

Development Management
Bristol City Council
City Hall
PO Box 3176
Bristol BS3 9FS

Our ref: PR10MS
Date: 28th February 2025

Sent via e-mail

Dear Sir/Madam,

Town and Country Planning Act 1990

10 Melvin Square and 1 Ilminster Avenue, Bristol BS4 1LZ

Ground, first and second floor extensions to 10 Melvin Square and first floor side extension to 1 Ilminster Avenue, to create 2no. large HMOs (1no. 9-bed, 1no. 7-bed), with cycle storage and retail storage at ground floor level (resubmission of planning permission 24/00433/F).

I write on behalf of my client, Mr Kevin Patel, to apply for the erection of first and second floor extensions to 10 Melvin Square, and a side extension to 1 Ilminster Avenue, to provide 2no. large HMOs, and expanded retail storage. The application follows on from a similar scheme approved in 2023 for 6no. self-contained flats. More recently, a scheme for 1no. 10-bed and 1no. 8-bed HMOs was dismissed at appeal (ref: 3353637). The LPA had refused the scheme on three grounds (internal living space, cycle storage and highway safety). The Inspector upheld the first reason for refusal, but found the cycle storage to be acceptable, and that the scheme would have no harmful impact on highway safety. This current application, which is submitted via the Section 62A route, seeks to overcome the outstanding reason for refusal. Whilst the scheme is liable for CIL, an equivalent amount of CIL has been paid in respect of the 2023 consent, which was part retrospective.

I attach the following documents as part of this application:

- Application form and ownership certificates;
- Drawing no. 532-PLA-001 Rev. A – site location plan and existing site plan;
- Drawing no. 532-PLA-010 Rev. A – existing ground floor plan;
- Drawing no. 532-PLA-011 Rev. A – existing first floor plan;
- Drawing no. 532-PLA-012 Rev. A – existing second floor plan;
- Drawing no. 532-PLA-013 Rev. A – existing roof floor plan;
- Drawing no. 532-PLA-020 Rev. A – existing northeast elevation;
- Drawing no. 532-PLA-021 Rev. A – existing west (street) elevation;
- Drawing no. 532-PLA-022 Rev. A – existing southwest elevation;
- Drawing no. 532-PLA-023 Rev. A – existing east elevation;

- Drawing no. 532-PLA-030 Rev. A – existing section A-A;
- Drawing no. 532-PLA-040 Rev. A – existing section B-B;
- Drawing no. 532-PLA-100 Rev. A – proposed site plan;
- Drawing no. 532-PLA-110 Rev. B – proposed ground floor plan;
- Drawing no. 532-PLA-111 Rev. D – proposed first floor plan;
- Drawing no. 532-PLA-112 Rev. C – proposed second floor plan;
- Drawing no. 532-PLA-113 Rev. A – proposed roof floor plan;
- Drawing no. 532-PLA-130 Rev. A – proposed northeast elevation;
- Drawing no. 532-PLA-131 Rev. A – proposed west (street) elevation;
- Drawing no. 532-PLA-132 Rev. A – proposed southwest elevation;
- Drawing no. 532-PLA-133 Rev. A – proposed east elevation;
- Drawing no. 532-PLA-140 – proposed section A-A;
- Drawing no. 532-PLA-141 – proposed section B-B;
- Drawing no. 532-PLA-210 Rev. A – proposed front 3D visual;
- BNG exemption form;
- Design and Access Statement; and
- Energy statement.

Site and planning history

The 526sqm application site lies on the east side of Melvin Square, at the junction of Daventry Road to the north, and Ilminster Avenue to the south. The site is within the defined Bristol Settlement Boundary.

10 Melvin Square comprises a retail store and Post Office counter at ground floor level, with a four-bedroom maisonette at first and second floor level. 1 Ilminster Avenue comprises a semi-detached dwelling house.

Planning permission was granted in 2010 (ref: 10/02320/F), to extend the shop to either side, and for a first-floor front extension the width of the existing first floor. This permission was subsequently renewed in 2014 (ref: 13/03926/R), and in 2015 a third planning permission was granted (ref: 15/02617/F). This permission was part-implemented in 2016, with the extension of the retail store to the sides. The first-floor front extension has not yet been erected.

More recently, planning permission was granted in April 2023 for extensions to the two buildings to create 6no. self-contained flats, and expanded retail storage (ref: 22/02320/F). Other than some minor alterations to the connecting elements between 10 Melvon Square and 1 Ilminster Avenue at the rear of the building, the current proposal replicates the approved plan form.

Finally, a scheme for 1no. 8-bed and 1no. 10 bed HMO (24/00433/F) was dismissed at appeal this month. The inspector concluded that as the only shared facilities were comprised a small laundry room on each floor, the 18 bedrooms were, in effect, self-contained bedsits, and therefore did not meet Nationally Described Space Standards.

