



Decision Notice and Statement of Reasons

Site visit made on 13 October 2025

Decision by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

A person appointed by the Secretary of State

Decision date: 18 November 2025

Application Reference: S62A/2025/0126

Site address: 2-5 Highland Square, Clifton, Bristol BS8 2YB

- 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 15 September 2025 is made by Mr R Tebby and was validated on 25 September.
 - The development proposed was described on the application form as "demolition of buildings and clearance of site, redevelopment with a retained 4-bed HMO and 4no. Use Class flats in a 3-storey building. Altered access and provision of refuse and cycle storage."
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Decision

1. Planning permission is granted for the demolition of buildings and clearance of site, redevelopment to provide a retained 4-bedroom HMO and 4no. self-contained flats (Use Class C3) within a two-storey building, with altered access and provision of refuse and cycle storage, in accordance with the terms of the application dated 15 September 2025, subject to the 10 conditions set out in the attached schedule.

Statement of Reasons

Procedural matters

2. The application form description is set out in the banner heading above. However, it incorrectly refers to the replacement building as three storeys, when the plans clearly show it would be two storeys. It also does not clarify the use class of the flats or that they would be self-contained. With the agreement of the applicant, I have adopted the description of development contained in the application covering letter in my formal decision above. Although consultation and notification letters were issued with the application form description, I do not consider this amendment would prejudice any interested party as it simply provides clarification and refers to a lesser amount of development in any case.

3. 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) has been designated for non-major applications since 6 March 2024.
4. Consultation was undertaken on 1 October 2025 which allowed for responses by 30 October 2025. No responses were received from any consultee, but several interested parties and residents submitted responses. The Council did not submit a report or make any comments on this application, although they did provide a copy of a delegated report for a similar application on this site (ref 24/02142/F) which included a list of conditions. I have taken account of all written representations in reaching my decision.
5. The Council have stated the proposal would not be liable for payment to the Community Infrastructure Levy (CIL) and I have no reason to reach a different view. However, this would be a matter for the Council as the CIL Collecting Authority.
6. I carried out an unaccompanied site visit on 13 October 2025 which enabled me to view the site, the surrounding area and nearby roads.

Relevant Planning History

7. In January 2024, a Certificate of Lawful Existing Use and Development (ref 23/01427/CE) was issued by the Council confirming that the existing HMO (house in multiple occupation) at No 2 was lawful.

Main Issues

8. Having regard to the application and comments from interested parties, 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, including Whiteladies Road Conservation Area;
 - the living conditions of occupiers of neighbouring properties;
 - employment provision; and
 - parking.

Reasons

Character and Appearance

9. The application site is located on the south-west side of Highland Square close to the junction with Worrall Road. It comprises a two-storey terrace known as Nos 2-5 (inclusive) with a parapet roof and a rendered front elevation. The terrace is split into three workshop bays at ground floor for use as a car repair garage with ancillary office space above the central bay, although the space is currently vacant. The first floor above the southernmost bay (No 2) is currently used as a lawful 4-bed HMO.

10. Highland Square is relatively small and forms a junction between several roads. Properties around the square are rendered in a range of muted colours and are two or three storeys tall with either parapet or pitched roofs. Buildings vary in age from mid-19th to late 20th century. The topography falls quite steeply from north to south across the square and turns the corner into Worrall Road. Brick fronted properties can be seen from the square on the south side of Worrall Road.
11. Whiteladies Road Conservation Area reflects the suburban expansion of Bristol from the 18th century onwards. It has the commercial thoroughfare of Whiteladies Road as its spine with multiple side roads used primarily for residential purposes. Properties vary in size and grandeur but are typically stone or painted render on main elevations. The part of the conservation area in which the site is situated has a tight knit pattern of mostly residential development with some commercial uses. These aspects contribute greatly to the character and appearance of the conservation area as well as its significance.
12. The buildings within the site date from the late 19th century but any historic features are hard to discern from the outside due to the modern render, windows, doors and garage shutters. Internally, the workshop, office and HMO spaces are utilitarian. The scale and height of the buildings, stepping down the square, are consistent with surrounding properties, but overall, the site makes no more than a neutral contribution to the character and appearance of the area including the conservation area.
13. The proposed development would result in the demolition of the existing structures with a replacement two-storey building on a similar footprint. The ground floor would contain two 1-bed flats and the living room and bedroom 1 of a 4-bed HMO. The first floor would contain two 2-bed flats and bedrooms 2-4 of the HMO. The roof would be flat behind a parapet.
14. The building would be around 1-1.5 metres taller than the existing buildings but would still step down from the adjoining property at No 6 with the southernmost part of the building no taller than existing. This would be in keeping with the general street scene and would avoid a dominant effect turning the corner into Worrall Road.
15. Clay facing bricks would differ from the use of render on the square but would not be incongruous given the properties to the south on Worrall Road. The window and door openings would be larger than existing, but not significantly greater than windows on other properties. Metal cladding and aluminum windows would be modern materials but can be well executed in terms of appearance and design. The exact detail and colour of external materials can be agreed via condition.
16. In conclusion, while the proposed development would represent a more contemporary addition to the street scene, it would be sympathetic and consistent with the character and appearance of the area. It would also preserve the character and appearance of the conservation area and avoid harm to its significance. Therefore, the proposed development would accord with Policies BCS21 and BCS22 of the Bristol Core Strategy 2011 (CS) and

Policies DM26, DM27, DM29 and DM31 of the Site Allocations and Development Management Policies Plan 2014 (SADM). Amongst other things, these policies seek high quality design that contributes positively to an area's character while safeguarding heritage assets.

