



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/24/3344965

**Land at M5 Junction 13, West of Stonehouse, Eastington, Stroud,
Gloucestershire GL10 3SH**

- 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 Ecotricity New Ventures Limited against the decision of Stroud District Council.
 - The application Ref is S.24/0063/FUL.
 - The development proposed is the construction of hardstanding and the stationing of a marquee to be used as a training space.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of hardstanding and the stationing of a marquee to be used as a training space at Land at M5 Junction 13, West of Stonehouse, Stroud, Gloucestershire GL10 3SH in accordance with the terms of the application, Ref S.24/0063/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall be limited to a period of three [3] years from the date of this decision and shall be removed, with the land restored to its former condition, on or before 8 January 2028 in accordance with a scheme of work that shall first have been submitted to and approved in writing by the local planning authority.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos:

2207.L.05 rev P01	Site Location Plan
2207.L.03 rev P05	Marquee General Arrangement
6649_T0006_02	Elevations and Floor Plan
 - 3) The use hereby permitted shall only take place between the following hours:

08:30 – 17:00	Mondays - Fridays
09:00 – 17:00	Saturdays and Sundays
Closed	Bank or Public holidays.

Preliminary Matters

2. I have used the address provided on the appeal form as it accurately describes the location of the appeal site. In the description above, I have removed details which are not development.
3. The Stroud District Local Plan (the Local Plan) is currently being reviewed and has reached the Examination in Public stage. The draft Local Plan includes a Strategic

Site Allocation for an Eco Park (PS20) comprising land on both sides of the A419 Bristol Road, including the appeal site. However, as the draft Local Plan has not been adopted there remains a small degree of uncertainty as to whether modifications will be required to the policies therein including, specifically Site Allocation PS20. On this basis, I attach moderate weight to the draft Local Plan.

Main Issues

4. The main issues are:

- whether the site is suitable for the appeal scheme, with respect to the local development strategy regarding the location of development; and
- the effect of the proposed development on the character and appearance of the area, with particular regard to the setting of the Industrial Heritage Conservation Area (IHCA).

Reasons

Location

5. As the appeal site lies beyond an identified settlement development limit, for the purposes of the Local Plan is it located in the countryside. Policy CP15 of the Local Plan restricts development in the open countryside unless particular exceptions are met. Comprising the erection of a temporary marquee to provide covered training facilities for use by Forest Green Rovers Football Club (FGRFC) the most relevant exception in this case is where development *is essential to be located there* [in the countryside] *in order to promote public enjoyment of the countryside and support the rural economy through employment, sport, leisure and tourism*.
6. The appeal site comprises the recently constructed access and car park area¹ associated with two new football training pitches² immediately adjacent to the site. Further land, including an area of hardstanding currently being used for storage of construction and maintenance equipment related to the training pitches, plus a section of the wider agricultural field, are also incorporated within the site boundary.
7. The proposed marquee would enable all the club's teams to train in one location, not only the First Team which currently uses the adjacent training pitches. However, other facilities are available elsewhere in the District or further afield and are currently being used by other club teams. Whilst additional facilities, such as toilets and changing rooms, would be incorporated in the marquee, such welfare amenities form part of the proposed conversion of the existing Dutch Barn on the site approved as part of the training pitches permission. On this basis, although the single training location for the club would provide significant benefits to FGRFC's operations, this is a desirable, rather than an essential, scenario, despite any support to the rural economy derived from it.
8. Consequently, I conclude that the site is not suitable for the appeal scheme, with respect to the local development strategy regarding the location of development, and conflicts with Policy CP15 of the Local Plan in this regard.

