



Appeal Decisions

Site visit made on 12 August 2025

by **A J Sutton BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decisions date: 16 October 2025.

Appeal A Ref: APP/Z0116/W/25/3365640

144 Whitehall Road, Redfield, Bristol BS5 9BP

- 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 Mr Duncan Blackmore against Bristol City Council.
 - The application Ref is 25/10648/F.
 - The development proposed is change of use of betting shop (Sui Generis), roof alterations, extension and external alterations to create 1 no. commercial unit (use class E), 2 no. additional flats (use class C3) together with the internal reconfiguration of the existing first floor flat.
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Appeal B Ref: APP/Z0116/W/25/3365641

144 Whitehall Road, Redfield, Bristol BS5 9BP

- 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 Mr Duncan Blackmore against Bristol City Council.
 - The application Ref is 25/10614/F.
 - The development proposed is conversion of ground floor betting office (Suis Generis) to create a retail unit (Class E) and self-contained apartment (Class C3).
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Decisions

1. The appeal A is allowed, and planning permission is granted for change of use of betting shop (Sui Generis), roof alterations, extension and external alterations to create 1 no. commercial unit (use class E), 2 no. additional flats (use class C3) together with the internal reconfiguration of the existing first floor flat at 144 Whitehall Road, Redfield, Bristol BS5 9BP, in accordance with the terms of the application, Ref 25/10648/F and subject to the schedule of conditions in Appendix A of these decisions.
2. The appeal B is allowed, and planning permission is granted for conversion of ground floor betting office (Suis Generis) to create a retail unit (Class E) and self-contained apartment (Class C3) at 144 Whitehall Road, Redfield, Bristol BS5 9BP, in accordance with the terms of the application, Ref 25/10614/F, and subject to the schedule of conditions in Appendix B of these decisions.

Background and Main Issues

3. Although these appeals are against the failure of the Council to determine the original applications, the Council has submitted statements in this appeal process. These identify policies considered to be relevant and reasons for refusing planning permission in both cases.

4. Taking this into account the main issues are:

In respect of appeal A:

- The effect of the proposal on the character of the area;
- Whether the proposed residential units would provide suitable living conditions for future occupants, having regard to internal space; and
- The effect of the proposal on the living conditions of the occupants of 146 Whitehall Road, having regard to outlook and daylight.

In respect of appeals A and B:

- The effect of the proposals on parking provision and highway safety in the area.

Reasons

5. The appeal property currently comprises a commercial use at ground level and living accommodation above. The proposal in appeal A would reduce the size of the commercial use and reconfigure the property to create two separate residential planning units, one at ground floor level and the other at the second floor.
6. The scheme subject of appeal B would comprise some commercial space on the ground floor with a self-contained apartment at this level. The existing living accommodation at the first floor would be retained in both schemes.

Character

7. The appeal property forms the end of a Victorian terrace fronting the busy Whitehall Road. As a corner unit it also addresses Victoria Parade, a secondary street which is predominantly residential.
8. While the terrace provides some rhythm to the built form along Whitehall Road, it is relatively short, and this part of the road includes more recent additions with a mix of roof forms. There are also alterations to the older properties in this area which include changes to the appeal property, such that the appearance of the area is somewhat mixed.
9. Both schemes would create a new front door for the proposed ground floor residential unit, providing access from Whitehall Road. The appeal property currently comprises a bay window at this aspect, which appears somewhat visually disconnected with the existing commercial unit at street level. Consequently, the existing frontage lacks the symmetry evident in neighbouring dwellings in the wider terrace. Under these proposals, this oddity would be resolved, and the main entrance for the new residential unit would be clearly legible in the street scene.
10. The frontage of this unit would be narrower than No 146 but only by a small amount. Moreover, the drawings show there would be some visual balance, with matching front door and bay window detail, between the front of the appeal property and the front of that existing neighbouring dwelling. Also, these proposed details would be sensitive to the Victorian character of this wider terrace, and this positive outcome could be secured by condition. These positive alterations, along with the sympathetic features proposed for the front of the commercial/retail unit,

would result in significant improvements in the appearance of appeal property at street level.

11. Under appeal A, the alterations at the upper level would extend the pitched/hipped roof form, but this change would generally be in keeping with the traditional architectural style typical in this setting. This scheme also proposes the installation of dormers which is uncharacteristic in this immediate vicinity. However, the scale of the dormers would be modest and set well within the roof slopes such that this uncharacteristic feature would not harmfully dominate the property.
12. Moreover, confined to the upper level of a property which already has variant features, given its corner plot and mixed use, these modest dormers would be reasonably assimilated without significantly disrupting the wider roof scape. Also, any erosion of consistency at roof level would be considerably offset by the positive changes to the property at the street level. The sensitive features in the elevations would improve the rhythm and appearance of the terrace such that, seen in the round, the roof alterations would have a negligible visual effect on the character of the area.
13. Regarding appeal A, I find that the proposal would not have a significant harmful effect on the character of the area. In this respect the proposal would not conflict with Policy BCS21 of the Bristol Development Framework Core Strategy (Core Strategy) and Policies DM26, DM27, DM29 and DM30 of the Site Allocations and Development Management Policies Local Plan (Local Plan). These Policies collectively seek high quality urban design and, amongst other matters, expect development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness.