Living conditions

17. The buildings at the site directly adjoin flank walls of properties on Worrall Road and 6 Highland Square. Consequently, there are no windows in these flank walls. The proposed development would have windows serving habitable rooms at the rear, but these would not overlook any windows or private external spaces at these neighbouring properties. For similar reasons, the new buildings would not adversely affect the outlook of any existing occupier to the rear.
18. The increased height of the building would be small and so would not materially affect light to properties at the front or rear. The roof parapets would screen solar panels and roof lights. The distance between the front elevation of the proposed development and the elevations of existing buildings around the square would be sufficiently large to avoid negative effects on outlook or privacy to the occupiers of these existing buildings.
19. The proposed development would incorporate only a small area of communal space on the ground floor (to access a bike store) and no private gardens or terraces. This would limit the generation of external noise from music or gatherings. Such noises could occur within the proposed residential units, but the effect on neighbouring properties is likely to be limited by walls and glazing. Excessive noise can be investigated separately.
20. While HMOs can result in an increase in noise and disturbance from an increased amount of residential activity and movements, there is an existing lawful 4-bed HMO within the site. The proposed development would not result in an increased intensity of HMO use. There would be storage space for multiple bins and bikes. A local Article 4 direction prevents the change of use of dwellings to smaller HMOs without planning permission.
21. In conclusion, the proposed development would have an acceptable effect on the living conditions of occupiers of neighbouring properties. Therefore, it would accord with CS Policy BSC21 and SADM Policy DM29 which, amongst other things, aim to safeguard the amenity of existing development and achieve appropriate levels of privacy, outlook and light.

Employment provision

22. CS Policy BCS8 seeks, amongst other things, to retain employment land outside of principal areas where it makes a valuable contribution to the economy and employment opportunities. SADM Policy DM12 looks to retain employment sites for employment use unless one of four criteria can be demonstrated including (i) there is no demand for employment uses and (ii) continued employment use would have an unacceptable impact on the environmental quality of the surrounding area.

23. The car repair garage is considered to fall within Use Class B2 (General Industrial) and was in situ from the early 1970s until March 2022. Marketing has taken place across two periods since then for over 12 months in total but there has been a lack of interest in this type of use. I have no reason to doubt the validity of the marketing exercise or any evidence to show that it was inadequate. The proximity of residential properties to a car repair site is likely to have had adverse effects in terms of noise and disturbance during operational hours. Based on the above, it seems unlikely that continued employment use is feasible or desirable here.
24. In conclusion, the proposed development would have an acceptable effect on employment provision. Therefore, it would accord with CS Policy BCS8 and SADM Policy DM12.

Parking

25. Car parking around the square and on adjoining streets is either short stay or permit holders during the working day. Narrow carriageways and double yellow lines restrict parking elsewhere. This means that available spaces are limited, which could result in congestion and parking stress.
26. The proposed development makes no provision for car parking, and it is not clear whether future residents would be eligible for parking permits. However, it is a short walk from the site to Whiteladies Road where there are a large range of services and facilities including regular bus services to and from the city centre. The proposal would also provide bike storage facilities that would give residents the option of cycling. Thus, it is unlikely that the proposed development would significantly worsen parking stress.
27. In conclusion, the proposed development would have an acceptable effect on parking. Therefore, it would accord with CS Policy BCS10 and SADM Policy DM23 which, amongst other things, seek to locate development where sustainable travel patterns can be achieved, minimising the need to travel especially by private car.

Other matters

Housing mix

28. Interested parties highlight the importance of providing family housing in contrast to smaller flats and HMOs. However, this is a small urban site with limited scope to achieve family sized units with sufficient private outdoor space. CS Policy BCS18 only requires a mix of housing tenures, types and sizes and does not specify exact provision on a site like this. Therefore, there would be an acceptable effect in terms of housing mix.

Construction, land contamination and party wall matters

29. The redevelopment of a tightly bound urban site could have adverse effects in terms of construction. However, this can be addressed through a suitably worded condition. The Phase 1 Assessment of Land Quality identifies potential contamination risks and recommends further investigations, which

can be secured be condition. Concerns about effects on party walls is a private matter separate from the planning process.

