



Decision Notice and Statement of Reasons

Site Visit made on 09 March 2026

By A Hickey MA MRTPI

A person appointed by the Secretary of State

Decision date: 30 March 2026

Application Reference: S62A/2025/0151

Site address: 15 Sterncourt Road, Stapleton, Bristol BS16 1LB

- 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 24 December 2025 is made by Mr Tom Moody of Imperial Developments (Bristol) Ltd and was validated on 13 January 2026.
 - The development proposed is attached two storey house.
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Decision

1. Planning permission is refused for the development described above, for the following reasons:
 - 1) The proposal would have an unacceptable effect on the character and appearance of the area, including the setting of the Stapleton and Frome Valley Conservation Area, by reason of its design, siting and external appearance. It would fail to integrate with its surroundings and would not represent high quality design. The proposal is therefore contrary to Policies DM21, DM26, DM27, DM29, DM30 and DM31 of the Bristol Local Plan - Site Allocations and Development Management Policies and Policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy.
 - 2) The proposal fails to demonstrate that it would provide for the statutory biodiversity net gain set out in Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Furthermore, insufficient information has been provided to demonstrate that the development would not have an adverse effect on protected species or habitats. The proposal is therefore contrary to Policy BCS9 of the Bristol Development Framework Core Strategy and Policies DM15 and DM17 of the Bristol Local Plan - Site Allocations and Development Management Policies.
 - 3) The proposal would result in an unacceptable impact on highway safety due to the substandard visibility and the proximity of the

proposed parking spaces close to the bend on Sterncourt Road. The proposal is therefore contrary to Policy BCS10 of the Bristol Development Framework Core Strategy and Policy DM23 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 (BCC) was designated for non-major applications between 6 March 2024 and 27 January 2026. The application was made to the Planning Inspectorate during this period.
3. On 16 December 2025 the Government published a consultation on changes to the National Planning Policy Framework, accompanied by a Written Ministerial Statement. As the final form of any revised Framework is unknown, the consultation draft carries very limited weight.
4. Consultation was undertaken on 16 January 2026 with responses invited by 16 February 2026. BCC did not provide an officer report within that period but subsequently provided planning history, details of the adjacent conservation area and a list of suggested conditions. The applicant was given the opportunity to respond. I have taken into account all representations received.
5. I carried out an unaccompanied site visit on 09 March 2026, which enabled me to view the site and the surrounding area.

Background

Planning History

6. The site has been subject to two recent applications:
 - 25/12124/F - Detached two-storey house. Refused.
 - 25/14124/F - Attached two-storey house. Refused.

Main Issues

7. Having regard to the application, the consultation responses and what I saw on site, the main issues for this application are:
 - the effect of the proposal on the character and appearance of the area, including the setting of the Stapleton and Frome Valley Conservation Area (the CA);
 - ecology, trees and biodiversity net gain (BNG); and
 - the effect of the proposed development on highway safety.

Reasons

Principle

8. Bristol Local Plan - Site Allocations and Development Management Policies (SADMP) Policy DM21 supports development within garden land subject to complying with the specified criteria. The site is in a sustainable location with access to public transport and some local services. As such, the development of this garden land site could represent an efficient use of garden with a higher density. However, Policy DM21 also requires that such development must not harm the character and appearance of the area.

Character and Appearance

9. 15 Sterncourt Road (No 15) is a two-storey end-terrace house located on a bend on Sterncourt Road, on the edge of a residential estate. The surrounding estate displays a consistent pattern of development, with dwellings of similar design, materials and spacing close to the road.
10. The proposal is for a single dwelling, located in the side garden and attached to No 15. The dwelling would have a rear garden and provide cycle and bin stores. The site for the proposed dwelling would be separated from the road and footway by a strip of side garden and hedge.
11. The proposed dwelling would retain some separation from the road. It would also have a similar building line matching the existing terrace row appearing as a natural continuation given its similar scale. However, its design, particularly the use of roughcast render in an area characterised by brick, would appear incongruous and visually discordant within the street scene. Moreover, due to its position on a bend, the dwelling would be prominent in views both along Sterncourt Road and from the adjacent footpath, exacerbating the harm.
12. The application site is located outside, but close to, the CA. From my observations on site and having regard to the Stapleton and Frome Valley Conservation Area character appraisal, the significance of this part of the CA lies, in part, in the scenic walking routes within well-established woodland which slopes downward into the nearby gorge and its relationship with the surrounding built form which includes verdant landscaped gardens.
13. The side garden of No. 15 contributes to the open, verdant character of the corner and allows views towards the CA, making a positive contribution to its setting. The proposed dwelling would be prominent in views from the adjacent footpath leading into the CA. It would draw the eye and compete visually with the adjacent landscape, thereby harming the setting and significance of the CA. I have considered the applicant's view that the proposal would have little or no impact on the CA due to its location outside its boundary. However, development outside a designated heritage asset can nonetheless affect its setting.
14. For the above reasons, the proposal would harm the character and appearance of the area, including the setting of the CA. This would conflict with Policies DM21, DM26, DM27, DM29, DM30 and DM31 of the SADMP

and Policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy (CS). These seek to safeguard or enhance heritage assets, ensure high quality standards of design that make a positive contribution to an area's character and identity, preserving conservation areas, and creating and reinforcing local distinctiveness, respecting existing development and building lines.

