



Decision Notice and Statement of Reasons

Site visit made on 17 February 2026

By N Robinson BA (Hons) MA MRTPI

A person appointed by the Secretary of State

Decision date: 26 February 2026

Application Reference: S62A/2025/0147

Site address: Land to rear of 372-374 Southmead Road, Bristol BS10 5LP

- 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 11 December 2025 is made by Mr Jonathan Wignall and was validated on 08 January 2026.
 - The development proposed is erection of a two-storey building comprising 2no. self-contained flats
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Decision

1. Planning permission is refused for the development described above, for the following reasons:

- 1.) The development would result in a detrimental impact upon the living conditions of the occupiers of 372 Southmead Road through a harmful loss of privacy. The development would therefore conflict with policy BCS21 of the Core Strategy (2011), policy DM29 of the Site Allocations and Development Management Policies (2014) and the guidance in the Supplementary Planning Document 2- A Guide for Designing House Alterations and Extensions (2005).
- 2.) The development does not include any amenity space and thus would fail to provide a high-quality living environment for future occupants. The development would therefore conflict with policies BCS18 and BCS21 of the Core Strategy (2011) and the guidance set down in the Urban Living Supplementary Planning Document Making successful places at higher densities (2018).

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) has been designated for non-major applications since 06 March 2024. Although that designation ceased on the 27 January 2026, the Planning Inspectorate will proceed to determine all those applications which were received prior to that date.

3. Consultation was undertaken on 13 January 2026 which allowed for responses by 10 February 2026. BCC did not provide an officer report but did confirm that there were no objections to the development and submitted a list of suggested conditions on 17 February 2026. I have taken account of all written representations in reaching my decision.
4. I carried out an accompanied site visit on 17 February 2026 which enabled me to view the site and the surrounding area.

Background

Planning history

5. **23/00323/F** - 2 No new one-bedroom dwellings on 2 storeys. Refused. Appeal dismissed.
22/00389/F- 2 no new one-bedroom dwellings on 2 storeys. Refused. Appeal dismissed.

Main Issues

6. Having regard to the application and the consultation responses, I consider the main issues for this application are:
 - *the effect of the proposal on the character and appearance of the surrounding area;*
 - *whether the principle of the proposed development is acceptable;*
 - *whether the proposal provides adequate living conditions for future occupiers;*
 - *the effect of the proposal on the living conditions of the occupants of neighbouring properties; and*
 - *the effect of the proposal on the highway network and highway safety.*

Reasons

Character and appearance

7. The site comprises land to the rear of 372-374 Southmead Road and an existing access between 370 and 372 Southmead Road. The site sits behind a terrace fronting Southmead Road, facing a rear courtyard area which accommodates 2-storey residential backland buildings. The frontage to Southmead Road is made up of a terrace of uniform and traditional 2-storey pitched roof dwellings with gardens to the rear, some of which extend to the site boundary. Within the wider area there are residential and commercial land uses, and the site is flanked to the rear by buildings serving Southmead hospital. The site accommodates a flat roof garage and land which previously comprised part of the garden to No 374.

8. The proposal is for the erection of 2no. one-bedroom flats which would be provided within a 2-storey modern rendered building with a flat roof. The development would be sited adjacent to the modern 2-storey rendered building which accommodates 370b and 370c Southmead Road and the flat roof contemporary design would be consistent with the form, height, width and massing of this neighbouring built form. The development would be screened from Southmead Road by the frontage terraces, would be read as a continuation of the development at Nos 370b and 370c and would sit below the ridge height of the terrace to the front. Viewed in the context of the backland built form within the courtyard, the development would not appear overly dominant in scale and would be consistent with the simple form of built form within its surroundings.
9. The proposal would not harm the character and appearance of the surrounding area and would comply with policy BCS21 of the Core Strategy (2011) (CS) and policies DM26, DM27 and DM29 of the Bristol Local Plan: Site Allocations and Development Management Policies Local Plan 2014 (DM), which state that development should be of a high quality and should not result in harm to the character and appearance of an area.

