



Statement of Reasons & Decision Notice

Site visit made on Wednesday 23 July 2025

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

an Inspector appointed by the Secretary of State

Decision date: 1 August 2025

Application Ref: s62A/2025/0110

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

- The application was made under Section 62A of the Town and Country Planning Act 1990 (TCPA) by Amanda and Robert Clifford.
 - The site is located within the local planning authority area of Bristol City Council.
 - The application was dated 12 June 2025, with a valid date of 26 June 2025.
 - Consultation closed on 31 July 2025.
 - The development proposed is described as: '*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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Statement of Reasons

Summary of Decision

1. The application for planning permission is **GRANTED**, subject to conditions, for the reasons set out in this Statement of Reasons and Decision Notice.

Procedural Matters

2. The application was submitted under s62A of the *Town and Country Planning Act 1990*, as amended (TCPA). This allows for applications to be made directly to the Secretary of State (SoS), where a local authority has been designated. Bristol City Council have been designated for non-major development since March 2024. The SoS has appointed a person (an Inspector) under section 76D of the TCPA 1990 to determine the application instead of the SoS.
3. Following the closure of the representation period on the 31 July 2025, Article 22 of *The Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) Order 2013* requires the SoS (or appointed person) to consider the application either by hearing or on the basis of representations in writing.
4. Taking into account Section 319A of the TCPA and the *Procedural guidance for Section 62A Authorities in Special Measures*¹ published by the SoS, as the appointed person I considered that the issues raised in this case should be dealt with by means of the Written Representations procedure.
5. An unaccompanied site visit was carried out on Wednesday 23 July 2025. The inspection included viewing the site from the surrounding area.

¹ [Procedural guidance for Section 62A Authorities in Special Measures - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/procedural-guidance-for-section-62a-authorities-in-special-measures)

Recent planning history

6. The planning history is set out in the Applicant's Cover letter. Of note, is s62A/2025/0088, for a similar development which was refused permission on 22 May 2025.
7. The Applicant sets out that the scheme here seeks to address the concerns raised in that refusal.

Planning Policy and guidance

8. The adopted development plan for this area comprises the *Site Allocations and Development Management Policies Local Plan (adopted July 2014)* (herein the LP) and the *Bristol Development Framework Core Strategy (adopted June 2011)* (herein the CS).
9. The *National Planning Policy Framework* (the Framework), and the associated national Planning Practice Guidance, are important material considerations.

Main Issues

10. The main issues 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
 - the effect of the proposal on the character and appearance of the area, including the setting of a designated heritage asset.

Statutory Parties or Interested Persons

11. Full details of the comments can be found on the application website at:
<https://www.gov.uk/guidance/section-62a-planning-application-s62a20250110-7-redcatch-road-bristol-bs4-2ep>
12. The Coal Authority indicated on 4 July 2025, that they had no specific comments to make. However, they suggested that the Applicant's attention is drawn to the Coal Authority's Standing Advice note. The Applicant is strongly encouraged to consider this advice.
13. Bristol City Council (BCC), the Designated Planning Authority, submitted a representation on 31 July 2025. Simply put, they consider that whilst some issues had been addressed from earlier decisions:

'given the limited number of proposed windows, their positioning in relation to surrounding structures/pathways and orientation, the proposal the proposal is considered to provide poor outlook and insufficient provision of daylight and ventilation contrary to Section 12 of the National Planning Policy Framework, 2024; policy BCS21 of Bristol's Core Strategy, 2011; and polices DM27 and DM30 of Site Allocations and Development Management Policies, 2014.' They consider that the proposal should be refused.
14. All written representations have been considered before making the decision here.

Reasons

Living conditions

15. This proposal has sought to address the concerns of a previous Decision². In that decision, the Inspector considered that there would be a lack of outlook, poor internal light, and poor refuse and cycle storage provided.
16. The plans and drawings submitted for this application have altered the internal layout. In terms of the ground floor; the kitchen has been moved from the front of the building to the centre, with a living and dining room in the area facing Redcatch Road. To the rear of the building, on the ground floor, is proposed a lantern light, with store and shower room adjacent. Beyond this is an external terrace and a single storey extension providing a bedroom.
17. At first floor the layout appears to remain unchanged, with a bedroom with ensuite at the front of the building facing onto Redcatch Road, a lounge/living room in the centre of this accommodation, and a kitchen to the rear, with fire escape/rear garden access from the kitchen. (It should be noted that planning permission is only sought for the change of use and associated works of the ground floor).
18. In terms of light, the rearrangement of the internal configuration of the proposed ground floor flat means that there would be source of natural light from both the rear and front of the flat. The amount of light would diminish towards the centre of the ground floor flat. However, the use of glazed partitions and doors together with the lantern and reconfigured floor space would mean that main living areas such as the living room and bedroom would benefit from passive lighting. Moreover, the living/dining room and the bedroom would both benefit from engaging outlooks – the former out onto the Redcatch Road and the listed building opposite and the latter towards the rear gardens of buildings facing Redcatch Road.
19. In this respect, whilst noting the comments from BCC, I find that in terms of living conditions, the lighting and outlook proposed would result in a 'high quality environment' for future occupiers. As such it would accord with Policy BCS21 of the CS, which, amongst others, seeks such aims.
20. With regard to refuse and cycle storage, the submitted drawing show that this would be provided within the rear garden area. The submitted site plan also shows that access is possible off Ryde Road, which is an access that allows local businesses in the nearby shopping centre and shops to access the rear of the buildings. It also appears to be used for parking for those businesses. The Applicant has confirmed their view that this access off Ryde Road could be used by future occupiers for both their refuse collection and to access the proposed cycle store. This appears to be a pragmatic way in which refuse and cycle storage can be provided for this one bedroom ground floor flat proposed.
21. Whilst some form of bin and cycle store to the front of the building could be attractive in some ways – meaning, for example, residents would not need to move a bin from the rear garden along the access to Ryde Road or take a bicycle through the proposed flat - in pragmatic terms this is not possible given the proximity of the pavement to the front door. The amount of refuse created by a one bedroom flat is unlikely to be excessive and the refuse store and cycle

