



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/2025/0117

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), roof alterations, extension and external alterations to create 2no. additional flats (use class C3) together with the internal reconfiguration of the existing first floor flat'.
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Decision

1. Planning permission is granted for change of use of betting shop, roof alterations, extension and external alterations to create 2no. additional flats together with the internal reconfiguration of the existing first floor 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/2025/0116.
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 two new residential units 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 and a one bedroom unit to the stock and this would be unlikely to cause any significant unbalance in the existing unit mix in the area. Overall the proposed uses would comply with the policies of the local plan which refer to the delivery of new homes in Bristol.

Standard of Accommodation

9. The proposed ground floor unit would have an internal floor area just short of the Nationally Described Space Standard for a two bed unit. Accordingly, the proposal would conflict with CS Policy BCS18 which refers to meeting the appropriate space standard. I note the layout is largely the same as the alternative application on the site, which I have found to be acceptable, and I return to this matter in the planning balance below. For the other reasons set out in the accompanying decision S62A/2025/0116, the standard of the ground floor unit would otherwise be acceptable.
10. The new unit proposed in the roof level, as well as the amended first floor flat, would meet the relevant floorspace standards for the number of intended occupants, and would benefit from good outlook, lighting and ventilation from the various windows. Those units would therefore provide an appropriate standard of accommodation.

11. 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 units together with public open spaces a short distance from the site.
12. However, given the size of the ground floor unit, the proposal would conflict with policies BCS18 of the CS where it sets out the need for compliance with appropriate floorspace standards.

Character and Appearance

13. 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.
14. The ground floor of the application site currently accommodates the commercial frontage of the betting shop, including large windows with shutter boxes and metal fascia boards which wrap around the corner of the building. At the rear of the building there is a two storey flat roof projection which sits at the footpath's edge and which sits forward of the buildings behind on Victoria Parade, giving it visual prominence. Together these features are at odds with the prevailing character of the area.
15. In addition to the proposals considered in the decision for application S62A/2025/0116, this application includes roof level alterations in connection with the formation of the 2nd floor level flat. This includes the extension of the pitched roof over the existing flat roofed rear element and provision of dormer extensions to the front and side roofslopes.
16. Front dormer windows are not characteristic within this terrace or the terrace to the south on Victoria Parade. The proposed dormers would therefore puncture the pattern of consistent front roofslopes and introduce an uncharacteristic design feature on both Whitehall Road and Victoria Parade. This visual harm would, however, be reduced by the scale of the dormers and their significant set backs from both the main elevations of the building and from the ridgeline. As a consequence of their size and position, the dormers would not appear visually prominent on the roofslopes when seen in localised views, and would allow the traditional pitched roof form to remain apparent. While the proposals would create an uncharacteristic area of flat roof above the extended roof form, this would experience very little visibility from the surrounding area.
17. The extension of the pitched roof over the flat roofed element, together with the alterations to the windows at the first floor level, would be notable improvements to the character of the property and enhance localised views along Victoria Parade. As with application S62A/2025/0116, this proposal would also 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. Together these would comprise significant and important visual improvements.

18. In addition to the introduction of the uncharacteristic dormer extensions, similarly to application S62A/2025/0116, this proposal does include less favourable features. These include large areas of obscure glazing at the ground floor level, 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.
19. When considering the proposal as a whole, and given the level of harm from the dormers, obscure glazing and bin/ cycle stores would be at the lower end of the scale, I am satisfied that overall the proposal would represent an improvement to the character and appearance of the building and to the local area. 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

20. The proposal includes secure cycle parking to the front and rear of the property, where it would be easily accessible for future occupants. 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 car use.
21. 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 any proposed 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

22. The applicant has provided an Energy Statement which details how the proposal would meet the sustainability requirements of policy BCS14 of the CS, including 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.
23. 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 liable for a CIL charge of £4,765.31. I have no strong reason to conclude otherwise and it is a matter for the Council to pursue as the collecting authority.

Planning Balance

24. 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. 11d)ii) requires that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, and with particular regard to the key policies listed.
25. As set out above, harm has been identified through the failure of the proposed ground floor flat to meet the appropriate minimum floorspace standard, and resultant conflict with CS Policy BCS18. I note that, other than the positioning of the entrance from the street, the proposed layout of that unit would be the same as accepted under the associated application, and the breach of the floorspace standard is minimal, falling short of just 1.5sqm. The unit would otherwise provide a reasonable layout for future occupants without being unduly cramped. For these reasons together, I attach limited weight to this harm.
26. The benefits of the proposal include the provision of two new homes in an established built up area with access to local services and public transport, and where sustainable means of transport would very likely be used. The contribution to the housing stock is of particular importance given the undersupply of land for homes, and there would be important benefits to the character and appearance of the building and its contribution to the street scene, as well as a CIL contribution. In combination these attract significant weight and I am satisfied that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits here. The proposal therefore benefits from the presumption in favour of sustainable development set out in the Framework.

Conditions

27. 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 at the ground floor level. 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

28. The proposal would conflict in part with the development plan. However, there are material considerations of sufficient weight, in the provisions of the Framework, which indicate that a decision should be made other than in accordance with it. Planning permission is therefore granted.

C Shearing

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 either of the additional residential units 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>