



Appeal Decision

Hearing held on 17 April 2025

Site visit made on 17 April 2025

by Lewis Condé BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2025

Appeal Ref: APP/C1625/W/24/3349132

Worgans Barn, Folly Lane, Stroud, Gloucestershire GL6 7JS

- 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 Ms H Bridge against the decision of Stroud District Council.
 - The application Ref is S.23/1610/FUL.
 - The development proposed is construction of agricultural pole barn.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of an agricultural pole barn at Worgans Barn, Folly Lane, Stroud, Gloucestershire GL6 7JS in accordance with the terms of the application, Ref S.23/1610/FUL subject to the conditions in the attached schedule.

Preliminary Matters

2. The development subject to this appeal has already commenced on site, albeit has not been complete.
3. Since the submission of the appeal, an updated National Planning Policy Framework (the Framework) was published in December 2024. Both main parties had an opportunity to comment on the implications of this during the appeal.

Main Issues

4. The main issues are: i) whether there is an essential agricultural need for the proposed development; and ii) the effect of the proposal on the character and appearance of the area, having particular regard to the site's location within the Cotswolds National Landscape.

Reasons

Essential Agricultural Need

5. The appeal site sits in a highly rural location, on the outskirts of Stroud. It lies outside any identified settlement limits under the Stroud District Local Plan (adopted 2015) (the Local Plan).
6. To avoid proliferation of development in the countryside, Local Plan Policy CP15 restricts development outside of identified settlement development limits except under specific circumstances. An exception that is of pertinence to this appeal, is where development is essential to the maintenance or enhancement of a sustainable farming enterprise.

7. Main parties agreed at the hearing that potential further qualifying criteria, for development to be supported under Policy CP15, were not applicable to the appeal scheme. From the evidence before me I have no reason to reach an alternative view.
8. Local Plan Policy CP15, or its supporting text, do not provide a definition of what amounts to a sustainable farming enterprise. However, to my mind, it would require the enterprise to be planned or in operation on a sound financial basis with a clear prospect of remaining so.
9. The appeal enterprise is a family run farm, with the appellant's son predominantly running operations, but drawing on family members and sometimes other short-term workers when required. The appellant's son has been farming since the age of sixteen and has been instrumental in establishing the enterprise.
10. Since the appellant's son began the farming enterprise in 2019, the level of farmland he manages has grown significantly. Likewise, the levels of livestock have also steadily increased with the business currently holding approximately 40 cows (13 breeding cows) and 150 ewes, with an average of 2 lambs per ewe¹.
11. The appellant's own agricultural landholding at Worgans Barn is not sufficient in size to accommodate the level of livestock that the business has accumulated. However, the appellant's son has a grazing licence in place with a nearby landowner, together with various 'gentlemen's agreements' to farm other parties' land. Cumulatively, these various agreements amount to over 600 acres of agricultural land that are at the disposal of the agricultural enterprise. This includes land directly adjacent to the appellant's own agricultural land, as well as various parcels in the wider vicinity of the appeal site.
12. The reliance on gentlemen's agreements for access to majority of the farmland may be a somewhat insecure position for the enterprise to operate upon, given the potential for the situation to rapidly change. However, from the evidence before me it appears that it is not an uncommon situation, particularly for farmers that are relatively early in their careers and are unlikely to have the capital to purchase large expanses of land. There are also likely to be benefits in utilising gentlemen's agreements, as opposed to more formal arrangements, including through reduced costs, lack of complications, and building relationships with landowners. This latter benefit is also potentially more valuable and effective for the appeal enterprise than short-term contracts for the use of land.
13. The appellant's son has been farming other landowners' holdings over several years, including significantly increasing the area of land he is utilising and the number of landowners he works with. Alongside indicating a proven track record of farming, this suggests that good relationships and reputation have already been developed with local landowners. Indeed, I have no reasons to contest the appellant's claims that no landowners have yet to cancel their arrangements, or that offers to farm additional land have had to be turned down, including due to a lack of current suitable storage space to support further expansion of the business.
14. Moreover, the fact that the gentlemen's agreements cover numerous parcels of land and involve multiple different landowners, reduces the level of risk to the appellant's enterprise should a landowner(s) revoke their arrangement.