² s62A/2025/0088

store located in the rear garden would not be at odds with how many people locate their bins in a residential context.

22. Accordingly, the proposed development would accord with Policies DM23 and DM32 of the LP which, amongst other aims, seek to maximise opportunities for the use of cycling and provide accessible parking provision for cycles and provide sufficient space for individual recycling and refuse containers to reflect the current collection regime.
23. On this issue, I therefore find that the proposed development would not result in harm to future occupiers with regard to living conditions.

Boardwalk Town Centre

24. With regard to the Boardwalk Town Centre, as per the earlier refused scheme, I note that the site lies within the Wells Road/Boardwalk Town Centre; albeit within the secondary shopping frontage. As acknowledged by Policy BCS7 of the CS, residential developments can be complementary to retail centres by providing custom.
25. Nonetheless, the proposal would introduce a residential use between existing commercial units and replace the shopfront with a domestic elevation. As such, 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.
26. Accordingly, I conclude that the proposal would be contrary to Policy DM8 of the LP, which, amongst other aims, 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, including the setting of the nearby listed building

27. The site lies close to the junction of Redcatch Road and Wells Road, lying a short distance from Bristol City Centre. The application building 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. Beyond this, to the west, Redcatch Road has a predominantly residential character.
28. Opposite the site is Knowle Methodist Church, which is a listed grade II building. Given the proximity of the buildings to each other and the shared visual envelope in this case, I consider that the site lies within its setting.
29. Section 66(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, as amended, (PLBCAA) 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. The significance of the church as a designated heritage asset is derived from its architectural interest (from the design and materials) and its historic interest (in the cultural development of the area).
30. In this respect, the application building is constructed (or dressed) in stone, with the application site and two other properties having feature gables. 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. As such, I find that the proposal would preserve the setting of the nearby Grade II listed Knowle Methodist Church.

31. In terms of wider character and appearance, the existing shopfront has a functional appearance. The proposal would see the replacement of the existing shop front with a door and window, with materials used being stone, with uPVC on the doors and windows. These are materials found within the locality, and therefore they would be in keeping with the prevailing character and appearance of the area.
32. Accordingly, I find that the proposal would have an acceptable effect on the character and appearance of the area. It would be in accordance with Policies BCS21 and BCS22 of the CS and Policies DM26, DM30 and DM31 of the LP, which, amongst other aims, 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 PLBCAA and the Framework as set out in Section 16 with respect to the historic environment.

Other Matters

Community Infrastructure Levy (CIL)

33. The designated planning authority confirmed, in submitting their questionnaire, that the application is not considered to be liable for CIL. Based on the information before me, I see no reason to take a contrary view in this case.

Housing Land Supply

34. The applicant sets out that the Council can only demonstrate, at best, a 2.4 year supply of deliverable housing land. Accordingly, 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.

Conditions

35. The Council has suggested seven conditions to impose were the proposal considered acceptable. I have considered these in light of Paragraph 57 of the Framework and the national Planning Practice Guidance.
36. Conditions relating to time limit for implementation, to be developed in accordance with the submitted drawings, further details of air source heat pump, the provision and retention of refuse and recycling facilities, and the provision and retention of cycle parking/storage, are reasonable, directly related to the proposal and necessary for the reasons stated within the Decision Notice attached to this Statement of Reasons. I have, however, refined the wording used so that it better reflects the development sought (part of a building to benefit from a change of use on the ground floor rather than the whole building, for example).
37. The condition (number 5) suggested in respect of completing access for cycles and pedestrians is not necessary or reasonable given that the proposal has

access off Redcatch Road to the front, and to the rear from the service road, as shown in the red line site plan.

