

Section 62A Applications Team  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Our ref: PR0002643  
Date: 7<sup>th</sup> February 2025

**Sent via e-mail**

Dear Sir/Madam,

**Town and Country Planning Act 1990**

**14 Marlborough Street, Bristol, BS5 6RH**

**Change of use from a dwellinghouse used by a single person or household (Use Class C3a) to a small dwellinghouse in multiple occupation (Use Class C4), including reinstatement of front boundary wall and front parapet wall, demolition of rear outrigger, and the erection a part single, part two-storey rear extension, and cycle and refuse/recycling storage, and installation of additional first floor front elevation window**

I write on behalf of my client, Picturesque Living, to apply for the change of use from a dwellinghouse used by a single person or household (Use Class C3a) to a small dwellinghouse in multiple occupation (Use Class C4), including the reinstatement of the front parapet wall, the demolition of the part single, part two-storey rear outrigger, and the erection a part single, part two-storey rear extension, and cycle and refuse/recycling storage to the front forecourt area. The appellant has chosen to take the Section 62A route and submit the proposal directly to the Planning Inspectorate. Notice of this intention was given on the 20<sup>th</sup> December 2024. I can confirm that the development would not be for CIL if submitted to the LPA.

I attach the following documents as part of this application:

- Completed application and CIL forms;
- Drawing no. 862-01 – existing ground floor plan;
- Drawing no. 862-02 – existing first floor plan;
- Drawing no. 862-03 – existing elevations;

- Drawing no. 862-04 – existing sections;
- Drawing no. 862-05 – proposed ground floor plan;
- Drawing no. 862-06 – proposed first floor plan;
- Drawing no. 862-07 – proposed elevations;
- Drawing no. 862-08 – proposed sections-01;
- Drawing no. 862-09 – proposed sections-02;
- Drawing no. 862-10 – proposed block plan;
- Drawing no. 862-11 – site location plan;
- Energy statement.

### Site and planning history

The site comprises a mid-terrace dwelling house on Marlborough Street, a residential cul-de-sac to the south of the A432 Fishponds Road, in the Eastville ward of Bristol. The house is set back around 3.5 metres from the pavement edge. The front boundary wall has been fully removed, and the front forecourt comprises gravel and paving stones. There is a rear yard, which can only be accessed through the house. The original front parapet wall, which was in a state of disrepair (as the photo below from 2019 illustrates) has been removed.



There is no planning history for the site, though it is assumed that the single storey section of the rear outrigger is non-original.

The area is exclusively residential, and covered by the East Bristol Article 4 Direction restricting permitted development rights (PDR) from C3 to C4. It is not within any conservation area, there are no Tree Preservation Orders, and no other policy designations apply. The building is neither locally nor nationally listed. The site falls within Flood Zone 1. The site is considered to fall outside the Coal Mining Development High Risk Area (the Mining Remediation Authority Map Viewer is only available at a large scale, but suggests that the edge of the high risk area runs along the north of Ridgeway Road, to the southeast, towards Oakdene Avenue to the west, and does not pass through Marlborough Street, or the site).

There are bus stops within a short distance (110-140 metres walking distance), on Fishponds Road, with 10-12 services per hour in each direction towards multiple destinations, including Bristol City Centre.

The Fishponds Town Centre boundary commences 400 metres to the east, and the primary shopping area lies within 1km. There is a convenience store with Post Office counter (Baryah's) within 230 metres to the west on Fishponds Road, and Eastville Park (designated Important Open Space) lies within 290 metres, also to the west. The Bristol/Bath Railway cycle path lies within 350 metres, via a footpath to the southern end of the street on to Ridgeway Road.

## **Proposal**

My client proposes the change of use from a three-bedroom dwellinghouse used by a single person or household (Use Class C3a) to a small dwellinghouse in multiple occupation (Use Class C4) for 3-6 people. Five, single occupancy bedrooms are proposed.

To facilitate the change of use, it is proposed to demolish the existing rear outrigger, and erect a part single, part two-storey rear extension. Other works proposed include the reinstatement of the front parapet wall, a new window to the first floor front elevation, the reinstatement of the front boundary wall, and the provision of cycle and refuse/recycling storage to the front forecourt area.

