



## Decision Notice and Statement of Reasons

Site visit made on 19 December 2025

**By OS Woodward MRTPI**

**A person appointed by the Secretary of State**

**Decision date: 14 January 2026**

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**Application Reference: S62A/2025/0138**

**Site address: 26 Sturdon Road, Bristol BS3 2BA**

- 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 5 November 2025 is made by Bristol Design Properties Ltd and was validated on 20 November 2025.
  - The development proposed is 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 a cycle and refuse/recycling stores.
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### Decision

1. Planning permission is granted 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 a cycle and refuse/recycling stores, in accordance with the terms of the application Ref S62A/2025/0138 dated 5 November 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 has been designated for non-major applications since 6 March 2024.
3. Consultation was undertaken on 28 November 2025 which allowed for responses by 30 December 2025. A response was received from Pollution Control at the Council, stating that they had no objections. A number of interested parties and local residents submitted responses, including from

Councilor Ellie Freeman a Ward Councilor for Bedminster. I have taken account of all written representations in reaching my decision.

4. The Council submitted an Officer Report, which sets out the Council's position that the proposed development is acceptable and should be approved.
5. The Council has confirmed that the proposal is not liable for the Community Infrastructure Levy (CIL), and I agree because the proposal is for the conversion of a dwellinghouse into an House in Multiple Occupation (HMO) with no additional floorspace proposed, which is a type of development which is exempt from CIL as set out in the Community Infrastructure Levy Regulations (2010) as amended.
6. On 16 December 2025 the Government published a consultation on changes to the National Planning Policy Framework (the Framework), with an associated Written Ministerial Statement. The consultation period runs until 10 March 2026. The consultation period has not ended and it is not known what the final form of the revised Framework will take following the consultation exercise. The consultation document therefore carries very limited weight.

## **Main Issues**

7. 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 effect of the proposed development on the character and appearance of the area, with particular regard to the proposed multiple-occupancy use;
  - the effect of the proposed development on highway safety, with particular regard to car parking; and,
  - the effect of the proposed development on the living conditions of existing residents in the area.

## **Reasons**

### *Planning History and Background*

8. There is no relevant planning history.
9. The application site is not allocated nor the subject of any other site-specific policy designations. However, it is within an area covered by Article 4 Direction 'Article 4 South'<sup>1</sup> which removes permitted development rights for the change of use from a dwellinghouse (Use Class C3) to a HMO (Use Class C4).

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<sup>1</sup> The version supplied to myself is undated, however both main parties refer to the Direction as having been made and being in place. I therefore treat it as such for the purposes of my Decision.

## *Proposal*

10. It is proposed to change the use of the property from a dwellinghouse, albeit vacant, to a six-bedroom HMO. Each bedroom would be for single occupancy. There would be two shared bathrooms and one additional shared toilet. There would be a shared kitchen/living area within the closet wing at ground floor level, with shared access to the existing rear garden. It is proposed to change the existing windows, with sash windows proposed to the front and main rear elevations. Bicycle storage is proposed within the rear garden and bin/refuse storage within the front garden.

## *Character and Appearance*

### Existing

#### Appearance

11. The site consists of a two-storey, end-of-terrace dwellinghouse with a garden to the rear and a small enclosed forecourt to the front of the property. The property is bay fronted and of typical late-19<sup>th</sup>/early-20<sup>th</sup> Century style. However, it is currently vacant and in a poor state of repair. The windows are largely a style with large lower panes and smaller, opening fanlights, which is unsuitable for the age of the property and detracts from its appearance.
12. Sturdon Road has two terraces of similar properties on both sides, although the majority of the other properties are in better condition. The exception to this is the pair of semi-detached more modern properties which lie to the south west of the application site. These are of mid-20<sup>th</sup> Century appearance, are lower, and have a horizontal emphasis which contrasts with the vertical emphasis of the terraced properties. Nevertheless, the predominant architectural style in the area is that set by the two terraces of late-19<sup>th</sup>/early-20<sup>th</sup> Century homes.

#### Character

13. The evidence of the Council is that 11 of 140 dwellings within 100m radius of the application site are in HMO use, representing 7.86% of total dwellings. There are further HMO properties just outside this 100m radius and on Sturdon Road itself there are up to four out of 39 dwellings in HMO use as existing. Local residents have raised concerns regarding the negative impact of existing HMO properties on the character of the area. However, the overall character of the road and nearby area is one of dwellinghouses interspersed with HMO accommodation, rather than a dominance of HMO properties.
14. The application site is located within the Bedminster Ward. The evidence provided is largely from a 2019 Strategic Housing Market Assessment (the SHMA), which finds that there is a reasonable mixture of single person

households, family households and HMOs, with HMOs representing 18.5% of households in the Ward<sup>2</sup>.

