



Statement of Reasons & Decision Notice

Site visit made on 23 July 2025

by Mr Cullum Parker BA(Hons) PGCert MA FRGS MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 8 August 2025

Application Ref: s62A/2025/0111

Site Address: **11 to 13 Whiteladies Road, Clifton, Bristol BS8 1PB**

- The application was made under Section 62A of the Town and Country Planning Act 1990 (TCPA) by Urban Creation (11-13WLR) Ltd.
 - The site is located within the local planning authority area of Bristol City Council.
 - The application was dated 30 June 2025, with a valid date of 1 July 2025.
 - Consultation closed on 4 August 2025.
 - The development proposed is described as: '*Demolition of the rear annexe and delivery of 4 mews houses for short-term let with associated landscaping and other works.*'
-

Statement of Reasons

Summary of Decision

1. The application for planning permission is **REFUSED** for the reasons set out in this Statement of Reasons and Decision Notice.

Procedural Matters

2. The application was submitted under s62A of the *Town and Country Planning Act 1990*, as amended (TCPA). This allows for applications to be made directly to the Secretary of State (SoS), where a local authority has been designated. Bristol City Council (BCC) have been designated for non-major development since March 2024. The SoS has appointed a person under section 76D of the TCPA 1990 to determine the application instead of the SoS.
3. Following the closure of the representation period, Article 22 of *The Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) Order 2013* requires the SoS (or appointed person) to consider the application either by hearing or on the basis of representations in writing.
4. Taking into account Section 319A of the TCPA and the *Procedural guidance for Section 62A Authorities in Special Measures*¹ published by the SoS, as the appointed person I considered that the issues raised in this case should be dealt with by means of the Written Representations procedure.
5. The site is located within the Whiteladies Road Conservation Area. There are also several listed buildings in close proximity; including 7 & 9 Whiteladies Road to the south which are Grade II Listed Buildings (Historic England reference number 1202690).

¹ [Procedural guidance for Section 62A Authorities in Special Measures - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/procedural-guidance-for-section-62a-authorities-in-special-measures)

6. Therefore, the proposal requires consideration under the duties set out at s66(1) and s72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, as amended (PLBCAA).

Recent planning history

7. The most recent planning permission is provided on page 7 of 22 of the Applicant's Planning Support Statement.² In the main, these applications principally relate to the main building on the site (which face Whiteladies Road), rather than the annexe building to the rear; for which planning permission is sought to demolish under this application and replace with four dwellings.

Planning Policy and guidance

8. The adopted development plan for this area comprises the *Site Allocations and Development Management Policies Local Plan (adopted July 2014)* (herein the LP) and the *Bristol Development Framework Core Strategy (adopted June 2011)* (herein the CS).
9. The *National Planning Policy Framework* (the Framework), and the associated national Planning Practice Guidance, are important material considerations.

Main Issues

10. The main issues are:

- i) Whether or not the proposal would preserve or enhance the character or appearance of the Whiteladies Road Conservation Area, and;
- ii) Whether or not the proposal would preserve the setting of nearby listed buildings.

Statutory Parties or Interested Persons

11. Any representations should have been made by 4 August 2025. Full details of the comments can be found on the application website at:
12. <https://www.gov.uk/guidance/section-62a-planning-application-s62a20250111-11-13-whiteladies-road-clifton-bristol-bs8-1pb>
13. A representation from the designated planning authority recommended refusal of planning permission on the basis of harm to the character and appearance of the conservation area. One representation was received from a local business, objecting to the proposal.
14. All written representations have been considered before making the decision here.

Reasons

Conservation Area

15. The proposed development comprises the demolition of the existing single storey annexe (Use Class E) and the construction of a two-storey terrace of four houses for short-term let (Use Class C1) with associated landscaping and

² https://assets.publishing.service.gov.uk/media/6865052b3b77477f9da0726c/11-13_WLR_Annexe_Full_App_Redacted.pdf

amenities. It is understood that the four units sought would form additional C1 accommodation for the currently proposed Class C1 development within the main building (Ref: 25/11594/F).

