



Decision Notice and Statement of Reasons

Site visit made on 1 October 2025

Decision by C Shearing BA (Hons) MA MRTPI

A person appointed by the Secretary of State

Decision date: 07 October 2025

Application Reference: S62A/2025/0116

Site Address: 144 Whitehall Road, Bristol BS5 9BP

- 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 3 August 2025 is made by Mr D Blackmore and was validated on 13 August 2025.
 - The development proposed is described as 'Change of use of betting shop (sui generis) and external alterations to create 1no. residential flat (use class C3)'.
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Decision

1. Planning permission is granted for change of use of a betting shop and external alterations to create 1no. residential flat in accordance with the terms of the application dated 3 August 2025, subject to the conditions set out in the schedule below.

Statement of Reasons

Procedural Matters

2. The application was made under Section 62A of the Town and Country Planning Act 1990, which allows for applications to be made directly to the Planning Inspectorate where a Council has been designated by the Secretary of State. Bristol City Council (the Council) have been designated for non major applications since 6 March 2024.
3. Consultation was undertaken from 13 August 2025 which allowed for responses by 16 September 2025. I have taken account of any written representations received in reaching my decision. I also carried out a site visit on 1 October 2025, which enabled me to view the site and the surrounding area.
4. This application is being determined alongside another planning application similarly under Section 62A, relating to other development proposals at the same address. That application is determined under a separate decision notice, under reference S62A/2025/0117.

5. I am also mindful of two current planning appeals relating to the site which are undetermined at this time.

Main Issues

6. The main issues for this application are: the implications of the change of use; whether the proposal would provide a suitable standard of accommodation for future occupants; the effects of the proposed alterations on the character and appearance of the area, and; effects on the highway.

Reasons

Change of Use

7. I understand the application site does not form part of any designated shopping frontage, although it is one of a number of occasional commercial uses on Whitehall Road. Policy BCS7 of the Bristol Core Strategy 2011 (the CS) includes that service provision in smaller commercial frontages or single shops away from the identified centres should be retained where it remains viable and provides an important service to the local community. There is no evidence before me to suggest that the betting shop provides an important service to the local community. On this basis, the loss of the existing use would not conflict with Policy BCS7.
8. The introduction of a new residential unit would contribute to the local housing stock and would be in a location to benefit from good accessibility to services and facilities including public transport. Although I do not have substantive evidence on the local housing mix or local need, the proposal would contribute a two bedroom unit and this would be unlikely to cause any significant unbalance in the existing mix in the area. The proposed use would comply with policies BCS5 and BCS18 of the CS which refer to the delivery of new homes in Bristol.

Standard of Accommodation

9. The size of the proposed residential unit would just exceed the Nationally Described Space Standard for a two bedroom three person dwelling and both bedrooms would meet the minimum floorspace standard. The proposed floor plan shows a reasonable internal layout which would benefit from windows and openings in both the north and west facing elevations, making the unit dual aspect. Despite the proposed obscure glazing, given the number and scale of the windows serving the unit, and their varied orientation, the unit would be very likely to receive good levels of natural lighting.
10. The windows in the west facing elevation would be positioned at the footpath edge where passing pedestrians may look into the rooms and significantly reduce the privacy levels within. The supporting plans show the lower part of the living room windows would be obscure glazed to address this impact. A similar approach should be adopted to the west facing double bedroom and this could reasonably be secured by condition. That obscure glazing would therefore limit the outlook from those rooms. However, given the size of the high level sections which would not be obscured, and given the other attributes of the unit in combination, I do not consider this would

amount to unacceptable living conditions. Future occupants would not have access to any private outdoor space, however, I do not have evidence of a policy requirement for this and similarly find that its absence would not amount to unacceptable conditions given the size of the unit together with public open spaces a short distance from the site.

11. Overall the proposal would comply with policies BCS18 and BCS21 of the CS, as well as DM29 of the Bristol Site Allocations and Development Management Policies 2014 (the SADMP), insofar as they relate to proposed living conditions.

Character and Appearance

12. The surrounding area comprises long rows of terraced properties, predominantly Victorian in their character. The application site is the end of a terrace which lines the southern side of Whitehall Road. While sharing a similar height and eaves level, the buildings have been subject to alterations to their front elevations, including changes to the design of the windows and facing materials, creating a visually varied frontage.
13. The ground floor of the application site currently accommodates the commercial frontage of the former betting shop, including large windows with shutter boxes and metal fascia boards which wrap around the corner of the building. As a consequence of these features the ground floor level detracts from the prevailing character of the area.
14. The proposal would make a number of improvements to the ground floor level. This would include reinstating traditionally scaled windows to the front bay feature and at the corner of the building and removing the commercial features and replacing them with a timber fascia detail. The proposal would also enclose part of the defensible space in front of the building, reinstating consistency with the other front boundary treatments among this group of properties.
15. The proposal does include less favourable attributes, including large areas of obscure glazing, reducing the active character of the frontage, and enclosures for cycle and refuse storage which would rise above the height of the front boundary and add to visual clutter. Nonetheless, taken as a whole the proposal would still enhance the character of the building and this relatively prominent corner plot. Overall, the proposal would preserve, and include enhancements to, the character and appearance of the area and would comply with the relevant development plan policies which together require high quality design, including policies BCS21 of the CS, DM26, DM27 and DM30 of the SADMP.

