



Appeal Decision

Site visit made on 18 November 2025

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2025

Appeal Ref: APP/P0119/W/25/3373220

Land On Frith Lane, Wickwar, Wotton-Under-Edge GL12 8PB

- 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 Mr Richard Sainsbury against the decision of South Gloucestershire Council.
 - The application Ref is P25/01091/F.
 - The development proposed is described as “proposed new residential dwelling at Frith Lane”.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of 1no dwelling and associated works (Re-submission of P25/00045/F) at Land on Frith Lane, Wickwar, Wotton-Under-Edge GL12 8PB in accordance with the terms of the application, Ref P25/01091/F, subject to the conditions in the attached schedule.

Preliminary Matter

2. The description of development in the header is from the planning application form. In my decision I have used the description as set out on the Council’s decision notice and on the appeal form as it more accurately describes the extent of the proposed development. I am satisfied no injustice would be caused to any party by basing my assessment on this amended description.

Main Issues

3. Having regard to all of the submissions, I consider the main issues are (i) the effect of the development on the character and appearance of the area, and (ii) whether it would be in a suitable location having regard to the relevant policies of the development plan and the National Planning Policy Framework (the Framework).

Reasons

Character and appearance of the area.

4. The appeal site lies directly off Frith Lane. A metal clad shed building that is described as a caravan store lies on the front part of the appeal site near to the road. Frith Lane has a rural nature due to the lack of pavements and presence of roadside verges and hedgerows. However, as well as the store building on the site there is a short row of traditional style dwellings on the opposite side of the road. Moreover, from Frith Lane there is sight of the nearby housing estate on Sodbury Road and on the edge of Wickwar. As such, the appeal site and its surroundings appear as part of the countryside but on the edge of a settlement.

5. The proposed dwelling would be positioned away from the road to the side of the existing store. Even so, it would be clearly seen over roadside hedgerow when approaching the site from either direction along the road.
6. The house would be generally consistent in appearance to the properties opposite as it would be 2 storeys high, of a traditional residential design with a dual pitch roof. In these regards, it would respond appropriately to its context. The dwelling would be quite different in appearance to the adjacent store building but this is to be expected given their different uses. Also, it is fairly common to see dwellings next to simple shed structures on farms and elsewhere in the countryside. Therefore, the close relationship of the house to the store building would not stand out as being unusual to its rural context.
7. The dwelling would not face towards the road and so its orientation would be different to the row of houses opposite. Also, there is no other nearby house next to a shed. However, the development would be positioned so as to respond appropriately to the existing features on the appeal site that are to be retained. Also, it would not stand out as being at odds with a strong pattern of development as it would be on the opposite side of the road to the terrace with the store building in between. Furthermore, the house would still be seen from the road, even though it would be behind the store building. As a 2 storey dwelling, the development would not be visually overwhelmed by the existing building to such an extent so as to appear incongruous to the area.
8. The proposal would clearly lead to a loss of openness, although this would be a fairly minor erosion in visual terms given the proximity of the affected land to the store. Also, the development would lead to a more domestic appearance to the plot but this would be in keeping with the area given the nearby residences on Frith Lane as well as the views of the housing estate. Consequently, the scheme would cause no unacceptable harm to the countryside character of the site or locality and indeed it would be sympathetic to its context.
9. For these reasons, I conclude the proposal would have an acceptable effect on the character and appearance of the area. In these regards, it would accord with policy CS1 of the South Gloucestershire Core Strategy 2013 (the CS) and policy PSP1 of the South Gloucestershire Policies Sites and Places Plan 2017 (the PSPP). Amongst other things, these seek to ensure development respects and responds positively to the character of a site and the distinctiveness of the area.

Suitability of location.

10. The appeal site lies outside any defined settlement boundary and so in planning policy terms it is in open countryside. Part 5(e) of CS policy CS5 states that new development will be strictly limited in the open countryside. Also, PPSP policy PSP40 sets out the situations where new residential development in the open countryside and outside defined settlement boundaries will be acceptable. None of the circumstances as listed apply in this case. As such, the proposal would not be in a suitable location when having regard to CS policy CS5 and PPSP policy PSP40.
11. At the same time, the proposed dwelling would be near to existing buildings and residences and within sight of the new housing estate on Sodbury Road. As such, the proposal would not be an isolated dwelling in the countryside as generally resisted under paragraph 84 of the Framework. Also, it would be a fairly short

distance between the proposed development and the facilities within the defined settlement boundary for Wickwar. These include a primary school and bus stops and so public transport links to larger settlements. There is no pavement or street lights on Frith Lane and the route between the development and the village is not entirely conducive to walking. Nonetheless, the services within Wickwar would be only a short drive from the proposed house and so they would be conveniently located for future residents. Therefore, the house would accord with paragraph 83 of the Framework and the aim to locate new rural housing where it would enhance or maintain the vitality of rural communities.

12. In summary, I conclude the proposal would not accord with the development plan policies on the location of new residential development. However, the harm by reason of this non-compliance attracts reduced weight given that the proposal would accord with the policies of the Framework on the location of rural housing.

Other concerns raised.