16. The Applicant has described the four proposed dwellings as 'mews houses'. Whilst they would face onto a small garden 'courtyard' area, they are not the typical form or design of mews buildings. For example, there is little indication that the annexe sought to be demolished is a converted historic stables or coach house located to the rear of grander residences. As such, the use of mews as a built form in this location appears to be the exception rather than a prevailing characteristic.
17. Indeed, the immediate area is characterised by the tree-lined street of Whiteladies Road and large period buildings, predominantly arranged as semi-detached properties. The properties on the east side of Whiteladies Road front onto an avenue of mature trees, have generous plot sizes, including large front garden areas; many of which are now used as parking areas. The buildings are characterised by attractive facades; many of which are finished with bath stone and painted timber sash windows. Nos 11-12 Whiteladies Road were built between 1855 and 1874 as a pair of residential villas.
18. The Conservation Area Enhancement Statement (undated) states that *'Whiteladies Road, the second area, conveys the impression of a gently curving road, built to a grand design, ascending between the 'town', represented by the Queens Road area, and the 'country' seen in terms of The Downs. It is generously proportioned but varied in character, with highly ornamented, large-scale, villa-type buildings set back from their boundaries, contrasting with the informal small-town character of the continuous shopping frontages in the Blackboy Hill section. There is also a more dense terraced element linking the two. It is also distinguished in parts by being lined with mature plane trees.'*
19. The significance of the conservation area derives from the architectural unity and the 'grand design' linking the town to the country, and the setting back of residential development from the plane tree lined highway. To the contrary, the proposal scheme would introduce two storey built form to the rear of the property, in what would have originally been its rear garden area. The proposed development would comprise dwellings which would not address a street frontage and would be perpendicular to the frontage buildings addressing the main road. This would be discordant with the overall urban grain of the conservation area and would therefore cause harm to its overall character and appearance.
20. Furthermore, the proposed dwellings would have a generic, low quality appearance and would have gable fronted pitched roofs. They would be constructed a two-tone brick façade, and a high-quality painted timber elevation is proposed the ground floor, which does not appear to reflect the prevailing building style or materials used within the conservation area.
21. Moreover, rather than gable-ended slate roofs, the predominant roof form in this part of the conservation area is hipped roofs set behind flat parapets and the predominant material palette is formed of bath stone, rubble stone and painted timber windows. The Whiteladies Road Conservation Area Enhancement Statement states; *'The domestic architecture styles have a consistency of design and materials contributing to the essential character of*

the conservation area. As such, the proposed design and materials would undermine the character of the conservation area and would detract from its generally unified appearance.

22. I accept that there are other existing buildings adjacent to the site which do not follow the established urban grain, overall scale and massing, roof form and material palette which is characteristic of the conservation area. However, these have caused harm to the character and appearance of the conservation area and its significance.
23. Moreover, the exacerbation of this harm through the introduction of further harm arising from the inappropriateness of the proposed style and materials does not provide justification for further harm to the conservation area. Furthermore, for the aforesaid reasons, the proposal would fail to make a positive contribution to local character and distinctiveness as sought by Paragraph 210 of the National Planning Policy Framework (the Framework).

Listed building

24. With regard to the nearby Grade II listed building at 7 and 9 Whiteladies Road and its setting, it is clear that this listed building sits within its own plot which is defined by low walls on many of its perimeter boundaries. Moreover, the way in which this building is experienced in terms of its architectural and historical special interest (which also contribute to its significance) would be unaffected by the proposal in this case. That is because whilst the proposed two storey building would be located close to the northern boundary, it would not compete visually with the listed building or those features which specifically contribute to its significance as a listed building.

Summary on main issues

25. The proposed development would fail to preserve or enhance the character and appearance of the Whiteladies Road Conservation Area. This is due to its ahistorical siting within the plot, its design including its two-storey form, and the materials proposed. Whilst this harm would be no greater than 'less than substantial' as set out in Paragraph 215 of the Framework (and, articulated further, towards the moderate part within that scale), considerable importance and weight should be given to the desire to preserve heritage assets.
26. Paragraph 215 also requires the decisionmaker to weigh the less than substantial harm against the public benefits of the proposal. The public benefits in this case have not been articulated clearly by the Applicant in their submission. However, public benefits here could include the provision of four dwellings under a C1 use class, in a centrally located location, with reasonably good transport links to services, shops and other facilities in Bristol city centre.
27. There are also benefits such as the creation of renewable energy from the proposed solar panels – although it is not clear as to whether this would be to a policy compliant amount (20%) as sought by Policy BCS14 as supported by Policy BCS15 both of the CS. It has also been suggested that the site could be landscaped, which would provide some visual benefits and potentially some limited biodiversity benefits.
28. However, I do not find that these public benefits, whether individually or cumulatively, outweigh the less than substantial harm to the designated heritage asset in the form of the Whiteladies Conservation Area. As such, the

proposal would be contrary to Policies BCS21, BCS22 of the CS and Policies DM26, DM27, DM30 and DM31 of the LP, which, amongst other aims, seek that development proposals should safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including conservation areas.

