

Bristol City Council – LPA S62A Statement

Planning Inspectorate reference: S62A/2025/0113

LPA reference: 25/13176/PINS

Address: Chasefield House, 888 Fishponds Road, Fishponds, Bristol, BS16 3XB

Summary

This statement of case relates to a full planning application (LPA reference: 25/13176/PINS) made under Section 62A of the Town and Country Planning Act 1990 for the conversion of an existing care home (Use Class C2) to provide two separate, large Sui Generis HMOs (1no. 9 bedroom and 1no. 10 bedroom) together with associated external alterations to the building.

The LPA considers that the application does not accord with the following planning policies and would therefore recommend refusal on the following grounds:

1. The proposed development would fail to provide an appropriate level of safe, secure, accessible, and useable parking and would instead give rise to unacceptable traffic and highway safety conditions and would fail to provide adequate vehicle access to the on-site parking spaces, due to the applicant's inability to control access. This would harm residential amenity and the character of the locality as a result of levels of on-street parking that cannot be reasonably accommodated on the surrounding streets given the location of the application site in an area which currently experiences high levels of parking stress and highway safety issues. The application is subsequently recommended for refusal due to conflict with the National Planning Policy Framework (2024); Core Strategy (2011) Policy BCS10; Site Allocations and Development Management Policies (2014) DM2 and DM23 and the Council's 'Managing the development of houses in multiple occupation' Supplementary Planning Document (2020).

SITE DESCRIPTION

The application concerns Chasefield House located at No.888 Fishponds Road.

The application relates to two semi-detached Victorian villas which form the main part of a former 15 bedroom care home (Use Class C2), which has been vacant since January 2020. The main building accommodates 5 bedrooms with a further 10 in a long single-storey rear wing, which is outside the boundary for this planning application. The villas would historically have been separate properties. The online public record (application reference 90/01293/G) suggests that the use changed during the 1990's from a hostel to a nursing home.

The wider site, outside the application boundary, includes a long single-storey wing attached to the main building by a link extension, and an extended coach house. The building currently has metal external staircases on the side and rear, and informal parking at the front for approximately 2-3 cars. There is no cycle or bin storage.

The surrounding suburban area is predominately residential however the site is located in very close proximity to the eastern boundary of the Fishponds Town Centre.

The site is located within the Stapleton and Frome Valley Conservation Area.

HISTORY

25/11020/F: Demolition of existing buildings and redevelopment of site to provide 5no. dwellings with associated access improvements; parking; hard/soft landscape works and drainage. APPLICATION PENDING.

22/04673/F: Demolition of existing buildings and redevelopment of site to provide 7no. dwellings with associated access improvements; parking; hard/soft landscape works and drainage. REFUSED on 26.09.2023

22/02990/F: Conversion of existing care home (Use Class C2) to provide shared supported living accommodation (a 9 bed and a 10 bed) for people with mental health, learning disabilities and autism (Use Class Sui generis) together with associated external alterations to the building. REFUSED on 27.07.2023

17/01469/VC: Felling of a Cedrus Lebani (Lebanese Cedar) tree. APPLICATION WITHDRAWN.

12/00411/F: Proposed replacement windows and doors to the property, including the single storey annex and workshops to the rear of the main house. GRANTED on 29.03.2012

05/02537/F: Convert and extend existing nursing home into a Foyer-style project, including three self-contained flats, two self-contained bed-sits and three non self-contained bedsits; convert an existing outbuilding to two self-contained flats and construct an adjacent two storey building to be used as four self-contained flats. GRANTED on 03.01.2006

90/01293/G: Conversion and extension of hostel to a nursing home. GRANTED on 08.08.1990

APPLICATION

Planning permission is sought for the conversion of the existing care home (Use Class C2) to provide two separate, large Sui Generis HMOs (1no. 9 bedroom and 1no. 10 bedroom) together with associated external alterations to the building.

RESPONSE TO PUBLICITY AND CONSULTATION

Application advertised via site notice. Neighbours were consulted via individual letters sent on 06.08.2025.

OTHER COMMENTS

Comments have been received from the following consultees:

- Bristol City Council Transport Development Management – refer to Key Issue D
- Bristol City Council Pollution Control – refer to Key Issues C
- Avon and Somerset Constabulary Crime Reduction Unit – Refer to Key Issue I
- The Coal Authority - Refer to Key Issue H

KEY ISSUES

(A) PRINCIPLE OF DEVELOPMENT

The application relates to two semi-detached Victorian villas which form the main part of a former 15 bedroom care home (Use Class C2), which has been vacant since January 2020.

Planning permission is sought for the conversion of the existing care home (Use Class C2) to provide two separate, large Sui Generis HMOs (1no. 9 bedroom and 1no. 10 bedroom) together with associated external alterations.

Loss of Care Home (Use Class C2)

The proposal will result in the loss of the care home use from the site. It is the position of the Local Planning Authority that care homes are community facilities, requiring assessment under Policies BCS12 and DM5. This approach has been consistently applied to numerous applications for the loss of care homes across the city.

The supporting text of DM5 specifically notes that the term community facility is 'wide ranging' and does not provide an exhaustive list of all uses. A use does not need to be specifically referenced in the policy to be considered a community facility and community facilities are not defined by a specific use class (or classes) i.e. Class F, or previous Classes D1 and D2. The policy does however identify that community uses can include 'health and social care facilities'. The policy also identifies that 'community facilities include all uses, commercial or non-commercial, that provide a social or welfare benefit to the community.' It is considered that care homes such as the application site provide a clear social and welfare benefit to the community and can be defined as a facility offering health and social care. Whilst it is accepted that the site can be defined as being in use as shared housing/specialist housing this does not mean it cannot also be a community facility offering health and social care. As such there is a requirement to assess the application against Policy DM5 of the Site Allocations and Development Management Policies (2014) and Policy BCS12 of the Bristol Core Strategy (2011).

