



Appeal Decision

Site visit made on 26 March 2024

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 April 2024

Appeal Ref: APP/C1625/W/23/3325738

Beechwood Farm, Windsoredge Lane, Nailsworth, Gloucestershire GL6 0NP

- 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 N Dart against the decision of Stroud District Council.
 - The application Ref is S.23/0395/FUL.
 - The development proposed is erection of a single-storey eco-lodge holiday accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of the proposal and the site address from the appeal form, as they are more concise than those used in the application form. I am satisfied that no party would be prejudiced as a result. A revised version of the National Planning Policy Framework (the Framework) was published after the appeal was lodged. Furthermore, the policies of the Stroud District Local Plan Review (SDLPR) are emerging and are currently at Examination. The parties have been able to comment on these matters and I have determined the appeal accordingly.
3. Unilateral Undertakings pursuant to section 106 of the Town and Country Planning Act 1990 have been submitted. They secure financial contributions to mitigate the effects of the proposal on the Rodborough Common and Cotswold Beechwood Special Areas of Conservation (SACs). I will consider this matter below.

Main Issue

4. The main issue is whether the proposal would accord with the strategy of the Development Plan for tourist accommodation in the countryside.

Reasons

5. The site consists of a farm, buildings and woodland. Although not far from Nailsworth, it is located outside of any settlement limit and in the countryside. The proposal seeks to erect a timber circular eco-lodge within a cleared area of woodland. It would provide holiday accommodation focusing on the wellbeing and mental health sector, utilising the tranquil and secluded location of the site. The lodge would be single storey and built using traditional materials to high environmental standards.

6. Core Policy CP15 of the Stroud District Local Plan (SDLP), adopted November 2015, seeks to protect the countryside by resisting proposals outside of settlement limits other than in specific circumstances. At CP15(1), these include proposals essential for a sustainable farming enterprise, whilst SDLP Policy EI5 supports farm diversification. I understand that the proposal would off-set losses from the agricultural contracting and repairs service provided at the farm.
7. However, I have little detail about the farming enterprise, its operation or its costs. I cannot therefore conclude that the proposal would be essential or subservient to the farm business or that it would not prejudice or even replace farming activities. Consequently, SDLP policies EI5 and CP15(1) do not provide support for the proposal.
8. One of the aims of the SDLP is for the local tourist industry to flourish. The Framework similarly supports sustainable rural tourism and leisure developments which respect the character of the countryside. SDLP Policy CP15(2) encourages proposals which are essential to support the rural economy. Policy EI10 is also supportive of new tourism opportunities but, in locations such as the appeal site, only in exceptional cases.
9. SDLP Policy EI10(1) requires evidence that the facilities would be provided in conjunction with a particular countryside attraction. Direct access is possible from the land to Woodchester Park and mansion, and it would be relatively close to other attractions, including local towns and villages. However, there is little to suggest that the proposal would be provided specifically in association with any countryside attraction or would itself amount to an attraction.
10. SDLP Policy EI10(2) requires that there are no suitable alternative existing buildings or sites available for re-use. Although a matter of dispute, the barns on site are said to be unavailable. Even so, on the information before me, I cannot rule out the possibility of, for example, suitable buildings on other sites in the countryside that could be converted to provide remote accommodation similar to the proposal.
11. Guests staying at the site would provide additional custom to local businesses, and it may also provide employment in the future. However, given the modest capacity of the proposal, these benefits would be limited. Consequently, any advantages to the regeneration and wellbeing of local communities would be small. On this basis, the proposal would not be essential to support the rural economy or have an exceptional justification. For the above reasons, it would conflict with SDLP policies EI10 and CP15(2).
12. Reference has been made to the future removal of the lodge. It would be demountable but would sit on timber posts installed into the ground. As such, it would be essentially permanent and so would not constitute a temporary structure. In any case, the proposal would cause the conflict identified, even if allowed on a temporary basis. Therefore, consent for a temporary period would not make the proposal acceptable.
13. The proposal would not be close to the existing buildings, although it would not be far away. Its siting would reflect the steeply sloping nature of the surrounding land. Furthermore, a location nearer to the farm buildings and their associated noise may well undermine the aim for a tranquil retreat. Accordingly, the position of the proposal would not result in excessive

encroachment or expansion away from the original buildings, or conflict with SDLP Policy CP15(ii) and EI5(3).

14. Nevertheless, for the reasons given above, the proposal would not accord with the strategy of the Development Plan for tourist accommodation in the countryside, conflicting with SDLP policies CP15, EI5 and EI10 read as a whole. Similarly, it would not accord with the aim of the Framework to recognise the intrinsic character and beauty of the countryside.

Other Considerations

15. SDLPR emerging policy EI10 is intended to replace the adopted version of this policy. The relevant Examination Hearing is still to take place and so the policy may be subject to change. Nevertheless, it is more supportive of new tourist opportunities in countryside locations than the adopted policy. However, amongst other things, it does require proposals to involve temporary structures; or to be on previously developed land or otherwise where no suitable buildings or sites exist elsewhere.
16. The site was once used as a quarry. However, I have little substantive evidence that it now constitutes previously developed land. I have already found that alternative sites cannot be ruled out and that the proposal would not involve a temporary structure. Consequently, even if emerging policy EI10 were to carry moderate weight, its requirements would not be met. Relevant to this appeal, emerging policy CP15 is unchanged from the adopted version and so the proposal would conflict with this policy too. For these reasons, the emerging policies of the SDLPR do not change my overall conclusions.
17. The proposal would result in small biodiversity enhancements, such as the planting of hedgerow and grassland, and the provision of a bat box. I give this benefit limited positive weight. Reference has been made to the recent introduction of a permitted development right under the General Permitted Development Order for temporary recreational campsites. However, as the proposal is not for such a campsite, this has little relevance to my decision.
18. The third and fourth reasons for refusal refer to the location of the site within the catchment area of the SACs. These are protected pursuant to the Conservation of Habitats Regulations 2017 (as amended). Had I found no harm in respect of the main issue, as competent authority I would have carried out an Appropriate Assessment in respect of the potential effects of the proposal on the SACs. However, as the balance of considerations is against the proposal on other substantive grounds, its effects on the SACs need not be considered further.

Planning Balance and Conclusion

19. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR