



Development Management
Bristol City Council
College Green
Bristol
BS1 5TR

Our Ref: 24/04121/PINS

Site Address: 20 Whiteladies Road, Bristol, BS28 2LG

SUPPORTING STATEMENT

Context

- This statement has been written and submitted on behalf of the Local Planning Authority (Bristol City Council) in relation to the Section 62a application submitted to the Planning Inspectorate.
- The application seeks consent for a change of use from Class E (offices/clinic) to a large HMO (Sui Generis) and associated infill extension and external alterations.

Executive Summary

The Local Planning Authority respectfully requests the refusal of this application due to its failure to accord with core policies BCS18 (Housing Mix) and DM2 (Residential Sub-divisions, Shared and Specialist Housing).

Site

- The site is known as 20 Whiteladies Road, Bristol, BS8 2LG and is located within the boundary of the Clifton Down ward.
- The site consists of:
 - a) a c1855-1880, two storey structure currently in Class E use;
 - b) off street parking provision; and
 - c) outdoor amenity space.
- The site is located within the Whiteladies Conservation Area.

Relevant Site History

22/04454/F	Refurbishment of existing internal floor space, reconstruction of the ground floor stair lobby and office space, addition of a second floor stair well. Permission Granted 13.02.2024
13/04415/F	Proposed change of use and internal alteration at 20 Whiteladies Road, Bristol, from Use Class B1 to dual use as a clinic/training facility (Use Class D1) and office use (Use Class B1). Permission Granted 20.11.2023

Key Issues

1. Principle of Development

BCS8 (Delivering a thriving economy)

DM12 (Retaining Valuable Employment Sites)

a) Loss of employment

Conclusion

- Marketing has been carried out meaningfully in accordance with Guidelines for assessing the adequacy of marketing undertaken by applicants for a Change of Use (2007).
- The loss of employment use would accord with policies BCS8 and DM12 and is therefore acceptable.

b) Introduction of residential

Conclusion

- As demonstrated within the Design, Access and Heritage Statement the site is surrounded by a multitude of uses which could be inconsistent with the amenity requirements of future occupiers in regard to noise disturbance. However, as to be explained within key issue 5, this concern could be alleviated through the use of a suitable condition.
- Sustainable Location: Acceptable.
- Services (proximity to town centres etc): Acceptable.

2. Housing Mix

Policy Context

- Policy BSC18 of the adopted Core Strategy reflects this guidance and 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", with reference to the evidence provided by the Strategic Housing Market Assessment, also notes that 'developments should contribute to a mix of housing types and avoid excessive concentrations of one particular type'. The policy wording states that development 'should aim to' contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists.
- Policy DM2 Policy DM2 (Residential Sub-divisions, Shared and Specialist Housing - General Criteria) of the SADMP (2014) notes that the subdivision of existing dwellings to flats will not be permitted where the development would create or contribute to a harmful concentration of such uses within a locality as a result of reducing the choice of homes in an the area by changing the housing mix.
- Analysis of the city's general housing needs and demands has identified a number of indicative requirements for each of 6 city zones. The zones reflect sub-market areas used in the Strategic Housing Market Assessment (SHMA). The intention is to provide a strategic steer for all sizes of residential scheme within each zone. A local area-based assessment is required to assess the development's contribution to housing mix as a smaller scale will not provide a proper understanding of the mix of that area; a larger scale may conceal localised housing imbalances. As a guide the neighbourhood is defined as an area equivalent to the size of a Census Lower Level Super Output Area (average of 1,500 residents).
- The Council has an adopted Supplementary Planning Document (SPD) relevant to the determination of applications concerning houses in multiple occupation (HMOs): Managing the development of houses in multiple occupation, SPD (Adopted) November 2020 - referred to hereafter as the SPD. The SPD provides guidance in applying Policy DM2 (see above), relating specifically to houses in multiple occupation.

The document recognises that HMOs form part of the city's private rented housing stock and contribute positively to people's housing choice. This form of accommodation is generally more affordable and flexible and therefore suitable for younger people, including students, and other households that are not living as families. It is however recognised that HMOs are more intensive form of accommodation than traditional flats or dwellings. Typically, this increases dependent on the level of occupancy.

General issues associated with HMOs include:

- Noise and disturbance
- Detriment to visual amenity (through external alterations and poor waste management)
- Reduced community facilities
- Highway safety concerns (from increased parking)

- Reduced housing choice
- Reduced community engagement
- Reduced social cohesion

The 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 single family dwelling (use class C3) becomes sandwiched with HMOs at sites adjacent, opposite or to the rear. This can happen within a flatted building with HMOs above and below also. 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. 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.

Assessment

- The application site is located within the Oakfield Grove Lower Super Output Area (LSOA) in the Clifton Down Ward. An up-to-date picture of the proportion of different residential accommodation types in the LSOA can be obtained by assessing the 2021 Census data:

Household Composition

	One-person	Single-Family	Multiple-Family*
LSOA	34.8%	37.7%	27.5%
Ward	32.5%	42.4%	25.2%

*including full time students and other.

