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date 6th February 2026

Dear [REDACTED]

Town and Country Planning Act 1990 (Section 62A Application)

Site Address: 33 Brockworth Crescent, Stapleton, Bristol, BS16 1HQ

Development: Application for Planning permission for Change of use of existing small house in multiple occupation (use class C4) to a large house in multiple occupation for up to 8no occupants (sui generis) with associated cycle storage.

The following represents the assessment of the application of Bristol City Council:

SUMMARY

The proposal involves the intensification of the use of an existing HMO from 6 bedroom to 8 bedroom, and as result changing the use of the building from C4 to Sui Generis. Having considered the existing situation, the particulars of the site and the details of the proposal, the Local Planning Authority wish to offer no objection to the proposal, subject to the inclusion of relevant conditions.

RELEVANT HISTORY

The double garage at the site was granted planning permission in 1972 (under reference 77/04707/U_U). It appears that the garage was converted to residential accommodation sometime in the early 2020s, without planning permission.

Two applications were made in 2021 and 2022 for an 8 bedroom HMO. Both applications were withdrawn on the advice of the planning officer.

CONSULTATION

The Council's **Pollution Control Officer** has commented as follows:-

I have checked our the Council's records and cannot see that any complaints regarding noise have been made against this property. I have looked through the application and have no objection to it

The Council's **Transport Development Management Team** have stated that the application should be considered against the Council's standing advice. This is reflected in the assessment below.

KEY ISSUES

(A) PRINCIPLE OF DEVELOPMENT

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 has a 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. 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.

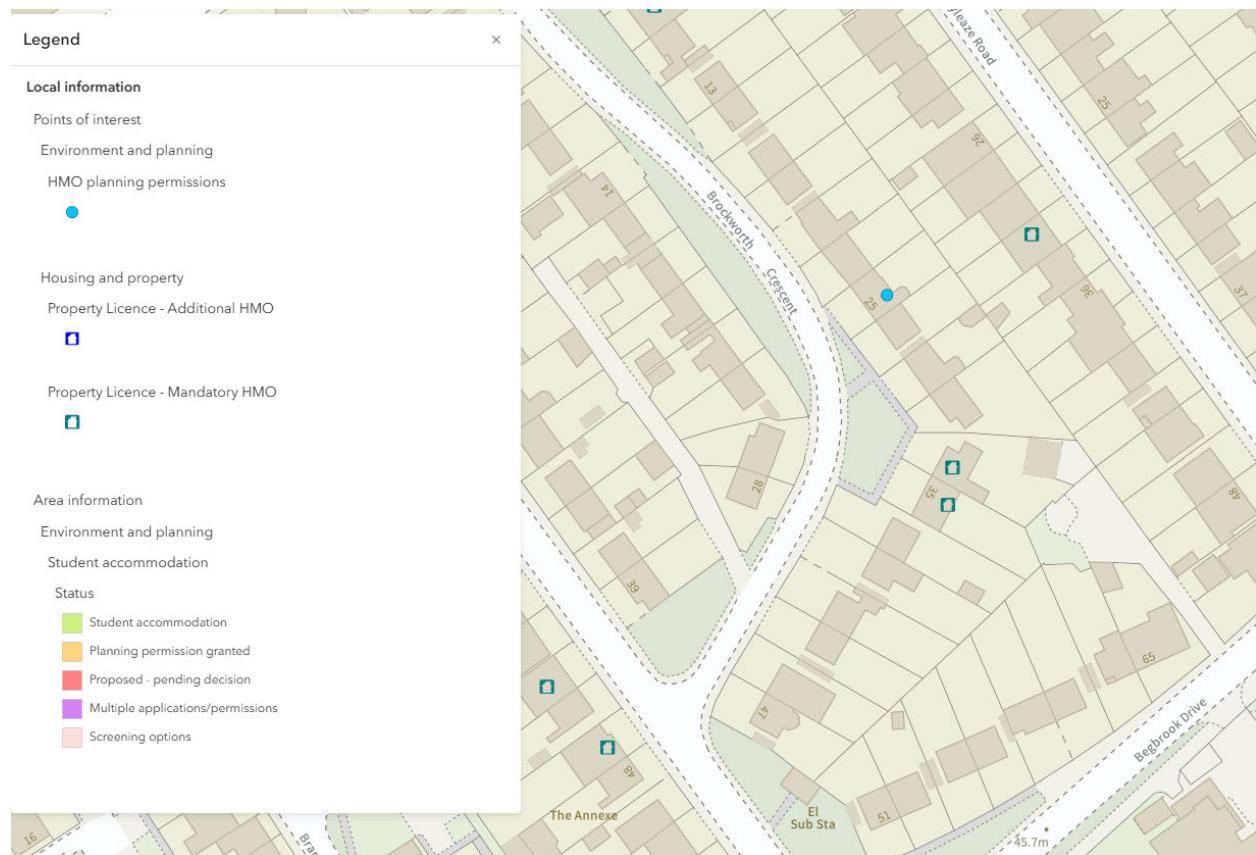
2021 Census data can be reviewed at Lower Super Output Area (LSOA) level to provide an idea of demography immediately surrounding the site. The site is located within the Bromhill LSOA. With regard to housing types within the Bromhill LSOA, census data indicates there are 211 one person households (34.6%), 328 one family households (53.8%), 71 multiple-family houses (11.6%). Therefore, based on census data the proportion of multiple-family households is marginally lower than the Bristol average.