¹ Ref S.22/1952/FUL

² Ref S.21/1739/FUL

Character and appearance

9. As the appeal site is located adjacent to the IHCA, the National Planning Policy Framework (the Framework) requires me to consider the impact of the proposed development on the setting of this designated heritage asset. The significance of the IHCA as a whole predominately relates to the valleys formed by the River Frome and Nailsworth Stream, as well as the canal and associated transport infrastructure that developed during the industrialisation of the area.
10. Close to the site, the IHCA includes the course of the canal which links various mill complexes in the surrounding area plus additional land around it that provides historical context to the transport corridor. Its significance, in part and so far as it relates to the appeal site, is derived from the undeveloped character and agricultural use of the area. This part of the IHCA also comprises the training pitches, which are bounded by grassy bunds. Although devoid of any built form, the well-maintained and manicured appearance of the training pitches, fencing and the associated activity/use of the facilities nonetheless establishes a developed character to this part of the IHCA.
11. The proposed marquee would be located beyond the existing car park area and hardstanding from the IHCA. Combined with the hedgerow between the car park and the training pitches, the proposed marquee would, therefore, be physically separated and partially screened from the IHCA. Whilst the proposed marquee, due to its bulk and scale, would be visible from publicly accessible areas, including parts of the IHCA, the training pitches also form part of these views. As a result, the proposed development would be experienced as an extension to the existing use. This is the case regardless of whether the proposed marquee is considered to have a temporary appearance.
12. Despite the appeal site being located within a previously open field, the size of the recently constructed engineered junction with the A419 and the central positioning of the access road within the field signifies the presence of development. In combination with the loosely surfaced access road and hardstanding laid out for parking, the vehicles, storage containers and construction equipment on and adjacent to the site further emphasises the non-agricultural use and activity present. Furthermore, the constant hum of traffic travelling along the M5 motorway and the A419 as well as views of the motorway, influences the character of the area.
13. From the A419, the height of the roadside hedgerow and the siting of the marquee away from the road restricts views of the proposed marquee to where there are natural gaps in this landscape feature as well as the gap created by the access road. However, given the likely speed of traffic along this route, such views would be short-lived and appreciated in association with the access road's junction with the A419.
14. I conclude that the proposed development would not harm the character and appearance of the area, with particular regard to the setting of the IHCA. It accords with policies CP14 and ES10 of the Local Plan which support high-quality development that protects and conserves the built and natural environment, including the District's heritage assets, amongst other provisions.

Other Matters

15. My attention has also been drawn to a group of listed buildings at Fromebridge Mill and the non-designated heritage assets of Meadow Mill, Westfield Bridge and the Chipmans Platt group. Although located in the surrounding area of the site, the distance between these buildings/structures and the site, including the intervening landscape features, transport corridors and built form restricts the intervisibility between them. There are no apparent physical connections between the site and these assets. As such, the setting of these designated and non-designated heritage assets would not be harmed by the proposed development.
16. The proposed development would provide facilities for FGRFC in a single location to enable the most effective training programme to be delivered for all teams across the club. Whilst this would directly benefit the players and staff, by supporting the club's professional athletes, it would also have wider community benefits by providing a central location for the club to deliver various outreach events. As recognised by the Council within the Case Officer's Review for the outdoor training pitch planning application, the community work undertaken by FGRFC is significant, with the club having numerous historical and local links across the district, including with schools and colleges. The use of the marquee to deliver sports training and community engagement would additionally provide health and well-being benefits.
17. District-wide, a central training venue would reduce the number of vehicle trips and distances travelled by the FGRFC players and staff between the various facilities currently used by the club. Environmental benefits would be derived from this. More generally, the proposed development would contribute to the ongoing provision of employment and sports facilities at FGRFC and as part of the wider rural economy. It would also support the wider regeneration of the area given the emerging Local Plan allocation. Although the draft Local Plan attracts moderate weight in my decision, nevertheless the emerging Site Allocation PS20 weighs in favour of the appeal scheme as well as the recently approved reserved matters³ application for a football stadium on land on the other side of the A419.
18. Overall, I attribute substantial weight to the range of benefits which would be derived from the proposed development. Given the conflict with Policy CP15 of the Local Plan I have identified, I attach great weight to the harm which would result. Nevertheless, the substantial weight of the benefits derived from the proposed development would outweigh the harm I have found and the associated conflict with the development plan.

Conditions

19. Along with the standard plans condition, I have imposed a condition that limits the length of time the development can be in place. It also ensures that the site is restored to its former condition.
20. The Council has suggested the imposition of a condition to restrict the use of the development to FGRFC only in the interests of highway safety, amenity and sustainability. However, since planning permission runs with the land and company shares could be transferred to other persons without affecting the legal personality of a company, restricting the use of the development in this way is not

³ Ref: S.23/1484/REM

appropriate. Instead, I have imposed a condition which restricts the hours the development can be in use to the same hours as the training pitches as this addresses the Council and Parish Council's concerns regarding the use of the marquee.

21. A condition requiring existing and proposed ground levels to be agreed upon has been suggested by the Council. However, as the site is reasonably level and has a bound gravel surface to part of it, no compelling evidence is before me to demonstrate such a condition is necessary, particularly given the temporary status of the development. Similarly, I see no reason to impose a condition requiring details of drainage of the site to be submitted to the Council.
22. As the access and car park area, including turning space, pursuant to another planning permission have been implemented and are retained as part of the proposed development, a condition requiring these areas to be provided before the first use of the marquee is not necessary. Similarly, cycle storage spaces and electric charging points also form part of the access and car park area permission. As no substantive evidence is before me indicating additional facilities are necessary to make the development acceptable, I have not imposed conditions requiring them.
23. The Council have also suggested that it is appropriate to impose a condition which requires details of any new or replacement marquee to be submitted to and approved in writing. However, the siting, scale and appearance of the approved marquee is shown on the approved plans, therefore any deviation from this would be enforceable and require separate approval from the Council. Consequently, such a condition is not necessary.

Conclusion

24. For the reasons given above the appeal should be allowed.

Juliet Rogers

INSPECTOR