Paragraph 98 of the National Planning Policy Framework (2024) also states that to provide the social, recreational and cultural facilities and services the community needs planning decisions should plan positively for the provision and use of community facilities.

Policy BCS12 of the Core Strategy states that existing community facilities should be retained, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made. The supporting text clarifies that the term community facilities is wide-ranging and can include health and social care facilities.

Policy DM5 in the Site Allocations and Development Management Policies (2014) more specifically states that proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that:

- i. The loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land; or

- ii. The building or land is no longer suitable to accommodate the current community use and cannot be retained or sensitively adapted to accommodate other community facilities; or
- iii. The community facility can be fully retained, enhanced or reinstated as part of any redevelopment of the building or land; or
- iv. Appropriate replacement community facilities are provided in a suitable alternative location.

It is recognised that the development will result in the loss of the care home facilities from the site. The applicant has confirmed that the site has been vacant since January 2020. Given that the use has ceased the applicant would be required to demonstrate that there is no need or demand for any other suitable community facility that is willing or able to make use of the buildings in order to satisfy criterion i) of Policy DM5. No marketing evidence or any other information has been submitted to demonstrate that there is no need or demand and therefore the proposal fails to satisfy criterion i) of Policy DM5. The building is also still suitable to accommodate the current community use, and could be adapted to accommodate other community facilities, therefore the proposal fails to satisfy criterion i) of Policy DM5. The existing community facility (care home) will also not be fully retained, enhanced or reinstated as part of the development and therefore the proposal fails to satisfy criterion iii) of Policy DM5.

With regards to criterion iv) the development will introduce two new shared housing units to the site; a 9 bed and a 10 bed. The applicant has confirmed that the two units will be operated by Creative Independent Living (CIL) Ltd. CIL provide supported living accommodation, care, and support for people with mental health and learning difficulties, and autism. CIL currently operate a number of projects from existing facilities in Bristol on behalf of Bristol City Council Social Services. It is evident that whilst the new accommodation will be in sui generis use as two large Houses in Multiple Occupation they will still offer a clear social/welfare benefit to the community. This will be similar to the existing use of the site as a care home, in that (as noted above) the accommodation will be used as shared/specialist housing but will also be a community facility offering health and social care.

The LPA is therefore satisfied that there will be no harmful loss of community facilities from the site, with the existing use (care home) being replaced by a new use which will offer similar levels of health, social and welfare benefit to the community. This is considered to be an appropriate replacement community facility and alternative provision, in accordance with criterion iv) of Policy DM5 and Policy BCS12. The change of use is therefore considered acceptable in this respect.

Principle of Shared Housing/Mix and Balance

The NPPF (2024) highlights the need to significantly boost the supply of housing and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policy BSC18 of the adopted Core Strategy reflects this guidance and states that "all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities", with reference to the evidence provided by the Strategic Housing Market Assessment, also notes that 'developments should contribute to a mix of housing types and avoid excessive concentrations of one particular type'. The policy wording states that development 'should aim to' contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists.

Bristol comprises a diverse range of residential neighbourhoods with significant variations in housing type, tenure, size, character and quality. A wide range of factors influence the housing needs and demands of neighbourhoods. Such factors include demographic trends, housing supply, economic conditions and market operation. The inter-relationship between these and other factors is often complex and dynamic. In the circumstances, housing requirements will differ greatly across the city and will be subject to change over time. With this in mind an overly prescriptive approach to housing mix would not be appropriate. However, it has been possible to identify broad housing issues that are applicable to many neighbourhoods.

Analysis of the city's general housing needs and demands has identified a number of indicative requirements for each of 6 city zones. The zones reflect sub-market areas used in the Strategic Housing Market Assessment (SHMA). The intention is to provide a strategic steer for all sizes of residential scheme within each zone. A local area-based assessment is required to assess the development's contribution to housing mix as a smaller scale will not provide a proper understanding of the mix of that area; a larger scale may conceal localised housing imbalances. As a guide the neighbourhood is defined as an area equivalent to the size of a Census Lower Level Super Output Area (average of 1,500 residents).

Development of HMOs is covered by Bristol City Council Site Allocations and Development Management (2014) Policy DM2. The policy provides an approach to addressing the impacts and issues that may result from this form of development and aims to ensure that the residential amenity and character of an area is preserved and that harmful concentrations do not arise. This policy does not permit new HMOs or the intensification of existing HMOs where development would create or contribute to a harmful concentration within a locality. The policy identifies a harmful concentration as a worsening of existing harmful conditions or a change to the housing mix that reduces housing choice.

The Council also has an adopted Supplementary Planning Document (SPD) relevant to the determination of applications concerning houses in multiple occupation (HMOs): Managing the development of houses in multiple occupation, SPD (Adopted) November 2020 - referred to hereafter as the SPD. The SPD provides guidance in applying Policy DM2 (see above), relating specifically to houses in multiple occupation.

The document recognises that HMOs form part of the city's private rented housing stock and contribute positively to people's housing choice. This form of accommodation is generally more affordable and flexible and therefore suitable for younger people, including students, and other households that are not living as families. It is however recognised that HMOs are more intensive form of accommodation than traditional flats or dwellings. Typically this increases dependent on the level of occupancy.