Internally, 5no. single-occupancy bedrooms are proposed, each with have a minimum floor area of 7.53sqm (and an average size of 8.33sqm), exceeding the minimum 6.51sqm requirement for a single HMO bedroom.

The proposal includes a 24.15sqm kitchen/lounge/diner, exceeding the 18sqm minimum requirement. Two communal use shower rooms (one per floor) are proposed, in compliance with licensing requirements.

Refuse and recycling would be within the dedicate stores within the front garden, and secure and covered cycle storage for four bicycles would also be provided within this area.

## **Planning analysis**

### *Housing mix*

Policy BCS18 supports a neighbourhood with a mix of housing tenure, types and sizes to meet the changing needs and aspirations of its residents. The supporting text states that evidence provided in the Strategic Housing Market Assessment (SHMA) suggests that new developments should provide for more accommodation for smaller households. The SHMA was updated in February 2019 for the wider Bristol area. This states that single person households are expected to represent 40% of the overall household growth: an increase of 34,000 from 2016 to 2036. The proportion of single person households is therefore predicted to increase from 31.7% to 33.3%, whilst households with children are predicted to remain constant, at 26.2%. 'Other households' (which would include shared accommodation) are predicted to increase from 8.3% to 9.8%.

The 2019 SHMA states that, "*whilst there is projected to be an increase of 34,000 extra single person households, only 14,600 extra dwellings have one bedroom (5,000 market homes and 9,600 affordable homes). This reflects that many single person households will continue to occupy family housing in which they already live.*" (para 2.20). It therefore follows that the provision of accommodation for single households (which HMO rooms provide) would potentially free up family housing, in addition to meeting an identified need. The SHMA predicts that the need for 1-bed accommodation will increase by 16.8% over the period, whilst the need for 3-bed houses will increase by a broadly similar figure (17.6%).

Further to the 2019 SHMA, the LPA has recently published the "City of Bristol Local Housing Needs Assessment Report of Findings" (November 2023), as a background paper to the new Local Plan. This predicts that, for the period 2020-2040, single person households will represent almost a third of the overall household growth (15,000, 32%), couples without dependent children will represent almost a further third of the growth (13,600, 29%), whilst families with dependent children will make up approximately one fifth of the overall household growth (9,000, 19%). Pertinent to the application, the need for HMO and student households (9,400, 20%) exceeds that for families with children.

At the start of the 2022/23 academic year, UWE had 485 students on the accommodation waiting list, whilst 137 UWE students were residing at accommodation in Newport, with other students having to commute from Gloucester and Bath (Source: BBC News website). For 2023/24, in addition to the Newport accommodation, UWE was also offering 86 rooms at Shaftesbury Hall in Cheltenham, and 63 rooms at Upper Quay House, Gloucester, indicative of the shortage of shared accommodation in the city. In December 2022, *The Guardian*<sup>1</sup> reported a 25% under-provision of student accommodation within the Bristol area. More recent research<sup>2</sup> suggests that there will be a nationwide shortage of some 600,000 student bedspaces by 2026; the same report notes that, in Bristol, bed demand has increased by 15,058 during the period 2017-2023, while the number of beds has only increased by 3,511.

In terms of rental property more broadly, Bristol City Council has publicly acknowledged that the city has a “rent crisis”<sup>3</sup>, with over one-third of the population (134,000 people) currently renting privately in Bristol. As the Council itself notes, “Over the last decade, private rents in Bristol have increased by 52%, while wages have only risen by 24%. On average, Bristol residents now need almost nine times their annual salary to buy a house. The spiralling costs mean housing is becoming increasingly unaffordable, pushing many further away from their place of work, family, and support networks.”

There is no doubt that a shortage of supply of rental accommodation in the city has had an impact on rentals costs. A recent (October 2023) report by Unipol and HEPI<sup>4</sup> shows that average rental costs in Bristol, at £9,200 per room for the 2023/24 period, are the highest outside London, and have increased by 9% from 2021/22. It is not outlandish to suggest that the Council's adoption of Article 4 Directions, removing Part 3, Class L PDR to create small houses in multiple accommodation, introduced to limit the spread of HMOs, has also contributed to rising rents, for both young people in employment and students. Restricting supply will naturally increase demand.

