



Decision Notice and Statement of Reasons

Site visit made on 13 November 2025

Decision by Katie McDonald MSc MRTPI

A person appointed by the Secretary of State

Decision date: 2 December 2025

Application Reference: S62A/2025/0121

Site address: 61 Cotman Walk, Lockleaze, Bristol BS7 9UG

- 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 28 August 2025 is made by Mr J Adams (Fairholm Bristol Limited) and was validated on 10 October 2025.
 - The development proposed is the erection of a single dwelling (C3) with associated parking, cycle storage, bin storage and gardens.
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Decision

1. Planning permission is granted for the erection of a single dwelling (C3) with associated parking, cycle storage, bin storage and gardens at 61 Cotman Walk, Lockleaze, Bristol BS7 9UG in accordance with the terms of the application dated 28 August 2025, subject to the conditions set out in the attached schedule.

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 (BCC) have been designated for major and non-major applications since 6 March 2024.
3. Consultation was undertaken on 17 October 2025 which allowed for responses by 14 November 2025. One interested party submitted comments, which I have taken account of in reaching my decision.

Main Issues

4. Having regard to the application, comments from the interested party, together with what I saw on site, the main issues for this application are:
 - The principle and location of the proposal.
 - The effects of the proposal on the character and appearance of the area.
 - The effects of the proposal on the living conditions of existing residents at 59, 61 and 63 Cotman Walk and future residents.

Reasons

Proposal

5. The proposal is for a 1.5 storey, 2 bedroom detached house, located in the rear garden of 61 Cotman Walk, a semi-detached dwelling. The site for the proposed dwelling has previously been used for a garage and commercial storage, and is separated from the garden of No 61. The dwelling would have a rear garden, a cycle and refuse store, and a driveway to the front, accessed from Blake Road.

Location and Principle of Development

6. The proposal would front Blake Road and is in a residential area. The site is less than 2 km to Ashely Down railway station and less than 1.5 km to Gloucester Road, meaning it has good accessibility to public transport, of which the bus offers a high frequency service. Additionally, the site is within walking distance of local amenities at Gainsborough Square or there are 2 supermarkets to the south. Given the proximity to public transport and local amenities, the site is in a location where higher densities are appropriate. The proposal would also provide one off street car parking space and cycle storage. The proposal would be a more efficient use of land, in a suitable location, and is provided with sufficient means to promote sustainable modes of transport. This would comply with the requirements of Policy BCS20 of the Bristol City Local Plan Core Strategy (2011) (CS) and Policies DM21 and DM23 of the Site Allocations and Development Management Policies (2014) (SADMP). These policies support development on garden land where it represents a more efficient use of land in areas suitable for higher density development, and where safe and adequate access can be secured.
7. The Sustainability Statement sets out that the units would be thermally efficient, achieving at least a 20% reduction in residual carbon emissions using renewable technologies. This would ensure compliance with Policies BCS13, BCS14 and BCS15 of the CS, which seek to ensure that proposals incorporate sustainable construction principles along with the inclusion of renewable energy sources.

Character and Appearance

8. Blake Road is made up of 2 storey dwellings and bungalows, laid out in an inconsistent pattern. Some dwellings front the road, others have side gables fronting the road, and others are set back, forming small curves with amenity space to the front. Building heights vary due to topography, and dwellings on the eastern side, running up to Cotman Walk, are at a higher level than those on the western side of the road. Roofscapes, materials and architectural features are, however, consistent featuring dual pitched tiled roofs, render and brick walls, and simple, functional fenestration.
9. The proposal would be located at a lower land level than the dwelling and rear garden area of 61 Cotman Walk, with the plot already being subdivided. It would have a dual pitched roof, with 2 dormers to the front. The design would be simplistic and consistent with other dwellings on Blake Road. Additionally, the materials would be concrete brown tiles for the roof, with cream rendered walls and white pvc windows, doors and rainwater goods. This would also be consistent with the surrounding dwellings on Blake Road. The dwelling would be a coherent addition to the street scene, and is reflective of the area in terms of height, massing and appearance.

10. The existing trees to the front of the site are self set Ash. They are to be retained as part of the proposals, but are category C and diseased with Ash dieback. The Arboricultural Report recommends no action, but the roots will need to be protected during construction, and this would be required by condition.
11. Consequently, the proposal would have an acceptable effect on the character and appearance of the area. This would be compliant with Policies DM21, DM26, DM27 and DM20 of the SADMP and Policy BCS21 of the CS. These seek to ensure high quality standards of design that makes a positive contribution to an area's character and identity, creating and reinforcing local distinctiveness, respecting existing development and building lines.