Principle of development

10. The site is located within the 'Northern Arc', an area in which CS policy BCS3 encourages development which ensures a mix of new housing to meet local needs with an emphasis on, amongst other things, encouraging higher density development and making more efficient use of underused land. CS policy BCS20 states that effective use of brownfield land should be sought by promoting development on previously used land. The development would make effective use of underused land in an area where higher densities are supported.
11. The site previously comprised part of a garden. DM Policy DM21 outlines that development involving the loss of private gardens would not be permitted unless the proposal demonstrates a more efficient use of land and where there would be an improvement to the urban design. Reflecting my conclusions in relation to the first main issue, I am satisfied that the development would not result in harm to the character and appearance of the area and that it would represent a more efficient use of land.
12. The development would provide 2no one-bedroom units. CS Policy BCS18 supports a neighbourhood with a mix of housing tenures, types and sizes to meet the changing needs and aspirations of its residents. Given the reported higher prominence of 3- bedroom houses in the area and the local demand for flats and smaller dwellings, the creation of 2 one-bedroom dwellings would help in part address the shortfall of smaller dwellings in this area.
13. Drawing on the above, the proposal would be acceptable in land use terms and would meet the Council's objective of promoting higher density development within the northern arc and creating mixed and balanced communities. The proposal would therefore accord with those aims of CS policies BCS3, BCS20, BCS18, and DM Policy DM21, the aims of which are set

out above.

Living conditions for future occupiers

14. The individual rooms and overall flat sizes would meet the floor areas required by the Nationally Described Space Standards. All habitable rooms would include at least one opening and there is no indication that these rooms would fail to receive adequate levels of natural light. The 'L' shaped building and dual aspect kitchen/ lounges would provide future occupiers with adequate outlook.
15. The Urban Living Supplementary Planning Document Making successful places at higher densities (2018) (ULSPD) states that private open space can make an important contribution to quality and liveability of new housing developments and recommends a minimum of 5m² of private outdoor amenity space for a 1-2 person dwelling. The SPD states that this is based on the space required for furniture, access and activities in relation to the number of occupants.
16. Future occupiers of the units would not be provided with any external amenity space. Whilst Badocks Wood may serve to meet some recreational needs of future occupants, I observed at my site visit that this is some distance from the site (in excess of 500 metres) and, given its distance it would not compensate for a lack of private amenity space. By failing to provide any private amenity space for future occupiers, the development would not provide space for everyday activities such as drying washing and thus would not provide an acceptable standard of accommodation for future occupiers.
17. I note that Nos 370b and 370c do not have any private amenity space. However, the planning history of these units and the circumstances in which they were granted planning permission is not before me to give substantial credence to. In any case, the existence of development nearby which doesn't provide any private amenity space does not justify further development which fails to make this provision. This does not overcome the harm arising from the lack of amenity space provision.
18. The development fails to provide an acceptable level of private amenity space and therefore would not provide an appropriate living environment for residents. Conflict therefore arises with those aims of CS policies BCS18 and BCS21 which require that residential developments provide sufficient space for everyday activities and provide a good standard of accommodation for future occupiers. Conflict also arises with the ULSPD which has similar aims and which sets out the recommended minimum private outdoor space requirements for residential development.

Living conditions- occupants of neighbouring properties

19. The development would comprise an 'L' shaped building with angled obscurely glazed windows to the living rooms. The design and orientation of these windows would restrict overlooking of the rear elevations of the properties on Southmead Road from the kitchen/living rooms. The clear

glazed parts of the kitchen/ living room windows would face the obscurely glazed windows to Nos 368c and 368d and the parking courtyard to the front of these units. Given these conditions I am satisfied that there would be no harmful loss of privacy resulting from overlooking from the kitchen/ living room.