The site is within the Filwood ward of Bristol. Oasis Academy Connaught Primary and Nursery School lies within 20 metres of the site, to the south side of Melvin Square, with Oasis Academy John Williams Secondary School 1.6km to the southeast, and St Mary Redcliffe Secondary School a similar distance to the north.

There are bus stops on Melvin Square within 50 metres to the west, and on Galway Road (150 metres to the west) providing regular bus services between Bristol City Centre and Hengrove Park. In addition to the retail unit on site, there is a small rank of shops (supermarket and takeaways) to the north side of Melvin Square. Filwood Broadway Local Centre lies 300 metres to the south.

Other than the aforementioned school and shops, the surrounding area is largely residential, comprising inter-war local authority housing within a garden suburb layout. The west side of Melvin Square was redeveloped in 2008, with the demolition of the Venture Inn Public House, and the erection of Carpenter's Place, a three-storey building comprising 24 self-contained flats.

The site is an area that is designated as being Flood Zone 1. The site is not within a Conservation Area, there are no Listed Buildings on or adjoining the site and no Tree Preservation Orders apply. Melvin Square is proposed as a local centre within the draft Bristol Local Plan.

Proposal

As noted above, the current proposal seeks to replicate the approved flatted scheme in terms of plan form, design and scale. The existing front extension would be extended upwards by two storeys with a new projecting double-width, central three-storey bay erected. The first and second floors would be stepped in at the corners to create balcony areas at first floor level, with Juliet balconies at first and second floor level to the central bay, and Juliet balconies to the sides and rear.

A metal-clad floating side extension is proposed at first floor level oversailing the existing garage to 1 Iminster Avenue, thereby connecting the two buildings and providing access to a first floor flat within the existing dwelling. The ground floor of 1 Iminster Avenue would be repurposed as a cycle store for the development and as a staff room and storage for the retail unit, with a new entrance door created for the bike store adjacent to the original front door. The existing front extension and canopy would be demolished

and replaced with an entrance canopy. The existing outbuilding to the rear garden of 1 Ilminster Avenue would also be used as storage.

The residential elements would be accessed via a new entrance to the side of the retail unit from Ilminster Avenue. Refuse storage would be located within the front garden of 1 Ilminster Avenue.

A car-free development is once more proposed and there is currently on-street parking for customers available for three cars on Melvin Square outside of the retail unit.

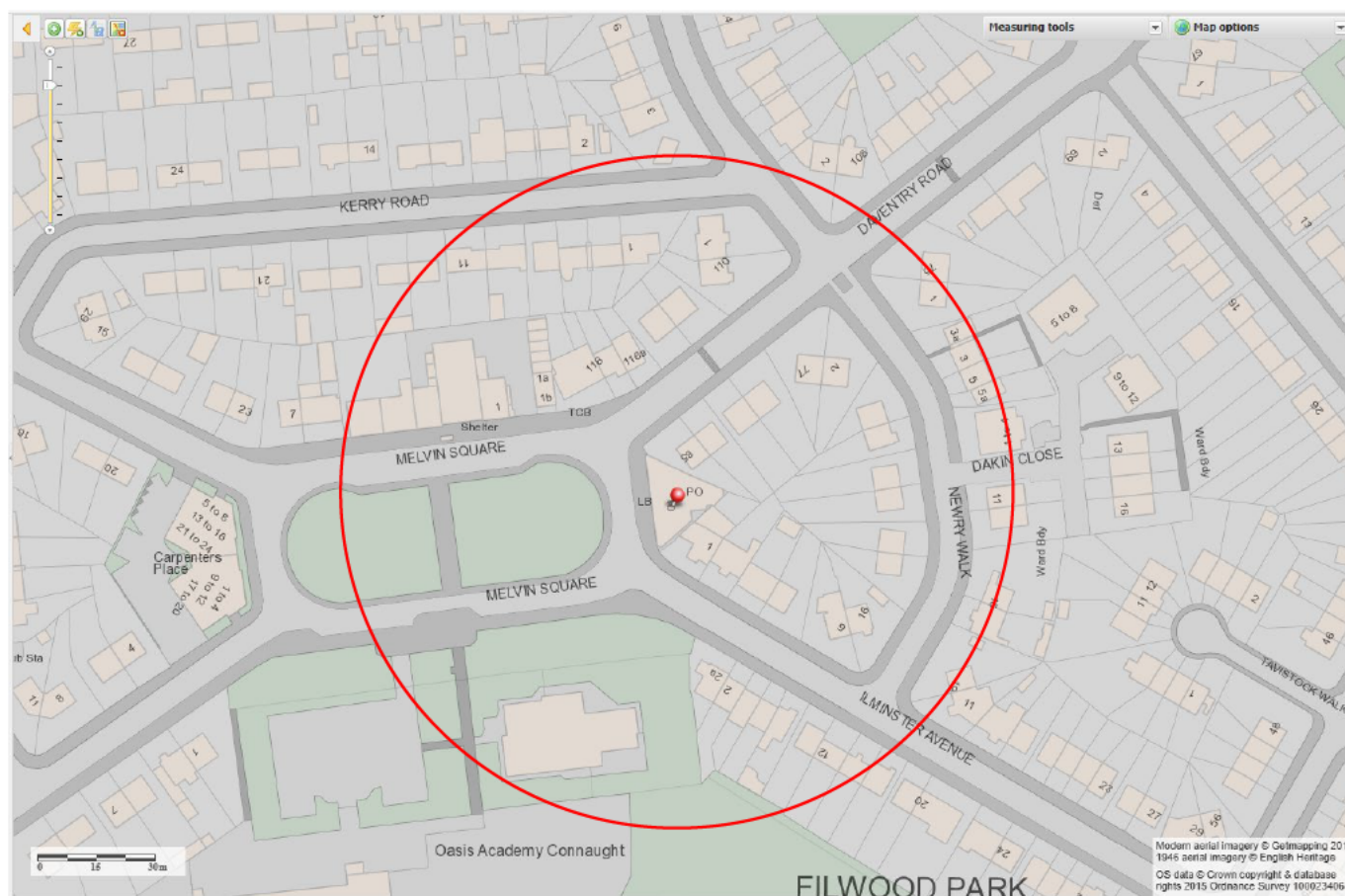
The two HMOs would be arranged as 1no. 9-bed/person HMO at first floor level, and 1no. 7-bed/person HMO at second floor level. All rooms are proposed as single-occupancy, with en-suite bathroom facilities. Communal kitchen and laundry facilities are proposed.