Ecology, Trees and BNG

15. Policy DM19 of the SADMP requires development likely to affect habitats or species to be informed by appropriate survey evidence. Circular 06/2005 advises that it is essential that the presence or otherwise of protected species, and the extent to which they may be affected by the proposed development, is established before planning permission is granted. Otherwise, all relevant material considerations may not have been properly addressed.
16. Based on my observations, several trees and vegetation look to have previously been removed and trimmed down from the site. At the time of my visit, the planting was beginning to recover with vegetation and shrubs growing across much of the site.
17. Although the site is a residential garden and not subject to any special nature conservation or identified habitat designations, it is adjacent to a wooded area and forms part of a wider ecological network. The absence of a statutory designation does not remove the requirement to assess impacts on protected species. As the site forms part of a wider network, there is a reasonable likelihood of protected species being present in the area.
18. In the absence of a Preliminary Ecological Appraisal or other proportionate survey evidence, I cannot be satisfied that protected species would not be harmed. Given the potential presence of protected species and the nature of the site, this is not a matter that can be left to a planning condition, consistent with Circular 06/2005.
19. Moreover, even if I accept the Council has yet to publish its ESA template and draft policies are identified, this does not overcome the need to establish the presence of protected species, and the extent to which they may be affected by the proposed development.
20. The applicant asserts that the proposal would be exempt from mandatory biodiversity net gain requirements on the basis that it is a self-build development. Self-build development can be exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024. However, such an exemption applies only where the development demonstrably meets the statutory definition and where sufficient certainty exists at the point of determination that the exemption would lawfully apply.
21. A legal agreement, under the provisions of S106 of the Town & Country Planning Act 1990, is likely to be the most appropriate method of ensuring that the development is self or custom build rather than market housing.

22. I have considered whether a planning condition could reasonably secure this outcome. However, a condition would not provide sufficient certainty or enforceability. In particular, a condition cannot guarantee that the development would be undertaken by an individual or group for their own occupation, as required by the statutory definition.
23. In contrast, a planning obligation under section 106 of the Town and Country Planning Act 1990 would be capable of securing the necessary control over ownership, occupation and transfer of the dwelling to ensure compliance with the exemption criteria. In the absence of such a mechanism, I cannot be satisfied that the development would lawfully qualify for exemption from BNG requirements.
24. A condition has been suggested by the applicant, with my attention drawn to a scheme allowed by the Council¹. Whilst noting that BCC have used such a condition, I do not agree with that approach for the above reasons.
25. No substantive details of the existing biodiversity metric on the site have been provided, and therefore, it is not possible to establish whether there would be a net gain and whether this could be achieved on-site. As such, it has not been shown that a BNG would be provided, which is a requirement set out in legislation and the Framework.
26. Notwithstanding my findings above on the removal and works to trees on site, there is limited evidence before me to establish that consent was required for any removal of trees or tree works. Nonetheless, a planning obligation² has been put forward to secure a contribution for six replacement trees. Having reviewed the obligation, I am satisfied that it meets the three tests of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and the requirements of the Framework, namely that it is necessary to make the development acceptable in planning terms, is directly related to the development, and is fairly and reasonably related in scale and kind to the development. Subject to the obligation, the proposal would provide appropriate replacements, particularly in light of the quantity and quality of trees presently on site.
27. In conclusion, the proposed development would provide adequate tree replacement. However, insufficient information has been provided to demonstrate that the proposal would avoid unacceptable harm to protected species or habitats. The application has also not shown that a BNG would be achieved. Consequently, it would conflict with Policy BCS9 of the CS and Policies DM15 and DM17 of the SADMP. Collectively, these seek to protect local sites of biological importance which create and connect habitats for wildlife.

Highway Safety

28. The proposal would provide two off-street parking spaces to serve both the existing and proposed dwellings. These spaces would be located close to a bend on Sterncourt Road, which is subject to a 20mph speed limit. The

¹ Ref: 25/11917/F

² Dated: 03 March 2026

road is relatively narrow and accommodates on-street parking. During my brief site visit, the section of road already appeared reasonably well used despite being located in a cul-de-sac. It is also not disputed that the nearby care home development is likely to increase traffic movements on this section of the road upon its completion.