The Bristol City Council ‘JSNA Health and Wellbeing Profile 2023/24’ reported a doubling in the number of households in temporary accommodation from 2019/20 Q3 (573) to 2020/21 Q4 (1124). Whilst numbers dropped back to 868 in the first quarter of 2021/22, they have increased in every quarter since then, with the latest figures (2022/23 Q3) showing 1178 households in temporary

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<sup>1</sup> UK student housing reaching ‘crisis point’ as bad as 1970s, charity warns | Student housing | The Guardian

<sup>2</sup> Students left in ‘nightmare’ accommodation as UK cities short of 620,000 beds by 2026 [REDACTED]

<sup>3</sup> <https://www.bristol.gov.uk/council-homes/tackling-the-rent-crisis>

<sup>4</sup> [REDACTED]

accommodation. The report states, *“Temporary Accommodation is a key indicator of homelessness and poor housing supply. The number of households placed in temporary accommodation in Bristol has doubled since 2020 and without the availability of affordable move-on accommodation there are no signs of it returning to pre-pandemic levels.”*

The 2021 Census data reports that, in the Eastville ward, 50.5% of dwellings were three bedroom or more, 31.8% two bedroom, and 17.8% one bedroom. This compares with city-wide figures of 55.4%, 28.4% and 16.2% respectively, indicating that the local housing mix is broadly consistent with the city as a whole, with the numbers showing a slant towards smaller units reflecting the more central location.

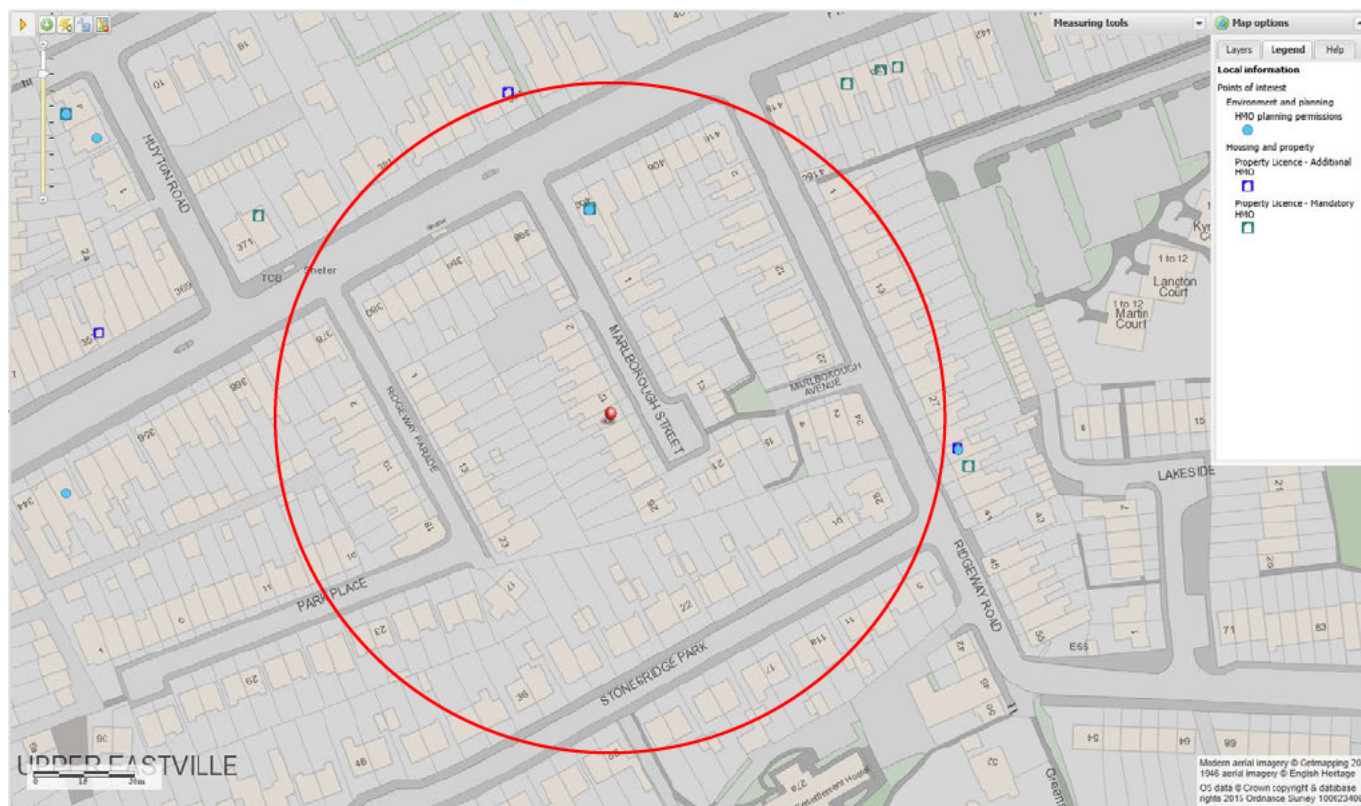
In this context, the provision of an HMO would therefore help to meet an identified need for accommodation for single households, in an area where smaller units are not over-represented.