### Proposed

#### Appearance

15. The proposed occupation of the building as part of the development would enhance its appearance because it is currently vacant and in a poor state of repair. It is also proposed to replace the existing poor quality and out of character windows with sash windows, which are a style more appropriate for a building of the age of the application property. This would therefore enhance the appearance of the property and the area, subject to control of the detail of the windows by condition.
16. Refuse and recycling storage would be from a bin store to be constructed in the front garden. There would likely be a greater number of bins required compared to a single family dwellinghouse. However, the front garden is of an adequate size to accommodate this, and the use of it for such storage is common on the street and in the wider area. Cycle parking is proposed in the rear garden. The rear garden area is of sufficient scale to accommodate such provision, and not visible from the street. The proposed cycle parking would therefore be of suitable appearance in-keeping with the property and the wider area.

#### Character

17. The proposed HMO would have a different character to that of the existing dwellinghouse. This is because of factors such as the likely younger age profile of tenants and their higher mobility, potentially leading to a lesser involvement in the local community, and greater footfall to the property from the greater intensity of use. It is therefore important to consider the effect of this change in character. The Council has issued guidance in this regard, set out in the 'Managing the development of houses in multiple occupation' Supplementary Planning Document 2020 (the HMO SPD).
18. The HMO SPD states that a harmful intensification of HMOs is likely if the proposed HMO results in sandwiching dwellinghouses between two HMOs. It is unclear whether the adjacent 25 Sturdon Road is an HMO. However, there is no suggestion that the properties to the rear, ie 49 Foxcotte Road, or to the other side of the application site, ie 27 and 28 Sturdon Road, are HMOs. Therefore, even if No 25 is an HMO, the proposal would only add a further HMO to the same rear elevation of the same garden of 49 Foxcotte Road, rather than on the opposite side of the property. The proposed change of use would not, therefore, result in the sandwiching of existing dwellings between HMOs.
19. The HMO SPD also states that a harmful concentration of HMOs is likely if there are more than 10% of the total dwelling stock as HMOs in any neighbourhood areas, defined as within 100m radius of the application

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<sup>2</sup> The data is quoted from the SHMA and the original document has not been provided. However, this is not contested by the Council and I have no reason to believe it is inaccurate.

property. As stated above, there are currently 11 out of 140 properties in the application site's neighbourhood area. The proposal would increase this to 12 out of 140 properties, which is below the 10% threshold. In addition to these quantitative considerations, it is also important that the current character of the area is, as I set out above, predominantly that of residential dwellinghouses. This is reflected in the evidence in the SHMA. It does not feel like it is at a tipping point where one more HMO property would harmfully alter the character in this regard, and the proposal would not materially alter the housing mix.

#### Overall

20. As set out above, the proposed development would not unacceptably harm the character of the area with regard to the proportion of HMO properties compared to residential dwellings. The proposal therefore complies with Policy DM2 of the Bristol Local Plan – Site Allocations and Development Management Policies 2014 (the LP), which only resists the conversion of a dwellinghouse to an HMO where it would harm the character of the locality or lead to a harmful concentration of HMOs, and which states that the sub-division of existing accommodation and the supply of shared housing can provide an important contribution to people's housing choice. It also complies with Policy BCS18 of the Bristol Development Framework Core Strategy 2011 (the CS), which expects residential development to maintain or contribute to a mix of housing tenures, types and sizes.
21. The proposed physical changes would either enhance, with regard to the windows, or preserve, with regard to the bin stores and cycle parking, the appearance of the area. The proposed development therefore complies with Policy BCS21 of the CS and Policy DM26 of the LP which require high quality design which reflects the character of the area, Policy DM32 of the LP which expects sufficient space to be provided for the storage of waste containers, and Policy DM30 of the LP which expects alterations to existing buildings to respect the character of the host building and broader street scene.

#### *Highway Safety*

22. Local residents have raised concerns regarding the difficulty of car parking as existing, both in general and also during events at the nearby Ashton Gate Stadium. No parking surveys have been provided, however I did observe on site that the street has high occupation of the available on-street car parking space. The application site is not within an area with a Residential Parking Scheme. The Council's licensing restrictions do not include the provision to restrict car usage in this location. It would therefore be possible for all the future tenants of the HMO to own cars and seek to park them on Sturdon Road.
23. However, the application site is highly accessible, lying approximately five minutes walk from a town centre, and with bus stops approximately 100m from the property providing regular bus services to, amongst other destinations, Bristol City Centre and Parson Street railway station. The future tenants of an HMO property are also likely to be young and less likely to own

a car. Cycle parking is also proposed. I acknowledge that its location in the rear garden would make use of the parking awkward because of the need to wheel the bikes through the building. However, it would be possible, and the site is located a short cycle ride from Bristol City Centre.

