



Appeal Decision

Site visit made on 23 September 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23rd October 2025

Appeal Ref: APP/P0119/W/25/3369028

Land to the rear of 19 Kings Drive, Hanham, South Gloucestershire BS15 3JH

- 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 Oliver Lear against the decision of South Gloucestershire Council.
 - The application Ref is P25/01032/F.
 - The development proposed is erection of garage for personal storage.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a garage for personal storage at land to the rear of 19 Kings Drive, Hanham, South Gloucestershire BS15 3JH in accordance with the terms of the application, Ref P25/01032/F, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing Nos. PS24/439/01 Site Location Plan, PA24/439/03 Proposed Site Plan, PA24/439/05 Proposed Floor Plan and PS24/439/06 Proposed Elevations.
 - 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the use of the building hereby permitted shall be limited to domestic self-storage only and for no other purpose or use by commercial entities.
 - 3) There shall be no access to the site between 09:00PM and 07:00AM on any day.

Preliminary Matters

2. I have used the site address given in the appeal form in the banner heading above as it better describes the location of the building subject to this appeal.
3. I have amended the description of the development given in the application form in the banner heading above to omit the wording *retrospective*, as it is not a description of development.
4. The appellant has submitted an amended site location plan that includes the adjoining private access track, which serves the proposed development. It is not clear if any relevant ownership certificates have been served in relation to this amended plan. However, as the proposed development was publicised by the Council and the nature of concerns about access are clear from the

representations that have been made, any failure to issue the correct certificates does not, in this case, warrant finding that the application and appeal are invalid.

5. Moreover, the amended plan does not involve a substantial or fundamental change to the proposal, and the Council has been given the opportunity to comment on it. Whilst the plan has not been subject to public consultation, I am satisfied that it would not cause procedural unfairness to anyone involved in the appeal. As such I have considered this amended plan in making my decision.
6. I observed during my site visit that some works have been undertaken, including the laying of part of a concrete slab that appears to accord with the plans before me. I have therefore considered the appeal on the basis that work has commenced.

Main Issues

7. The main issues are the effect of the proposed development on:
 - the living conditions of the occupants of nearby residential properties, with particular reference to the potential for noise and disturbance; and
 - highway safety.

Reasons

Living conditions

8. The appeal site is a small, broadly rectangular-shaped parcel of land that is located to the rear of houses, which front onto Kings Drive and Monkton Road. It is accessed via an unmade track linking Monkton Road and Memorial Road to the north that has a number of garages and gates to gardens served from it. I saw fresh tyre marks along this track and fingerposts indicating that it is a public footpath, as well as people walking along it. There is a further, shorter access track to the south of the site that leads onto Kings Drive.
9. An extant consent¹ for a detached garage on the site contains a condition requiring its use to be incidental to the residential use of 19 Kings Drive, which is located to the other side of the access track to the south. The proposed development is for the same building in terms of its size and design, but for it to be used for general domestic storage rather than associated with No. 19. The site is accessed independently of No. 19.
10. It is indicated that the appellant lives a short distance from the site, where there is no space for a garage at that property.
11. The numerous existing garages and gates along the access track, as well as its public footpath designation, generates comings and goings. The ungated nature of the access track also means that such activities could occur at any time of the day.
12. The proposed building would be of a similar size to an existing garage adjacent to the site. As it would consist of a single storage facility of a modest domestic size with the appellant, who lives nearby, visiting as and when required, this would generate a similar level of activity to how a household may use a garage that is incidental to a dwelling.

¹ Planning application Ref: P24/02144/RVC

13. Therefore, the building would not generate comings and goings that would result in a material increase in activity compared to that of the extant consent. For these reasons, the proposed development would not have an unacceptable effect on the living conditions of the occupants of nearby residential properties, with particular reference to the potential for noise and disturbance. The proposal would comply with Policy PSP8 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (PSPP) which requires development proposals not to create an unacceptable impact on the residential amenity of nearby properties, including from noise or disturbance.

Highway safety

14. As I have found above, vehicular movements associated with the proposal are likely to be similar to the extant consent as a garage incidental to a dwelling. The proposed layout, which is identical to the extant consent, would provide space, clear of the access track, to the front of the building, as well as within it, for any private vehicle used when visiting the site. There would also be space within the building for a bicycle, if one is used to travel to the site. This space would also mean that vehicles would not be exiting the building directly onto the access track, unlike some garages currently do. Moreover, the traffic generated from the proposed modest domestic-sized building would be negligible on the access track and the local highway network.
15. Policy PSP27 of the PSPP identifies that storage and distribution uses would be acceptable in certain safeguarded economic development areas and also relates to associated traffic generation. Whilst the policy encourages larger scale developments to these areas, it does not restrict all such proposals to them.
16. Therefore, I conclude that the proposal would have an acceptable effect on highway safety. It would be in accordance with Policies PSP11 and PSP27 of the PSPP that require, amongst other things, development proposals not to generate traffic that would have an unacceptable effect on highway and road safety.

Other Matters

17. Legal documentation relating to the ownership and access rights of the site and access track was submitted with the appeal and there is nothing before me that indicates that any arising matters could not be resolved under separate legislation. It is asserted that maintenance responsibilities are shared with the owners of the access track. This is a matter of civil law, and a planning application is assessed on its planning merits. This consideration has not altered my assessment of the appeal. Gates to the access track leading to Kings Drive are shown on the plans to be for emergency purposes only.
18. Reports of damage is a private matter between the relevant parties and are not within my jurisdiction.
19. The Council has not raised concern over the height of the proposed building and overlooking into neighbouring properties, and I have seen little substantive evidence to show that there would be unacceptable harm in these respects from the proposal. Its size and design are the same as the extant consent.

Conditions

20. No conditions have been suggested by the Council, and it has not commented on the conditions presented by the appellant, which I have considered in light of the National Planning Policy Framework and the Planning Practice Guidance. Where appropriate, the wording from that proposed by the appellant has been amended for clarity and precision.
21. As work has already commenced, a time limit condition is not necessary. Notwithstanding that, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, given that the development has commenced but is not complete.
22. To prevent commercial operators from using the site and to safeguard the living conditions of nearby occupiers and in the interests of highway safety, a condition restricting the use of the site to domestic self-storage purposes is necessary.
23. A condition is also attached limiting the hours of use in the interests of nearby living conditions.

Conclusion

24. For the reasons given, the appeal should be allowed, subject to the conditions set out above.

P Barton

INSPECTOR