A palette is proposed of brick to the central bay, with white render to the side elevations and to the remainder of the front elevation. The extension to Ilminster Avenue would be clad in zinc. Brick soldier courses, feature heads and window heads are proposed, with recessed brickwork vertically between windows, which would be aluminium-framed. The existing shopfront would be updated as part of the redevelopment.

Planning analysis

The principle of extending the building, and providing expanded retail floorspace, together with residential accommodation, has been established through the extant 2023 consent. The current proposal retains the same design and appearance, and seeks only to exchange one form of residential development for another. Other than some minor alterations to the rear elevation where the two existing buildings would be connected, the scheme is as per the consented scheme, and as this element is away from the adjoining boundaries, it raises no issues in terms of neighbour amenity. Issues of highways impact have been assessed at the most recent appeal, and found to be acceptable.

The principle of HMO accommodation in this location was accepted in assessing the previous application. Since then, the situation has not changed on the ground; as can be seen from the map below, there are no HMOs within 100 metres of the site, and therefore no sandwiching would ensue, and the proportion of HMOs would not rise above 10%.



Extract from Council's Pinpoint website, licenced HMOs indicated by green and blue house symbols (red circle indicates 100m radius).

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 providing living room accommodation should measure no less than 9sqm; the proposed development comfortably exceeds this requirement for all rooms (excluding en-suite facilities). A shared kitchen is proposed on each floor. The SPD requires that a kitchen for a 7-bed HMO measure at least 9sqm, and for a 9-bed HMO, at least 11sqm. Both kitchens would measure 21.5sqm, with access on to the communal balcony.

At a recent appeal at Nailsea Electrical, Gloucester Road, Bristol (appeal ref: 3335671), the Inspector noted:

"17. All the proposed bedrooms would exceed the guidance of 9sqm for a 1-person room with a small number of rooms at or exceeding the guidance for a 2-person room where a combined bedroom and living room is proposed. The SPD is not clear if, and by how much, any discount to the kitchen and/or the overall communal living space should be given where living accommodation can be provided in the private bedrooms. The Council's evidence also does not clarify this matter. However, logically it seems that where a bedroom is of a size deemed suitable to provide living space, some effect on the overall communal space

should be considered. All of the proposed kitchens, in themselves, would be above the size threshold; fairly significantly so in some cases.

18. I note that the SPD and the associated room sizes are guidance and not prescribed by policy. Where the Council indicates that the total communal space is below the guidance it is typically by 1 bedroom (and 2 in a single case). All kitchens could provide for some dining space where social interaction could take place and, taking account of the allowance for living space in each bedroom, I consider that the internal space of each HMO flat would not be unduly cramped. Therefore, in this regard the development would comply with Policy BCS18 of the CS which seeks to ensure that development provides sufficient space for everyday activities.”

Similarly, the current proposal proposed large bedrooms, and communal kitchens providing dining space where social interaction could take place, and would therefore provide suitable living conditions for future occupants.

Conclusion

The previous application was dismissed at appeal only because the proposed HMOs had no communal space, and therefore each room was in effect a self-contained unit of accommodation, with all three basic amenities (toilet, washing and cooking facilities). As such, they failed to meet the minimum NDSS requirements of 37sqm for a one-bed, one-person flat.

The proposed scheme has removed all kitchenettes from all rooms, and it is now proposed to provide communal kitchen for both HMOs. The reason for refusal has therefore been overcome, and it is hoped that the application can now be approved.

Yours faithfully,

John Rooney, on behalf of Mr Kevin Patel