General issues associated with HMOs include:

- Noise and disturbance
- Detriment to visual amenity (through external alterations and poor waste management)
- Reduced community facilities
- Highway safety concerns (from increased parking)
- Reduced housing choice
- Reduced community engagement
- Reduced social cohesion

The SPD expands on DM2 to provide a definition of what represents a 'harmful concentration' in the wording of the policy. This relates to two principles; local level and area level. At local level, a harmful concentration is found to exist where 'sandwiching' occurs. This is where a single family dwelling (use class C3) becomes sandwiched with HMOs at both adjacent sites. This can happen within a flatted building with HMOs above and below also. With regards to the wider area, a harmful concentration is found to exist where a threshold proportion of 10% HMOs within a 100m radius of the site occurs. This is generally identified as a tipping point, beyond which negative impacts to residential amenity and character are likely to be experienced and housing choice and community cohesion start to weaken.

The application site is located within the Staple Hill Road North Lower Super Output Area (LSOA) in the From Vale Ward. An up-to-date picture of the proportion of different residential accommodation types in the LSOA can be obtained by assessing the 2021 Census data.

With regards to household types, census data for the ward indicates there are 1764 (31.4%) one person households, 3202 single family households (57%) and 652 (11.6%) multiple person households. Therefore, based on census data 88.4% of households within the ward are single households and only 11.6% are shared or multiple occupancy households. The census data for the overall From Vale ward therefore does not indicate a particular over proliferation or significant bias towards shared, multi-occupancy housing.

At a more local level, the census data can be reviewed at Lower Super Output Area (LSOA) level to provide an idea of demography more immediately surrounding the site. The site is located within the Staple Hill Road North LSOA. With regard to household types within the Staple Hill Road North LSOA, census data indicates there are 227 (31.7%) one person households, 395 (55.2%) one family households and 93 (13%) multiple person households.

Therefore, based on census data 86.9% of households within the LSOA are single households and only 13% are shared or multiple occupancy households. As such single households remain the prevailing type within the immediate area and shared housing is not disproportionately represented.

The Council also has access to data in relation to the number of Licenced HMOs (Mandatory and Additional Licences) plus any HMOs that have been given planning permission and do not currently have a licence.

This data (as of September 2025) indicates that within 100m of the application site there are a total of 141 residential properties, 10 of which are HMOs. This means that the percentage of HMOs within 100 metres of the site is 7.09%, which is below the 10% desirable threshold quoted within the SPD. As per the SPD guidance, this suggests that negative impacts to residential amenity and character are not likely to be experienced and housing choice and community cohesion is not currently starting to weaken.

At street level, the SPD advises that a harmful concentration is found to exist where 'sandwiching' occurs. This is where a dwelling (Use Class C3) is sandwiched on both sides by HMOs. The HMO SPD states that a potential sandwiching situation can include where single HMO properties are located in any two of the following locations; adjacent, opposite and to the rear of a single residential properties. The SPD states sandwiching situations apply irrespective of limited breaks in building line, such as a vehicle or pedestrian access, apart from a separating road. In this instance the application site will not result in any sandwiching

as defined by the SPD, with only one HMO which benefits from planning permission located adjacent the site at No.886 Fishponds Road.

Given the above, the principle of development would be acceptable in land use terms and would not unacceptably harm the mix and balance of the local community in this instance.

(B) WILL THE PROPOSAL PROVIDE A SATISFACTORY LIVING ENVIRONMENT FOR FUTURE OCCUPIERS?

Bristol City Council Site Allocations and Development Management (2014) Policy DM2 states that houses in multiple occupation will not be permitted where:

i. The development would harm the residential amenity or character of the locality as a result of any of the following:

- Levels of activity that cause excessive noise and disturbance to residents; or
- Levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; or
- Cumulative detrimental impact of physical alterations to buildings and structures; or
- Inadequate storage for recycling/refuse and cycles.

ii. The development would create or contribute to a harmful concentration of such uses within a locality as a result of any of the following:

- Exacerbating existing harmful conditions including those listed at (i) above; or
- Reducing the choice of homes in the area by changing the housing mix.

Where development is permitted it must provide a good standard of accommodation by meeting relevant requirements and standards set out in other development plan policies.

Adopted Bristol Core Strategy Policy (2011) BCS18 makes specific reference to residential developments providing sufficient space for everyday activities and space which should be flexible and adaptable. In addition, Policy BCS21 sets out criteria for the assessment of design quality in new development and states that development will be expected to create a high-quality environment for future occupiers. An HMO at this site may require a Mandatory License under the Housing Act 2004. The Local Authority also has adopted amenity standards which apply to HMO's under this separate legislative framework. Whilst it is recognised that this is non-planning legislation and therefore not a material consideration in planning decision making, these standards also provide an indication of the standard of accommodation expected within shared occupancy housing locally.

Planning permission is sought to change the use of the property from a care home (Use Class C2) to 2.no large Houses in Multiple Occupation (Use Class Sui generis) - a 9 bed and a 10 bed. The properties will be of the following specification:

Unit 1

Bed 1 – 14.1 square metres

Bed 2 – 9.8 square metres
Bed 3 – 12.4 square metres
Bed 4 – 15.5 square metres
Bed 5 – 12.6 square metres
Bed 6 – 13.4 square metres
Bed 7 – 10.5 square metres
Bed 8 – 11.1 square metres
Bed 9 – 17.1 square metres
Bed 10 – 17.4 square metres
Kitchen/Living/Diner – 29.1 square metres

Unit 2

Bed 1 – 12.9 square metres
Bed 2 – 10.3 square metres
Bed 3 – 13.4 square metres
Bed 4 – 14.8 square metres
Bed 5 – 9.8 square metres
Bed 6 – 10.6 square metres
Bed 7 – 10.4 square metres
Bed 8 – 13.8 square metres
Bed 9 – 14.7 square metres
Kitchen/Living/Diner – 28.9 square metres

Every bedroom in the property will comply with the 6.5 square metre footprint for a 1 person bedroom in line with the requirements set out in Bristol City Councils HMO License Standard, as well as the 7.5 square metre footprint for a 1 person bedroom in line with the nationally described space standards (March 2015). The scheme also includes an adequate amount of internal communal living space which will also meet the Council's HMO licencing standards (which states that communal living space can include kitchens, dining rooms). The number of bathrooms and toilets will also meet the Council's HMO licencing standards.