The Council also has access to data in relation to the number of Licensed HMOs (Mandatory and Additional Licenses) plus any HMOs that have been given planning permission and do not currently have a license. This data indicates that within 100m of the application site there are a total of 81 residential properties, 5 of which are HMOs (including the application site). This means that the percentage of HMOs within 100 metres of the site is 6.17%. In itself, therefore, there is no objection to the proportion of HMOs in the area.

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 sandwiching would not occur given the positioning of the surrounding HMOs in the townscape in relation to the application building, including the presence of separating roads.

In this case, the immediate neighbour is a licensed HMO on one side. There is also an HMO to the north of the property, with a gap of 3 C3 properties in between (see plan below). In relation to the HMO SPD this is a sandwiching situation, which the SPD states could result in harmful impacts.



However, in this case it is acknowledged that the site is already in use as an HMO, and the effect of the planning application would be to add two additional bedrooms to the existing HMO, so that it goes from 6 bed to 8 bed. Therefore, the proposal does not create a new sandwiching scenario, and the assessment thus needs to be whether the additional bedrooms result in any additional harm to those properties that are sandwiched by the HMOs, as well as the quality of the environment that would be

provided for the future residents? This is addressed in the following sections.

It is noted that the area is not covered by an Article 4 directions, and as such developers do not have to apply for a planning application for a small HMO (3-6 persons sharing). In addition, shared houses with less than 5 people sharing do not have to apply for a license. Therefore, it is unlikely that any HMOs with 4 or less people sharing would be represented on the Council's records. This missing data is recognised in the SPD, and it is considered reasonable to make the decision on the basis of the data that is held by the Council, rather than speculation on other properties.

(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 for the change of use of the property from a small HMO to an 8-bedroom HMO (sui generis). The property will be of the following specification:

Bed 1 - 8.49 square metres
Bed 2 - 9.88 square metres
Bed 3 - 10.57 square metres
Bed 4 - 14.71 square metres
Bed 5 – 9.31 square metres
Bed 6 – 9.35 square metres
Bed 7 - 7.91 square metres
Bed 8 - 8.2 square metres
Kitchen/Lounge – 26.14 square metres
Dining/conservatory – 14.14 square metres
Utility – 15.14 square metres
Sitting Room – 8.82 square metres

It is noted that bedroom 4 has restricted headroom, but the guidance suggests that the space requirements should take account of all of the space with a head height above 1.5 metres. The applicant has shown on the scalable plans that the area with a head height of more than 1.5 metres, equates to 14.71 square metres.

As such 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. The scheme also includes an adequate amount of internal communal living space which will also meet the Council's HMO licensing 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 licensing standards. Every habitable room will also contain a window, providing adequate light for future occupants, with the property as a whole offering adequate levels of outlook and ventilation.

It is noted that Officers had previously raised concerns with the quality of accommodation provided within the converted garage. As the garage has been converted to accommodation without the benefit of planning permission, and this situation is not changing, and the Local Planning Authority do not wish to offer an further comment on this.

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 residential unit could easily be converted to a Use Class C3 dwelling house in the future, offering a degree of flexibility. The application is subsequently considered acceptable on this basis.

(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.

The proposal does not include any external alterations to the building that would impact on neighbouring properties in terms of visual impact or loss of daylight or sunlight. The proposed additional bedrooms would be located to the front of the property such that views out would be over

the public realm. Therefore, there would be no impact on privacy.

With regards to the intensity of use, it is noted that the Council's Pollution Control Officer has not raised an objection to the proposals. The proposal property is semi detached, and shares the party wall with another licensed HMO, such that the level of intensity is similar at both properties. The nature of the plot means that there is a reasonable degree of separation between this property and properties to the north and east. There is also scope within the site to provide space for bin storage in a solid store, such that it does not result in direct disturbance to neighbouring properties. As such, whilst the proposal would exacerbate an existing sandwiching situation of neighbouring properties, given the characteristics of the site the Local Planning Authority have not identified any significant harm to amenity as a result of intensification that would warrant refusal of the application.