24. Therefore, whilst there would be no restriction on car ownership, and it is also possible that more cars would be owned, at least at times, than from a dwellinghouse, I do not view it likely that the proposal would result in an increase in on-street car parking demand to the extent that it could not be reasonably accommodated in the local area. The proposal would not, therefore, cause unacceptable harm to highway safety and would be acceptable in this respect. It consequently complies with Policy DM23 of the LP which requires development to not give rise to unacceptable traffic conditions, Policy DM2 of the LP which requires that levels of on-street car parking can be reasonably accommodated, and Policy BCS10 of the CS requires that proposals maximise the opportunities for cycling.

#### *Living Conditions of Existing Residents*

25. Local residents have expressed concern regarding noise pollution from the occupiers of existing HMOs in the area, in particular from loud music. However, the HMO would be within the footprint of an existing dwellinghouse. It has a small rear garden and a front garden that cannot be used for outside activities. There is no substantiated evidence of excessive levels of noise from existing HMO properties in the area to the extent that it materially harms the living conditions of existing residents. As set out above, the proposal would not result in an unacceptable concentration of HMOs in the area. The Council also has a restrictive licensing regime for HMO properties, which includes controls over such things as the proper management of the property.
26. It is not, therefore, likely that the proposal would result in unacceptable harm to the living conditions of existing residents. It therefore complies with Policy DM30 of the LP which expects alterations to existing buildings to safeguard the amenity of neighbouring occupiers, Policy DM35 of the LP which only seeks to resist development if there would be unacceptable noise pollution, and Policy DM2 of the LP which only resists the change of use from a dwellinghouse to an HMO where it would harm the living conditions in the locality.

#### **Other Matters**

##### *Biodiversity Net Gain*

27. The application form states the Biodiversity Net Gain (BNG) requirement does not apply because the proposed development would be subject to the *de minimis* exemption. The proposal would not impact a priority habitat, would impact less than 25 sq m of on-site habitat, and there are no hedgerows. It is for a change of use, and the proposed refuse and cycle stores would be on existing hard landscaping. I therefore have no reason to disagree with the conclusion of the applicant. However, considering Article 24 of the Town and Country Planning (Section 62A Applications)

(Procedure and Consequential Amendments) Order 2013 (as amended), I have included an informative in this Decision that refers to the relevant regulatory provisions in this regard.

### *Local Infrastructure*

28. The proposal would result in six single person occupiers, with no children, and likely a more transient and shorter length of occupation than would be the case with a single dwellinghouse. However, the proposal relates to one medium sized dwelling and any effect on local infrastructure by a diminishment of use of local infrastructure in comparison to the property in use as a dwellinghouse would be extremely limited. In addition, the existing building is vacant and the proposal would likely bring it back into use, thereby increasing demand and use of local infrastructure. The proposal would therefore have an acceptable effect in these regards.

### *Flooding*

29. The application site is in Flood Zone 2 (FZ2) with regard to fluvial flooding. Paragraph 176 and Footnote 62 of the Framework state that changes of use such as between a dwellinghouse and an HMO do not require a sequential or exception test. However, Paragraph 181 and Footnote 63 of the Framework require that a site-specific Flood Risk Assessment (FRA) be undertaken for all development in FZ2. No FRA has been submitted.
30. However, the proposal would not involve additional occupied floorspace. The external alterations to the property include the installation of waste storage and cycle parking, but these would be located on existing hard standing and would not harmfully increase the risk of flooding elsewhere. The sensitivity to flooding for an HMO is the same as for a dwellinghouse, as set out in the Framework's Annex 3<sup>3</sup>. In addition, the occupants of an HMO are likely to be young or middle-aged adults whereas a dwellinghouse is more likely to either have young children or older adults. Therefore, the likely vulnerability of the users of the proposal to flooding would be lesser than as the existing use class.
31. Overall, therefore, whilst the lack of a FRA is in conflict with the Framework, the proposed change of use would not increase the vulnerability of the site and in fact would likely slightly decrease it, and nor would it increase the risk of flooding elsewhere. I also do not, therefore, see it as necessary for the proposal to include mitigation measures with regard to flooding. This lessens the weight I apply to the failure to undertake an FRA.

