
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: 03 November 2025

Appeal Ref: APP/P0119/W/25/3368668

Building to rear of 68 Court Road, Kingswood BS15 9QG

- 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 Jason Hallet of Hallett Construction Ltd against the decision of South Gloucestershire Council.
 - The application Ref is P25/00279/F.
 - The development proposed is change of use of ancillary annexe to a commercial holiday let.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of ancillary annexe to a commercial holiday let at building to rear of 68 Court Road, Kingswood BS15 9QG in accordance with the terms of the application, Ref P25/00279/F, subject to the conditions in the schedule below.

Preliminary Matters

2. I have used the appeal 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 observed during my site visit that there was evidence of recent work being undertaken to the building and site. I have considered the appeal based on the proposed plans, rather than anything constructed.
4. The third reason for refusal in the Council's Decision Notice relates to the effect of the proposal on the character of the surrounding area through an increase of on-street parking. However, the Council's statement on this reason for refusal refers to local concern regarding the change of character of the area as a result of the building being used as a letting business. I have had regard to the parties' submissions in establishing the main issues which I set out below.

Main Issues

5. 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 privacy and the potential for noise and disturbance;
 - highway safety, with particular regard to the visibility at the access to Claypool Road and the provision of parking; and
 - the character and appearance of the area, having particular reference to on-street parking and the provision of a commercial holiday let in this location.

Reasons

Living conditions

6. The appeal building consists of a recently constructed single storey outbuilding, that has consent for use as an annexe to 68 Court Road¹. Internally, the building has been laid out to provide a living/kitchen area with a separate bedroom and a shower room. There is a small outdoor amenity space to the rear and a gate to the garden at No. 68.
7. Due to the size of this building, it could only be comfortably occupied as an annexe to No. 68 by 1 or 2 persons. Occupation could take many forms, including that of a member of the household at No. 68 and their partner. A degree of noise and disturbance would be generated from its occupation as an annexe, and activities could be at irregular times or more unsociable hours of the day depending on, for example, work patterns. The impact of this annexe on living conditions has already been concluded by the Council as acceptable.
8. The proposed holiday let would provide accommodation for up to 2 persons, and whilst occupiers may arrive and depart at different times of the day, this would not result in a noticeable and harmful increase in any noise and disturbance compared to the occupation of the appeal building for its current authorised use.
9. The consented annexe use is also more likely to be occupied on a permanent basis, whilst the holiday let is likely to have vacant periods that would reduce the level of comings and goings from the building during those times.
10. I note concerns that the building could accommodate more beds. However, I saw that the space inside the building was limited and unlikely to provide a comfortable environment for more than 2 occupants, even on a very short-term basis.
11. No alterations are proposed to the building, such as new windows or an internal reconfiguration, and there is no compelling evidence before me to demonstrate that its occupation as a holiday let would result in unacceptable overbearing impacts or harm to the privacy of nearby residential occupiers when compared to its occupation as an annexe to No. 68.
12. For the above reasons, the proposed development would have an acceptable effect on the living conditions of the occupants of nearby residential properties, with particular reference to privacy and the potential for noise and disturbance. As such the proposal complies with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2006-2027 (the Core Strategy) and Policies PSP8 and PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (PSPP). Together these seek, amongst other things, a high-quality design that would not prejudice the amenities of neighbours.

Highway safety

13. The building is served by a narrow access off Claypool Road that also serves a garage to a neighbouring property. There is space to the front of the appeal building that is shown on the drawings to provide a single parking space. I saw that visibility was restricted by the access' narrow width and the presence of vegetation and a telegraph pole along the boundaries to adjoining properties. There was also

¹ Planning permission Ref: P23/03509/F

ample on-street parking available on Claypool Road, in close proximity to this access.

14. Due to the similar occupation of the consented annexe and the proposed holiday let, associated activity, parking demand and vehicle movements generated would not be noticeably different. Consequently, it would not result in an adverse impact on highway safety compared to the already approved situation. Moreover, if occupiers of the building did choose to park on the street rather than on-site it could be done in a manner that would be both convenient and not impact upon highway safety.
15. In conclusion, I have found that the proposed development would have an acceptable effect on highway safety, with particular regard to the visibility at the access to Claypool Road and the provision of parking. As such the proposal accords with Policy CS8 of the Core Strategy and Policy PSP11 of the PSPP, which include the requirement of development proposals to not have an unacceptable effect on highway and road safety.

Character and appearance

16. As I have found above the proposal would generate a similar level of parking demand compared to the consented annexe use of the building, whether on-site or on-street.
17. Concerns have been raised about properties in the locality having been turned into holiday lets, but none in back gardens, as is the case. Whilst the proposal would be a commercial let rather than residential accommodation ancillary to No. 68, I have found that it would be occupied in a similar low key and low intensity manner, primarily due to the limited size of the accommodation.
18. Consequently, there would be no discernible difference between the approved and proposed uses of the building on the character and appearance of the area, having particular reference to on-street parking and the provision of a commercial holiday let. Therefore, I have found no conflict with Policy CS9 of the Core Strategy and Policies PSP1 and PSP38 of the PSPP, which seek, amongst other things, new development to respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area.

Other Matters

19. The Council has not raised concern on the provision of cycle storage or the size of the building's outdoor amenity space, and I have seen little substantive evidence to show that there would be unacceptable harm in these respects arising from the proposed use.
20. Any alleged discrepancy between what has been approved on the appeal site and what has been built is a matter for the Council. I have dealt with the appeal on the basis of the plans before me.

Conditions

21. I have considered the conditions suggested by the Council in light of the National Planning Policy Framework and the Planning Practice Guidance. Where appropriate, the wording from that proposed by the Council has been amended for clarity and precision.

22. In addition to the standard time limit, I have imposed a condition requiring that the development is carried out in accordance with the approved plans for clarity and certainty.
23. A condition preventing the use of the appeal building as a sole or main place of residence and restricting the length of stay is necessary in the interests of clarity, to adequately control the use of the site and to ensure it serves its intended purpose.
24. Extensions, including roof alterations, could increase the accommodation in the holiday let. Removal of relevant permitted development rights under Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is necessary to ensure the intensity of the use of the site is managed in the interests of living conditions.

Conclusion

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

P Barton

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. A01 Site Plan, A02 Revision 3 Proposed and Existing Site Layouts, and A03 Revision 3 Proposed Plans and Elevations.
- 3) The development shall be occupied as holiday accommodation only and shall not be occupied as a sole or main place of residence or by any persons exceeding a period of 28 days in any calendar year.
- 4) 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), no development permitted by virtue of Classes A, AA, B, C, D, and E of Part 1 of Schedule 2 to the Order shall be undertaken to the holiday let hereby permitted.

****END OF CONDITIONS****