All habitable rooms will contain windows which will offer adequate natural light and outlook for future occupants. It is noted that some of the bedrooms and living spaces will be sited at basement level. It is however evident that these spaces will include adequate headroom, and will all include windows which will offer adequate outlook for future occupants. Detail of the proposed air source heat pumps should be secured via condition if an approval was forthcoming to ensure they cause no harm to the amenity of future occupants in terms of noise and disturbance.

Following the above, it is concluded that the development would provide an acceptable standard of accommodation for future occupiers. It is considered that the proposed units could easily be converted to Use Class C3 dwelling houses in the future, offering a degree of flexibility. The application is subsequently considered acceptable with regards to living environment.

(C) IMPACT ON AMENITY OF SURROUNDING PROPERTIES

Policy DM2 in the Site Allocations and Development Management Policies (2014) states that shared housing will not be permitted where it would harm the residential amenity or character

of the locality as a result of levels of activity that cause excessive noise and disturbance to residents.

Policy BCS21 in the Bristol Core Strategy (Adopted 2011) advocates that new development should deliver high quality urban design and safeguard the amenity of existing development. Policy DM29 in the Site Allocations and Development Management Policies (2014) states that proposals for new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. This policy, as well as DM27, further states that new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. Policy BCS23 in the Bristol Core Strategy and Policy DM35 in the Site Allocations and Development Management Policy also state that new development should also not lead to any detrimental increase in noise levels. DM30 expands on this commenting that alterations to existing buildings will be expected to safeguard the amenity of neighbouring occupiers.

Overbearing and Overshadowing

The proposed new front porch extension will be of a limited size and sited in a position which would cause no unacceptable harm to the amenity of any surrounding neighbouring properties in terms of overbearing, overshadowing or overlooking. No further external alterations are proposed which could result in any overbearing or overshadowing impact to neighbours.

Overlooking

The proposed new window to the side (west) elevation at first floor level will take the place of an existing glazed door and will therefore offer no increased overlooking of neighbouring property No. 886 Fishponds Road than the existing situation. This window will also serve a bathroom and will be partially obscure glazed to restrict overlooking even further. The removal of the existing external staircase to the west elevation will also reduce any overlooking impact of No.886 Fishponds Road.

No alterations are proposed to the east elevation which could have any harmful overlooking impact on neighbouring property No.2 Staple Hill Road.

To the rear of the site there are no residential properties located in close enough proximity to be harmfully overlooked by the proposed development. It is noted that the rear of the site is subject to an application for residential development (ref: 25/11020/F). The LPA would ensure that any development approved to the rear of the site will not be harmfully overlooked by any of the habitable rooms within the accommodation approved under this application. Given the scale of the site and surrounding context there is potential to develop the rear of the site for residential purposes whilst maintaining a suitable separation distance from the application property to ensure that future occupants are not harmfully overlooked.

Noise and Disturbance

Following consultation, the Council's Pollution Control Team confirmed that it is unlikely that the change of use of the property to two large HMOs (with a total occupancy of 19 occupants) would lead to any significant increase in noise at neighbouring properties.

It is accepted that large, shared houses can result in noise and disturbance, however the Council's Pollution Control Team confirmed that this is normally due to the transmission of

noise through the walls of the property to adjoining properties and normal everyday activities such as people using kitchens, walking up and down stairs, talking etc causing noise disturbance to the occupants of directly adjoining neighbours.

The application property is a large standalone building which is sited a relatively significant distance away from all neighbours. The Council's Pollution Control Team therefore concluded that they would not expect there to be any breakout of normal living noises that would cause disturbance to neighbouring properties. This is also relevant to any use associated with the supported accommodation proposed under the application.

One of the main noise related concerns associated with HMOs is the potential for large parties, social gatherings and comings and goings late at night. There is an obvious increase in the risk of this occurring with the building being converted to two HMOs housing 19 people.

The Council's Pollution Control Team however confirmed the large, standalone nature of the building as referenced above should avoid any significant harm arising from this issue. Further, should any antisocial behaviour issues arise, this can be adequately controlled through separate legislation operated by the Licencing and Pollution Control departments within the Council. Whilst it can't be guaranteed that tenants of the accommodation will not cause any noise overall the LPA is satisfied give the site context any noise and disturbance would not be harmful to the amenity of surrounding properties.

The application is subsequently considered acceptable on amenity grounds.

(D) DOES THE PROPOSAL ADDRESS MOVEMENT, TRANSPORT AND HIGHWAY SAFETY ISSUES?

Section 9 of the NPPF (2024) states that transport issues should be considered from the earliest stages of development proposals so that opportunities to promote walking, cycling and public transport use are identified and pursued and the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account including appropriate opportunities for avoiding and mitigating any adverse effects. This policy further states that development proposals should ensure that net environmental gains, and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health.

Policy BCS10 in the Bristol Core Strategy (2011) states that developments should be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. Proposals should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

Policy DM23 in the Site Allocations and Development Management Policies (2014) in addition states that development should not give rise to unacceptable traffic conditions. Examples of unacceptable traffic conditions referred to in the policy include the introduction of traffic of excessive volume, size or weight on to unsuitable highways/or in to residential or other environmentally sensitive areas. This could result in high levels of transport noise and

disturbance, a decrease in air quality and unsafe conditions both on the highway and for pedestrians. This policy further states that development proposals will be expected to provide an appropriate level of safe, secure, accessible and usable parking provision (including cycle parking) and that proposals for parking should make effective and efficient use of land and be integral to the design of the development. 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.

