



Appeal Decision

Site visit made on 25 November 2024

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2025

Appeal Ref: APP/C1625/W/24/3348911

**Field to the west of Haywicks Lane, Elmore, Gloucester, Gloucestershire
GL2 3SG**

- 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 and Mrs R Kahkonen against the decision of Stroud District Council.
 - The application Ref is S.24/0570/FUL.
 - The development proposed is the erection of an agricultural building and ancillary works to accommodate a new firewood business.
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Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issues

2. Within the appeal documents the appellant has submitted an updated Preliminary Ecology Appraisal¹. This was not before the Council when the application was determined. However, the Council has had the opportunity to comment on the updated information and has confirmed that their biodiversity concerns can be satisfactorily resolved through the imposition of suitably worded conditions, were the appeal allowed.
3. Consequently, the main issues are:
 - whether the appeal site is suitable for the proposed development, having regard to the local development strategy on the location of employment; and
 - the effect of the proposed development on the character and appearance of the area.

Reasons

Location

4. As the appeal site is located outside an identified settlement development limit, for the purposes of the Stroud District Local Plan (the Local Plan), it lies within the countryside. Development in the countryside is strictly controlled by Policy CP15 of the Local Plan, which restricts development, except where specific principles are met.

¹ Prepared by James Johnston Ecology, dated 15 May 2024

5. The proposed development includes the construction of a barn with associated hardstanding on part of the site to accommodate a firewood business. Therefore, the relevant principle to the appeal scheme is where development *is essential to the maintenance or enhancement of a sustainable farming or forestry enterprise within the District*.
6. However, based on the evidence before me, the firewood business is yet to be established. As a result, the appeal scheme does not relate to the maintenance or enhancement of a sustainable farming or forestry enterprise within the District. As such, it does not comply with the relevant exception of Policy CP15, even if the separate identity of settlements is maintained.
7. Given the appeal scheme relates to a new business, Policy CP11 of the Local Plan also applies. This policy supports the provision of employment development, including the diversification of the rural economy, provided the site is readily accessible by public transport, bicycle and foot, or contributes to the provision of new sustainable transport infrastructure, amongst other requirements.
8. In terms of accessibility by public transport, a bus stop is located close to the appeal site on a route between Gloucester and Arlingham. However, the evidence before me indicates that the frequency and timing of buses serving this route are not sufficient to support commuting to/from the site for employment purposes.
9. Due to the narrow carriageways of the roads and lanes in the surrounding area and the lack of pavements and lighting, future employees of the business would be unlikely to cycle or walk even short distances to the site. Combined with the poor public transport provision, the site is not readily accessible by a range of transport modes. Therefore, future employees of the business would be likely to be heavily reliant on the use of a private car. No contributions towards the provision of new sustainable transport infrastructure have been proposed. Consequently, the proposed development does not meet the requirements necessary to gain support from Policy CP11.
10. I conclude that the appeal site is not suitable for the proposed development, having regard to the local development strategy on the location of employment and is contrary to policies CP11 and CP15 of the Local Plan in this respect.

Character and appearance

11. The appeal site comprises an open field surrounded by other, predominately open fields. Whilst hedgerows define the field boundaries, there are few hedgerow trees which, combined with the relatively flat topography of the area, permit long-distance views of the open landscape to and from the site. Few buildings or structures are visible in these views, including from Haywicks Lane and the nearby public right of way. Although located in an adjacent field, the nearest built form is positioned away from the site, close to an established employment site. The siting of the proposed barn would, therefore, be isolated from any other built form.
12. The form of the proposed barn, the materials to be used and its colour would reflect the appearance of other agricultural structures commonly found in the countryside. However, its scale and height, combined with the openness of the

site would, nonetheless, result in the introduced of an incongruous and highly visible feature in the countryside setting.

13. Combined with the proposed relocated access, track, hardstanding and paraphernalia associated with the firewood enterprise, the appeal scheme would introduce development into the undeveloped countryside. This would harm the character and appearance of the area and be contrary to the provisions of Policy CP15 of the Local Plan which seek to protect the quality of the countryside.

Other Matters

14. Economic benefits would be derived from the proposed development in the form of jobs and by supporting other local enterprises. Although there is a discrepancy in the number of jobs the firewood business would provide within the appeal documents, nonetheless even if the highest figure of six employees is taken, the scale of the business is small. Any resultant benefits would also be small and, therefore, would not outweigh the great weight I attribute to the harm and the associated conflict with the development plan identified above.
15. Even if I were to conclude that the proposed development would have no detrimental impact on highway safety, this would not alter the harm identified above.
16. The appeal site is located within the Zone of Influence of two Special Protection Areas² (SPAs) and a Special Area of Conservation³ (SAC), European Designated Sites afforded protection under the Conservation of Habitats and Species Regulations 2017. If the circumstances leading to the grant of planning permission had been present, it would have been my duty, as the competent authority, to consider the impact of the proposed development upon the SPAs and SAC. However, as I am dismissing the appeal on the main issues above, I have not found it necessary to consider such matters any further.

Conclusion

17. The proposed development conflicts with the development plan when taken as a whole and there are no material considerations, either individually or in combination, which indicate that a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

Juliet Rogers

INSPECTOR

² Wilmore Common SPA and Severn Estuary SPA

³ Cotswolds Beechwoods SAC