¹ Figures fluctuate as livestock are taken to market/slaughtered.

15. Based on the above, I do not consider the size of the appellant's personal landholding negates the need for an agricultural building, nor does it necessarily directly correspond to the specific size requirements of the building. Indeed, the appellant has set out a detailed justification for the size of the proposed development that reflects the enterprise's requirements to accommodate animals, the storage of machinery and hay, as well as circulation space. Based on the detailed evidence, the size of the proposed barn appears reasonable.
16. Notwithstanding that no other suitable buildings are available to the appellant; it is also logical that the building should be located upon her own land. As the proposal is likely to entail significant financial investment, while there will also be practicality and security benefits associated with the care of livestock and machinery.
17. From discussions at the hearing, it is apparent that the appellant's son is a hardworking individual, who is highly committed to farming. He clearly also possesses a great deal of knowledge and skills in this sector and is passionate about his work and the animals in his care. The extent of landowners who have been willing over numerous years to allow him to farm their properties, and in some cases have allowed him to expand his operations over their wider landholdings, is testament to this. Representations received from members of the wider agricultural community, in support of the proposed development, further help to illustrate this.
18. Three main revenue streams have been identified by the appellant, namely a local meat box scheme, the selling of lambs to the local market and hay production. Broad indications of the revenue achieved from each of these activities have also been set out, as well as how the enterprise's livestock numbers have steadily increased and are likely to further increase in the future. Based on the quoted sales figures, which appear realistic, the farm is achieving a healthy gross income for a small family farm.
19. I have not been furnished with full detailed accounts for the business. As such, a full picture of whether the enterprise is profitable, its margins, and how long this has been the case have not been demonstrated. Nevertheless, the business has been in operation for several years, has grown significantly, while it appears that significant capital investments have already been made as the business has grown. As such, I find the operations to be well established and highly likely to be viable.
20. Previous permissions at the site are not directly comparable. Still, I can also understand the appellant's view that full financial accounts information had not been anticipated to be necessary to justify the current appeal, given such information had not been requested by the Council during the application or for previous agricultural proposals at the site. Furthermore, given the highly established nature of the enterprise it is reasonably beyond the stage of preparing a business plan.
21. During my site visit, the level of activity, machinery, equipment and livestock present at the appeal site also appeared to largely tally with the appellant's evidence during the hearing, and again suggests that the enterprise is being successfully run and that previous profits have been reinvested. Nonetheless, the makeshift nature of some buildings/structures at the site being used for lambing and the apparent lack of storage space for machinery also emphasise a need for a

barn to enhance the enterprise's operations. This is not only from a commercial perspective, but also in respect of animal welfare.

22. Notably, the proposed barn will also likely offer the enterprise greater flexibility in its operations, reduce some on-going costs to the business, and provide greater safeguards against changes in availability of third-party farmland to the enterprise. Consequently, I expect it would improve the business' prospects and long-term future.
23. The fact that the appellant is willing to incur likely significant costs in developing the proposed pole barn also indicates a continued financial commitment to the agricultural enterprise. From the evidence before me, I do not consider the levels and type of investment that have and are continuing to be made into a family farm would be undertaken without the business being on a sound financial footing or with clear prospects of remaining so.
24. Drawing the above together, despite not having full detailed accounts for the business, I am persuaded in this instance that the proposed development relates to a sustainable farming enterprise, while the proposal is essential for its maintenance or enhancement. I therefore find an essential agricultural need for the proposal has been suitably justified. Accordingly, the appeal scheme complies with Local Plan Policy CP15.