*“Managing the development of houses in multiple occupation” Supplementary Planning Document*

The Council's *‘Managing the development of houses in multiple occupation’* Supplementary Planning Document identifies what constitutes a harmful concentration of HMOs. On a street level, this arises when a proposed dwelling is sandwiched between two HMOs. On a neighbourhood level, this arises when HMOs comprises 10% or more of the housing stock within a 100-metre radius.

As the extract from the Council's Pinpoint mapping system below shows, there are no existing HMOs in Marlborough Street, and only one other HMO within 100 metres of the site (for the avoidance of doubt, a property is considered to be within 100 metres of the site if its address point falls within the radius – for this reason, the HMO at 391 Fishponds Road has been excluded), and the principle of HMO accommodation would be acceptable.

The SPD also identifies a Good Standard of Accommodation, and proposes to adopt the current standards for licensable HMO properties. These state that a single bedroom should measure no less than 6.51sqm; the proposed development exceeds this requirement for all rooms. The standards also require 18sqm of communal living space for a 5 person HMO, which the proposal exceeds.



Extract from Council's Pinpoint website (red circle indicates 100m radius).

## Design

Policy BCS21 states that new development should contribute positively to an area's character and identity, whilst policy DM30 states that extensions will be expected to respect the siting, scale, form, proportions, materials, details and the overall design of the host building and broader streetscene. In a similar vein, policy DM26 requires development to respect the local pattern and characteristics, and to respond to the height, scale, massing, shape, form and proportions of existing buildings. Finally, policy DM27 requires development to respect the layout and form of existing development.

For rear extensions, SPD2 states that these should not exceed 3.5 metres depth, and should avoid breaching 45-degree lines to neighbouring windows.

There can be no objection to the reinstatement of either the front parapet wall or the front boundary wall, both of which would enhance the streetscene. A new front window is required to allow for the sub-division of the existing front bedroom. This would be a replica of the existing first floor window, and would be positioned above the front door, to ensure a sense of balance is maintained.

Whilst it is acknowledged that the streetscene comprises dwellings with single windows at first floor level, 14 Marlborough Street is at the end of a terrace of rendered dwellings with parapet walls to valley roofs, and windows above windows to the left-hand side of each dwelling. The design then transitions, and the terrace continues, with four brick-faced dwellings with ground floor bays, centred first floor windows, and dual-pitched roofs, as the image below shows. It should also be noted that 2 Marlborough Street has at some point repositioned its first floor window to the centre of the elevation, presumably to provide a more even spread of daylight. Given the position of the application site at the transition from one dwelling design to another, it is not considered that the additional window would harm the character of the streetscene, and in any case, the fact that this work could be carried out under PDR is a strong material consideration.



With regards to the works proposed to the rear, the existing outrigger is 2.7 metres wide, with the ground floor element projecting 5.2 metres, and the first floor element projecting 2.8 metres.