29. It would also conflict with policies of the Framework, which is an important material consideration; including those set out in Chapter 16: Conserving and enhancing the historic environment.

Other Matters

Fall back

30. My attention is drawn to a 'fall back' position set out within Paragraphs 5.13 to 5.19 of the Applicant's *Planning Statement*, June 2025. I have not been provided with the full details of that permission referenced 25/10493/COU. In any case, it does not provide justification for addressing or overcoming the harms I have identified arising from the scheme that is before me to consider.

Biodiversity Net Gain (BNG)

31. The Applicant has provided a BNG Exemption Statement. This confirms that the proposal will not impact more than 25m² of habitat, and is therefore considered to be exempt from BNG requirements and planning conditions under the de minimis rule of Section 4 of *The Biodiversity Net Gain Requirements (Exemptions) Regulations 2024*. At the same time, Policy BCS9 of the CS and Policy DM15 of the LP require that developments incorporate new and/or enhanced green infrastructure.
32. However, as the application is to be refused on the main issue identified, I have not considered this matter further.

Community Infrastructure Levy (CIL)

33. Bristol City Council consider that the proposed development is chargeable development under the *Community Infrastructure Levy (CIL) Regulations* (see email dated 1 July 2025). Based on the evidence before me I have no reason to conclude otherwise, and this is capable of being a material consideration as a local finance consideration.
34. Whilst I am satisfied that the necessary mitigation under CIL can be achieved in this case, given that the proposal is unacceptable and therefore to be refused, I have not considered this matter further.

Conditions

35. Bristol City Council suggested conditions to be imposed, were the decision-maker to grant permission. Whilst the decision is to refuse permission, for clarity, I do not consider that the suggested conditions would overcome or address the harms identified in this instance.

Planning balance and Conclusions

36. 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.

37. In this case, I find that the proposal would conflict with Policies BCS21, BCS22 of the CS and Policies DM26, DM27, DM30 and DM31 of the LP. As such, I also find that it would not accord with the adopted development plan when considered as a whole. Moreover, there are not material considerations in this case which weigh in favour of the proposal that indicate a decision should be made otherwise than in accordance with the development plan.

38. As such, planning permission should be REFUSED, in this case.

C Parker

INSPECTOR (appointed person for the purposes of s62A and s76D TCPA)

Decision Notice

Reference: s62A/2025/0111

Decision Date: 8 August 2025

The planning application for the demolition of the rear annexe and delivery of four mews houses for short-term let with associated landscaping and other works is **REFUSED**.

This is because the proposed development would fail to preserve or enhance the character and appearance of the Whiteladies Road Conservation Area, which is a designated heritage asset. This is due to its ahistorical siting within the plot, its incongruous design and two-storey form, and the materials proposed. As such, it fails to preserve or enhance the character or appearance of the conservation area as required by s72(1) of *The Planning (Listed Buildings & Conservation Areas) Act 1990*, as amended. Whilst this harm would be no greater than 'less than substantial' as set out in Paragraph 215 of the Framework (and articulated further towards the moderate part within that scale), considerable importance and weight should be given to the desire to preserve heritage assets. The proposed development has not been justified, nor can the harm be outweighed by public benefits cited in this case.

Accordingly, the proposal fails to comply with Policies BCS21 (Quality Urban Design) and BCS22 (Conservation and the Historic Environment) of the *Bristol Development Framework Core Strategy (adopted June 2011)* and Policies DM26 (Local Character and Distinctiveness), DM27 (Layout and Form), DM30 (Alterations to Existing Buildings) and DM31 (Heritage Assets) in the *Site Allocations and Development Management Policies Local Plan (adopted July 2014)*. It also conflicts with Section 16 of the *National Planning Policy Framework* and the *Whiteladies Road Conservation Area Enhancement Statement*.

***** END OF REFUSAL REASONS *****

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, 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. 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 promptly within 6 weeks of the date of the decision.*
- iii. *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>.*

***** END OF INFORMATIVES *****