



Decision Notice and Statement of Reasons

Site visit made on 29 April 2025

By Jennifer Wallace BA(Hons) MRTPI

A person appointed by the Secretary of State

Decision date: 22 May 2025

Application Reference: S62A/2025/0088

Site address: 7 Redcatch Road, Bristol, BS4 2EP

- 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 20 February 2025 is made by Amanda and Robert Clifford and was validated on 27 March 2025.
 - The development proposed is change of ground floor from Class E to 1no. residential flat, including removal of shopfront, partial demolition of rear extension, and erection of a ground floor rear extension.
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Decision

1. Planning permission is refused for the development described above, for the following reason:
 - 1) The proposal would fail to provide acceptable levels of natural light to the living room and dining room. It would also fail to provide appropriate access for refuse collection and cycle storage as access to both would have to be taken through the property and the living spaces within it. This would be contrary to Policies BCS10 and BCS21 of the Bristol Development Framework Core Strategy and Policies DM23, DM27 and DM32 of the Bristol Local Plan: Site Allocations and Development Management Policies.

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 has been designated for non-major applications since 6 March 2024.

3. I carried out a site visit on 29 April 2025. This enabled me to view the site and the surrounding area. Consultation was undertaken on 1 April 2025 which allowed for responses by 01 May 2025. Responses were received from the parties listed in Appendix 1 and I have taken these into account in reaching my decision. Bristol City Council submitted comments on May 12 2025, missing the deadline by quite some margin. It is important that deadlines are adhered to to maintain the effective operation of the planning system. Consequently, I have declined to take the Council's comments into account in reaching this decision.

Main Issues

4. Having regard to the application and consultation responses, together with what I saw on site, the main issues for this application are:
 - whether the proposal would provide satisfactory living conditions for future occupiers of the proposed dwelling;
 - the effect of the proposal on the vitality and viability of the Wells Road/ Broadwalk town centre; and
 - the effect of the proposal on the character and appearance of the area, including the setting of a designated heritage asset.

Reasons

Living Conditions of Future Occupiers

5. The proposal would see the dining room centrally positioned within the property. Little light would reach this space from the kitchen given its length, and the walls separating the spaces. The dining space would lead onto the living room, separated by a glass partition and sliding doors. Natural light to the living room would be from a rooflight and door onto the terrace. The openings, although south facing, would be positioned towards the end of the room and the door would be enclosed by the bedroom extension. The rooflight would also be in an off-set position due to the siting of the store/ shower room, together limiting the distribution of light throughout the living room. There would be little to no outlook from these rooms due to the design and location of the openings. Consequently, the proposed layout would not provide an acceptable standard of accommodation for future occupiers of the proposed dwelling.
6. The application indicates that refuse and cycle storage would be provided to the rear of the dwelling, and a small structure is proposed to provide this. These details in and of themselves are acceptable. However, the red line for the application does not include the rear access lane. I therefore cannot be certain that this land would be available for the use of occupiers of the property. Consequently, there is the potential that refuse and cycles would have to be taken through the dining and living room spaces. This would result in living conditions which would not be acceptable for modern housing development or provide an acceptable means of access for cycle parking.

7. The kitchen would be positioned at the front of the property and would be served by a window facing onto Redcatch Road, while the bedroom would be served by a door and window. These would both provide adequate light and outlook for future occupiers, given the likely patterns of use of such rooms.
8. Footnote 51 of the National Planning Policy Framework (the Framework) confirms that the use of the Nationally Described Space Standard should be used in planning policies where the need for its use can be justified. The development plan does not contain any such policy. In any event, I am satisfied that the overall space that would be available for future occupiers of the proposed flat would be acceptable.
9. For these reasons, I conclude that the proposal would not provide satisfactory living conditions for future occupiers of the proposed dwelling with respect to light, outlook, refuse and cycle storage. In these regards, the proposal would not be in accordance with Bristol Development Framework Core Strategy 2011 (CS) Policies BCS10 and BCS21, and Bristol Local Plan: Site Allocations and Development Management Policies 2014 (SADMP) Policies DM23, DM27 and DM32 which require proposals to create a high quality environment for future occupiers, have regard to the need to provide convenient and satisfactory access with respect to servicing, maximise opportunities for the use of cycling and provide accessible parking provision for cycles

