

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

Our ref: PR0002737

Date: 15th April 2025

Sent via e-mail

Dear Sir/Madam,

Town and Country Planning Act 1990

4 The Mont, St Andrews Road, Bristol BS6 5ED

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 erection of a cycle store

I write on behalf of my client, Innova Property, 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 erection of cycle storage. 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 24th March 2025. I can confirm that the development would not include CIL chargeable development if submitted to the LPA. This letter also forms a proportionate **Heritage Statement**.

I attach the following documents as part of this application:

- Completed application and CIL forms;
- Drawing no. 4372.PL.01 rev C – site location plans;
- Drawing no. 4372.PL-02 rev D – existing and proposed block plans;
- Drawing no. 4372.PL-03 rev C – existing floor plans;
- Drawing no. 4372.PL-04 Rev C – proposed floor plans;
- 8no. AST agreements (covering periods November 2015-present);
- BNG exemption statement;

- HMO licence issued 4th June 2024.

Site and planning history

The property was formerly part of the Montpelier Hotel. The building (fronting St Andrews Road) was converted into 8 no. flats in 2004 (under planning permission 02/01125/F). The application site comprises the first and second floor maisonette of this building. It has previously been used as (and is licensed as) a small HMO, but is currently occupied by two people and therefore falls within the C3a use class. It lies between St Andrews Road to the northwest and Richmond Road to the southeast, with a vehicular access from the former, and a pedestrian access through to the latter.

Other than the parent permission, there is no other planning history for the site.

The surrounding area is largely residential (aside from the Cadbury public house, 30 metres to the northeast on Richmond Road, and the Montpelier Central Industrial Estate, 100 metres to the northwest), and is covered by the Ashley, Cabot, Clifton East, Cotham and Lawrence Hill wards 4 Direction restricting permitted development rights (PDR) from C3 to C4, and the Montpelier Conservation Area designation. 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.

Montpelier Railway Station lies 130 metres to the northwest (via a public footpath through Montpelier Park, a designated Important Open Space that sits between St Andrews Road and the Industrial Estate), with trains running into Bristol Temple Meads, and towards Avonmouth, every 30 minutes. There are bus stops on Cromwell Road (170 metres to the north, via a footbridge over the railway), with the 70 service operating every 20 minutes between the UWE Frenchay Campus, and Bristol Temple Meads via the city centre. Further services are available from the A38 Cheltenham Road, 320 metres to the southwest, with 20+ services per hour operating in each direction towards multiple destinations, including Bristol City Centre.

The Picton Street designated local centre lies 130 metres to the southwest, offering a range of goods and services, including two convenience stores and a farm shop. The Gloucester Road Town Centre boundary commences 300 metres to the west, and the City Centre boundary commences within 400 metres to the southwest.

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. Three, single occupancy bedrooms are proposed.

As is evidenced by the ASTs accompanying this application, the site has previously been used as a 3-bed HMO. For the avoidance of doubt, these are all for an initial six-month term, after which, as is standard, the contracts were automatically converted to rolling periodic tenancies. Whenever a new tenant moved in, a new 6-month AST was signed between the three present occupants.

The available records show that the property was used as a 3-bed HMO from the 4th November 2015 to the 3rd March 2023, when occupancy was reduced to two (and the use reverted to C3). An HMO use recommenced on the 4th February 2024 (again, with 3 people), before reverting to a 2-person, C3 dwelling in February of this year. The site is currently occupied by 2 people (the smallest bedroom being unoccupied), and falls within the C3 Use Class (it is acknowledged that the Section 62A process cannot be used for retrospective planning applications, but given that the previous C4 uses are no longer occurring, the Section 62A route remains open).

Given the previous use, no external or internal alterations are proposed. The 3no. single-occupancy bedrooms each will have a minimum floor area of 8.14sqm (and an average size of 10.81sqm), exceeding the minimum 6.51sqm requirement for a single HMO bedroom.

The proposal includes a 25.16sqm lounge, and separate 9.08sqm kitchen, comfortably exceeding the 13.5sqm minimum total living space and 5sqm minimum kitchen size requirement. There is a communal use bathroom, and bedroom one has en-suite facilities. The proposal would be in full compliance with HMO licensing requirements, as evidenced by the current HMO licence as a 3-bed dwelling.

Refuse and recycling would continue to be stored within the dedicate stores to the rear of the building, and secure and covered cycle storage for four bicycles would also be provided within this area. The wider site currently has 4 parking spaces, and one of these would be allocated to the proposed HMO.

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.

In terms of rental property more broadly, Bristol City Council has publicly acknowledged that the city has a *"rent crisis"*¹, 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*

¹ <https://www.bristol.gov.uk/council-homes/tackling-the-rent-crisis>

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 HEPI² shows that average student 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 2024/25' reported a near-trebling in the number of households in temporary accommodation from 2019/20 Q3 (573) to 2024/25 Q1 (1554).

