



Appeal Decision

Site visit made on 4 November 2025

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

an Inspector appointed by the Secretary of State

Decision date: 09 December 2025

Appeal Ref: APP/P0119/W/25/3369084

**123-125 Shaunaks Pharmacy, High Street, Hanham, South Gloucestershire
BS15 3QY**

- 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 Vishal Shaunak of Shaunaks Ltd against the decision of South Gloucestershire Council.
 - The application Ref is P25/00552/F.
 - The development proposed is demolition of single storey extension and detached garages, and the erection of a 1.5-storey rear extension comprising 3no. self-contained flats. Change of use of ground floor of 123 High Street to a self-contained flat.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of single storey extension and detached garages, and the erection of a 1.5-storey rear extension comprising 3no. self-contained flats. Change of use of ground floor of 123 High Street to a self-contained flat at 123-125 Shaunaks Pharmacy, High Street, Hanham, South Gloucestershire BS15 3QY in accordance with the terms of the application, Ref P25/00552/F, subject to the conditions in the attached schedule.

Preliminary Matters

2. Reference is made to Policy PSP44 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017) (PSPP) within the first reason for refusal attached to the Council's Decision Notice. It has been noted by the appellant that this should be Policy PSP43 and the Council has not commented upon this. However, as the Council's submissions make clear reference to Policy PSP43 I consider the reference to Policy PSP44 within the first reason for refusal was in error.

Main Issues

3. The main issues are:
 - whether the proposed development would provide acceptable living conditions for future occupiers, with regard to the provision of private amenity space; and
 - the effect of the proposed development on highway safety, with particular regard to the provision of parking.

Reasons

Living conditions

4. 123-125 High Street is located at the corner of the junction between High Street and Victoria Road. The proposal would replace an existing single storey rear extension and detached double garage structure with a 1.5-storey extension providing a pair of 1-bedroom flats to the ground floor and a 3-bedroom flat above. A further flat consisting of 3 bedrooms would be created to the ground floor of No. 123.
5. The proposed ground floor flat adjacent to the access way separating it from 1 Victoria Road would have direct access to its own rear amenity space. The 3 other new flats, as well as the retained existing 2-bedroom flats above Nos. 123-125 would have access to a first-floor roof terrace. This communal amenity space would be accessed either directly from the flat or via the shared circulation space and entrance located on the extension's Victoria Road frontage.
6. The proposed individual and communal amenity spaces would exceed the minimum standards, which are a guide, given in PSPP Policy PSP43, for the proposed flats and the 2 existing flats that currently appear to have no such space. These outdoor spaces would be of a sufficient size to enable occupiers to utilise and enjoy them.
7. Whilst only 1 of the proposed flats would have its own space, with the others sharing a communal area, due to the overall amount of space provided that could accommodate tables and chairs, as well as space to dry washing and play in, I am satisfied that the provision would be acceptable. Moreover, it would not result in a cramped form of development.
8. Access to the roof terrace for the relevant ground floor flats would be via their entrance off Victoria Road, then through the shared entrance and up the shared stairwell. Nevertheless, the distance and arrangement involved is neither so excessive nor inaccessible respectively that it would be unacceptable.
9. In conclusion, the proposal would provide acceptable living conditions for future occupiers, with regard to the provision of private amenity space. This would accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (2006-2027) (Core Strategy) and PSPP Policy PSP43. Together these policies seek to achieve, amongst other things, the highest possible standards of design and all new residential units to have access to private amenity space.

Highway safety

10. There are a number of informal parking spaces positioned along the site's frontage on Victoria Road. I observed signage that indicated their use by occupiers of the flats above, and customers of, the pharmacy. During my time at the site there was a regular turnover of vehicles using some of the spaces by what appeared to be people visiting the pharmacy. The total number of spaces provided on this frontage was not clear as they were not marked out and were restricted by the presence of street furniture. I also saw that due to the depth of the frontage, some vehicles overhung the pavement, and it was not clear whether the spaces were served by formal footway crossings.