It is proposed to demolish this, rebuild to the same dimensions at both ground and first floor levels, and to infill the area to the side of the outrigger with a 2.8 metre-deep single storey extension.



Given that the only additional element of the works to the rear would be well within the SPD2 3.5 metre recommended maximum depth, the proposal raises no concerns in design terms.

### *Residential amenity*

Policy DM30 requires extensions to existing buildings to safeguard the amenity of the host premises and neighbouring occupiers. Policy BCS21 states that new development should safeguard the amenity of existing development and create a high-quality environment for future occupiers. Policy DM27 expects that new development will "*enable existing and proposed development to achieve appropriate levels of privacy, outlook and daylight*"; and "*enable the provision of adequate appropriate and usable private...amenity space, defensible space, parking and servicing where necessary.*"

Policy DM2 seeks to ensure that the conversion of properties to HMOs results in adequate residential amenity, does not result in harm due to excessive noise and disturbance, any impact upon street parking, the character of the dwelling or through inadequate refuse or cycle storage.

SPD2 advises that rear extensions can be harmful to neighbour if they project more than 3.5 metres (sometimes less, in the case of terraced houses) and that, as a rule of thumb, extensions should not breach the 45 degree line (on plan and elevation) taken from the centre point of neighbouring windows adjacent to the extension, though permanent boundary features can justify a relaxation of this test. Again, it is a material consideration that PDR allow for up to 3 metre-deep extensions.

The effect on no 12 would be unchanged given the like-for-like replacement proposed. With regards to no 16, the 45-degree line from the adjacent ground floor window is already breached by the existing two storey outrigger on both plan and elevation, however the corner of the additional single storey element proposed would also encroach on the 45-degree line on plan. It should be noted however that the ground level at 16 is 350mm higher, and that there an existing boundary wall and fence between the two properties. Given the ground height differences, boundary treatment, existing built form and minor degree of encroachment, on balance it is considered that residential amenity would be preserved.

The requirement for a mandatory HMO licence will help ensure that the property is well-managed, and that the amenity of neighbours is not prejudiced. Whilst a common concern with regards to HMO conversions is an increase in noise and disturbance, these issues, should they arise, can be dealt with through environmental protection legislation, and it would be considered

unreasonable to request an HMO management plan in respect of this planning application, or to condition the provision of any such plan, when this separate legislation would apply in any case. In conclusion, the proposal would not give rise to significant harm to neighbour amenity.

With regards to residential amenity, all the bedrooms would exceed the requirements for a single bedroom, and policy-compliant shared facilities (living room and kitchen) are proposed. The rear garden considered sufficient for the proposed use.

#### *Parking, cycle and refuse/recycling storage*

The Council's Waste Guidance states that for every three bedrooms (NB – the guidance does not state that this requirement should be rounded up) a refuse bin, two dry recycling boxes (44ltr & 55ltr), kitchen waste bin (29ltr) and cardboard sack (90ltrs) is required. For a 5-bed HMO, this equates to 1 set of containers (393 litres in total). These would be stored within the front forecourt area, within a purpose-built, covered store.

DM23 states that for both C4 and C3 dwellings, three bike storage spaces are required for properties with 3 or more bedrooms. Secure and covered cycle storage for 4no. bicycles (in excess of the policy requirement) is proposed within the front garden area.

DM23 states that the maximum number of spaces permitted for a C4 dwelling is 1.5 spaces (for properties with 3-6 bedrooms). This is in line with the supporting text to DM23, which states, "*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*" (para 2.23.7). The policy also states (in line with the NPPF), that development should not give rise to unacceptable traffic conditions.

It is likely that the use as small HMO would generate fewer vehicles than as a family dwelling, and that the proposal would not give rise to unacceptable traffic conditions, given the highly sustainable location. This is borne out by Census data, which shows that, at ward level whilst zero car ownership across all tenure stands at 24.9%, it is less prevalent within owned tenures (13.4%) and more prevalent within the private rented sector (33.9%). At the LSOA level, 41.5% of households in privately rented accommodation have no access to a car, compared to 12.9% of owner-occupied properties. Essentially, a rented property in the local area is more than 3 times more likely to have no access to a vehicle than an owner-occupied property. The provision of cycle storage in excess of policy requirements would help support the zero-parking approach.

