



Appeal Decision

Site visit made on 15 October 2024

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th October 2024

Appeal Ref: APP/P0119/W/24/3347526

Site of Former Railway Inn, Station Road, Yate BS37 5HT

- 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 The Railway Building Company against the decision of South Gloucestershire Council.
 - The application Ref is P23/02460/F.
 - The development proposed is change of use of proposed cycle store to general storage/plant and external alterations to building and provision of new cycle storage.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of proposed cycle store to general storage/plant and external alterations to building and provision of new cycle storage at Site of Former Railway Inn, Station Road, Yate BS37 5HT in accordance with the terms of the application, Ref P23/02460/F, subject to the conditions in the attached schedule.

Preliminary Matter

2. The description of development in the banner heading above has been taken from the Council's decision notice, on the basis that it accurately and clearly describes the proposed development and I have assessed the appeal on that basis.

Main Issues

3. The main issues are:
 - whether the proposal provides accessible and convenient cycle storage, and
 - the effect of the proposed development on the living conditions of neighbouring occupiers.

Reasons

Accessible and convenient cycle storage

4. The appeal proposes two external cycle stores that would provide 80 spaces through a two tier cycle rack. The proposal seeks to replace an existing cycle store which is located internally within the ground floor of the existing block of flats. The internal storage provided a larger area of storage; however, the number of cycle parking spaces is the same.

5. Policy PSP16 of the South Gloucestershire Local Plan Policies, Sites and Places Plan Adopted November 2017 (LP) states that one secure, undercover space for cycles is to be provided per unit and as such, in terms of the number of spaces, the proposal represents an over provision.
6. The external cycle stores would be located to the rear of the flats, within the garden area. This garden area is only accessible by residents via locked gates on either side of the flats. The cycle store itself would also be secured by galvanized, lockable doors and be undercover and sheltered by a canopy for loading and unloading the bikes which would satisfy the requirement for the spaces to be secure and undercover.
7. I therefore conclude that the proposal would provide accessible and convenient cycle storage and I find no conflict with Policy PSP16 of the LP.

Living conditions of neighbouring occupiers

8. The garden area is narrow and the cycle storage would therefore be located close to the flats and their balconies. However, the use of the cycle storage would only be for short periods of time to park and remove the cycles and also, due to the area already being in use as a garden for the flats there would already be a degree of noise and disturbance through its use. For these reasons, the proposed development would not result in unacceptable noise and disturbance for the occupiers of the flats.
9. In regard to the privacy of the occupiers of the flats, while the use of the external cycle store could increase footfall above the use of the garden space, due to the short time it would take to access the cycle store, distance from the balconies and existing screening it is unlikely to unacceptably harm the privacy of the occupiers of the flats.
10. I therefore conclude that the proposed development would not unacceptably harm the living conditions of the occupiers of the flats. I find no conflict with Policy PSP8 of the LP which amongst other things, seeks to ensure that development does not create unacceptable living conditions of occupiers of nearby properties.

Other Matters

11. I note that the Council consider the appellant's reason to change the existing cycle storage to be disingenuous; however, I am only in a position to consider the planning merits of the proposal before me, which I have found would not conflict with the Council's Policies.
12. I note that concern has been raised in relation to no storage for mobility scooters being provided; however, while this could have been a benefit towards the scheme, there appears to be no requirement to provide this through the Councils Policies.
13. The proposed cycle store would be located in the garden and as a result would take away some of the outdoor amenity space for residents; however, the amount of space taken up would be small and was largely shown to be areas for planting and hard landscaping.

14. The Council raise concern that the cycle stores do not have lighting, electric charging points or a maintenance area; however, I am satisfied that this can be required through a suitably worded condition.

Conditions

15. I have considered the Council's suggested conditions in the event I were to allow the appeal. Where necessary, and in the interests of clarity and precision, I have slightly altered them to more closely reflect the advice in the Framework and the Planning Practice Guidance.
16. Condition 1 is the standard condition which relates to the commencement of development and condition 2 specifies the approved plans for the avoidance of doubt.
17. Condition 3 is required in order to ensure that the cycle parking includes a maintenance area, lighting and charging points and also that cycle parking remains available for occupiers while the proposed development is implemented. Condition 4 is required in the interests of protecting the character and appearance of the area and condition 5 is to ensure the cycle parking is serviced and managed.

Conclusion

18. For the reasons given above the appeal should be allowed.

D Wilson

INSPECTOR

Schedule of conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development shall be carried out in accordance with the plans/drawings hereby approved:
 - 22 August 2023 Block Plan – Existing
 - 22 August 2023 Elevations – Existing
 - 22 August 2023 Elevations Proposed
 - 22 August 2023 Floor Plans – Existing
 - 22 August 2023 The Location Plan
 - 2 October 2023 External Cycle Store Details (21.021-53A)
 - 15 January 2024 Block B Floor Plans (021A)
 - 15 January 2024 Proposed Site Plan (001D)
3. The proposed cycle stores shall not be brought into use prior to details of lighting, a maintenance area and charging points for electric bicycles have been submitted to and approved in writing by the Local Planning Authority. The proposed cycle stores shall be installed and operational in accordance with the approved details prior to the internal cycle store being taken out of use.
4. The proposed cycle stores shall not be brought into use prior to a planting and maintenance schedule for the green roofs being submitted to and approved in writing by the Local Planning Authority. The green roofs shall be installed prior to the commencement of use in accordance with the approved details, and maintained as per the approved schedule.
5. The proposed bike store shall not be brought into use until a servicing and management plan has been submitted to and approved in writing by the Local Planning Authority. The bike stores shall thereafter be maintained in accordance with the approved details.