Vitality and Viability of Centre

10. The site lies within the Wells Road/Boardwalk Town Centre albeit within the secondary shopping frontage. Residential developments can be complementary to retail centres by providing custom, as acknowledged by CS Policy BCS7. However, it would only generate a limited footfall. The proposal would introduce a residential use between commercial units and replace the shopfront with a domestic elevation. Consequently, it would not provide an active ground floor use or frontage. Given the position of this site within a row of retail uses on the edge of the centre, there would be a small degree of fragmentation in the frontage.
11. For these reasons, I conclude that the proposal would be contrary to SADMP Policy DM8 which requires development within secondary shopping frontages to provide active ground floor uses and frontages, support footfall and not harm the vitality, viability and diversity of the centre.

Character and Appearance

12. The site lies close to the junction of Redcatch Road and Wells Road, lying a short distance from Bristol City Centre. Wells Road was a busy thoroughfare lined by a number of retail uses. The application property lies within a terrace of properties along Redcatch Road. A number of properties are in commercial use, however partway along the terrace, the properties become residential and beyond, Redcatch Road has a predominantly residential character.

13. Directly opposite the site is Knowle Methodist Church, a grade II listed building, consequently the site lies within its setting. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. As required by paragraph 207 of the National Planning Policy Framework (the Framework), the applicant has described the significance of the church as a heritage asset, confirming it is derived from its architectural interest from the design and materials and its historic interest in the cultural development of the area. I agree with this assessment of its significance.
14. The terrace hosting the application property is constructed in stone, with the application site and two other properties having feature gables. The properties beyond vary in appearance. There is not a consistent pattern of fenestration, but there is use of stone detailing around the windows and on the frontages. These are very similar to the materials and detailing used in the church and provide a visual connection between the two.
15. The existing shopfront is modern, with a prominent fascia sign and projecting shutter box. It has a functional appearance. The proposal would see the replacement of the existing shop front with a door and window. The application form indicates materials would be stone, with uPVC on the doors and windows, replacing the current aluminum framed shopfront and door. The applicant has referred to similar works to the proposal having been carried out at 13 Redcatch Road. This demonstrates that sympathetic works can be carried out to convert properties to residential.
16. The proposed works would enhance the setting of the listed building through the re-introduction of more traditional materials and the removal of modern, unsympathetic alterations. Although a modest enhancement, this nonetheless weighs in support of the proposal.
17. For these reasons, I am satisfied that the proposal would have an acceptable effect on the character and appearance of the area. It would be in accordance with CS Policies BCS21 and BCS22, and SADMP Policies DM26, DM30 and DM31 which require development to contribute positively to an area's character, reinforce local distinctiveness, reinstate traditional or distinctive fabric and enhance the setting of heritage assets. It would also be in accordance with the requirements of the Act and the Framework as set out in Section 16 with respect to the historic environment.

Other Matters

18. The site is located within the urban area of Bristol. In addition to the service and facilities within the Wells Road shopping centre, the site lies a short distance from Bristol City Centre. There are bus stops with regular services to locations within and beyond Bristol on Wells Road. It is also within the South Bristol Regeneration Area where higher density residential

development is anticipated. The site therefore is a suitable location for residential development in principle.