13. Interested parties have raised a number of other concerns. As a single dwelling, the proposal is likely to generate a fairly low level of vehicular trips to and from the site. Even when considering movements associated with the existing building, I see no reason why the limited increase in traffic would prejudice highway safety given that there is clear sight in both directions along the road from the access. Frith Lane is narrow in parts but there is no substantive evidence before me to indicate that the highway is inherently unsafe. Also, it is noteworthy that the Council's Transportation Officer raises no concerns with the development.
14. The details as shown on the plans indicate the development would incorporate an appropriate drainage system for the disposal of surface and foul water. Also, in light of the submitted information it would seem the development would avoid harm to features of ecological and biodiversity interest.
15. Under a previous appeal, an Inspector refused to grant planning permission for a new house on the appeal site. However, it is evident from the submissions that this related to a development that is different in appearance and style to that currently under consideration. As such, I am not bound to arrive at the same conclusion as the previous Inspector in my assessment.
16. None of the above concerns or points justify refusing planning permission. As such, they do not affect my overall assessment of the proposal.

Points in support of the development and planning balance.

17. I have found the proposal would be acceptable when assessed against the first main issue. However, it would not be in a suitable location having regard to development plan policies. As such, the proposal would not accord with the CS and PPSP when considered as a whole. It follows to consider whether there are factors that justify granting planning permission contrary to the development plan.
18. The Council is unable to demonstrate a 5 years' supply of housing land as required under the provisions of the Framework. In such circumstances, paragraph 11(d) of the Framework is relevant. This dictates that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.

19. The proposal would make a minor but positive contribution to the housing stock. It would also represent a development of a small site as promoted under paragraph 73 of the Framework. Even though the site is not within a settlement, it is near to Wickwar so that future residents would offer support for local services and businesses. In the context of the shortage in housing land supply, these benefits attract moderate weight in support of allowing the proposal.
20. The location of the development would not accord with CS and PPSP policies but it would be generally consistent with the provisions of the Framework on the location of rural housing. Consequently, I find the harm caused by the proposal in terms of its location should only be afforded limited weight. It follows that the adverse effects of the proposal do not significantly nor demonstrably outweigh its benefits. The presumption in favour of sustainable development as set out under paragraph 11(d) of the Framework applies. Accordingly, I find there are factors that clearly indicate planning permission should be granted, despite the identified conflict with development plan policies.

Conditions

21. I have had regard to the conditions as suggested by the Council in light of relevant advice as set out in the Framework. Where necessary, I have made amendments to the wording for reasons of precision.
22. For clarity purposes, I have included condition no 2 that requires the development to be carried out in accordance with the approved plans and as listed by the appellant. Condition 3 on external materials is required to ensure the development is of a satisfactory appearance.
23. Conditions number 4, 5 and 6 are imposed so the development has an acceptable effect on ecology and protected species. Condition 7 on soft planting is required to minimise the visual effects of the development on the countryside and the local area. Condition 8 is imposed to ensure parking associated with the development causes no risk to highway safety. Condition 9 on cycle storage is required to promote sustainable modes of travel to and from the site.

Conclusion

24. The proposal would conflict with the development plan but material considerations indicate that a decision should be made other than in accordance with it. Therefore, I conclude the appeal should be allowed.

Jonathan Edwards

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos D0052-02-01, HPD01, HPD02, HPD03, HPD04, HPD05 and D0053-03-15 revision 15.

- 3) No construction works above ground slab level on the development hereby permitted shall be carried out until details and samples of the roofing and external facing materials to be used in the development have been submitted to and approved in writing by the local planning authority. These details shall include a 1x1 metre sample panel for the stonework demonstrating colour, texture, jointing and pointing and a 1x1 metre sample panel demonstrating the colour and texture of the proposed render. The development shall be carried out in accordance with the approved details.
- 4) The development shall proceed in strict accordance with the mitigation measures and recommendations provided in the Preliminary Ecological Appraisal (Arbtech, survey date 13 November 2024).
- 5) Prior to the first occupation of the development hereby permitted, details of the location and specification of ecological enhancements (a minimum of one bird box, one log pile and planting/species information for the new trees) shall be submitted to and approved in writing by the local planning authority. All of the approved measures shall be implemented and provided prior to the first occupation of the development hereby approved and thereafter they shall be retained.
- 6) No external lighting shall be installed as part of the development hereby permitted unless details of such lighting have previously been submitted to and approved in writing by the local planning authority. Such details shall include lighting specifications and locations designed to prevent light spill over boundary vegetation. Only external lighting that accords with approved details shall be provided on the appeal site.
- 7) Prior to the first occupation of the development hereby permitted, a soft landscaping or planting plan shall be submitted to and approved in writing by the local planning authority. This shall include details on the location, species, quantity and stock size of all new tree and structure planting. The approved planting scheme shall be implemented in the first planting season following the first occupation of the development.
- 8) Prior to the first occupation of the development hereby permitted, car parking and access arrangements as shown on the approved plans shall be provided in full. The parking and access facilities shall thereafter be retained and only used for the parking and manoeuvring of vehicles.
- 9) Prior to the first occupation of the development hereby permitted, full details of the secure undercover cycle storage to be provided to serve the permitted development shall be submitted to and approved in writing by the local planning authority. Cycle storage in accordance with the approved details shall be provided prior to the first occupation of the development and thereafter it shall be retained.