

From: Jenny [REDACTED]
Sent: Wednesday, June 5, 2024 11:48 PM
To: Section 62A Applications Non Major <section62anonmajor@planninginspectorate.gov.uk>
Subject: S62A/2024/0041, 20 Conway Road, Bristol, BS4 3RF

Hello,

Please can you change my previous objection to the below, I live [REDACTED]

I object to the Change of use from a dwellinghouse used by a single person or household (C3a) to a large dwelling house in multiple occupation (sui generis) for seven people, including the erection of a rear roof extension, 2no, rooflights and a single storey rear extension.

We ask that you please take the following into consideration when making your recommendation on the above proposal:

1. The application is for change of use to a large HMO which would result in the sandwiching of Nos. 18 and 21 Conway Road between the existing HMO at 19 Conway Road and the proposed HMO at 20 Conway Road. We consider it is therefore contrary to the Local Plan Policy DM2 and SPD "Managing the development of houses in multiple occupation".

a. We note that the Applicant's cover letter, prepared by Stokes Morgan planning consultants, suggests that sandwiching will not occur in this instance because Conway Road acts as a "separating road". While the Bristol City Council HMO SPD states that sandwiching cannot occur across a separating road, Conway Road does not constitute a separating road in this instance. It is clear from the Bristol City Council HMO SPD that a separating road should be considered as **a road which branches off from the road shared by the HMO sandwich**. In other words, a separating road occurs when neighbouring properties on a first road have a second road running between them, e.g., when a line of a terrace on a first road is disrupted by a second road. There is no such separating road relevant to the above planning application because there is no road that branches from Conway Road between numbers 18 and 20 or between 19 and 21.

b. The interpretation of the term "separating road" outlined above is supported by the worked example in Figure 3, Situation 1 of the Bristol City Council HMO SPD which indicates that an alleyway disrupting the line of a terrace is not considered a separating road (because an alleyway is not itself a road). The interpretation is further supported by the worked example in Figure 3, Situation 2 of the Bristol City Council HMO SPD which clearly shows a situation in which a non-HMO is sandwiched between an adjacent HMO and a proposed HMO on the other side of the street (an identical situation as here on Conway Road).

c. The aim of the HMO SPD and the sandwiching test is to identify potentially harmful HMO concentrations where issues of noise and parking can affect the residential amenity of neighbours. Conway Road should therefore not be considered a road **separating** the properties of 18, 19, 20 and 21 Conway Road. To the contrary, Conway Road is the road which **joins** the affected properties. In particular, 18 and 21 share the same parking pressures as the existing and proposed HMO and should therefore be considered sandwiched in this context.

2. The Applicant's cover letter, prepared by Stokes Morgan planning consultants, cites examples where HMO planning applications have been refused by Bristol City Council on the

grounds of sandwiching, but have subsequently been appealed by Stokes Morgan and consent granted by the Planning Inspectorate. It should be a material consideration that the cited planning appeals were contextually very different to the Proposed Development and therefore cannot reasonably be used to demonstrate precedence for this type of development.

Specifically:

a. The appeal decision at 195 Wordsworth Road (planning ref: 21/00551/F) confirms that in this case, the sandwiching of a property opposite the appeal property was not considered to occur because it was separated by a road. It should be noted however that the appeal property was in Lockleaze, a 1940s / 1950s housing estate built to much lower density than the Victorian / 1930s terraces on Conway Road, Brislington. Both the existing HMO and the non-HMO in the Lockleaze case had off-street parking, and as stated by the inspector, there was no evidence to show that the proposed HMO would 'result in any additional pressure on on-street parking'. Conway Road by comparison is a cul de sac that has very little scope for off-street parking or parking controls and the addition of a large HMO on Conway Road would therefore cause significant harm to the residential amenity residents in the immediate vicinity of the Proposed Development.

b. The appeal decision at Flat 1, 10 Argyle Road (planning ref: 22/03553/F) also demonstrates that sandwiching was not considered to occur between properties on opposite sides of the road. Of note is the inspector's conclusion that sandwiching of a property between HMOs on the same side of the road was also not considered to occur, however this application was materially different as it was for the 'retention' of an existing HMO with no additional households. The inspector therefore concluded that the application could not cause harm compared to the pre-development scenario as there was no change in density of households in the area. It should also be noted that the appeal property was in St Paul, an area with a residents parking scheme and where planning conditions on additional vehicles could reasonably be enforced.

3. The assessment of harm to residential amenity, and in particular parking, should be made with respect to the baseline of a C3a dwellinghouse, not a C4 small HMO. It is noted that the applicant's fallback position is for a 6-person HMO, the largest possible under permitted development rights and that a certificate of lawfulness for this has been granted by Bristol City Council. However, the dwelling is not currently in use as 6-person HMO, is currently vacant and was previously owner-occupied. Indeed, the development description states that the Proposed Development is for the 'change of use from a dwelling house used by a single person (C3a) to a large dwellinghouse in multiple occupation (sui generis) for seven people'.

4. The Applicant's cover letter, prepared by Stokes Morgan planning consultants misleadingly states that 'a rented property in the local area is 2 times more likely to have no access to a vehicle than an owner-occupied property'. The cited statistics are that 12% of owner-occupied **properties** have no access to a car, whereas 26% of **households** in privately-rented accommodation have no access to a car. It therefore follows that 74% of privately-rented households, and 86% of owner-occupied properties **do** have access to a car. The Proposed Development site was previously owner occupied and as the Proposed Development is for **7 households**, this could add up to a significant number of additional vehicles (i.e. 74% x 7 households = 5.18 cars, compared to the average for owner-occupied dwellings of 86% x 1 household = 0.86 cars). Statistically, the proposed large HMO would therefore be expected to add 4.32 cars to the street, compared to the owner-occupied non-HMO.

5. The additional vehicles resulting from the conversion of the Proposed Development site to a large HMO could not reasonably be accommodated on Conway Road without significant harm to residential amenity. There is very little scope for off-street parking, and even if a dropped curb were proposed, this would *increase* parking pressures on the street because it would permanently reserve the space for one of the HMO occupants, rather than being communally available for the whole street. There is also no residential parking scheme in Brislington and therefore it is not possible for the council or the landlord to restrict the number of vehicles brought to the property.

6. This application should therefore be refused.

Yours Sincerely,

Jenny Hughes