(D) DOES THE PROPOSAL HAVE A HARMFUL IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA?

Bristol Core Strategy Policy BCS21 (2011) advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development. Policy DM26 in the Site Allocations and Development Management Policies (2014) states that the design of development proposals will be expected to contribute towards local character and distinctiveness by responding appropriately to the height, scale, massing, shape, form and proportion of existing buildings, and that development will not be permitted where it would be harmful to local character and distinctiveness. Policy DM27 in the same document 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. Policy DM30 further states that any extensions and alterations to existing buildings should respect the siting, scale, form, proportions, materials and overall design and character of the host building and broader street scene.

In this case, the physical alteration to the dwellings proposed are minimal, essentially amounting to the provision of an additional cycle store in the rear garden. As such, no harmful impacts on the street scene or the character of the area would result from the proposed development.

(E) DOES THE PROPOSAL ADDRESS MOVEMENT, TRANSPORT AND HIGHWAY SAFETY

ISSUES?

Policy DM2 in the Site Allocations and Development Management Policies (2014) 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.

Policy BCS10 in the Bristol Core Strategy (2011) states that development proposals should be located where sustainable travel patterns can be achieved, with more intensive, higher density mixed use development at accessible centres and along or close to main public transport routes. Proposals should minimise the need to travel, especially by private car, and maximise opportunities for the use of walking, cycling and public transport. Policy DM23 within the Site Allocations and Development Management Policies (2014) states that the provision in new development of 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 BCS15 in the Bristol Core Strategy (2011) 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 (2014) 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 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.

Census data indicates that there is generally 40% car ownership per bedroom for shared houses, which would equate to 3-4 cars for a 8 bed HMO. The plans indicate 4 parking spaces on site, and this is shown as existing (albeit, 2 of the parking spaces cannot be accessed without crossing private land outside of the red line). Notwithstanding this, the site is well served for buses, and has reasonable access to local shops, and therefore it would be possible to live in this location without a private car. As

a result the Local Planning Authority are satisfied that the proposal will not result in excessive on street parking, to the detriment of highway safety.

The plans indicate that there is provision for adequate bin storage with easy access to the highway. The plans also indicate provision for a store for the storage of two cycles, in addition to vertical stand for 4 cycles which is shown as existing. Whilst this is adequate for the uplift in bedrooms, the overall use of the site would not meet the standards set out in Appendix 2 of the Development Management policies, given that vertical stands are difficult to use and not appropriate for all cycles. The provision of cycle storage would meet the aims of encouraging a transition from the use of private cars to active travel as set out in the NPPF. There is clearly scope to provide additional cycle storage on site, and therefore it is the recommendation of the Local Planning Authority that a condition be added to any permission to ensure additional cycle storage is provided before the additional rooms are occupied.

(E) 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

No strategy has been submitted with the application. However, given the proposal does not result in

an increase in floorspace, and is for change of use only, the Climate Change and Sustainability Practice Note makes it clear that the proposal is exempt from the need for a Sustainability Statement.

(F) ECOLOGY

Paragraph 187-part d) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs. A Biodiversity Net Gain is mandatory for most developments under the Environment Act 2021, unless exempt.

In this case the applicant has submitted a BNG exemption statement on the basis that the impact would be de minimis. The Local Planning Authority are content with this conclusion.

CONDITIONS

Should the application be approved the Local Planning Authority would request that the following suggested conditions are attached to any approval.

1. Full Planning Permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Completion and Maintenance of Cycle Provision

The additional accommodation hereby approved shall not be occupied until details of additional cycle storage, to provide storage for at least 3 cycles, has been submitted to and approved in writing by the Local Planning Authority. No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision thereby approved has been completed, and thereafter,

be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

3. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

- Drawing no. 4455.PL.01A – Site Location Plan;
- Drawing no. 4455.PL.02B – Block Plans;
- Drawing no. 4455.PL.03B – Existing House Plans;
- Drawing no. 4455.PL.04A – Existing House Elevations;
- Drawing no. 4455.PL.05B – Existing Outbuilding;
- Drawing no. 4455.PL.06B – Proposed House Plans;
- Drawing no. 4455.PL.08B – Proposed Outbuilding;

Yours sincerely

Lewis Cook BA (hons), MSc, MRTPI
on behalf of Bristol City Council

Encl. Pollution Control Comments
Transport Development Management Comments

[REDACTED]