11. PSPP Policy PSP16 outlines minimum parking standards for new residential development and emphasises at paragraph 5.61 of the supporting text the Council's commitment to improving accessibility by means other than the car. It adds that this commitment is supported by the adoption of minimum cycle parking standards, thereby ensuring that where car parking is not available, cycle parking provides an easy alternative to the car, thus further enhancing the potential for modal shift. In recognition that parking provision in accordance with the standards may not be possible, Paragraph 5.68 and the Council's Residential Parking Standards Supplementary Planning Document (December 2013) (RPSSPD) require justification for any variation.
12. To meet the minimum residential car parking standards for the proposed and retained flats as well as the reduced retail space, the Council asserts that approximately 11 off-street car parking spaces would be required.
13. In justifying the proposed development's removal of the existing informal parking and no off-street parking provision, the submitted Parking Survey (PS) identified a not insignificant number of parking spaces within a 200 metres walking distance from the site. This is reflective of my own observations on site where there were some parking spaces available nearby, whilst taking into account relevant parking restrictions including short-term on-street parking bays.
14. On the basis of the level of on-street parking available in the locality, along with the very close proximity of bus stops, accessibility to services and facilities, and the provision of cycle storage for the new flats, I am satisfied that suitable justification exists not to provide off-street parking in accordance with the minimum standards in relation to the new and existing flats as well as the pharmacy.
15. Interested parties have raised concern that the PS does not meet the Council's Parking Survey Technical Advice Note (TAN). I have not been provided with a copy of the TAN and the Council has not specifically raised this as an issue. The Council's highway advisor references that the PS represents a snapshot in time and may not fully capture variations in parking demand, particularly during evenings, weekends, or peak periods associated with the residential use. Nevertheless, in the absence of compelling evidence before me, I have no reason to question the PS's methodology.
16. The former Lidl store to the east of the appeal site has a new occupier and it appeared that the associated car park is not available to the general public as claimed it previously was. The provision of parking at the former Lidl store is not a determinative factor in this case.
17. For the above reasons, the proposal would have an acceptable effect on highway safety, with particular regard to the provision of parking. As such the proposal complies with Core Strategy Policy CS1, PSPP Policies PSP11 and PSP16, and the RPSSPD. Collectively, these require residential development to be of a high standard of design, located an appropriate distance to key services and facilities, and meet parking standards unless non-compliance is justified.

Other Matters

18. Interested parties have raised concerns regarding the loss of retail floorspace that supports a community service; the impact of providing single aspect flats on living conditions; the overbearing nature of the extension and the resulting loss of

privacy to neighbouring properties; as well as noise and pollution. These matters are not raised by the Council, and I have seen little substantive evidence before me to show that there would be unacceptable harm in these respects arising directly from the appeal scheme.

19. There is no requirement for me to consider the Council's housing land supply as I have found that the proposed development complies with the development plan as a whole and there are no material considerations to the contrary.

Conditions

20. I have had regard to the conditions put forward by the Council, and the appellant's comments on these. I have amended the wording where necessary in the interests of clarity. I have also had regard to the tests in the Framework and the Planning Practice Guidance.
21. In addition to the standard time condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans as this provides clarity.
22. A condition is necessary for the external materials to match those used on the existing building in the interests of the character and appearance of the area.
23. The site and surrounding area fall within a defined Development High Risk Area with coal mining features present at surface or shallow depths. In the interests of the safety and stability of the development two conditions have been attached relating to intrusive site investigations, remedial works and mitigatory measures.
24. The consultation response of the Council's highway advisor suggests a Construction Environmental Management Plan condition, though this was not included in the list of conditions provided by the Council. On the basis of the scale of the scheme and the space available to the site's High Street forecourt for items such as materials, such a condition is not necessary.

Conclusion

25. For the reasons given above, I conclude that the appeal should be allowed.

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. 25.016-001 Site location plan, 25.016-006 Existing & Proposed Block plans, 25.016-010A Proposed ground floor plan, 25.016-011B Proposed first floor plan, 25.016-012 Proposed elevations and 25.016-013 Proposed elevations.
- 3) No above ground works on the development hereby permitted (excluding the demolition of existing structures) shall commence until;
 - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from past coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations, remedial works and mitigatory measures shall be carried out in accordance with authoritative UK guidance.
- 4) Prior to the first occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.
- 5) The external materials of the extension hereby permitted shall match those used in the existing building.

****END OF SCHEDULE****