



Decision Notice and Statement of Reasons

Site visit made on 4 December 2025

By C Shearing BA(Hons) MA MRTPI

A person appointed by the Secretary of State

Decision date: 2 January 2026

Application Reference: S62A/2025/0134

Site Address: 11- 13 Whiteladies Road, Clifton, Bristol BS8 1PH

- 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 17 October 2025 is made by Urban Creation (11-13 WLR Ltd) and was validated on 6 November 2025.
 - The development proposed is described as 'demolition of the rear annexe and delivery of 4 terrace PBSA houses with associated landscaping and other works'.
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Decision

1. Planning permission is refused for the development described above, for the following reasons:
 - 1) By reason of its scale and design, the proposed development would fail to preserve or enhance the character or appearance of the Whiteladies Road Conservation Area, contrary to policies BCS21 and BCS22 of the Bristol Core Strategy 2011 and policies DM26, DM27, DM30 and DM31 of the Site Allocations and Development Management Policies 2014.

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 which allowed for responses by 10 December and I have taken account of all written representations received within that period. I carried out a site visit on 4 December 2025 which enabled me to view the site and the surrounding area.

4. I am mindful of an earlier decision issued by the Planning Inspectorate for development described as 'demolition of the rear annexe and delivery of 4 mews houses on short-term let with associated landscaping and other works', issued 8 August 2025¹. I refer to this as 'the earlier scheme'.
5. During the course of the planning application, the government published a consultation National Planning Policy Framework (the Framework), which sets out changes to the Framework along with other changes to the planning system and accompanied by a Written Ministerial Statement. As the proposed reforms are in draft and may be subject to change before the final document is published, I have given them only very limited weight at this stage. Having regard to the determining issues of this application, it has not therefore been necessary to consult the parties on the changes and, in reaching my decision, I have had regard to the Framework of December 2024.

Main Issue

6. Having regard to the application and the site's planning history, together with what I saw on site, the main issue for this application is the effect of the proposal on the Whiteladies Road Conservation Area (the CA).

Reasons

7. The site is within the Whiteladies Road CA and is close to a number of listed buildings, including 7 and 9 Whiteladies Road which is grade II listed. Therefore, the proposal requires consideration under the duties set out in S66(1) and S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.
8. The applicant's Heritage Statement acknowledges that the special interest of the CA is derived in part from its 19th century townscape along with the arterial frontage and historic pattern of ancillary activity to the rear. Based on the findings of my site visit I agree with that finding. The Council's Whiteladies Road Conservation Area Enhancement Statement similarly acknowledges the areas large-scale, villa-type buildings set back from their boundaries as an integral part of the area's character. While I observed extensions and alterations to the rear of other buildings nearby, I do not consider they have reduced the value of the historic pattern of development, which continues to contribute positively to the significance of the CA. This is consistent with the Enhancement Statement, which considers the broad character of the area to remain largely intact. The rear 'yard' of the application site therefore plays a part in contributing to the significance of the CA and how it is appreciated.
9. Similarly to the earlier scheme, the proposed dwellings would not address the frontage, but would provide two storey development to the rear of the site, in a location which would previously have been the rear garden. The previous Inspector found this to be discordant with the overall urban grain

¹ PINS ref S62A/2025/0111

of the CA and harmful to its overall character and appearance. I have no strong reason to reach a different view.

10. The proposed design has been amended to include a flat roof of lower height, 1m higher than the existing, and facing materials to include rubble stone and stone coins, similar to those on the rear elevations on Elmhurst Road behind. While these amendments go some way to reducing the effects of the proposed building, it would remain more visually prominent than the existing and the appreciation of subordination to the main villas would be heavily diluted due to the combination of its increased scale and materials, which draw their reference instead from the later buildings behind. As a consequence, it would detract from the historic pattern of development and urban grain, and would neither preserve nor enhance the character or appearance of the CA.
11. The landscaped courtyard, together with enclosures to provide cycle and refuse storage, would preserve the character and appearance of the CA. However, I do not consider them to constitute enhancements in heritage terms as set out by the applicant, given they accentuate the presence and activity of new housing at the back of the site.
12. The harm to the CA would be less than substantial for the purposes of assessment against the Framework, and I consider the degree of harm to the asset's significance to be at the mid-point. Nonetheless I am required to give that harm considerable importance and weight given the statutory duties. Paragraph 215 of the Framework requires this harm to be weighed against the public benefits of the proposal.
13. The public benefits here would include the provision of student accommodation, which would be in an established built up area with very good accessibility to services and facilities, including the university and public transport links. The applicant has set out that this would improve the mix of residential uses and has described the undersupply of student accommodation. The proposal would therefore contribute to the undersupply and I give this moderate weight given the scale of the development and the extent of information before me. The increased soft landscaping on the site would also provide some visual as well as biodiversity benefits. The applicant has set out sustainability measures, although it is not apparent that this would exceed the policy requirement to the extent it should be considered a public benefit of any significant weight. The proposal could also make a CIL contribution, which is capable of being a local finance consideration. However the applicant notes the final figure would be influenced by the vacancy test, reducing the final amount. Based on the information before me, I give this only limited weight as a public benefit.
14. Overall, these benefits would not outweigh the less than substantial harm to the designated heritage asset of the CA. Accordingly the proposal would conflict with policies BCS21 and BCS22 of the Core Strategy 2011 and DM26, DM27, DM30 and DM31 of the Site Allocations and Development Management Policies 2014 which among other things, require development

to safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including conservation areas.

Other Matters

15. I have had regard to the fall back position afforded by an earlier prior approval for the change of use of the existing building to residential. While I have not been provided with details of the visual effects of that prior approval, they would be unlikely to be comparable, or worse than, the scheme currently before me. As such it would not provide justification for the above effects.
16. With regard to the setting of 7 and 9 Whiteladies Road, I note the findings of the earlier Inspector, who noted the separation of the plots of the buildings and found the way in which those buildings are experienced would be unaffected by the proposal. Given the scale of the proposal before me would be less than the earlier scheme, the setting of the adjoining listed buildings would similarly be preserved.
17. There are other issues relevant to the assessment of the proposal against the development plan. In light of the fall back position, I consider the proposal to be acceptable in terms of the loss of the existing office accommodation. It would also have acceptable effects on the living conditions of adjoining occupants, and I note concerns raised relating to the party wall, which would be a matter to be considered under separate legislation. Based on the evidence before me, including the earlier Inspector's decision and the Council's comments on that proposal, I have no strong reason to conclude that the development would be unacceptable in other respects. Neither is it necessary to assess the alleged BNG exemption since the application is being refused for other reasons.
18. 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. Even if the provisions of paragraph 11d) of the Framework were relevant to the application, the application of policies in the Framework insofar as they protect designated heritage assets, provide a strong reason for refusing the proposed development. The proposal would not, therefore, benefit from the presumption in favour of sustainable development set out in the Framework.

Conclusion

19. The proposal would conflict with the development plan and there are not material considerations of sufficient weight, including approaches in the Framework, which indicate that a decision should be made other than in accordance with it. Having regard to all matters raised, planning permission is refused.

C Shearing

Inspector and Appointed Person

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. 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.
- 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>