### *Living Conditions*

32. Policy BCS18 of the CS requires residential developments to meet appropriate space standards. Policy DM30 of the LP expects alterations to existing buildings to safeguard the amenity of future occupiers. In this regard, internal living standards for HMOs are set out by the Council's

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<sup>3</sup> HMO accommodation is not explicitly listed in Annex 3, but it must fall either under a residential institution or dwellinghouse both of which are classified as 'more vulnerable'.

licensing regime, and all the proposed rooms, and the building as a whole, would meet these standards. Overall, therefore, the accommodation proposed would be of an acceptable standard for an HMO and would provide adequate living conditions for future occupiers.

### **The Planning Balance**

33. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
34. The proposal would bring back into use a currently vacant property. It would enhance the appearance of the area from the proposed new windows. I place moderate positive weight on both these factors. There would be economic benefits from the refurbishment works, albeit short term, and longer term benefits from the expenditure on local goods and services by the future occupants of the building. It would also contribute to the housing mix in the area. Because the application only relates to one dwelling, the scale of these benefits is limited and I therefore place limited positive weight on these factors.
35. That the proposal would create adequate living conditions for future occupiers, not unacceptably harm the living conditions of existing residents, and that BNG is not required are neutral factors in my balance. That the proposed development would not unacceptably harm the character of the area with regard to the proportion of HMO properties compared to residential dwellings also weighs neutrally in the balance.
36. The potential greater ownership of cars than as a dwellinghouse and associated increase in pressure for on-street car parking would have some harm with regard to highway safety and traffic conditions. However, as set out above, any such harm would be low and would not give rise to unacceptable impacts on highway safety. I therefore place limited negative weight on this factor. There is a technical conflict with the Framework due to the failure to undertake an FRA. However, the vulnerability of the future occupants of the building to flooding would be the same or lower than in its existing use class as a dwellinghouse. There would be no increase in the risk of flooding elsewhere. I therefore place limited negative weight on this factor.
37. Overall, there are several beneficial aspects to the proposal, some of which are of moderate weight. The only negative aspects of the proposal are with regard to car parking which is limited in extent and therefore weight, and a largely technical consideration regarding flooding which is also therefore limited in weight. The proposal therefore accords with the Development Plan when considered as a whole. There are no material considerations which indicate that a decision should be made otherwise.

### **Conditions**

38. The full [Condition Schedule](#) is at the end of this Decision. In addition to the three conditions recommended by the Council, I have also placed a



condition to require that the cycle parking be installed to encourage the use of non-car based modes of transport and to reduce the pressure for on-street car parking. I also place a condition to require that the detailed design of the proposed windows be agreed with the Council, to protect and enhance the character and appearance of the area.

### **Conclusion**

39. For these reasons, and having regard to all other matters raised, the proposal accords with the Development Plan and therefore I conclude that planning permission should be granted.

*O S Woodward*

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 drawings: 4451.PL1.01 Rev A; PL1.02 Rev B; PL1.03 Rev A; PL1.04 Rev A.  
*Reason: To provide certainty.*
3. Prior to the installation of the proposed windows, details of their design including materials, elevations and sections, shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.  
*Reason: To protect and enhance the character and appearance of the area, in accordance with Policy BCS21 of the CS and Policies DM26 and DM30 of the LP.*
4. No building or use hereby permitted shall be occupied or use commenced until the Refuse Area as set out on drawing Ref 4451.PL1.02 Rev B, and where necessary, dropped kerb(s) to facilitate the manoeuvring of four wheeled bins onto the carriageway, have been completed. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site for the lifetime of the development. The refuse store/area is not to be used for any other purpose other than the storage of refuse and recyclable materials. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.  
*Reason: To safeguard the amenity of the occupiers of adjoining premises; protect the general environment; prevent any obstruction to pedestrian movement and to ensure that there are adequate facilities for the storage and recycling of recoverable materials, in accordance with Policy DM32 of the LP.*
5. No building or use hereby permitted shall be occupied or use commenced until the Cycle Parking as set out on drawing Ref 4451.PL1.02 Rev B has been completed. Thereafter, the Cycle Parking is not to be used for any other purpose other than the storage of bikes.  
*Reason: To ensure adequate cycle parking is provided and therefore to encourage the use of non-car based modes of transport and to reduce the pressure for on-street car parking, in accordance with Policy BCS10 of the CS and Policies DM2 and DM23 of the LP.*

## **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. 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 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.
- iii. With regard to Biodiversity Net Gain, the permission which has been granted is for development which is exempt being 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). Approval of a Biodiversity Gain Plan will not be required before development commences.
- 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.