stepped front access and a steep and impractical rear garden. This physical location is reflected in the mix of accommodation types in the terraces fronting Hotwell Road here with the majority of units either HMOs or flats.
- 6.2 The property has been marketed as a family home but no offer has been received and the only interest has been from “buy to let” purchasers but these are-in turn put off by the need to secure planning permission.
- 6.3 The property is currently vacant and is a wasted resource within the City where there is a need to provide additional accommodation units. The proposed change of use (required only because of the extant Article 4 direction) would not unacceptably increase the percentage of “non family” dwellings within a 100m radius nor would it, having regard

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to its physical context”, be likely to create excessive noise of disturbance to the single dwellings that do remain.

- 6.4 As stated the alternative to the grant of permission is vacancy. The change of use can be brought forward in conjunction with improvements to the energy efficiency and sustainability of the dwellinghouse and the provision of specific cycle parking and waste bin / recycling storage as may be required.
- 6.5 In the round this development makes efficient use of land, rectifies vacancy, is sustainable development and should be supported.