19. The application proposes an L shaped extension around the existing rear projection. This would result in a higher and longer extension adjacent to the rear of extension of 5 Redcatch Road which has a window in it. Given the relatively short length and height of this extension, there would not be a harmful effect on levels of sunlight and daylight to this window given that it faces south. It would be set away from the boundary with 9 Redcatch Road and would have a neutral effect on the enjoyment of that property.
20. CS Policy BCS14 has been overtaken by the building regulations and this will provide a more appropriate route for addressing the energy performance of the building. Notwithstanding, it is indicated that an air source heat pump would be installed. An appropriate condition could ensure that noise levels from this would not have an adverse effect on the living conditions of occupiers.
21. There are permitted development rights available for conversion of Class E uses to residential under Class MA of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, this right requires prior approval of a number of matters, and I cannot be certain that such approval would be forthcoming. This therefore would not justify my reaching a different conclusion on this proposal.
22. The applicant has also highlighted that a proposal could be brought forwards without the need for the alterations to the rear of the property. However, this change of use would still require planning permission, and I have not found harm with respect to the proposed extension.
23. The proposal would provide a one bedroom dwelling. Single person households are projected to rise, and the majority of dwellings in the area have three or more bedrooms. The proposal would therefore support CS Policy BCS18 which seeks to create balanced, mixed communities.
24. The footprint of the proposed extension would be on land that was either developed or paved. It would not impact on a priority habitat and would impact less than 25 square metres of onsite habitat, and 5 metres of linear habitats. I am therefore satisfied the proposed development would be subject to the de minimis exemption as explained in Paragraph 003 of the Planning Practice Guidance on Biodiversity Net Gain.
25. It is suggested that the development would be car free. However, there is no mechanism before me to secure this, nor is this a matter that could be addressed through the use of a condition.
26. The applicant considers the proposal would be liable for the Community Infrastructure Levy (CIL), while the Council does not. As planning permission is being refused, it is not necessary for me to resolve this, as the CIL payment would be at best a neutral factor as it would be contributing to meeting the demands generated by the development.

Planning Balance

27. 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. The Framework is such a material consideration.
28. The applicant sets out that the Council can only demonstrate at best a 2.4 year supply of deliverable housing land. As none of the areas or assets identified in Footnote 7 apply to the proposal, paragraph 11d)ii of the Framework applies to the application. This states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits having regard to key policies.
29. The proposal would direct development to a very sustainable location and, in principle, would make an effective use of land. There would be an undoubted benefit from the delivery of an additional dwelling in such a location which would widen the mix of housing available. While paragraph 219 of the Framework does not precisely align with the specifics of the proposal before me, the clear direction of the Framework aligns with the statutory duty in the Act to preserve and enhance the setting of listed buildings. There would be economic benefits during the construction and occupation stages of the development. I attach limited weight to these benefits, given the small scale of the proposal and limited enhancement of the setting of the listed building.
30. While the proposal conflicts with the retail policies of the development plan, I attach only very limited weight to this. The application site is a small unit within a much larger centre. It is towards the edge of the secondary frontage, with only a few retail units beyond. There would not be material fragmentation of the parade given the limited width of the application site and few units beyond, nor a strong adverse effect on footfall. The site is currently vacant, but the loss of the previous hairdressing use would not significantly harm the diversity of the centre.
31. The proposal would have an acceptable effect on the living conditions of neighbouring occupiers and would be carried out in accordance with the building regulations which would deliver higher environmental standards than the building exhibits at present. However, these are to be expected of any well-designed development and so would be neutral in my assessment.
32. I have identified adverse impacts on the living conditions of future occupiers of the property, arising from insufficient levels of light within the living room and dining room and uncertainty regarding access for refuse collection and to the cycle parking spaces. These bring the proposal into conflict with paragraph 135 of the Framework in so far as it requires development to provide a high standard of amenity for users and paragraph 115 which requires sustainable transport modes to be prioritised and suitable access to be achieved.

33. Consequently, I find that the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The proposal therefore does not benefit from the presumption in favour of sustainable development.

Conditions

34. The local highway authority has requested conditions be imposed should the application be permitted. Having reviewed these conditions and considered conditions it would be reasonable for me to impose, these would not overcome or otherwise outweigh the harms I have found in my reasoning above.

Conclusion

35. For these reasons, and having regard to all other matters raised, the proposal does not accord with the development plan and therefore I conclude that planning permission should be refused.

Jennifer Wallace

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>

Appendix 1 - Consultee responses

National Highways

Transport Development Management