38. There is some misalignment between the Applicant and the Council in respect of suggested condition 6 and energy sustainability. The submitted Applicant's *Sustainability Statement inclusive of Energy Statement*, which dated 13 February 2025 indicates that the 20% CO2 reduction could be achieved through the use of an air source heat pump. This would ensure that the proposal complies with Policies BCS13, BCS14 and BCS15 of the CS.
39. I note that the Applicant considers that the Building Regulations are likely sufficient to manage the delivery of the planning policy aspirations. Respectfully, I disagree. This is because the planning policy is clear; at both local and national levels, that the move towards low carbon and/or net zero, is a key aspiration of the government. Even though the scheme here is limited to one new dwelling in the form of a one bedroom flat, each and every contribution towards reducing carbon emissions – no matter how small - makes a positive contribution to reducing carbon emissions. Therefore, I have imposed suggested condition 6 as suggested by the Council, for the reasons set out in the Decision Notice.

Planning balance and Conclusions

40. 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.
41. The proposal would result in a small conflict with the retail policies of the development plan. This is because it would result in the loss of one small retail unit within the Boardwalk Town Centre. However, the application site is a small unit within a much larger retail / shopping centre and the proposal would not result in a material fragmentation of the parade given the limited width of the application site and few units beyond, nor is it likely that there would be a strong adverse effect on footfall.
42. Accordingly, when considered in light of the development plan as a whole, I find that proposal would accord with the development plan for this area.
43. With regard to Paragraph 11 of the Framework, I find that the adverse impacts would not significantly and demonstrably outweigh the benefits, which in this case include the provision of housing in an area where there is a shortfall in housing delivery against its target, and that the development would contribute to providing an appropriate mix of housing, redressing the housing imbalance in this location³. Accordingly, the Framework, as a material consideration, when considered as a whole, does not indicate that planning permission should be refused in this case.
44. As such, planning permission should be granted, subject to the conditions, in this case.

C Parker

INSPECTOR (appointed person for the purposes of s62A and s76D TCPA)

³ As identified in BCC statement, page 8 (pages unnumbered in document)

Decision Notice

Reference: s62A/2025/0110

Decision Date: 1 August 2025

The planning application for a 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 is **Granted**; subject to the conditions listed below.

This is because whilst there would be some conflict with some policies within the development, when it is considered as a whole, the proposal would accord with the adopted development plan for the area. Furthermore, taking into account the Policies of the Framework, it is considered that these provide justification for the grant of planning permission in this case.

Conditions Imposed

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the *Town and Country Planning Act 1990*, as amended by Section 51 of the *Planning and Compulsory Purchase Act 2004*.

2. There shall be no commencement of use of any air source heat pump until details, which shall include the location, potential noise levels, and a calculation, in accordance with Microgeneration Certification Scheme planning standards (MCS 020), to show that the heat pump will be at or below the 42dB limit at any neighbouring property, have been submitted to and been approved in writing by the Local Planning Authority. Thereafter such equipment shall be installed as approved and retained.

Reason: To safeguard the amenity of occupiers of neighbouring and nearby buildings and their garden areas.

3. No use hereby permitted shall be used until the refuse/area and where necessary, dropped kerb(s) to facilitate the manoeuvring of four wheeled bins onto the carriageway have been completed in accordance with the approved plans.

Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site for the lifetime of the development.

The refuse store/area shall not to be used for any other purpose other than the storage of refuse and recyclable materials.

Reason: To safeguard the amenity of the occupiers of adjoining and nearby buildings; to protect the general environment; to prevent any obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

4. No use hereby permitted shall be used until secure cycle parking, as shown on the approved plans, has been provided. Thereafter, it shall be made available for the parking of cycles and cycling paraphernalia only for the lifetime of the development and retained for that purpose only.

Reason: To ensure the provision and availability of adequate and accessible cycle parking and associated storage facilities to encourage future occupiers to use sustainable transport modes.

5. The development hereby approved shall incorporate the energy efficiency measures, on-site renewables, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the submitted *Sustainability Statement inclusive of Energy Statement* dated 13/02/2025 prior to occupation, and thereafter retained.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to, a changing climate.

6. 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.

Z-868 -D101 A Existing ground floor plan.

Z- 868-D102 A Existing first floor plan.

Z-868-D103 Existing elevations. Z-868-D104 Existing sections.

Z-868-D105 B – Proposed ground floor plan.

Z-868-D106 B Proposed first floor plan. Z-868-D107 Proposed elevations.

Z-868-D108 A Proposed sections. Z-868-D109 B Proposed sections.

Z-868-D110 A Site location plan. Z-868-D111 B Proposed block plan.

Z-868-D112 Proposed Refuse and Recycle Plan, and Proposed Cycle Store Plan

Sustainability Statement – New Dwelling at 7 Redcatch Road, Bristol, BS4 2EP by Complete Energy Consultancy Dated 13 February 2025

Reason: To provide certainty and ensure that the development is carried out in accordance with the submitted drawings.

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

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 11 (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. An application to the High Court under s288(1) of the Act is the only way in which the decision made on an application under Section 62A can be challenged. An application must be made promptly 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. *The Applicant should note that this decision only applies to the Planning Permission sought. Any other conditions and/or consents or permissions which may be required under planning, building control, or other legislation, will still need the relevant and appropriate approvals.*

***** END OF INFORMATIVES *****