Policy BCS15 in the Bristol Core Strategy states that all new development will be required to provide satisfactory arrangements for the storage of refuse and recyclable materials as an integral part of its design. Policy DM32 in the Site Allocations and Development Management Policies states all new developments will be expected to provide recycling facilities and refuse bins of sufficient capacity to serve the proposed development. This policy further states that the location and design of recycling and refuse provision should be integral to the design of the proposed development. In assessing recycling and refuse provision, regard will be had to the level and type of provision, having regard to the above requirements and relevant space standards; and the location of the provision, having regard to the need to provide and maintain safe and convenient access for occupants, while also providing satisfactory access for collection vehicles and operatives. Development will not be permitted if recycling and refuse provision that meets the above capacity, design and access requirements cannot feasibly or practicably be provided.

Policy DM23 also states that the provision in new development of safe, secure, well-located cycle parking can be very important in encouraging people to cycle regularly. It is important that development proposals incorporate these facilities and parking at the outset of the design process. Applicants should refer to the council's 'Guide to Cycle Parking Provision' for guidance on this matter.

Policy DM2 in the Site Allocations and Development Management Policies states that the subdivision of dwellings into houses in multiple occupation will not be permitted where the development would harm the residential amenity or character of the locality as a result of levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; as well as inadequate storage for recycling/refuse and cycles.

The Council's managing the development of houses in multiple occupation, SPD (Adopted November 2020) identifies that harmful impacts associated with developments of new HMOs can include highway safety concerns resulting from congested on-street parking and poor waste management.

The application has been considered by the Council's Transport Development Management Team (TDM).

Highway Network

The site is located at the confluence of Downend Road (A432) and Staple Hill Road (B4465), where they become Fishponds Road (A432). All are subject to a 20mph speed limit.

The applicant claims throughout the Planning Statement dated 10 June 2025, and particularly at pp.14-15, that the site is 'sustainably located' and residents would not need a car to access local services and facilities. TDM notes that only limited transport assessment has been undertaken with no analysis of local bus service frequency, reliability, the accessibility and

topography of local cycle and walking routes, or any audit of the quality and attractiveness of pedestrian routes in the immediate vicinity of the site. In the absence of a serious assessment, TDM is anecdotally aware of problems; TDM avers that the high levels of parking stress detailed further below and in previous correspondence relating to 22/02990/F observed in a relatively suburban, low-rise location speaks to the common reliance on private vehicles for journeys other than local ones.

The applicant notes at p.15 of the Planning Statement the presence of 2x car club bays approximately 290m and 600m near the site. The applicant did not propose in the Premises Management Plan dated May 2023 submitted with the previous application to provide incentives to residents to sign up as members of the car club scheme and no such PMP is submitted now. The scale of the development is such that no travel plan is required and a condition requiring subsidy for car club membership is not proportionate to the scale of the development. While it is accepted that residents might be signed up or could do so after moving in, there is no guarantee and this is not considered adequate mitigation of the parking impact of the development.

Recent recorded traffic incidents on the nearby highway network include the following at the (no formal crossing facilities) of Fishponds Road and Staple Hill Road immediately in front of the site:

- a. on 13/01/2017, a motor vehicle and pedestrian incident with one casualty;
- b. on 04/12/2017, a nose-to-tail motor vehicle incident with one casualty;
- c. on 09/09/2021, a serious nose-to-tail motor vehicle and cycle incident with one casualty;
- d. on 03/05/2022, a vehicle and cycle incident with one casualty; and
- e. on 01/05/2024, a vehicle and cycle incident with one casualty.

the following on the stretch of carriageway without formal crossing facilities between the Fishponds junction and Beechwood Road approx. 325m Southwest of the site:

- f. on 09/11/2022, a motor vehicle and pedestrian incident with one casualty;
- g. on 30/12/2023, a motor vehicle and pedestrian incident with one casualty; and

the following near the Fishponds Road/Guinea Lane/New Station Road junction (no formal crossing facilities) 450m Southwest of the site:

- h. on 05/03/2019, a motor vehicle and pedestrian incident with two casualties;
- i. on 13/02/2020, a motor vehicle and pedestrian incident with one casualty;
- j. on 27/09/2020, a motor vehicle and pedestrian incident with one casualty;
- k. on 11/08/2021, a motor vehicle and pedestrian incident with one casualty;
- l. on 25/09/2024, a motor vehicle and pedestrian incident with one casualty; and

the following at the Staple Hill Road/Maywood Road junction (no formal crossing facilities) 300m to the East of the site:

- m. on 30/03/2021, a motorcycle and pedestrian incident with one casualty.

The e. g. and l. incidents above have been recorded since the previous largely identical application 22/02990/F at the site was refused for highway safety reasons.

Access

The applicant proposes on GF plan no.4101C site access on the same basis as previously shown on the final GF plan no.3101H submitted with 22/02990/F in May 2023. The existing 2x vehicle entry/exit points are retained and a swept path analysis drawing no.T25586-001 demonstrates that a large car can enter the site, park in either parking space, and turn left out on Fishponds Road in forward gear. Access by a 4.6t light van is also demonstrated without affecting the car parking spaces.

Pedestrian access to the main steps into each HMO is slightly restricted by the position of the parking spaces, which leave a gap of only 0.85m next to the porch structures. There is separate access to cycle storage.

Waste

The proposed waste storage arrangement to the frontage is acceptable.

Cycle Storage

Adequately sized and located cycle parking is proposed within the curtilage of the site.