Living conditions

12. The dwelling would be located in the former rear garden of 61 Cotman Walk, and whilst at a lower land level, would impact on the living conditions of the neighbouring occupiers, given that a 1.5 storey dwelling would be erected at the bottom of their gardens, on the boundary for Nos 63 and 59 and to the rear boundary of No 61.
13. There may be some loss of evening sunlight to the rear garden of No 59, but this would be minimal given the height of the proposed dwelling, and its location. The effect of the dwelling upon the garden space of Nos 59, 61 and 63 may cause some level of overbearing effect, however, this would also not be significantly adverse owing to the lower height and position at the end of the gardens.
14. There are no windows proposed in the rear roof elevation, and windows on the ground floor would be lower than the windows at the properties to the rear, such that there would be no direct overlooking or loss of privacy to the neighbouring occupiers or vice versa.
15. The application proposes a 2-storey 2-bed, 3-person dwelling with 76.5m² of internal useable floorspace. The bedroom and the overall Gross Internal Area comply with the national space standards for a 2-bedroom 3-person dwelling. Windows serve all habitable rooms ensuring future occupiers have good access to natural light, outlook and ventilation. I note that the front living room window would not have an adequate outlook due to proximity to the substation, however this room is served by patio doors at the rear elevation, such that the impact on future living conditions would be acceptable. The property would have access to private amenity space at the rear and suitable living conditions for future occupiers would be provided. Refuse and recycling storage would also be provided on site.
16. Therefore, whilst there would be some minor negative effects on the living conditions of the neighbouring occupiers, this would not be sufficiently harmful to conflict with Policy BCS21 of the CS, which seeks to safeguard the amenity of existing development and deliver a high-quality environment for future occupiers.

Other Matters

17. The application form states the biodiversity net gain condition as set out in paragraph 13 of Schedule 7A of the Act would not apply as the proposed development would be subject to the de minimis exemption. I have no reason to disagree. However, considering Article 24 of the Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) Order 2013, I have included a note in this decision that refers to the relevant regulatory provisions on the biodiversity gain condition.

Community Infrastructure Levy

18. BCC consider that the proposed development is chargeable development under the Community Infrastructure Levy (CIL) Regulations. Based on the evidence before me I have no reason to conclude otherwise, and this is capable of being a material consideration as a local finance consideration. The Council advise that the CIL payment would be spent on funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area.
19. A CIL payment of £6,886.14 is required. The applicant has submitted a CIL Liability Form and whilst I am the person appointed by the Secretary of State under Section 62A of the Town and Country Planning Act 1990 to determine the application it is the responsibility of BCC, as the charging 7 authority, to issue a Liability Notice following the grant of planning permission. As such, I am satisfied that the necessary mitigation under CIL can be achieved.

Conditions

20. The conditions, and reasons for them, are set out in the Schedule.

Conclusion

21. For these reasons, the proposal accords with the development plan and therefore planning permission should be granted.

Katie McDonald

Inspector and Appointed Person

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
Reason: As required by section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details: PL01, PL02, PL03, PL04, PL05, PL06 and PL07, the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (produced by Simecology Ltd, dated 5 July 2025), Arboricultural Report (produced by Silverback Arboricultural Consultancy, dated October 2025), and the Sustainability Statement (produced by Complete Energy Consultancy, dated 11 July 2025).
Reason: To provide certainty.
3. The development shall be carried out in accordance with the recommendations outlined in the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (produced by Simecology Ltd, dated 5 July 2025). The measures shall include a nest box and bat roost box on the dwelling, to be installed prior to occupation; hedgehog connectivity measures and precautionary measures to protect badgers, birds and reptiles during construction.
Reason: To ensure ecological enhancements, in accordance with Policy DM29 of the SADMP and the 187 of the NPPF.
4. The development shall be carried out in accordance with the recommendations for Tree Protection and the Arboricultural Method Statement outlined in the Arboricultural Report (produced by Silverback Arboricultural Consultancy, dated October 2025).
Reason: To ensure adequate tree protection, in accordance with DM27 of the SADMP.
5. The development shall not be occupied until the measures detailed in the sustainability statement (produced by Complete Energy Consultancy, dated 11 July 2025) have been fully installed. Verification of the proposed measures shall be submitted to and approved in writing by the local planning authority, prior to occupation of the dwelling.
Reason: To ensure the development incorporates measures to minimise the effects of and can adapt to a changing climate in accordance with policies BCS13, BCS14 and BCS15 of the CS.
6. The development shall not be occupied until the car parking area, bicycle and refuse storage areas have been completed and thereafter retained.
Reason: To provide adequate living conditions and access for future occupiers in accordance with policy BCS10 of the CS and DM32 of the SADMP.

*****End of Schedule*****

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 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 (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 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 net 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:

- 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
- 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, 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.
- 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. Responsibility for ensuring compliance with this Decision Notice rests with Bristol City Council.