Living Conditions – Future Users

14. Core Strategy Policy BCS18, amongst other matters, requires that residential developments should provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards. Related to this, attention is drawn to the Council's Space Standard's Practice Note which is stated as supporting the aims of Policy BCS 18. This Practice Note indicates that the Council applies Nationally Described Space Standards (NDSS) as the appropriate space standard for residential development. However, the NDSS was published after the adoption of the Core Strategy, and unlike development plan policies, the Practice Note provides guidance on this matter.
15. This aside, regardless of the weight that the NDSS attracts in this case, the aims of Policy BCS18 and these national standards are generally aligned, in so much as they seek to deliver reasonable quality living accommodation for existing and future users.
16. Addressing the proposed accommodation in appeal A, the ground floor flat would have a gross internal area (GIA) smaller than that advised in the standards applied by the Council. However, this is only by 0.5 square metres, a very small shortfall. Moreover, this proposed unit would have an open plan sitting and kitchen area with a good sized bay window. The drawings also show a reasonable size bedroom that has room for storage, as well as space to move around the bed. The bedroom would also benefit from a sizeable window. While the unit would be small, the reasonable layout, functional shaped rooms and good sources of natural light would more than compensate for the very small shortfall in floor space.

17. Sections of the living space of the proposed second floor unit would be affected by low ceiling height. However, the overall GIA would considerably exceed the space advised as a minimum in the Council's guidance. Moreover, the drawings show that furniture and features could be laid out in the unit such that future users could move around reasonably and that the internal space could function well as living accommodation. Also, the proposed dormers on two roof slopes would increase the sense of space in the accommodation and ensure that it would feel relatively light and airy for future occupants, whilst providing a reasonable outlook.
18. There is concern that the second floor unit lacks accessibility and potential for adaption. Be this as it may, while scope for adaption is desirable and supported in local policy, it would be unreasonable to require this in all residential development, particularly small scale development which could add to the range of accommodation available in the area. Moreover, the scheme, as a whole, would provide a mix of units, including a ground floor dwelling that could be adapted for individuals that have restricted mobility.
19. Concern is also raised that the residential units would have no outside space. I find no policy requirement for gardens. That said, these would be small residential units in an urban setting where it is not unusual for properties to be without private outside space. I find no harmful deficiency in quality of accommodation in this regard for this reason.
20. Accordingly, I find that, in respect of appeal A, the proposed residential units would provide suitable living conditions for future occupants, having regard to internal space. The proposal would generally accord with Policies BCS15, BCS18 and BCS21 of the Core Strategy. These Policies collectively state, amongst other matters, residential developments should provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards.

Living Conditions - No 146

21. The appeal property already has a two storey extension to the rear. I also saw that the neighbouring dwelling has been extended at this aspect. The rear of No 146 is already considerably enclosed.
22. As outlined the existing flat roof at the rear of the appeal property would be altered to a pitched/hipped form under this scheme. This is a small section of the property, and the proposed pitch of the new roof would not be excessively steep. This relatively modest addition would not unacceptably alter the existing sense of enclosure that occupants of No 146 already experience when looking from their rear windows or when using their rear yard.
23. Also, the rear of No146 is south facing and the slight increase in roof height at the appeal property would be to the side of this neighbouring dwelling. Given these factors, the addition would not unacceptably interrupt the level of daylight that currently reaches the rear windows of No 146 or its rear yard.
24. I therefore find that, in respect of appeal A, the proposal would not have an unacceptable effect on the living conditions of the occupants of 146 Whitehall Road, having regard to outlook and daylight. Regarding this matter, the proposal would accord with Policy BCS21 of the Core Strategy and Policies DM27 and DM30 of the Local Plan. These Policies collectively, amongst other matters,

require development to safeguard the amenity of the host premises and neighbouring occupiers.

Parking

25. The Council states that the proposed off-street parking space would be a substandard size. However, at the time of the site visit I observed a sizeable vehicle parked in this space without harmfully obstructing the pavement. Bins were also stored in this space and there appeared some room around the vehicle such that an air source pump and cycle store as proposed in these schemes could be accommodated. Moreover, this is a straight stretch of highway, with a good level of visibility, and on a secondary road, such that this space could be accessed without coming into conflict with other road users or pedestrians.
26. Guidance with regards parallel parking arrangements is also highlighted. However, as already stated this space already appears to be used for this purpose and I find nothing before me to prevent this use. In any event, given the factors above, while this may not be an ideal arrangement, in this case it appears to be a safe and useable off street parking space available at the property. In light of my findings on this particular aspect of the proposed developments, it is unnecessary to consider the revised drawings submitted in support of the appellant's final comments in the appeal process.
27. That said, both proposals would result in a net gain of residential units at the property. While there is some on street parking provision on Victoria Parade, these spaces are in demand, and parking options are limited in this area. However, locally adopted parking standards indicate a maximum provision. Moreover, these proposals would result in small units, and therefore the increase in residents in the area would also be small, such that the increase on the demand of parking spaces would be limited. Also, this is a built up area, near local services and with public transport options for future users to access a wider range of services.
28. Given the factors outlined, I find, with regards appeal A and B, that the proposals would not have an unacceptably harmful effect on parking provision or highway safety in this area. Consequently, the proposals would accord with Policy BCS10 of the Core Strategy and Policies DM23 of the Local Plan. These Policies collectively, amongst other matters, seek development with an appropriate level of safe, secure, accessible and usable parking provision having regard to the parking standards, the parking management regime and the level of accessibility by walking, cycling and public transport.