Car Parking

Existing lawful site use

The applicant suggested by email dated 26 June 2023 at the time of the previous application 22/02990/F that the existing lawful use – being a 15-bed care home in Use Class C2 – could generate need for 10.5x parking spaces, 7.5x of which would need to be found on the local highway network (accounting for 3x on-site spaces) in excess or equal to those required to be found for the proposed HMOs. TDM commented at the time that the applicant appears to be referring to the Local Plan parking schedule for Use class C2 – Residential Institutions and the specific provisions for ‘convalescent and residential care homes’. TDM does not accept this shows that this number of cars can be accommodated locally, however, because the schedule sets out the maximum permitted number of on-site car parking spaces, rather than an estimate of the parking demand the developed site is likely to generate, which can instead be derived from Census data. It is also stated that this number can be applied flexibly depending on local conditions.

Proposed site use

At the time of the previous application 22/02990/F, TDM estimated that the proposed development would generate demand for 7x vehicle parking spaces (38.71%) based on car ownership data for the average 1-3 -bed apartment in the Frome Vale 2011 Census merged wards area (E23000539). Car ownership rates in Bristol have risen since then and the 2021 Census estimated that 43.66% of 1-person privately rented households in Bristol own a car. Given that 22/02990/F proposed to retain no off-street parking spaces at the site, all 7x vehicles would have needed to be parked on nearby streets.

The applicant submitted a parking survey as part of the previous application (dated April 2022), purporting to show 9x (Monday) - 14x (Tuesday) unoccupied on-street spaces (excluding time-restricted spaces) within 150m walking distance from the site on Vassal Court, Lawn Road, Downend Road, and Staple Hill Road. TDM disputed the validity of the findings and requested by email on 2 June 2023 a revised parking survey that complied with the Council's Parking Survey Methodology, which prohibits the counting of spaces on the opposite side of classified roads without dedicated crossing facilities.

The applicant has previously questioned the principles underlying BCC's Parking Survey Methodology. TDM refers to its memo dated 19 June 2023 and the justification set out therein for the Methodology guidelines for determining what constitutes an 'available space' that should properly be counted in the total number of on-street parking spaces. TDM notes that, in the time since the previous application was refused, at least 2x further collisions have occurred between motor vehicles and pedestrians on parts of Fishponds Road within 450m of the site that do not feature dedicated crossing facilities. TDM considers that the continually high incidence of such collisions further justifies the principle in BCC's Parking Survey Methodology of discounting spaces on the opposite side of classified roads.

TDM argued in response to 22/02990/F that it was not possible to tell from the April 2022 parking survey whether there were sufficient parking spaces available on the South side of Fishponds Road/Staple Hill Road, i.e., without needing to cross a classified road, to meet the additional demand; however, the applicant's planning agent confirmed by email dated 26 June 2023, that:

If the parking survey in this case, with the 150m radius, is restricted to: (i) the spaces on the southern side of the highway (whereby no crossing over the A or B roads would be necessary); and (ii) wholly unrestricted spaces (i.e. discounting the spaces subject to daytime restrictions only); then based on the results of the survey, there would only be 1 available space on the first day of the survey and 2 available spaces on the second day. In

Despite several requests, the applicant did not submit a revised parking survey and no parking survey has been submitted to support the current application. The applicant makes reference to a recent approval at adjacent property No. 886 Fishponds Road (ref: 24/01860/F) and that the LPA didn't require a parking survey as part of that application. This is recognised, however the proposal at No.886 was for the conversion to a 7.no bedroom HMO. The proposal in this instance will be of a significantly larger scale (9- and 10-bedroom HMOs) which would result in a significantly higher number of cars and have a materially different impact on the surrounding highway network than the proposal at No.886. Therefore, it is not considered that the application at No.886 Fishponds Road is comparable or equivalent to the proposal in this instance.

The proposed increase in the number of bedrooms at the site means parking demand is likely to exceed existing capacity on nearby streets. TDM is concerned that adding to existing parking congestion in this area would result in inappropriate on-street parking practices, such as footway parking and/or near junctions, that cannot reasonably be accommodated or controlled, and would therefore detrimentally impact pedestrian amenity and safety on the footway and reduce visibility at junctions to the detriment of the highway safety. Moreover, residents might be incentivised by the lack of capacity to park further from the site on the opposite side of classified roads without adequate crossing facilities, which is deemed unsafe

by the Parking Survey Methodology and would exacerbate an ongoing safety issue with pedestrian crossing movements resulting in traffic collisions. The proposals would therefore fail to comply with DM2, DM23, DM28, BCS10, NPPF Part 9.

TDM avers as previously that the impact of on-street parking demand associated with the proposed use cannot be mitigated or off-set by any demand arising from the existing lawful use as a C2 care home, which, by the applicant's admission at p.7 of the Planning Statement dated 10 June 2025, has been vacant for over 5x years and cannot be reopened in that use due the impossibility of complying with current CQC standards.

Off-street car parking layout

The proposed GF plan no.4101C shows 2x tandem off-street car parking spaces measuring 2m x 6m. While the number of existing parking spaces is not defined, it is clear that the introduction of dedicated refuse container storage and a second porch will reduce the currently available parking space. However, TDM is not convinced that adequate controls can be enforced to prevent ad-hoc off-street car parking outside of the designated spaces, due to the need to maintain clear areas for vehicle manoeuvring and off-street loading.

The effect of additional parked cars would be to restrict manoeuvring space such that drivers could be forced to reverse onto Staple Hill Road with visibility limited by the existing wall, which exceeds 0.6m in height. Although TDM accepts this is the current situation, the intensification of the site to create 2x HMOs, whose residents are unlikely to know each other or coordinate schedules and leaving times, would dramatically increase the demand for parking spaces, the frequency of trips, and the risk of collision with road users on Staple Hill Road.

