



Appeal Decision

Site visit made on 27 February 2025

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/P0119/W/24/3356127

Wisteria View, Gloucester Road, Cold Ashton, South Gloucestershire SN14 8LB

- 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 C McAlinden against the decision of South Gloucestershire Council.
 - The application Ref is P24/00951/F.
 - The development is change of use of residential dwelling (Class C3) to private holiday accommodation (*Sui generis*).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Based on the evidence before me and what I saw during my site visit the change of use to holiday accommodation has commenced. The appeal is therefore retrospective.

Main Issues

3. The main issues are;
 - Whether or not the development is inappropriate development in the Green Belt;
 - The effect on the living conditions of nearby occupiers, with particular regard to noise and disturbance;
 - The effect on highway safety and the convenience of users of the adjacent bridleway; and
 - The effect of the development on the character and appearance of the area, including that of the Cotswold National Landscape.

Reasons

Whether Inappropriate Development

4. Policy CS5 of the South Gloucestershire Local Plan: Core Strategy (2013) (CS) states that developments in the Green Belt will need to comply with the provisions of the National Planning Policy Framework (the Framework). CS Policy CS34 goes on to state that the Green Belt will be protected.
5. The scheme comprises the change of use of an existing building. Paragraph 154 (h) of the Framework states that certain forms of development are not

inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Criteria iv) of this paragraph includes the re-use of buildings, provided that the buildings are of permanent and substantial construction.

6. The building is of permanent and substantial construction and prior to the change of use occurring was used as a residential dwelling. It is therefore necessary to consider the effect of the development on the openness of the Green Belt. It is clear from the information submitted with the appeal that the use of the property as holiday accommodation has resulted in additional levels of car parking at this location. The parking has however taken place on a gravelled area, previously used for parking for the existing dwelling. It is an enclosed area with the appeal property, garden wall and a neighbouring dwelling bounding the parking area. Due to the previous use of the site, combined with the contained nature of the parking area, there would be no loss of openness to the Green Belt.
7. The development would therefore fall under the exception outline within paragraph 154 (h) (iv) of the Framework and would not therefore constitute inappropriate development in the Green Belt.

Living Conditions

8. I noted at my site visit, during the mid-morning, that there was a moderate background noise level from traffic on the A46. I acknowledge that this is a snapshot in time and that at other times the background noise level may be different.
9. The transient pattern and occupancy of holiday let accommodation, and its associated service provision can all combine to increase general comings and goings to a property beyond what would normally be expected with a dwellinghouse use.
10. Whilst there appears to be measures in place to manage the noise of guests, including a behavioural bond being requested and a noise monitoring system, there is no one on site to control or manage the occupants to ensure this happens. If unacceptable noise levels are recorded by the monitor text messages are sent to remind occupants of their policy, with a security guard being sent if noise levels continue after the third text message. I have not been provided with details of what should happen if noise levels continue after a visit from a security guard. Whilst guests may have their stay disrupted, and have a financial penalty, this would not stop potential disturbance continuing and may only serve to stop such guests from returning. The policy reflects a genuine desire on the part of the appellant to ensure that neighbours are not inconvenienced. But, as there is no supervision of the property, ensuring that the rules are adhered to appears to be very much down to individual guests.
11. Moreover, the appellants submission details that even with these measures in place that there have been issues in relation to the property and noise/disturbance, with 11 occasions where noise levels have necessitated text messages being sent to occupiers. Furthermore, noise and disturbance can also be generated by general activities that take place outside of the property, such as those associated with the coming and goings of the occupants, service provision and the use of outdoor space.

12. Even though there is no evidence of a statutory nuisance, activity associated with a large group of people entering or leaving the accommodation, even if this amounted to no more than conversation, together with vehicles stopping and starting, and the closing of car doors, could well be disturbing to the neighbours whose living conditions would be adversely affected to a significant degree. The disturbance associated with a large group leaving at once would be markedly different to the movements of a single dwellinghouse.
13. In this respect, the impact of the development upon occupiers of neighbouring properties is intensified by the close proximity of those neighbours, particularly given the concerns I have outlined regarding the nature and intensity of the issues arising from development.
14. I acknowledge that there appears to be other holiday accommodation properties in the surrounding area. However, the fact that these exist is not a reason to justify further such accommodation in the area. In any event I have not been provided with full details of these developments to conclude whether the developments are truly comparable.
15. I conclude that the pattern, nature and intensity of use, at such close proximity to nearby dwellings is materially harmful to the living conditions of nearby residents with regard to noise and disturbance. The development does not comply with Policies PSP8 and PSP28 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017) (PSP) which seek to ensure that developments do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of nearby properties.