Conditions

30. I have had regard to the Council's conditions included within their delegated report for the 2024 application. I have amalgamated and abbreviated some conditions for conciseness. In addition to the standard time three-year limit condition for implementation, it is necessary to specify the approved plans in the interests of certainty and compliance.
31. Given the tight knit location of the site, and the potential for contaminated land, it is necessary to impose conditions requiring a construction method statement and further investigation assessment. It is necessary for both conditions to be pre-commencement as it would not be possible to implement development, including demolition, without addressing both matters. The applicant has agreed to these conditions being pre-commencement. I have not imposed a condition requiring a structural report as no works are proposed that are likely to affect the integrity of the adjoining highway. Structural matters can be addressed via the building control process in any event.
32. Conditions requiring materials and building details to be approved and for the refuse/recycling and bike storage to be provided are necessary in terms of character and appearance and living conditions respectively. The removal of the existing accessway is necessary in the interests of pedestrian safety. As there can be delays in securing agreements with the local highway authority for such works, the trigger point has been amended to full occupation rather than first occupation.
33. A condition requiring compliance with noise levels for air source heat pumps is necessary in the interests of living conditions, while compliance with the energy and sustainability statement is necessary in the interests of climate change mitigation and adaptation.

Conclusion

34. For these reasons, and having regard to all other matters raised, the proposal accords with the development plan. Therefore, I conclude that planning permission should be granted.

Tom Gilbert-Wooldridge

Inspector and Appointed Person

Schedule of Conditions

Conditions (10):

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: 1734(L)00, 1734(L)50 Rev A, 1734(L)51 Rev D, 1734(L)52 Rev B, 1734(L)55 Rev A, 1734(L)60 Rev B, 1734(L)61 Rev B, 1734(L)62 Rev B, 1734(L)63 Rev A.

Reason: In interests of clarity and compliance.

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors;
 - ii. loading and unloading of plant and materials;
 - iii. storage of plant and materials used in constructing the development;
 - iv. measures to control the emission of dust and dirt during construction;
 - v. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - vi. delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To safeguard the living conditions of neighbouring occupiers and in the interests of highway safety in accordance with CS Policies BCS10 and BCS21 and SADM Policies DM23 and DM29.

4. No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency, Land Contamination Risk Management (LCRM) (or equivalent British Standard and Model Procedures if replaced), has been submitted to and approved in writing by the local planning authority.

If any contamination is found, no development shall take place until:

- i. a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority;
- ii. the site has been remediated in accordance with the approved measures and timescale; and
- iii. a verification report has been submitted to and approved in writing by the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until:

- i. additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and
- ii. a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.

Reason: In the interests of public health and the environment in accordance with CS Policy BCS23 and SADM Policy DM34.

5. No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.

Reason: To ensure a satisfactory appearance in accordance with CS Policies BCS21 and BCS22 and SADM Policies DM26, 29 and 31.

6. Detailed drawings of the following shall be submitted to and approved in writing by the local planning authority before the relevant part of work is begun:
 - i. Windows (1:5 section)
 - ii. External doors and gates (1:10)
 - iii. Parapets (1:5)
 - iv. Brick details (1:5)
 - v. Key junctions between brick and standing seam (1:10)

The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance in accordance with CS Policies BCS21 and BCS22 and SADM Policies DM26, 29 and 31.

7. The refuse storage and recycling facilities and cycle storage shall be completed prior to first occupation of the development and thereafter used and maintained as such. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To provide adequate living conditions for future occupiers in accordance with CS Policy BCS10 and SADM Policy DM32.

8. The development shall not be fully occupied until the footway has been reinstated to full kerb height, where any vehicle crossover(s) are redundant, in accordance with the approved plans, and retained in that form thereafter for the lifetime of the development.

Reason: In the interests of pedestrian safety in accordance with CS Policy BCS10.

9. The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the Energy and Sustainability Statement (Building Energy Experts, 05/03/2024) prior to occupation. A total 74.34% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a 61.32% reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved.

Reason: To minimise the effects of, and adapt to, a changing climate in accordance with CS Policies BCS13, BC14 and BCS15 and SADM Policy DM29.

10. Any air source heat pumps provided at the property shall comply with noise levels specified in the Microgeneration Certification Scheme planning standards (MCS 020). Details of the Microgeneration Certification Scheme (MCS 020) calculation can be found at mcs-certified.com/mcs-has-published-an-updated-version-of-mcs-020.

Reason: To safeguard the living conditions of future and neighbouring occupiers in accordance with CS Policy BCS21 and SADM Policy DM35.

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.
- ii. Biodiversity Net Gain: 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 (biodiversity gain 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 one or more of the statutory exemptions or transitional arrangements is/are considered to apply – in this case the exemption below:

Development 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).
- 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>

- v. Responsibility for ensuring compliance with this Decision Notice rests with Bristol City Council. Any applications related to the compliance with the conditions must be submitted to the Council.