TDM is concerned that the intensification of use of site access points and applicant's inability to enforce off-street parking controls in the current layout would result in an overconcentration of uncontrolled on-site car parking and force residents to perform unsafe turning or reversing manoeuvres onto classified roads with inadequate visibility of oncoming traffic. The proposals would fail to provide an appropriate level of safe, secure, accessible and useable parking provision and would fail to provide safe and adequate access onto the adopted highway network, and are therefore contrary to DM23, BCS10, NPPF Part 9.

Future parking permit scheme

There is no local residents' parking scheme either in effect or proposed, but the applicant should note that TDM will not allow the new dwellings to benefit from any future parking scheme. The absence of any formal consultation or plan for a local residents parking scheme does not give confidence that the likely on-street parking impacts of the scheme can be adequately mitigated in accordance with DM2 if approved and implemented in the near future. Furthermore, additional on-street parking restrictions would not mitigate the detrimental impact on highway safety of uncontrolled off-street parking within the forecourt at the site, as described above.

As such, it is concluded that the development would give rise to unacceptable traffic conditions and would fail to provide an appropriate level of safe, secure, accessible, and useable parking. Based on the level of detail provided, the development would also harm residential amenity and the character of the locality as a result of levels of on-street parking that cannot be reasonably accommodated on the surrounding streets. The application is considered unacceptable and it is recommended it is refused on this basis.

(E) WOULD THE PROPOSAL BE INCOMPATIBLE OR OUT OF SCALE WITH THE BUILDING AND WOULD IT HARM THE CHARACTER OR APPEARANCE OF THE STAPLETON AND FROME VALLEY CONSERVATION AREA?

The Authority is required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of *R (Forge Field Society) v Sevenoaks DC* [2014] EWHC 1895 (Admin) ("*Forge Field*") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." [48].

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2024 also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Para 207 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Para 208 further states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Para 209 also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In addition, Bristol Core Strategy (2011) Policy BCS22 seeks to ensure that development proposals safeguard or enhance heritage assets in the city with Policies DM30 and DM31 in the Site Allocations and Development Management Policies (2014) expressing that alterations to buildings should preserve or enhance historic settings. Policy BCS21 also requires new development in Bristol to deliver high quality urban design and sets out criteria to measure developments against including the need for development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness.

Policy DM26 more specifically states that the design of development proposals should contribute towards local character and distinctiveness by responding appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines, skylines and roofscapes. Policy DM27 further expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting. Further, Policy DM30 states that extensions and alterations to existing buildings will be expected to respect the siting, scale, form, proportions, materials, details and the overall design and character of the host building, its curtilage and the broader street scene.

This policy further states that extensions should be physically and visually subservient to the host building, and should not dominate it by virtue of their siting and scale.

The property is located within the Stapleton and Frome Valley Conservation Area. The Stapleton and Frome Valley Conservation Area enhancement statement identifies that unsympathetic extensions and alterations to houses will threaten the character of the Conservation Area.

Fully enclosed, secure bike storage is proposed for both HMOs and separate bin/recycling storage is also proposed, for each property to the frontage. The bin store will be largely obscured from public view, being sited behind the existing boundary wall and hedge to the front of the property, which will be retained. The bike store will be located to the eastern elevation of the building and will be a subservient scale, set back from the front elevation of the property and street so it will not appear overly visible. As such the bin and bike store will have no detrimental impact on the character and appearance of the building, streetscene or wider conservation area.

The development will remove existing metal staircases to the western (side) elevation of the building. The staircase is considered a poor quality and incongruous feature on the building; the removal is subsequently welcomed as it will result in an enhancement to the character of the building and wider conservation area.

A new entrance porch with associated steps is proposed to the front (north) elevation to match the existing entrance porch located towards the east. The design, scale and siting of this porch will match the existing, improving the visual symmetry and is therefore acceptable in design terms. It is recommended that large scale detailed drawings of the porch, as well as material samples, are secured via condition if an approval was forthcoming to ensure it matches the existing property.

Permission is sought to replace windows on the rear (south) elevation with doors. The new doors will closely match the size, design and scale of the existing and will have no harmful impact on the design and character of the building. It is again recommended that large scale detail is secured via condition if an approval was forthcoming to ensure the replacement features are of a suitable design quality.

The rear land, which can be accessed via Chasefield Lane, would be physically separated from the semi-detached villas at the front of the site through the installation of a new boundary wall to create communal gardens for the two HMOs and a planning application is currently being considered for its residential redevelopment (ref: 25/11020/F). Whilst no objections are raised to this in principle no detail of the design, scale or siting of the wall have been submitted and therefore it is recommended detail is secured via condition if an approval was forthcoming.

(F) SUSTAINABILITY

Current planning policy within the adopted Bristol Development Framework, Core Strategy (2011) requires new development to be designed to mitigate and adapt to climate change and meet targets to reduce carbon dioxide emissions. This should be achieved, amongst other measures, through efficient building design, the provision of on-site renewable energy generation to reduce carbon dioxide emissions by at least 20% based on the projected residual energy demand of new buildings. The approach proposed should also be supported by the provision of a sustainability statement and an energy strategy.

Policy BCS14 states that new development will be expected to demonstrate that the heating and cooling systems have been selected according to the following heat hierarchy:

1. Connection to existing CHP/CCHP distribution networks
2. Site-wide renewable CHP/CCHP
3. Site-wide gas-fired CHP/CCHP
4. Site-wide renewable community heating/cooling
5. Site-wide gas-fired community heating/cooling
6. Individual building renewable heating

As the application relates to a change of use and extension to the property the proposal is required to address the above policies related to sustainability. An Energy and Sustainability Statement has therefore been provided. This sets out that following the LZC feasibility assessment, it is proposed that the development will benefit from Air Source Heat Pumps (ASHPs) Heating and Hot Water. As a result of the ASHPs and other energy saving measures, the predicted site wide reduction in CO₂ will be 25.92%. The heating and hot water will also be achieved via these heat pumps. This is acceptable in principle, however further detail should be secured via condition if an approval was forthcoming to ensure the chosen ASHPs are appropriate in terms of appearance, noise levels and renewable/energy saving capability.