29. Although a visibility plan has been submitted, the proposed visibility splays fall below the standards set out in the Manual for Streets for a 20mph road. Drivers approaching the site from either direction would have limited awareness of the access due to the road's curvature, as well as existing and proposed boundary treatments, which would further restrict visibility and increase the likelihood of conflict with vehicles entering or leaving the site.
30. In my view, the above matters cannot be appropriately addressed by the imposition of a condition requiring a different layout, given the extent of the changes necessary. The absence of prior accidents or existing accesses nearby does not address the above concerns, particularly given the increase in traffic near the bend when the care home becomes operational.
31. The submitted drawings show sufficient space within the front garden to accommodate refuse and recycling storage without adversely affecting pedestrian movement. While detailed designs have not been fully specified, I am satisfied that these matters could be appropriately secured by the imposition of a suitably worded planning condition.
32. For the reasons set out above, the development would give rise to an unacceptable risk to highway safety. It would therefore conflict with Policy BCS10 of the CS and Policy DM23 of the SADMP. These require, amongst other matters, developments that are designed and located to ensure the provision of safe streets and do not give rise to unacceptable traffic conditions.

Other Matters

33. BCC consider that the proposed development is chargeable development under the Community Infrastructure Levy (CIL) Regulations. Based on my findings above I have no reason to conclude otherwise. No completed planning obligation has been submitted with the application in lieu of a CIL contribution, or to secure the development as a self-build dwelling, nor has any other financial payment been offered in lieu of a CIL contribution. This attracts negative weight against the scheme.
34. Concerns have been raised regarding foul drainage capacity. However, there is insufficient evidence before me to conclude that this would result in unacceptable impacts, and such matters would be subject to separate statutory controls.
35. CS policy BCS14 states that development should include measures to reduce carbon dioxide emissions from energy use by minimising energy requirements and by incorporating renewable and low-carbon energy sources. The policy goes on to state that development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. The

proposal meets the 20% residual energy use target through the building fabric and the incorporation of an air source heat pump.

36. Having considered the relationship between the proposed dwelling and the position of windows and gardens on nearby properties, there would be an adequate separation distance which would provide sufficient levels of privacy for occupants of the existing dwellings. Moreover, the proposed dwelling would avoid harmful levels of overshadowing or overbearing impacts on neighbouring dwellings.
37. Policy BCS18 of the CS requires residential developments to meet appropriate space standards that provide sufficient space for everyday activities and space which should be flexible and adaptable. The proposed dwelling would meet the required space standards and provide an acceptable level of outdoor space as well as an accessible bike store. Overall, therefore, the proposed scheme would provide adequate living conditions for future occupiers.
38. I acknowledge that the scheme has been amended from the earlier planning applications refused by the Council, and that the applicant has acted proactively in attempting to overcome the previous reasons for refusal. However, as set out above, this has not fully overcome all of the previous reasons for refusal.

Planning Balance

39. 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.
40. BCC cannot demonstrate a 5-year supply of housing land, and thus the provisions of Framework paragraph 11d fall to be considered, unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed. Given the harm I have found to the CA and other identified harms, there are strong reasons for refusing the development proposed, and the tilted balance is disapplied.
41. The dwelling would be a private market dwelling and would make a limited contribution to the Council's housing land supply. Given the scale of the scheme, there would also be some modest economic benefits during construction and the dwelling's occupation.
42. The proposal would have a harmful effect on, highway safety, the character and appearance of the area, including the CA, and has failed to demonstrate it would not have an adverse impact on protected species. In the absence of a compliant CIL contribution the proposal would also have a harmful effect on local infrastructure.
43. Accordingly, having considered all the matters raised as other considerations in support of the development, I conclude that they do not clearly outweigh the substantial harms that I have identified.

44. For the purposes of the Framework, the CA is a designated heritage asset. The proposal would result in less than substantial harm to the significance of the CA, which would sit at the lower end of the scale. The Framework indicates that such harm is to be weighed against the public benefits of a proposal. However, great weight should be given to an asset's conservation.
45. The dwelling would be a private market dwelling, and there would be limited public benefits arising from the proposal including during its construction and occupation. Overall, however, I am not persuaded that the limited public benefits are sufficient to outweigh the great weight that should be given to the CA's conservation.

Conclusion

46. The proposal would conflict with the development plan and there are no material considerations of sufficient weight, including approaches in the Framework, which indicate that a decision should be made other than in accordance with it. Having regard to all matters raised, planning permission is refused.

A Hickey

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>