



Decision Notice and Statement of Reasons

Site visit made on 23 June 2025

Decision by Bhupinder Thandi BA (Hons) MA MRTPI

A person appointed by the Secretary of State

Decision date: 27 June 2025

Application Reference: S62A/2025/0104

Site address: 4 The Mont, St Andrews Road, Bristol BS6 5ED

- The application is made under section 62A of the Town and Country Planning Act 1990.
 - The site is located within the administrative area of Bristol City Council.
 - The application dated 16 April 2025 is made by Innova Property and was validated on 12 May 2025.
 - The development proposed is 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.
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Decision

1. Planning permission is granted for 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 in accordance with the terms of the application dated 16 April 2025, subject to the conditions set out in the attached schedule.

Statement of Reasons

Procedural matters

2. The application was made under Section 62A of the Town and Country Planning Act 1990, which allows for applications to be made directly to the Planning Inspectorate where a Council has been designated by the Secretary of State. Bristol City Council (BCC) have been designated for non major applications since 6 March 2024.
3. Consultation was undertaken on 15 May 2025 which allowed for responses by 16 June 2025. A local resident submitted a response to the consultation. BCC submitted a statement which sets out that the Council has no objection to the proposed development. I have taken account of all written representations in reaching my decision.

4. I carried out an unaccompanied site visit on 23 June 2025 which enabled me to view the property, the surrounding area and nearby roads.

Main Issues

5. Having regard to the application, comments from interested parties, the Council's report together with what I saw on site, the main issues for this application are:
 - the effects of the proposed development upon the character of the area;
 - the living conditions of existing and future occupiers;
 - whether associated parking would be accommodated safely and without harm to the amenities of the area; and
 - whether the proposal would preserve or enhance the character or appearance of the Montpelier Conservation Area (CA).

Reasons

Impact upon the character of the area

6. The proposed development involves the change of use of a maisonette to a small House in Multiple Occupation (HMO). Policy DM2 of the Site Allocations and Development Management Policies Local Plan (2014) (SADMP) relates to residential sub-divisions, shared and specialist housing. It seeks to ensure that the residential amenity and character of an area is preserved and that harmful concentrations of non-family housing do not arise. It specifies that harmful concentrations would arise where a development would reduce the choice of homes in the area, or exacerbate existing harmful conditions, including through excessive noise and disturbance, unacceptable levels of parking, the impact of physical alterations and inadequate storage for bins and cycles.
7. At the time of my site visit I noted a mix of housing types including single dwellings as well as HMOs and flats. Whilst the proposal would result in a further concentration of HMOs in the area it would not unduly affect the choice of homes given the current use of the property as a maisonette and would not result in the loss of family housing. Therefore, I am satisfied that the proposal would not unduly affect the mix and balance of the local community.
8. For the reasons set out above, I conclude that the proposed development would have an acceptable effect on the character of the area. In this regard it would accord with Policy BCS18 of the Bristol Development Framework Core Strategy (2011) (CS) and Policy DM2 of the SADMP which, amongst other things, require new development to contribute to the diversity of housing in the local area and to contribute positively to an area's character and identity.

Living conditions of existing and future occupiers

9. The occupiers of an HMO are likely to live independently and undertake a greater proportion of their day-to-day activities separately associated with their individual lifestyles. That said, occupation of the property as a HMO is unlikely to lead to markedly different and more intensive activities or movements compared to the current use and would not result in neighboring occupiers experiencing unacceptable increased levels of noise and disturbance.
10. The bike store and bins would lead to more activity close to existing gardens, but this is likely to be low-key, not excessively noisy and for a very short length of time whilst residents collect or put away their bicycles and refuse. As such, I am satisfied that occupiers of nearby properties would not experience undue noise or disturbance in this regard.
11. The habitable rooms would be of an adequate size and would benefit from natural outlook. The HMO would benefit from a kitchen and living area providing a functional and adequately sized space for residents to spend time in preparing and eating meals or undertaking recreational activities.
12. I note the comments of a local resident in respect of refuse and recycling overflowing or being left on the pavement. A condition has been imposed to ensure that appropriate facilities for refuse and recycling are provided at the property.
13. As such, I am satisfied that the proposed development would provide adequate living conditions for future occupiers and would not unacceptably harm the living conditions of neighbouring residents. It would therefore accord with CS Policies BCS15 and BCS21 and SADMP Policies DM2 and DM32 which, amongst other things, expect development to safeguard existing amenity including in respect of noise and disturbance and provide a high-quality environment for future occupiers.

