



Appeal Decision

Site visit made on 11 February 2025

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2025

Appeal Ref: APP/P0119/W/24/3354527

LAND AT GROVE FARM, BAGSTONE ROAD, RANGEWORTHY, SOUTH GLOUCESTERSHIRE, GL12 8BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Miss Helen Pick against the decision of South Gloucestershire Council.
 - The application Ref is PA24/00764/F.
 - The development proposed is for a single storey dwelling to be erected in an area of land south west of the original house, which would comprise of a log cabin sitting on a concrete base.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council confirmed that with the further information submitted with this appeal the reason for refusal (No3) relating to drainage has been sufficiently addressed. As such, the Council confirmed this reason for refusal has fallen away and I have not considered it a main issue for this appeal decision.

Main Issues

3. The main issues are (1) whether the site is in a sustainable and accessible location; and (2) the potential effects to protected species.

Reasons

Location of the proposed dwelling

4. The proposal is for a modest sized single storey cabin style dwelling adjacent to the existing cottage at Grove Farm in the small rural settlement of Bagstone. The site fronts Bagstone Road (B4058) which runs through the settlement. There are no facilities apparent at Bagstone, but there are some in the larger village of Rangeworthy to the south. This includes a village hall, primary school, church and pub, for example.
5. In terms of local facilities for the proposed dwelling, Rangeworthy does provide some of these facilities. However, Rangeworthy is a long walk (approximately 1km to 1.5km) from the site, more than some people would be content with for walking. Cycling is an option and would not take long for someone to cycle from the site to Rangeworthy. It is, in my view, likely that residents at the proposed dwelling would often drive, but it is not the only mode of transport to Rangeworthy with walking and cycling an option, especially in daytime hours as the path is not fully lit.

6. However, the facilities on offer at Rangeworthy are limited also. From the evidence, there is no local shop for example. The Appellant points to a school bus service, which is beneficial. There is also a local bus service, but it is not clear whether this is a permanent service with it being described as a trial.
7. It is possible that any future occupant could work from home or at the farm, which would mean there would be no need to travel to work. Also, the size and type of dwelling may mean that it would not be occupied by a family, which may also reduce the need for certain day-to-day facilities. However, none of this is certain and a future occupant could work elsewhere for example.
8. Policy CS8 of the South Gloucestershire Local Plan Core Strategy 2013 states that *"Priority will be given to providing the users of new development with a range of travel options other than the private car."* This policy also states that *"Developments which are car dependent or promote unsustainable travel behaviour will not be supported."*
9. PSP11 of the South Gloucestershire Local Plan Policy Sites and Places Plan 2017 states that *"development proposals which generate a demand for travel, will be acceptable where appropriate, safe, accessible, convenient, and attractive access is provided for all mode trips arising to and from the proposal."* The policy goes on to require that residential development is located on safe, useable walking and, or cycling routes, that are an appropriate distance to key services and facilities. If not, there should be an appropriate distance to a suitable bus stop facility.
10. Considering these policies, it is my view that there are other travel options, such as walking or cycling which would be generally safe. However, for the full range of key services and facilities it is likely that private vehicle travel would be often necessary. As such, although future occupiers would not be fully dependent on private car travel, the proposal would conflict with the above policies due to the limited key services and facilities in the area.
11. The National Planning Policy Statement (NPPF) promotes sustainable transport and states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. However, in this case the proposal is for a single dwelling only and the NPPF also recognises the opportunities to maximise sustainable transport solutions will vary between urban and rural areas (Para 110). In this case, the site is within a distinctly rural location and for a modest scale proposal.
12. It is also considered that this is a modest single dwelling proposed in an area where there are already other dwellings (some of which recently built). It would not generate a significant level of traffic.
13. It is also noted the low level of housing land supply position of the Council, which will be addressed more in the later planning balance section.

Protected Species

14. A report by Arbtech has been submitted with the appeal, to address reason for refusal No 2. Under the amphibian section the report considered Great Crested Newts (GCN), which are a European Protected Species (EPS) protected under the Conservation of Habitats and Species Regulations 2017. The survey work

identified four ponds. Three ponds were considered unlikely to have GCN aquatic habitats that could be affected by the proposed development, for reasons such as barriers to dispersal or the distances involved. However, pond P1 is within approximately 50m of the site, but was found to only have about 1cm of water in it when surveyed. This is an insufficient water level for a GCN habitat.

15. In response, the Council stated that the site is an amber risk zone for GCN (which suggests GCN presence is likely) and noted that the Arbtech site visit was conducted in August. This is when a pond may be at a low level of water being that this is in the summer. Furthermore, the Council state that there is no evidence to suggest that the pond would not hold water during the breeding season for GCN. Indeed, if the survey work was conducted at a more suitable time of year then it could be better established whether there were GCNs present. As such, further survey information/survey work is necessary to fully assess the suitability of the pond for GCN.

16. As set out in Paragraph 99 of Circular 06/05 (Biodiversity and Geological Conservation):

It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances..

17. There are no exceptional circumstances in this case and as such this is important information that needs to be addressed prior to determination. There can be no certainty without this information that the mitigation advised within the Arbtech report or by the Appellant at this stage would acceptably address any harm to GCNs.
18. Due to the lack of this information the proposal is contrary to policy PSP19 of the Policies, Sites and Places Plan Adopted November 2017, which requires development to avoid the significant loss of to sites of value to local biodiversity. Furthermore, the NPPF requires plans to promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species (such as GCNs).

Planning Balance

19. The Council has stated that the presumption in favour of sustainable development and the tilted balance is applied. Paragraph 11 of the Framework states that where the development plan is out of date 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, and making an effective use of land, for example.
20. The proposed development would provide for a dwelling towards housing land supply and provide a home for someone waiting for accommodation. It would be a self-build dwelling, which could be erected quickly. It would also have some social and economic benefits. However, these benefits would be limited as the proposal is only a single dwelling.

21. As established above, the proposed dwelling is not in an accessible location for all key services and facilities. However, there are some key facilities and services in nearby Rangeworthy which is accessible via a long walk or a shorter cycle trip. It is considered though, that many trips from this proposed dwelling would likely be taken by private vehicle, though this is not uncommon in a rural location. On this matter the location of the proposed dwelling for these reasons would be a minor weight against the proposal in the planning balance.
22. There is also the insufficient survey information to address the potential impact to the GCN protected species, which is attributed significant weight against the proposals in the planning balance.
23. Overall, due particularly to the potential harm to the protected species of GCN, the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conclusion

24. For the reasons given above the appeal should be dismissed.

Mr S Rennie

INSPECTOR