In this context, the provision of an HMO would therefore help to meet an identified need for accommodation for single households. Conversely, whilst the three-bedroom dwelling could serve a family, given the location and lack of outdoor amenity space, it is unlikely to appeal to families. Furthermore, given the letting history, it is likely that it would continue to be let out to sharers as a two-person dwelling should permission not be granted.

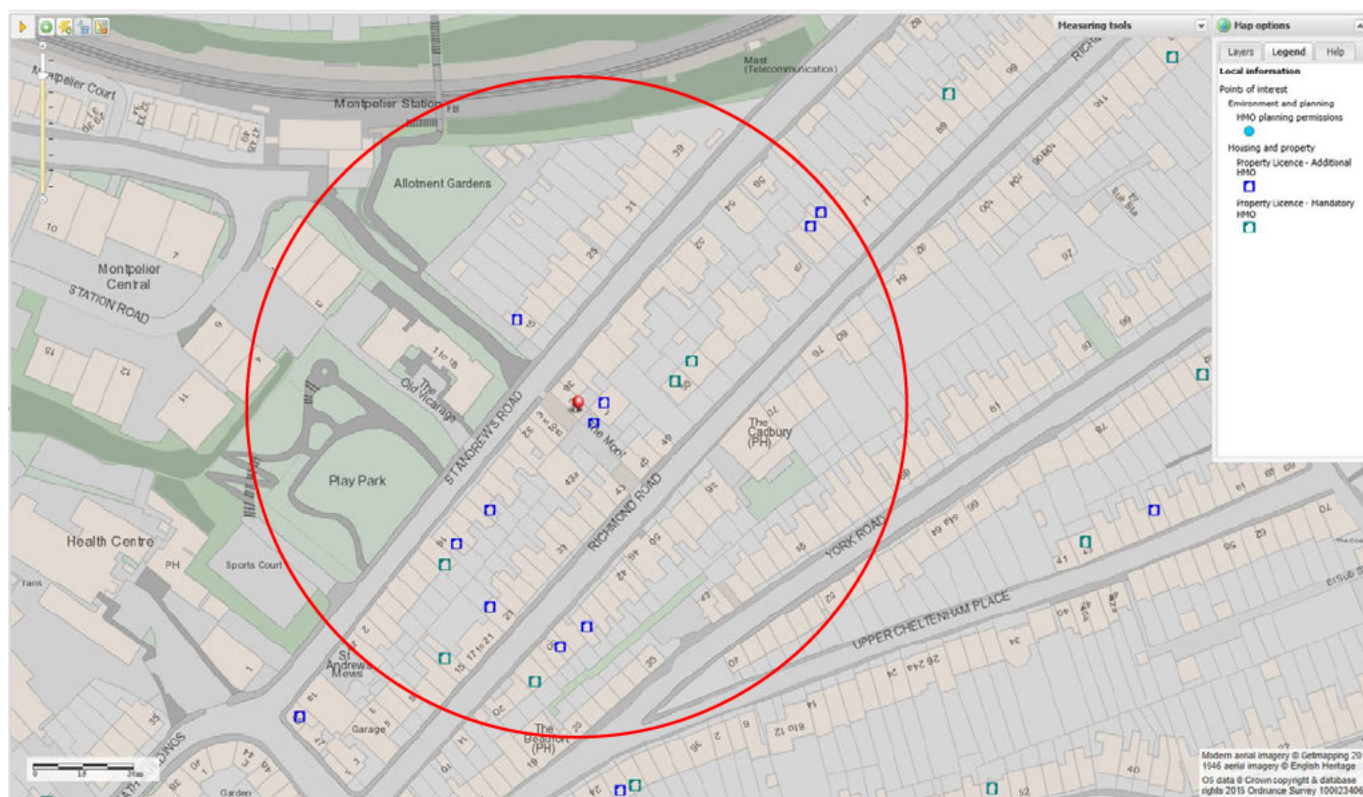
"Managing the development of houses in multiple occupation" Supplementary Planning Document

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.