## **Other issues**

### *Biodiversity net gain*

The Environment Act 2021 introduces the mandatory “biodiversity net gain” (BNG) requirement for new housing and commercial development in England, subject to any exemptions that may apply. The exemptions that apply to the BNG requirements are habitats below a ‘de minimis’ threshold of 25 metres squared; or five metres for linear habitats like hedgerows.

As the proposed building works relate to the replacement of existing built form, and an additional extension, cycle and refuse store (12.2sqm in total), which amount to less than 25sqm of area habitat (where part of those structures are on non-sealed surfaces). the proposal would be exempt from the BNG requirement. If the Inspector considers that the NPPF§187d requirement to provide net gains for biodiversity applies to the application site, then the provision of bird and/or bat boxes could be secured by condition.

### *Sustainable energy*

The accompanying energy statement confirms that the proposal can achieve a 76% reduction in carbon emissions through the provision of an air source heat pump and upgrading of the building fabric, achieving compliance with policies BCS13-15.

### *CIL*

As the proposal is for a change of use with less than 100sqm of additional floorspace, the proposal would be exempt from CIL.

## **Conclusion**

The HMO SPD was adopted not to prevent HMOs, but to ensure that they are not overconcentrated in particular neighbourhoods, and to direct them towards areas with lower concentrations. The current proposal would not result in any one property being sandwiched between existing HMOs, and the proportion of HMOs within 100 metres would remain far below 10%. As such, there can be no in-principle objection to the property being used as a small HMO, and the overwhelming proportion of properties in the area would continue to provide family accommodation.

The Council recognises, in its Equalities Screening for the HMO SPD, that, *“It is possible that a reduction in the supply of HMOs at a local level may have a disproportionate impact on the groups who typically occupy this type accommodation - i.e. younger people (e.g. students), migrants and those on lower incomes. Impacts may include possible increases in rent and/or increases in commuting distances for work or studying.”* Similarly, in respect of draft policy H6 (Houses in multiple occupation and other shared housing) of the new Local Plan, the Equality Impact Assessment lists the potential adverse effects of the policy as, *“Deprivation/Age (younger people): People including younger people on lower incomes in need of more affordable accommodation, such as HMOs/shared housing, may experience supply issues in areas where imbalance exists between this form of housing and other housing types.”*

As this letter details, rents have risen across the city since the introduction of the HMO SPD, and supply has shrunk, and whilst correlation does not necessarily equal causation, it is axiomatic that prices rise as supply falls. In this context, it is all the more important for the Council to approve HMOs in areas where the 10% threshold has not yet been reached.

The proposals would, in effect, provide additional accommodation for five households (at a recent appeal at Nailsea Electrical, 102 Gloucester Road, Bristol (ref: APP/Z0116/W/23/3335671), the Inspector concluded that a development of 9no. large and small HMOs would *“introduce more housing choice for those seeking smaller types of accommodation”* (para37)), meeting a need identified in the latest SHMA and the Local Housing Needs Assessment, within an area where HMO and one-bedroom accommodation is currently at low levels. As such it would meet the aims of both BCS18 and DM2.

In the context of the Council not having a 5YHLS, not meeting the 2024 Housing Delivery Test (the fourth consecutive year that this has happened) and paragraph 11d of the NPPF currently being engaged, the proposal offers: social benefits through the provision of housing suitable for single person households, whilst providing communal living which can combat the acknowledged health impacts of loneliness; economic benefits through increased spending in the locality; and environmental benefits through the renovation of the existing property (which is evidently in a state of disrepair), the more efficient use of land to provide increased accommodation (over the provision of new-build one-bedroom accommodation), and reduced energy use (through the provision of an ASHP, plus the fact that the heating of one large building requiring less energy than the heating of five individual flats).

The proposal would provide a high standard of accommodation and represent a valuable addition to the housing stock in a sustainable location, within good sustainable transport links.

The fee of £568 will be paid directly to the Planning Inspectorate. If you have any further queries, then please do not hesitate to contact me.

Yours faithfully,

**Stokes Morgan Planning Ltd**