Whether associated parking would be accommodated safely and without harm to the amenities of the area

14. Parking along St Andrews Road, Richmond Road and on surrounding roads is subject to parking restrictions in the form of residential parking permits. At the time of my site visit, on a weekday afternoon, roads were heavily parked with limited spare capacity.
15. Given its small size, the HMO is unlikely to generate significant parking demand. I note that one parking space would be available for residents and convenient cycle storage would be available. Future occupiers would be within walking distance of nearby services and facilities and the city centre and public transport in the form of bus and train services. It would therefore be perfectly feasible for occupants to live in the property without the need for a car and who would be able to travel for work, services or leisure by public transport, bicycle or on foot.
16. I conclude the parking generated by the proposal would be accommodated safely and without harm to highway safety or the amenities of the locality.

As such, the scheme accords with CS Policy BCS10 and SADMP Policies DM2 and DM23 which, amongst other things, expect developments not to give rise to unacceptable traffic conditions and maximise opportunities for the use of walking, cycling and public transport.

Whether the proposal would preserve or enhance the character or appearance of the Montpelier CA

17. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
18. The significance of the Montpelier CA is, in part, defined by narrow streets lined with tightly packed Georgian and Victorian townhouses. Whilst there is some variations in the townscape it has a charming and intimate character. The application site lies within the Upper Montpelier character area focused upon the central streets that climb the contours of the hill characterised by two and three storey buildings.
19. No external alterations to the building are proposed except for the siting of cycle and bin storage on the driveway. The storage facilities would be discreetly located and only visible in glimpsed views largely limited to those cutting through the alleyway or by residents. Given its limited size and domestic appearance I find that it would have a neutral impact upon the significance of the Montpelier CA.
20. I conclude that the proposal would preserve the character and appearance of the Montpelier Conservation Area and would accord with CS Policy BCS21 and SADMP Policy DM31 which, amongst other things, seek to preserve or enhance those elements which contribute to the special character or appearance of conservation areas.

Conditions

21. I have considered the planning conditions suggested by BCC and I have had regard to the tests set out in the Framework. In the interests of precision and clarity I have amended the wording of the conditions suggested by the Council.
22. In addition to the standard time three-year limit condition for implementation; it is necessary to specify the approved plans in the interests of certainty.
23. A condition requiring the proposed cycle storage, refuse and recycling facilities to be provided prior to occupation has been imposed to ensure the proposal provides satisfactory living conditions for future occupiers of the HMO.

Conclusion

24. For these reasons, and having regard to all other matters raised, the proposal accords with the development plan and therefore planning permission is granted.

B Thandi

Inspector and Appointed Person

Schedule of Conditions

Conditions:

1. The development hereby permitted shall begin not later than three years from the date of this decision.
Reason: As required by section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Floor Plans Apartment No.4 Maisonette Drawing Number 4372.PL.03 Rev C; Proposed Floor Plans Apartment No. 4 Maisonette Drawing Number 4372.PL.04 Rev C; Existing and Proposed Block Plans Drawing Number 4372.PL.02 Rev D and Site Location Drawing Number 4372.PL.01 Rev C.
Reason: To provide certainty.
3. The refuse storage and recycling facilities and cycle storage shall be completed prior to first occupation of the development and thereafter maintained as such.
Reason: To provide adequate living conditions for future occupiers in accordance with CS Policy BCS10 and SADMP Policy DM32.

Informatives:

- i. In determining this application the Planning Inspectorate, on behalf of the Secretary of State, has worked with the applicant in a positive and proactive manner. In doing so the Planning Inspectorate gave clear advice of the expectation and requirements for the submission of documents and information, ensured consultation responses were published in good time and gave clear deadlines for submissions and responses.
- ii. Biodiversity Net Gain The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition 11 (biodiversity gain condition) that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Bristol City Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply – in this case the exemption below:

Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
- iii. The decision of the appointed person (acting on behalf of the Secretary of State) on an application under section 62A of the Town and Country Planning Act 1990 ("the Act") is final, which means there is no right to appeal. An application to the High Court under s288(1) of the Town and Country Planning Act 1990 is the only way in which the decision made on an application under Section 62A can be challenged. An application must be made within 6 weeks of the date of the decision

- iv. These notes are provided for guidance only. A person who thinks they may have grounds for challenging this decision is advised to seek legal advice before taking any action. If you require advice on the process for making any challenge you should contact the Administrative Court Office at the Royal Courts of Justice, Strand, London, WC2A 2LL (0207 947 6655) or follow this link: <https://www.gov.uk/courts-tribunals/planning-court>
- v. Responsibility for ensuring compliance with this Decision Notice rests with Bristol City Council.