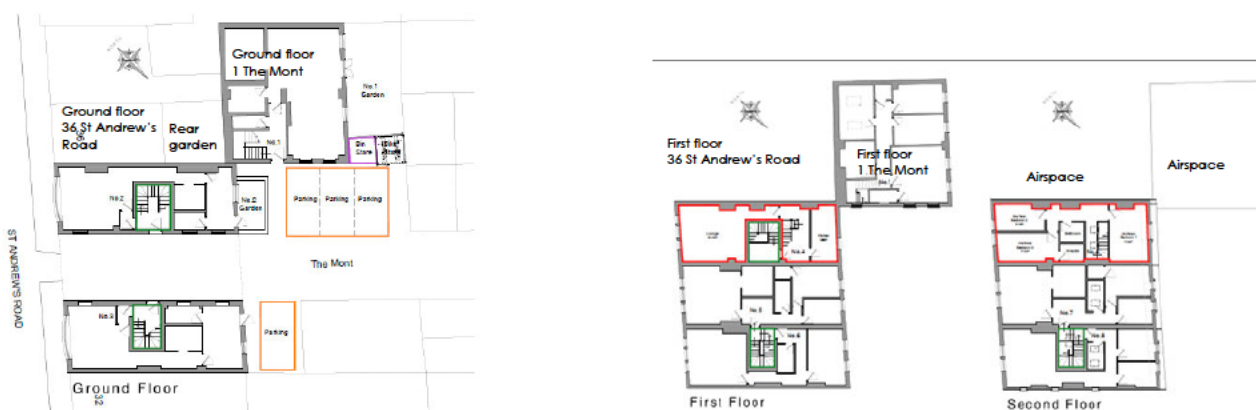
In respect of the neighbourhood, the Council does not provide a tool for calculating the number of HMOs within 100 metres of a site, and therefore applicants/appellants are required to manually calculate this figure. There are currently 15 HMOs within 100 metres (including the application site

² [REDACTED]

itself, which is denoted by the blue symbol to the southeast of the red pin on the map below), out of 194 dwellings (accounting for flat conversions), and so the proportion of licensed HMOs would remain unchanged at 7.7%.



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



Annotated proposed ground, first and second floor layouts.

In respect of sandwiching, the SPD states that sandwiching situations can occur, inter alia, when a non-HMO property adjoins two HMOs. Both 1 and 4 The Mont are currently licensed HMOs, and both share a boundary with 36 St Andrews Road, as the extracts from the proposed plans above demonstrate. With regards to sandwiching and flatted development, 2 The Mont would also

potentially be sandwiched, between 4 The Mont above, and 1 The Mont at right angles at ground floor level.

It is important to bear in mind however that the SPD only states that sandwiching *can* result in harmful concentrations at a localised level. An extract from the SPD listing the potential harms that can arise is included below.

- **Reduced community engagement from residents** resulting from an increase in the transient population of an area;
- **Noise and disturbance** resulting from intensification of the residential use and/or the lifestyle of occupants;
- **Overlooking and loss of privacy** resulting from poorly considered internal layouts and intensification of use;
- **Detriment to visual amenity** resulting from poor waste management, poor property maintenance, accumulative external alterations to properties and use of frontage areas for off-street parking;
- **Reduced community services** resulting from a shift in the retail/business offer towards a narrower demographic;
- **Highway safety concerns** resulting from congested on-street parking and poor waste management.

Of relevance is a recent appeal decision at Nailsea Electrical, Gloucester Road, Bristol (ref: APP/Z0116/W/23/3335671, appended to this letter). The site had an extant consent for a flatted scheme, and sought consent for an HMO scheme of 9 units. In this case, the LPA had objected on the grounds of a breach of the 10% threshold, rather than sandwiching, but the same principles apply. The Inspector noted that the SPD takes a two-part approach, and that a breach of the 10% threshold does not automatically lead to harm such that the Local Plan policies would be breached; it is only an indication that such a breach is likely (para 35). The Inspector concluded on this issue that:

“36. In this case, I note that the threshold would only be exceeded by 3%. In the context of this particular site, which is located on a corner plot, by a busy road in an area of a significant mix of uses, 3% above the nominal percentage threshold outlined in the SPD would be minor. In addition, having regard to the findings above, the development would not result in any of the harms, set out in the relevant Policy, in terms of noise and disturbance to residents, impact on on-street parking, and the effect of physical alterations to the building.

37. Compared to the two previous schemes at the site, there would be a different mix of housing. The Council notes that the previous proposal for 17 flats was acceptable as it would increase the availability of smaller properties in an area where houses, with a greater number of bedrooms was predominant. This proposal would introduce a number of HMOs rather than small flats. However, it would still introduce more housing choice for those seeking smaller types of accommodation. Therefore, both the 17 flats scheme and this appeal scheme would increase choice, and I have no evidence that one would be significantly more beneficial than the other."

As the accompanying ASTs show, one tenant (KC) resided at the property from August 2018 to August 2024, one (LD) from October 2020 to February 2025, and the dwelling was occupied by the same three tenants from November 2015 to August 2018, and from October 2020 to March 2023 (and by two of those tenants as a two-person, C3 dwelling, through until February 2024). As such, the previous HMO use has not led to a notable increase in the transient population. Similarly, the applicants are not aware of any noise complaints relating to the property during that time.

