



Decision Notice and Statement of Reasons

Site visit made on 13 June 2025

Decision by C Shearing BA (Hons) MA MRTPI

A person appointed by the Secretary of State

Decision date: 27 June 2025

Application Reference: S62A/2025/0097

Site Address: 7 Bellevue Cottages, Clifton, Bristol BS8 4TG

- 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 19 March 2025 is made by Mrs Gay and was validated on 7 May 2025.
 - The development proposed is change of use from a residential dwelling (C3) to a small house of multiple occupation (C4).
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Decision

1. Planning permission is granted for change of use from a residential dwelling (C3) to a small house in multiple occupation (C4) in accordance with the terms of the application dated 19 March 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 (the Council) have been designated for non major applications since 6 March 2024.
3. Consultation was undertaken from 12 May 2025 which allowed for responses by 12 June 2025. I have taken account of all written representations in reaching my decision. I also carried out a site visit on 13 June 2025, which enabled me to view the site and the surrounding area.
4. I observed during my site visit that works had already begun in connection with the restoration of the property and its layout largely matched the proposed plans. Nonetheless, the works described in the description of development, being the change of use, had not commenced and I am

satisfied that the application can progress under the provisions of Section 62A. I observed that other alterations had taken place to the building, including for example the replacement of windows. However, my considerations are limited to the description of development for which permission has been applied.

Main Issues

5. Having regard to the application and the consultation responses, together with the findings of my site visit, the main issues for this application are:
 - Whether the site is suitably located for a new house in multiple occupation (HMO), and whether it would provide a suitable standard of accommodation;
 - The effects on the living conditions of occupants of nearby properties, and;
 - Effects on the highway, with particular regard to parking.

Location of the site for a new HMO

6. Policy DM2 of the Council's Site Allocations and Development Management Policies 2014 (the ADMP) relates to proposals including the conversion of existing dwellings to houses in multiple occupation, which is the case for the proposed development. The policy contains criteria which should be met, including consideration of harmful concentrations of such uses where they would exacerbate existing harmful conditions or reduce the choice of homes in the area. The policy is supported by the 'Managing the development of houses in multiple occupation' Supplementary Planning Document 2020 (the SPD).
7. While the proposal would see the loss of the existing dwellinghouse, the SPD recognises the importance of HMO's in providing a choice of housing in the city, being generally more affordable and flexible, and often more suitable for young people and groups not living as families. The Council have provided a plan showing properties with HMO licenses near the site, and this is reiterated in the application documents. On this basis it would not appear that the proposal would cause 'sandwiching' of existing properties as described in the SPD. Nor would the proposal exceed the HMO threshold of 10% within a 100 metre radius of the site. I note the comments of an interested party, who states that there are already two houses with HMO status on the road. However, I do not have evidence of where these may be or that their location would present conflict with the adopted policy requirements. On the basis of the evidence before me, the proposal would not cause a harmful concentration of HMOs, as described in the SPD.
8. The room sizes proposed would appear to be acceptable, having regard to the standards set out in the SPD and the findings of my site visit. While outdoor space is limited, there would be some outdoor space for occupants, and space to the front of the property for cycle and refuse storage as suggested by the proposed plans. As such I am satisfied that the proposal

would provide an acceptable standard of accommodation for its future occupiers, as well as suitable cycle and refuse storage.

9. In conclusion on this main issue, the proposal would comply with Policy DM2ii) of the ADMP insofar as it relates to the location and concentrations of new HMOs. The proposal would adhere to Policy BCS18 of the Council's Core Strategy 2011 (the CS), which requires development to contribute to a mix of housing tenures, types and sizes.

Living Conditions of Nearby Occupants

10. Policy DM2 also requires that such development should not harm the residential amenity of the locality as a result of levels of activity that cause excessive noise and disturbance, among other things. The intensified use of the site and occupation by unrelated individuals could give rise to these effects. However, given the likely level of occupation, the distance to other HMOs and given the characteristics of this terrace which have doors which open directly onto the street, the proposal would be unlikely to cause excessive noise or disturbance to nearby occupants. In this respect the proposal would comply with the relevant part of Policy DM2 of the ADMP, as well as ADMP Policy DM35 and CS Policy BCS23 which relate to the effects of noise.

Parking

11. Policy BCS10 of the CS seeks to promote sustainable transport patterns, prioritising pedestrian and cycling movements as well as public transport. The site is in close proximity to the services and facilities in the city centre, and I am satisfied that future occupants need not be reliant on private cars to meet their day to day needs.
12. The drawings indicate one off-street parking space in the area in front of the property on the opposite side of the lane, albeit this is not included in the description of development. Nonetheless this level of provision would not exceed the maximum car parking standards set out in Appendix 2 and Policy DM23 of the ADMP and would be acceptable. I note concerns raised regarding existing parking in the area and at the time of my site visit I observed Bellevue Cottages and its junction with Bellevue Crescent to be busy with parked cars, often parked informally on the unmade carriageway. However, given the scale and nature of the development proposed, together with its proximity to the services and facilities in the city, I have no strong reason to find that the proposal would add unacceptably to existing highway conditions or to pressure for on-street parking near the site. While I understand maintenance of the road may be more difficult if occupants are transient, it is not apparent that this should weigh against the grant of planning permission.
13. For the reasons given, the proposal would be acceptable in terms of its effects on the local highway and would comply with the relevant development plan policies cited above, including DM2 of the ADMP where it refers to parking.

Other Matters

14. The site lies within the Clifton Conservation Area. I observed the significance of Bellevue Cottages to be derived from the scale and simple design and detailing of the terrace, and its visual subordination to the properties of Bellevue Crescent behind. The proposal, including associated parking space to the front, would respect these attributes which contribute to its significance and would preserve the character and appearance of the Conservation Area.
15. The applicant considers the proposal would be exempt from the statutory biodiversity net gain (BNG) requirement, as it would adhere to the de minimis exemption. Given the size of the outdoor spaces and their existing nature I have no strong reason to reach a different view. The proposal would be exempt for the purposes of BNG.
16. Given the scale of the parking area and nature of the surrounding surfaces, I do not consider it would add unacceptably to surface water flooding. The Council have also confirmed that the proposal would not be liable for a Community Infrastructure Levy (CIL) payment. As such it is not necessary to consider this further.

Conditions

17. I have not been provided with any suggested conditions. Nonetheless conditions are imposed as set out below, having regard to the relevant tests for conditions in the Planning Practice Guidance.

Conclusion

18. For these reasons, and having regard to all other matters raised, the proposal would comply with the development plan and planning permission is granted.

C Shearing

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: 24/0450/001A, 24/0450/020, 24/0450/021, 24/0450/022, 24/0450/023A.
Reason: To provide certainty.

End of Schedule

Informatives:

- i. In determining this application no substantial problems arose which required the Planning Inspectorate, on behalf of the Secretary of State, to work with the applicant to seek any solutions.
- ii. 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 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 the following statutory exemption is considered to apply.

Development below the de minimis threshold, meaning development which:

- 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;
- 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 and any applications related to the compliance with the conditions must be submitted to the Council.