



Appeal Decision

Site visit made on 1 July 2025

by **Max Wiltshire BSc, MSc, CEng, MICE**

an Inspector appointed by the Secretary of State

Decision date: 03 September 2025

Appeal Ref: APP/P0119/W/25/3365758

67 Church Road, Wick BS30 5PE

- 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 N Simm against the decision of South Gloucestershire Council.
 - The application Ref is P25/00367/F.
 - The development proposed is a new dwelling to side of existing with removal of garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - whether the exemption to the requirement to provide Biodiversity Net Gain (BNG) could be secured, or, if not, whether this objective could be met;
 - whether suitable living conditions for the future occupiers of the proposed dwelling would be provided with regard to internal space;
 - the effect of the development on highway safety, with particular regard to the provision of parking and associated manoeuvring space; and
 - the effect of the development on drainage.

Reasons

BNG

3. The appeal site consists of a semi-detached property in a mainly residential busy main road. The proposed development seeks to demolish the existing garage adjacent to the property and build a 2 bedroom dwelling described as 'self-build'.
4. The development is proposed to be a self-build project for a single dwelling which, having regard to the relevant legislation, would be exempt from the BNG requirement. Specifying a project as self-build in the description of development or a supporting document is not sufficient to ensure that a development is ultimately constructed as a self-build project. I have not been provided with any wording for a suitable planning condition to ensure this would be the case and still comply with the relevant tests in paragraph 56 of the National Planning Policy Framework (the Framework), for example that the condition would be enforceable. A planning obligation, under S106 of the Town and Country Planning Act 1990, is likely to be the most appropriate method of ensuring that the development is self-build

housing rather than market housing. No such obligation has been submitted with this appeal.

5. In the circumstances that the proposal is considered absent the exemption, as a normal market dwelling, there is no substantive evidence to demonstrate that the 10% BNG objective could be met.
6. There is no mechanism to secure the development as a self-build project and, absent its exemption there is insufficient evidence to demonstrate that the BNG objective would be met. The development would not accord with the legislative requirements in respect of BNG or the aims of the Framework to secure measurable net gains for biodiversity. A failure to secure a measurable biodiversity improvement will attract a significant degree of harm when considering the planning balance.

Living conditions of future occupants with regard to internal space

7. The proposed development would consist of a 2 bedroom end-of-terrace dwelling. The policies referred to by the Council do not indicate that the Nationally Described Space Standards (NDSS) are triggered (other than for affordable housing). Policy PSP37 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017 (PSP) is only relevant to affordable housing. Policy PSP38 does not relate to internal space for the future occupants of new development and so it is not relevant to this issue. Policy PSP8 seeks to ensure there would be generally acceptable living conditions for future occupiers but it does not indicate that the NDSS should be applied. Based on the evidence before me, the NDSS is not relevant to this scheme.
8. A general assessment of the adequacy of internal space can be made. Although the dwelling would be of a modest size, each bedroom would not be unduly small and there would be reasonable living and circulation space. There would also be opportunities to provide adequate storage. As such I consider that the internal living environment would be acceptable and there would be adequate living conditions for the future occupants in accordance with Policy 8 of the PSP.

Highway safety with regard to the provision of parking

9. The proposal would result in a change to existing parking arrangements, with 3 parking spaces and a manoeuvring and turning area proposed.
10. Details have been provided regarding parking layout, turning, and manoeuvring areas and means of access. These indicate that there is sufficient space available for 3 vehicles to park, manoeuvre, enter and exit onto the highway safely.
11. On the basis of the evidence before me I am satisfied that the development would be acceptable concerning highway safety with regard to the provision of parking. Consequently, it would comply with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 (CS); and Policies PSP11 and PSP16 of the PSP. Together, and amongst other matters, these policies seek to ensure provision of appropriate levels of safe parking facilities.

Drainage

12. The application site is approximately 20m from a culverted watercourse within the highway. Given this distance and the lack of any evidence to indicate that drainage

from the site could not be adequately dealt with by a scheme secure through a condition I am satisfied that the proposal will have no significant impact on the watercourse or increase the risk of flooding from the watercourse.

13. On the basis of the evidence before me I am satisfied that the development would be acceptable concerning drainage. Consequently, it would comply with Policy CS1 of the CS, and Policy PSP20 of the PSP. Together, and amongst other matters, these policies seek to ensure proposals are designed so as not to increase the risk of flooding.

Planning Balance

14. The evidence indicates that the Council's policies which are most important for determining the application are out-of-date, and the current housing land supply falls below the housing requirement for the five-year period. Paragraph 11 d) of the Framework explains that in these circumstances, planning 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.
15. The benefits of the provision of a single dwelling to the supply of housing would be very modest, as would other associated benefits such as those to the economy during the construction process and related to those occupying the dwelling.
16. Although I have found the proposed development acceptable regarding provision of internal space, parking, and drainage, I consider these matters neutral in the planning balance.
17. With regard to exemption from the BNG requirement, this would require the proposed development to be a self-build dwelling, and this was not secured at appeal stage. I therefore cannot attach any positive weight in respect of the provision of a self-build dwelling. Due to the legislative requirements and the Framework objective of improving biodiversity, I assign significant weight against the proposal in respect of the lack of BNG which outweighs any modest benefit.
18. When considered in the round, the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the development. The development would not accord with the policies in the Framework taken as a whole.

Conclusion

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

Max Wiltshire

INSPECTOR