Highway Safety

16. A 40 miles per hour speed limit is in place along the A46 through Pennsylvania. The road is busy, providing a link between the M4 and Bath. I saw during my site visit that traffic regularly passes the appeal site, with some queuing when traffic is waiting to turn into the nearby petrol station. A pavement runs along the front of the appeal site and leads south towards the petrol station.
17. The appellant suggests the development creates an additional three movements a day, based on the accommodation being used predominantly on weekends and a maximum of six cars being driven to the appeal site. The number of movements that would result from development will vary on the occupier but given the limited range of facilities in the area, I consider that, depending on how occupants wish to utilise the accommodation and local area, that trip numbers could increase. Additionally, depending on how groups wish to travel to the accommodation, it would not be unreasonable to conclude that more than six cars could be driven to the site.
18. It is not disputed that access to the appeal site has substandard, with the neighbouring property obscuring visibility to the right in particular. As noted above, the A46 is a 2-way carriageway road that is one of the main roads through Pennsylvania and from the M4 to Bath and so carries a reasonable volume of traffic. Many of the dwellings in the area have off-road parking. Notwithstanding the recent accident data for the immediate vicinity, given that the visibility at the junction is substandard, any intensification in its use would be detrimental to highway safety.

19. Turning to the parking arrangements, the plans detail that six vehicles can be accommodated on the gravelled parking area. The vehicles would be parked in two rows of three vehicles. The appellant has submitted a transport statement which includes a swept path analysis of vehicles parked at the site.
20. The transport statement details that the two vehicles parked closest to the highway would be unable to turn and leave in forward gear and would therefore have to reverse on to the highway or pavement. This would also be the case if one row of vehicles needed to leave before others. Whilst it would be possible for some of the other vehicles to turn on the site, the swept paths detail that it could take a number of manoeuvres to achieve this. Therefore, it is reasonable to consider that some drivers might find it easier and preferable to reverse out onto the road. While I appreciate that that is not the appellant's intention, there would be nothing to prevent that manoeuvre or to govern the choices of future occupiers.
21. This would increase the potential for conflict with vehicles travelling along the A46 and pedestrians using the pavement. If additional vehicles travel to the accommodation these conflicts would be heightened with the potential for on street parking blocking the highway or pavement and necessitating additional movements in the highway.
22. Therefore, the development would have an unacceptable impact on highway and pedestrian safety. Accordingly, it would conflict with the CS Policy CS8 and PSP Policies PSP8, PSP11, PSP16 and PSP28 which together seek to ensure that developments do not compromise walking, cycling, and highway safety.

Character and Appearance

23. The appeal site is located in the small hamlet of Pennsylvania on the A46 which runs from M4 to Bath. Whilst Pennsylvania is located on the A46 and comprises a number of dwellings, buildings and a petrol station, it is surrounded by open agricultural land giving the area a rural character. Due to the design of buildings and their orientation on the appeal site, it has the character of former farm buildings/dwellings surrounding a yard, which contributes positively to the rural character of the area.
24. The development comprises the change of use of the building to accommodate 15 guests, reduced from 20 guests. No alterations to the building or its grounds are proposed as part of the development. Prior to the holiday use commencing, the appeal site was a residential dwelling with parking on the gravelled area.
25. Parking continues to be provided on the gravelled area and the submitted drawings detail six spaces being provided in a tandem arrangement. The parking is enclosed on three sides by the appeal building, the garden wall and the neighbouring property. Due to the enclosed nature of the parking, it is only visible when passing the entrance to the site in close range views. There would be no alterations, and the yard character of the site would be retained thus preserving the character and appearance of the area and the tranquillity of the Cotswold National Landscape.
26. The development would comply with CS Policies CS9 and CS34 and Policies PSP2, PSP28, and PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017). Together these seek to ensure that developments protect

the rural areas” distinctive character and protect the Cotswold National Landscape.

Conclusion

27. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Tamsin Law

INSPECTOR