20. The Supplementary Planning Document 2- A Guide for Designing House Alterations and Extensions (2005) (SPD) states that to ensure privacy between houses, as a 'rule of thumb', a gap of 21 metres should generally be provided. The proposed first floor bedroom window would be separated from the first floor window to 372 Southmead Road by approximately 16.3m. Whilst the SPD advises that in more densely developed, inner urban locations the separation distance may be less, this nonetheless represents a significant shortfall against the SPD's separation standard. This relationship would offer clear, direct views from the proposed first floor bedroom window of the windows in the rear elevation of No 372 and its rear garden at a limited distance. This overlooking would go beyond existing oblique overlooking from the first floor window to No 370b, which I observed is not directly to the rear of No 372. This overlooking would go beyond reasonable levels resulting in a harmful loss of privacy to the detriment of the living conditions of the occupiers of No 372.
21. In light of the above, the proposal would fail to safeguard the living conditions of the occupiers of 372 Southmead Road as a result of overlooking. Therefore, in relation to this issue the development would conflict with those aims of CS Policy BCS21 and DM policy DM29 which expect development to safeguard the amenity of existing development. Conflict also arises with the SPD which has similar aims.

Effect on the Highway network and highway safety

22. There are bus stops on Southmead Road nearby providing a frequent bus service to multiple parts of the city and a local centre and commercial units are located on Southmead Road in proximity to the site. The development is put forward as a car-free development and does not make provision for any off-road car parking. There is limited capacity within the surrounding area for on-street parking. Nonetheless, the site is located within convenient reach of day-to-day services and facilities and is accessible by different means of transport including by foot and public transport. Future occupiers would also be provided with secure cycle storage, which would likely lessen reliance on the private car. Having regard to the presence of local shops and services within walking distance and the level of public transport availability, it would be feasible for occupants to live in the properties without the need for a car and who would be able to travel for work, education, services or leisure by public transport, bicycle or on foot.
23. Given these conditions, and consistent with the conclusions of the Inspector in the 2025 appeal decision¹ I find the site to be in a highly accessible location, and the need for dedicated car spaces is thus unproven. Given this, there is no compelling evidence before me that the proposal would have a

¹ APP/Z0116/W/24/3350896

harmful impact on the highway network or highway safety. Accordingly, there is no material conflict with the provisions of CS policy BCS10 and DM policies DM23 and DM32 which seek to achieve sustainable travel patterns and safe and adequate access for all sections of the community.

Other Matters

24. The applicant states that the proposal would be exempt from the statutory biodiversity net gain requirement, as it would affect less than 25m² of non-priority habitat. I am satisfied, on the basis of the evidence before me, that the proposal could be considered as exempt, having regard to the de minimis threshold.
25. The Council consider that the proposal is chargeable development under the Community Infrastructure Levy (CIL) Regulations and that if the application had been submitted to them then CIL would have been payable. I have no reason to conclude otherwise.

Planning Balance

26. The Council accepts that it is unable to demonstrate a 5-year housing land supply. Paragraph 11d of the National Planning Policy Framework (the Framework) indicates that, in such circumstances, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
27. The provision of 2 residential units which would meet an identified local housing need in an area with good access to services, facilities and public transport would accord with the Framework's objective of significantly boosting the supply of homes. There would be investment and employment during construction, and spending in the local economy by future occupants thereafter. There would be a contribution toward infrastructure from the CIL payment. Having regard to the overall scale of the proposal, these benefits collectively attract moderate weight.
28. On the other hand, the proposal would fail to provide an acceptable standard of accommodation for future occupiers and would result in harm to the living conditions of the occupiers of a neighbouring property. Conflict therefore arises with chapter 12 of the Framework which seeks to ensure that developments create spaces with a high standard of amenity for existing and future users and which sets out that good design is a key aspect of sustainable development. I give significant weight to the conflict with the development plan policies in this area.
29. Whilst the Framework seeks to significantly boost the supply of housing, the adverse impacts would significantly and demonstrably outweigh the benefits of the delivery of 2 dwellings, when assessed against the policies in the Framework taken as a whole. Thus, the proposal would not constitute a

sustainable form of development in terms of the Framework and does not benefit from the presumption in favour of sustainable development.

Conclusion

30. For these reasons the proposal does not accord with the development plan and there are no material planning considerations which indicate that permission should be forthcoming in spite of this conflict. Therefore, I recommend that planning permission should be refused.

N Robinson

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

Bristol City Council