(G) FLOOD RISK

The development will make no changes to the impermeable area surrounding the site, and as such it is not considered that the development will increase the risk of flooding. New planters are proposed to the front of the site which will offer some benefit with regards to rainwater retention.

(H) COAL RISK

The application site is located within a Development High Risk Area. As such the Coal Authority have been consulted. Following consultation the Coal Authority confirmed that their information indicates that a coal seam outcrops at or close to the surface within the site, which may have been worked in the past. Such workings can pose a risk of ground instability and may give rise to the emission of mine gases. However, when considering the nature of this particular development proposal (the proposed conversion of the existing and associated external works will not require substantial foundations or earthworks) the Coal Authority do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the scale and nature of the development proposed in this particular case and they do not object to the application. The Coal Authority however advised that an informative note be added if an approval was forthcoming so the applicant is aware of the coal risk issues associated with the site.

(I) SAFETY AND SECURITY

The application has been considered by the Avon and Somerset Constabulary Crime Reduction Unit who raised concerns on the grounds of safety and security. Specific concerns have been raised in relation to lack of detail regarding access control systems, gates, lighting, post/parcel delivery facilities and CCTV. The LPA is satisfied that this information could be secured via condition if an approval was forthcoming.

(J) ECOLOGY

The application is supported by a Biodiversity Net Gain Exception Statement which confirms that the development will not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of onsite habitat, or 5 metres of linear habitats such as hedgerows. As such it is exempt from BNG requirements.

(K) PLANNING BALANCE AND CONCLUSION

Section 5 (Delivering a sufficient supply of homes) of the NPPF outlines that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay". In relation to maintaining sufficient supply and delivery of homes, paragraph 75 of the NPPF outlines: "Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites."

Bristol has a positive approach to boosting the supply of homes. Policy H1 of the emerging Bristol Local Plan (Publication Version November 2023) proposes an ambitious housing requirement of 1,925 homes per year, substantially higher than that of the current Core Strategy (June 2011). The emerging plan offers a large range of potential development sites, areas of growth and regeneration and a variety of policy interventions that will help to ensure that the housing requirement is delivered and preferably exceeded. In doing so the emerging plan seeks to meet as much of the identified housing need as possible, consistent with paragraph 60 of the National Planning Policy Framework (NPPF).

Until the new local plan is adopted, the council is expected to identify and update annually a supply of specific deliverable sites to meet its local housing need for the next few years. If it cannot do this, the presumption in favour of sustainable development applies. For Bristol, only a four year supply must be demonstrated, as the emerging local plan has reached the Publication (Regulation 19) stage (NPPF paragraph 226).

The Government's standard method sets Bristol's local housing need at a very high level due to the inclusion of an additional 35% uplift for the largest cities and urban centres. Consequently, despite a substantial stock of planning permissions and a positive approach, Bristol is currently unable to demonstrate a four year supply of housing land. As a result paragraph 11(d) of the NPPF is engaged and the tilted balance applies.

There are two aspects to understanding whether planning permission as prescribed by Paragraph 11(d) should be granted and whether policies which are most important to determining the application are out of date. The first is where the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Amongst the areas of particular importance that may be relevant to Bristol, the footnote to paragraph 11d includes habitats sites including those designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty; irreplaceable habitats; designated heritage assets and areas at risk of flooding or coastal change.

Or the second, where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

This report has set out that the proposal fails to meet adopted planning policies covered by the Core Strategy (2011) and Site Allocation and Development Management Policies (2014). Specifically, it is concluded that the development would give rise to unacceptable traffic conditions and would fail to provide an appropriate level of safe, secure, accessible, and useable parking. Based on the level of detail provided, the development would also harm residential amenity and the character of the locality as a result of levels of on-street parking that cannot be reasonably accommodated on the surrounding streets. This would conflict with Core Strategy (2011) Policy BCS10; Site Allocations and Development Management Policies (2014) DM2 and DM23 and the Council's 'Managing the development of houses in multiple occupation' Supplementary Planning Document (2020).

The fact that policies have to be considered out-of-date does not mean that they can carry no weight. To carry weight, policies must be consistent with the NPPF, as explained in Paragraph 232 which, amongst other things, explains that the closer the policies in the plan are to the policies in the NPPF, the greater the weight that may be given to them. As such, it is perfectly possible for policies which are deemed out-of-date for reasons of an inadequate housing land supply to still carry significant weight. Such is the case in this instance, as all the policies cited within this report for reasons to refuse the development are consistent with the NPPF. The policies referenced should therefore still all carry significant weight in the determination of this application. No policies covered by NPPF paragraph 11(d)(i) apply in this case, so the application should be determined in the context of NPPF paragraph 11(d)(ii).

The development would result in some benefits, and these are acknowledged. For example, the proposal would provide additional accommodation to the Council's housing supply in the form of shared housing. There would also be economic benefits, including short term employment associated with building works, community infrastructure levy receipts, and more long term benefits associated with the additional people residing the area, including Council Tax. However, this report demonstrates that the proposal would conflict with development plan policies, particularly those related to highway safety which should still carry significant weight, as all the policies of concern are fully consistent with the NPPF's overall objectives.

Turning to Paragraph 11(d)(ii) of the NPPF, the identified adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. For these reasons, the LPA recommends that the application is refused.