Highways

16. The proposal includes secure cycle parking to the front of the property, where it would be easily accessible and subject to natural surveillance from the street. I observed the site has good accessibility to public transport, and there are services and facilities nearby which together would significantly reduce the need for future occupants to rely on private cars.

17. I observed during my site visit that opportunities to park a car near the application site were very limited, and any significant increase in parking pressure could cause harm to the safety of the highway. Given the Council's car parking standards in Appendix 2 of the SADMP are a maximum provision, and given the scale of the development, the absence of private car parking is acceptable here. The proposal is therefore acceptable in terms of its effects on the local highway and compliant with policy DM23 of the SADMP.

Other Matters

18. The applicant asserts that the Council are unable to demonstrate a five year land supply for housing and references a recent appeal decision which found a supply of just 3.54 years. The provisions of paragraph 11d) of the National Planning Policy Framework would therefore apply to the application. For the reasons set out, the proposal has been found to accord with the development plan and no adverse impacts of granting planning permission have been identified. Accordingly, the proposal benefits from the presumption in favour of sustainable development.
19. The applicant has provided an Energy Statement which details how the proposal would meet the sustainability requirements of policy BCS14 of the CS, including through the use of a proposed air source heat pump. The proposal would therefore be policy compliant in that respect. Given the proposed location of the heat pump, and relationship to the nearest properties, it would be unlikely to cause unacceptable noise disturbance.
20. The applicant has set out the reasons they consider the proposal would be exempt from the statutory biodiversity net gain requirement. In summary this is because the proposal would impact less than 25sqm of non-priority habitat. I have no strong reason to reach a different view and I am satisfied the proposal can be considered as exempt, having regard to the de minimis threshold. The Council have confirmed that, based on the information provided at this stage, the proposal is not CIL liable and I have no strong reason to conclude otherwise.

Conditions

21. Having regard to the tests for planning conditions, in addition to the standard time limit condition I have imposed a condition listing the approved drawings to provide clarity to the parties. I am satisfied that those drawings include annotations of appropriate materials to be used. I have also imposed a condition to secure the obscure glazing of the west facing windows. While I note other non-obscure glazed windows at the edge of the footpath directly opposite on Victoria Parade, I do not have details of the circumstances under which they received planning permission and they do not convince me that obscure glazing would not be necessary here.

Conclusion

22. The proposal would comply with the development plan and planning permission is granted.

Inspector and Appointed Person

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
Reason: As required by section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: (00)001, 101, 102, 201, and (02)100/A, 101/A, 102/A, 201/A, 202/A.
Reason: To provide certainty.
3. The development hereby approved shall incorporate and maintain energy efficiency measures in accordance with the Energy Statement by Focus 360 Energy dated 7 February 2025.
Reason: To ensure appropriate efficiencies and to comply with policy BCS14 of the CS.
4. Prior to the first occupation of the residential unit hereby approved, the cycle and refuse storage facilities shown on the approved drawings shall be provided in full. They shall remain available for these uses at all times.
Reason: To promote sustainable transport and safe refuse storage, to comply with SADMP policies DM32 and DM23 and CS policy BCS15
5. Notwithstanding the approved drawings, all ground floor windows in the west facing elevation of the building (facing the footpath of Victoria Parade) shall be fitted with obscure glass to all parts of the window measuring less than 1.7m above the internal floor level of the rooms those windows serve. That level of obscure glazing shall be maintained thereafter.
Reason: To ensure an acceptable level of privacy, to comply with policies BCS18 and BCS21 of the CS, as well as DM29 of the SADMP.

End of Schedule

Informatives:

- i. In determining this application no substantial problems arose which required the Planning Inspectorate, on behalf of the Secretary of State, to work with the applicant to seek any solutions.
- ii. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and;
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Bristol City Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption is considered to apply.

Development below the de minimis threshold, meaning development which:

- does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and;
 - impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
- iii. The decision of the appointed person (acting on behalf of the Secretary of State) on an application under section 62A of the Town and Country Planning Act 1990 ("the Act") is final, which means there is no right to appeal. An application to the High Court under s288(1) of the Town and Country Planning Act 1990 is the only way in which the decision made on an application under Section 62A can be challenged. An application must be made within 6 weeks of the date of the decision.
 - iv. These notes are provided for guidance only. A person who thinks they may have grounds for challenging this decision is advised to seek legal advice before taking any action. If you require advice on the process for making any challenge you should contact the Administrative Court Office at the Royal Courts of Justice, Strand, London, WC2A 2LL (0207 947 6655) or follow this link: <https://www.gov.uk/courts-tribunals/planning-court>