- It is acknowledged that there is a high proportion of multiple family households within the LSOA and wider ward. However, the Council also has access to data in relation to the number of Licenced HMOs (Mandatory and Additional Licences) plus any HMOs that have been given planning permission and do not currently have a licence.
- Data (as of August 2024) indicates that within 100m of the application site there are a total of 21 residential properties, 4 of which are HMOs. This means that the percentage of HMOs within 100 metres of the site is 19.05%. The radius of 100m from the site as well as the wider ward (13.71%) already exceed the 10% concentration as contained within SPD and as such are highly likely to experience the negative impacts of this housing typology. The additional HMO would worsen this impact, contrary to both the guidance contained within the SPD and policy contained within BCS18 and DM2.
- At street level, the SPD advises that a harmful concentration is found to also exist where 'sandwiching' occurs. This is where a dwelling (Use Class C3) is sandwiched on both sides by HMOs. The HMO SPD states that a potential sandwiching situation can include where single HMO properties are located in any two of the following locations; adjacent, opposite and to the rear of a single residential properties. The SPD states sandwiching situations apply irrespective of limited breaks in building line, such as a vehicle or pedestrian access, apart from a separating road. In this instance, sandwiching would not occur and is acceptable.

Conclusion

- The LPA would not support this application on the basis that it would worsen the existing conditions caused by an overconcentration of HMOs, contrary to the SPD, BCS18 and DM2.

3. Design & Impact to the Conservation Area

Policy Context

- Section 72 of Planning (Listed Buildings and Conservation Areas) Act 1990.
- Section 16 of the National Planning Policy Framework.
- BCS21 (Quality Urban Design)
- BCS22 (Conservation and the Historic Environment)
- DM26 (Local Character and Distinctiveness)
- DM27 (Layout and Form)
- DM31 (Heritage Assets)

Conclusion

- Acceptable.

5. Amenity of Future Occupiers

Policy Context

BCS21 (Quality Urban Design)
BCS23 (Pollution)
DM27 (Layout and Form)
DM35 (Noise Mitigation)

Noise

The Environmental Health Officer was consulted on this scheme and was satisfied on the basis that the following condition would be attached to any forthcoming permission:

Sound insulation of residential properties from external noise

All recommendation detailed in the Noise Assessments submitted with the application with regards to sound insulation and ventilation of residential properties shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

Reason: In the interests of protecting the amenity of future occupiers in terms of noise pollution and to ensure acceptable living conditions.

Conclusions

Room Sizes (HMO Licensing Standards): Acceptable.
Outlook, light and ventilation: Acceptable.
Noise: Acceptable, subject to condition.

6. Amenity of Adjacent Occupiers

Policy Context

BCS21 (Quality Urban Design)
BCS23 (Pollution)
DM27 (Layout and Form)
DM35 (Noise Mitigation)

Conclusions

Loss of Privacy/Overlooking: Acceptable.
Overbearing: Acceptable.
Loss of Light/Overshadowing: Acceptable.
Noise: Acceptable.

7. Sustainability

Policy Context

- BCS13 (Climate Change)
- BCS14 (Sustainable Energy)

Conclusion

- Renewable Energy (ASHP/PV cells = >20% CO2 reduction): Acceptable.
- Heat Hierarchy (ASHP): Acceptable.

8. Highways, waste & cycle storage.

Policy Context

- BCS10 (Transport and Access Improvements)
- DM23 (Transport Development Management)
- DM32 (Recycling and Refuse)

Conclusions

Access: Acceptable.

Public Transport Links: Acceptable.

Car Parking: NA.

Cycle Parking: Acceptable.

Waste Storage: Acceptable.

9. Conditions in the event of permission being granted

If permission is to be forthcoming, the local planning authority respectfully requests the following conditions and advices:

a) Full Planning Permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre-Occupation

b) Sound insulation of residential properties from external noise

Prior to occupation of the use hereby permitted, all mitigation and recommended details (with regards to sound insulation and ventilation of residential properties) as set out within the submitted noise assessment shall be carried out/implemented in full.

Once implemented, the measures shall remain in place in perpetuity.

Reason: In the interests of protecting the amenity of future occupiers in terms of noise pollution and to ensure acceptable living conditions in accordance with policies DM35 (Noise Mitigation) and BCS23 (Pollution).

c) Implementation/Installation of Refuse Storage and Recycling Facilities – Shown on Approved Plans

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, as shown on the approved plans have 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.

Reason: To safeguard the amenity of the occupiers of adjoining premises; protect the general environment; prevent any obstruction to pedestrian movement and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

d) Completion and Maintenance of Cycle Provision - Shown on approved plans

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.

Reason: To ensure the provision and availability of adequate cycle parking.

Post Occupation

List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.