



Appeal Decision

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

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal Ref: APP/Z0116/W/25/3366881

Badminton School, Westbury Road, Bristol, BS9 3BA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Badminton School against Bristol City Council.
 - The application Ref is 24/04068/F, was made on 9 October 2024, and accepted as valid on 1 November 2024.
 - The development proposed is described as '*Replacement of the existing glazed roof on the school's Arts Building with a new insulated zinc-clad roof including new PV array.*'
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of the existing glazed roof on the School's Arts Building with a new insulated zinc-clad roof including new PV array, at Badminton School, Bristol, BS9 3BA in accordance with the terms of the application, Ref 24/04068/F, subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs was made by the Appellant against the Local Planning Authority. This is the subject of a separate decision.

Preliminary Matters

3. The application was submitted in October 2024. Around a month later, in November 2024 the Local Planning Authority, Bristol City Council (herein the Council), confirmed that it had accepted the application as valid. The Council issued no decision notice within the usual period. In June 2025, the Appellant exercised their right to appeal against a non-determination of the application: this decision is the outcome of that appeal.
4. The Council have indicated, in their Statement of Case, that if they were in a position to do so, they would have granted planning permission subject to conditions.

Main Issues

5. The main issues are the effect of the proposal on the setting of the Grade II Listed Building of Northcote House, and whether the proposed development would preserve or enhance the character or appearance of The Downs Conservation Area.

Reasons

6. The Badminton School campus is centred on Northcote House, which is a Grade II Listed Building. The significance of this building principally derives from its architectural interest and its historical connection with the evolution of this part of Bristol. As evidenced on page 8 of the submitted *Design and Access Statement*, the appeal building is located a short distance away from the listed building; with intervening vegetation and buildings precluding a direct visual link.
7. Nonetheless, the fact that the listed building is and has been used for educational purposes for a number of years and the appeal building is used for similar educational buildings both have a link to each other deriving from their associated uses as part of the overall school campus. In this respect, I find that the appeal building, being located on the school campus and being in an educational use contributes to the setting of the listed building. This is because it allows viewers to appreciate and understand how educational needs and delivery have changed over time.
8. The appeal site is also located within The Down Conservation Area. As detailed within the Council's *Statement of Case*, the Downs Conservation Area Enhancement Statement (1993) indicates that the conservation area is dominated by the Downs, an expansive plateau of open parkland bounded by the Avon Gorge and Westbury Road to the west and east, and by the slopes of Clifton and Stoke Bishop to the south and north. The appeal site lies at the northern edge of the conservation area and is characterised predominantly by grand Victorian villas constructed of rubble stone, featuring mature frontages and boundary walls, interspersed with smaller scale modern infill developments.
9. The proposed development relates to the schools Arts Building, which is located at the northern edge of the campus. The appeal scheme seeks to replace the existing glass roof of the Arts Building with a well-insulated, zinc-clad roof incorporating a substantial photovoltaic (PV) array.
10. In reviewing the proposed design and materials, I concur with the views of the Council in that the proposed contemporary design and materials are sympathetic to the existing architectural context; with the glazed apron around the entrance echoing elements of the original building's design. Furthermore, the replacement roof would not detract from the character of the host building, which is also surrounded by more contemporary structures.
11. Moreover, the Arts Building is lower in height than many of the surrounding campus buildings and is set away from the Grade II listed Northcote House, with several other, modern campus buildings intervening. Whilst it would be possible for future generations to see the proposal in the context of the wider campus, with a Grade II listed building at its heart, the replacement roof would not have a significant visual impact when viewed from public vantage points within the conservation area or within the setting of the listed building. For similar reasons, I find it would not detract from the significance of the nearby listed building nor that of the conservation area.
12. In exercising my duties under s72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, as amended (PLBCAA), I find that the proposal would, at the very least, preserve the character of the conservation area.

Furthermore, under s66(1) of the PLBCAA, I find that it would preserve the setting of the listed building and not result in any harm to its significance as a designated heritage asset.

13. Accordingly, I find that the proposal would accord with the development plan when considered as a whole: this includes specific consideration of Policies BCS22, BCS21, DM26, and DM27 of the Bristol Core Strategy 2011, which, amongst other aims, seek to safeguard heritage assets within the city.
14. The proposal would also accord with material considerations such as the *National Planning Policy Framework* (the Framework), which at Chapter 16 sets out national policies on heritage. This includes when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Conditions

15. The Council have suggested four conditions to be imposed were the appeal allowed. I have considered these in light of Paragraph 57 of the Framework.
16. Conditions requiring the development to begin within three years and to be in accordance with the submitted drawings are necessary and reasonable in order to provide certainty.
17. The submission of the specific details of the photovoltaic panels to be used, and samples of materials for the zinc roofing are necessary and reasonable to preserve or enhance the character or appearance of The Downs Conservation Area. However, for precision, both conditions should require the approved details/samples to be implemented and retained; I have amended their wording accordingly.

Conclusion

18. The proposed development would accord with the adopted development plan for the area, and there are no material considerations indicating a decision otherwise than in accordance with it. For the reasons given above the appeal should be allowed and planning permission granted.

C Parker

INSPECTOR

Conditions imposed on 3366881

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.
2. The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:
 - SITE LOCATION PLAN (300) Received 15th October 2024
 - EXISTING BLOCK PLAN (301) 15th October 2024
 - PROPOSED BLOCK PLAN (302) 15th October 2024
 - EXISTING AND PROPOSED ROOF PLAN (303) 15th October 2024
 - EXISTING AND PROPOSED FLOOR PLAN (304) 15th October 2024
 - EXISTING SOUTH-EAST & NORTH- WEST ELEVATIONS (305) 15th October 2024
 - EXISTING NORTH-EAST & SOUTH- WEST ELEVATIONS (306) 15th October 2024
 - PROPOSED SOUTH-EAST & NORTH- WEST ELEVATIONS (307) 15th October 2024
 - PROPOSED NORTH-EAST & SOUTH- WEST ELEVATIONS (308) 15th October 2024
3. Prior to implementation of the approved scheme, details of the proposed Photovoltaic system including location, dimensions, design/ technical specification(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented as approved and retained thereafter.
4. Samples of the zinc roofing material shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples and retained thereafter.

*****END OF CONDITIONS*****