



Appeal Decision

Site visit made on 28 October 2025

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 November 2025

Appeal Ref: APP/P0119/W/25/3370605

2 Shiels Drive, Bradley Stoke, South Gloucestershire BS32 8EA

- 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 Gary Binstead (Oaktree Business Consultants Ltd) against the decision of South Gloucestershire Council.
 - The application Ref is P24/02026/F.
 - The development proposed is change of use from dwelling (Class C3) to residential institution for the housing of 3no. children (Class C2) defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the decision notice as this appears to better reflect the development proposed.

Main Issue

3. The main issue is the effect of the proposal on highway safety.

Reasons

4. The site comprises 2 Shiels Drive, a modern 5-bedroom detached dwelling with 2-off road car parking spaces and a garage. The site is located in a residential area on a part of Shiels Drive which comprises a narrow, shared-surface track which provides access to 12 properties and a footpath which connects to Brook Way. The track contains a limited number of passing points and turning areas and there is limited capacity for on-street parking. During my early afternoon weekday site visit there was a light flow of traffic and pedestrians using the shared access track. Whilst a snapshot in time, there is nothing in the evidence before me to indicate those observations are atypical of the area.
5. The proposal seeks permission for a change of use from a family dwelling house to a residential children's institution for a maximum of 3 children. It is stated that 3 carers would supervise the children, working on a rota basis with shifts running from 9am-9pm and 9pm-9am. During the twice daily staff crossover times there would be 6 carers present, resulting in a material increase in vehicle movements and parking demand compared to the existing dwelling house. During these shift changeover times the proposal would result in the potential for vehicles parking on Shiels Drive. Given the narrow width of Shiels Drive at the site frontage, vehicles parked on Shiels Drive would leave limited space for passing vehicles, resulting in the

increased potential for conflict between vehicles and other users, including cyclists and pedestrians, with the potential for knock on implications for highway safety.

6. In support of the proposal, the appellant has produced a Travel and Parking Plan (TPP) and a Transportation Policy for staff to encourage the use of public transport, cycling and walking. It is stated that staff would sign a contract to sign up to the company travel policy which sets out that they would not be permitted to drive to the property and are expected to use public transport, walk or cycle to work. Incentives to encourage travel on foot, by bike or public transport are proposed.
7. However, whilst the TPP expects that staff would live reasonably locally, there is no compelling evidence before me that it would be feasible to staff the care home using employees living in the local area. Furthermore, whilst measures to encourage public transport use are proposed, including assistance by managers in route planning, there is no compelling evidence before me that the timing of public transport services would cover the shift patterns, in particular noting that shifts would start or end at 9PM when such options may be limited. Given the shift timings, which would involve part or all of the journey in darkness for most of the year, travel on foot or bike, or to public transport connections, may not be desirable, even to employees who live locally.
8. Additionally, the TPP does not appear to be informed by evidence of how staff for comparable sites operating on a similar shift pattern typically travel to work and there is limited detail before me regarding how the travel plan would be reviewed, tested and monitored. This brings into question the robustness of the document and its capacity to bring about modal shift.
9. In light of the above, whilst the proposal would make provision for cycle parking, the evidence does not demonstrate sustainable transport measures would or could be made effective to ensure the site is accessed solely by sustainable transport modes. Given this, I am not convinced that the TPP could realistically achieve its aims in relation to staff travel modes. Whilst it is stated that there are numerous children's homes operating in similar or more challenging situations, details of these have not been provided to give substantial credence to.
10. In light of the above, I am unconvinced that the characteristics of the proposal would enable suitable opportunities for employees to use alternative modes of transport. It is therefore likely that employees would need to rely upon private vehicles to access the site, resulting in the potential for an increase in vehicles parked on Shields Drive, in particular at shift crossover times, and the potential for conflict between users of Shields Drive. Thus, the proposal would result in a harmful effect on highway safety. I therefore find conflict with those aims of South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017) policies PSP11 and PSP16 which require that proposals should not generate traffic that would have an unacceptable effect on highway and road safety.

Other Matters

11. The proposal would provide a home for children and young people, for which it is stated that there is a shortage of provision and for which there would be substantial benefits to the children in care. I have had due regard to the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010, which specifies the need to eliminate unlawful discrimination, harassment and victimisation, and to advance

equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.

12. In respect of the above, a refusal of planning permission is a proportionate, and necessary approach to the legitimate aim of ensuring that development does not result in harm to highway safety. Therefore, whilst I acknowledge the need for the accommodation, I conclude that this is not a matter that outweighs the harm that would be caused by the development in relation to highway safety.
13. Additionally, it is stated that the proposal would result in economic benefits through job creation and would result in financial savings to the Council. It is also stated that children and young people would be encouraged to participate in local activities and support the local community. However, these benefits would fail to outweigh the development plan conflict I have identified in relation to the main issue.
14. Matters relating to a boundary dispute between the occupiers of 1 Shiels Drive and the appeal property have been brought to my attention. This is not an issue for me to consider under a Section 78 planning appeal and is covered under legislation not within my remit. In the determination of the appeal, I can only have regard to the planning merits of the case.

Conclusion

15. The proposal conflicts with the development plan and there are no other considerations which indicate that a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

N Robinson

INSPECTOR