Other Matters

29. I have found these proposals accord with relevant local policy. Recent decisions related to the appeal property, pursuant with section 62A of the Town and Country Planning Act 1990, indicate that the Council is unable to demonstrate a five year housing land supply. If I had found conflict with local policy, the provisions set out in paragraph 11 of the National Planning Policy Framework (the Framework) would be applicable.
30. Appeal A would provide a net gain of two residential units. This would make a small contribution to the Government's objective to significantly boost the supply of homes. This windfall development could be delivered quickly and located in a built

up area future occupants would have access to services and modes of transport other than the car. These matters weigh considerably in favour of this proposal.

31. The Framework requires a high standard of amenity for existing and future users, and the local policy is largely consistent with this provision. While one of the units would have a slight shortfall of internal space over that indicated in the NDSS, the quality of accommodation that would be provided in this case would be an acceptable standard for the reasons already set out. I find no conflict with the Framework when taken as a whole.

Conditions

32. In addition to the statutory time limit, accordance with the approved plans is necessary for certainty. It is also necessary to require the completion of external alterations for certainty that the improvements to the appearance of the building are delivered.
33. Availability of the parking space, provision of cycle and bin stores and the incorporation of the energy efficiency measures are reasonable and necessary to ensure local policy compliance.
34. I saw space to accommodate the air source pump, that is near the road and away from other dwellings. For these reasons I am satisfied that the installation of this equipment would not be harmful to local amenity and therefore it is not necessary to submit further details about this matter. A dropped curb already exists at the property, so requiring completion of vehicular access is unnecessary.

Conclusion

35. For the reasons stated above and having regard to the development plan, and material considerations, including the Framework, appeal A and appeal B should be allowed.

A J Sutton

INSPECTOR

Appendix A - Appeal Ref APP/Z0116/W/25/3365640 Schedule of Conditions Appeal A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos:

Location Plan Ref (00)001, Proposed Elevations: N+SW+S Ref (02) 201, Proposed Plans:GF+1F Plans Ref (02)101, Proposed Plans:2F+RF Plan Ref (02)102, Site Layout: Proposed Bin & Bike Details Ref (02)100.
- 3) The external alterations to the elevations of the appeal property, including external surfaces, windows and doors, shall be completed in accordance with the details shown on approved drawing Proposed Elevations: N+SW+S Ref (02) 201.
- 4) Prior to the first occupation of the additional residential units hereby permitted, the off street parking space and cycle and bin storage facilities, shown on the approved drawing Site Layout: Proposed Bin & Bike Details Ref (02)100, shall be provided in full and thereafter retained for these intended uses. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.
- 5) Prior to the first occupation of the additional residential units hereby permitted, the development shall incorporate in full, the energy efficiency measures, renewable energy features, and climate change adaption measures detailed in the Energy Statement Unit 1 - 3 – Focus 360 Energy (7 February 2025) and these measures and features will be maintained in the development thereafter.

Appeal A - End of Schedule.

Appendix B - Appeal Ref APP/Z0116/W/25/3365641

Schedule of Conditions - Appeal B

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos:

Location Plan Ref (00)001, Proposed Elevations: N+SW+S Ref (02) 201, Proposed Plans:GF+1F Plans Ref (02)101, Proposed Plans: RF Plan Ref (02)102, Site Layout: Proposed Bin & Bike Details Ref (02)100.
- 3) The external alterations to the elevations of the appeal property, including external surfaces, windows and doors, shall be completed in accordance with the details shown on the approved drawing Proposed Elevations: N+SW+S Ref (02) 201.
- 4) Prior to the first occupation of the additional residential unit hereby permitted, the off street parking space and cycle and bin storage facilities, shown on the approved drawing Site Layout: Proposed Bin & Bike Details Ref (02)100, shall be provided in full and thereafter retained for these intended uses. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.
- 5) Prior to the first occupation of the additional residential unit hereby permitted, the development shall incorporate in full, the energy efficiency measures, renewable energy features, and climate change adaption measures detailed in the Energy Statement Unit 1 – Focus 360 Energy (7 February 2025) and these measures and features will be maintained in the development thereafter.

Appeal B – End of Schedule.