With regards to overlooking and loss of privacy, the increase from a three-bed dwelling to a three-bed HMO could not be considered an intensification, and no additional windows are proposed. The only additional development (in respect of visual amenity), would be a cycle store adjacent to the bin store, which is a policy requirement to address any potential highway concerns. Given the absence of intensification, and the highly sustainable location, the proposal is unlikely to generate significantly more vehicle movements as a C4 dwelling than as a C3 dwelling, and there is no evidence of a reduction in community services locally, with the Local Centre on Picton Street continuing to more than adequately serve both HMO and non-HMO residents alike.

The situation on the ground also needs to be taken into consideration. 36 St Andrew's Road shares a party wall only with 4 The Mont, with the side wall of 1 The Mont forming the rear garden wall of no. 36. Neither HMO has windows overlooking this garden, and the garden of 1 The Mont lies on the opposite side of the building. As such, the garden to 36 would not adjoin an HMO garden. The entrances to both 1 and 4 are from the footpath between St Andrew's Road and Richmond Road, and so even if the proposal was considered to result in increased comings and goings, these would not impact directly on no. 36.

Turning next to 2 The Mont, it shares a communal entrance with 4 The Mont (which is immediately above), but its physical connection to 1 The Mont is limited to a 770mm section where the two external walls adjoin each other, with a combined thickness of 600mm. This is highly unlikely to result in noise transference issues or general disturbance.



Google streetview image of 1, 2 and 4 The Mont

2 The Mont has a small courtyard to the rear, but this is not physically connected to either HMO, and the resumption of the C4 use at 4 The Mont would have no discernible impact, taking into account that the courtyard adjoins a well-used thoroughfare, and is physically separate from the entrance to 4 The Mont.

Furthermore, it is a material consideration that the property has previously been used as an HMO for over seven years between November 2015 and March 2023, and again between February 2024 and February 2025, without incident.

The SPD also identifies a Good Standard of Accommodation, and proposes to adopt the current standards for licensable HMO properties. Given that the property currently has an HMO licence, it evidently complies with these requirements, as the proposed plans demonstrate.

In summary, whilst the proposal would potentially result in a sandwiching situation, the harms identified with sandwiching are not present in this particular instance, and there would be no conflict with the relevant local plan policy (DM2).

The principle of HMO accommodation in this location is therefore acceptable, subject to an analysis of neighbour impact, design and parking, which is included below.

Design (including Heritage Statement)

Policy BCS22 requires proposals to safeguard or enhance heritage assets and the character and setting of Conservation Areas. Policy DM31 details how the council will secure the conservation of heritage assets.

Policy BCS21 requires development to contribute to an area's character and identity, creating or reinforcing local distinctiveness.

Policy DM26 requires design to respond appropriately to the existing built environment, particularly in respect to predominant materials and architectural styles. DM27 requires quality landscape design which responds to the contextual character, whilst policy DM30 requires development to respect the setting of the host building and the general streetscene.

The site falls within the Montpelier Conservation Area, and therefore the proposal has potential to impact on a designated heritage asset.

The proposal is for a change of use only, with the only physical alterations comprising the erection of a cycle store, adjacent to the existing refuse store area, in materials to match, and partly screened by the parking area from public view. As such, it would not have a harmful effect on the historical or architectural significance of the conservation area.

Residential amenity

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.

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. No

amenity space is proposed, however there is designated public open space immediately opposite the site (Montpelier Park) which would serve the needs of future occupants as it does current occupants.

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. The existing store will continue to be used.

DM23 states that for both C4 and C3 dwellings, two bike storage spaces are required for properties with three bedrooms. Secure and covered cycle storage for 4no. bicycles (in excess of the policy requirement) is proposed within the parking 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 unlikely that the use as a 3-bed HMO would generate any more vehicle movements than a 3-bed C3 dwelling, or that the proposal would give rise to unacceptable traffic conditions, given the highly sustainable location. One parking space would be allocated to the proposed HMO, as it currently is for the C3 dwelling.

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 proposal is for a change of use only and the cycle store would be erected on an existing sealed surface. 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 application is for a change of use only that involves no increase in floorspace or subdivision of units. As such it is exempt from the requirement for a sustainability and energy strategy, and the need to achieve a 20% reduction in carbon emissions, or to follow the heat hierarchy. The Policies BCS13-15 do not therefore apply in this instance.

CIL

As the proposal is for a change of use with no 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 harm arising from any potential sandwiching, and the proportion of HMOs within 100 metres would remain far below 10%. As such, and given the previous uses of the site as an HMO without incident, 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 three households (at the 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. 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 more efficient use of land to provide increased accommodation (over the provision of new-build one-bedroom accommodation).

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

The fee 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