Cotswolds National Landscape

25. The appeal site is located within the Cotswolds National Landscape (formerly the Cotswolds Area of Outstanding Natural Beauty). The statutory purposes of National Landscapes are to preserve and enhance their natural beauty. The Levelling-Up and Regenerations Act 2023 amends the duty on relevant authorities in respect of their functions to now "seek to further" the statutory purposes of Protected Landscapes. Meanwhile, the Framework sets out that great weight should be given to conserving and enhancing their landscape and scenic beauty, which have the highest status of protection in relation to these issues.
26. The appeal site is located off a narrow country lane, that is predominantly bordered by agricultural land and pockets of woodland, providing a highly verdant and rural character. The section of Folly Lane that the appeal site is located upon, contains a small number of domestic and agricultural buildings, that feather out into the countryside, in a linear layout alongside the road. This includes a sizeable agricultural barn adjacent to the appeal site, along with another large, modern, barn further along the lane.
27. The appeal site itself is gently sloping with open agricultural fields behind it, leading onto further woodland beyond. Despite its location within the Cotswolds National Landscape, the appeal site's contribution to the wider landscape is somewhat limited due to being highly contained by the surrounding topography and areas of woodland.
28. The design of the proposed pole barn, particularly its roof form, is somewhat atypical of barn designs found within the nearby area. Nevertheless, its proposed design is functional and retains an agricultural character and appearance, such that it would not appear untoward. Although the proposed barn relates to a relatively small parcel of land under the appellant's ownership this would not be visually appreciable to observers, whilst the size of the building has been suitably

justified based on the agricultural needs of the enterprise. Meanwhile, I find the scale of the proposed building to be suitable in the context of neighbouring agricultural buildings.

29. The proposed barn is set back from Folly Lane, nonetheless, it would still share a close relationship with the established built form, such that it would not result in any harmful encroachment into the wider landscape. Nor do I consider the linear layout of buildings onto Folly Lane, to be such a strong and defining characteristic of the area, that the siting of the proposed building would be adverse in nature.
30. Furthermore, public views of the proposed development would be extremely limited. This is due to the surrounding topography, the presence of mature woodland and adjacent built form, as well as the changes in levels to the site through the development being cut into the hillside. Available public views would predominantly be confined to a short stretch of Folly Lane and are likely to be transient in nature, with only a limited extent of the building appreciable. Even then, the proposal would be seen as an additional farm building alongside other large agricultural buildings.
31. I therefore find that the proposal would not adversely affect the character and appearance of the area and so would conserve the landscape and scenic beauty of the Cotswolds National Landscape. Accordingly, it would comply with Local Plan Policies ES7, ES12, CP14. Together these policies, amongst other matters, seek to ensure that the design of new development is of a high quality that is sympathetic to its surroundings, including through conserving and enhancing the natural and scenic beauty of the Cotswolds National Landscape.
32. Likewise, the proposal would accord with the aims of the Framework in respect of conserving and enhancing the landscape and scenic beauty of the National Landscape.

Other Matters

33. Although the appellant drew my attention to several other permissions at the appeal site and in the surrounding area, I found there to be notable contextual differences between those schemes and sites compared to the current proposal. These other permissions have therefore not been determinative in my above findings, with the appeal scheme being found acceptable on its own merits.

Conditions

34. The Council provided draft planning conditions in the event permission was to be granted. In line with discussions at the hearing, where appropriate, I have made minor amendments to the conditions to comply with the relevant tests of a planning condition outlined under the Framework.
35. Given the development has already begun it is not necessary to attach a standard time limit condition for the commencement of development. A condition specifying details of the approved plans, as well as a condition in relation to details of finished site levels are though reasonable and necessary in the interests of clarity and certainty.
36. Due to the extent of works that have already taken place and the condition of the appeal site, I do not consider that each of the specific identified requirements of the Construction Environmental Management Plan (CEMP) suggested by the

Council are likely to remain necessary. Nonetheless, based on the evidence before me, there remains potential for unmitigated future construction activity to cause harm to biodiversity. For example, through the timing of sensitive works or the use of lighting at the site. I therefore still find that a condition requiring the approval and implementation of a CEMP before further works take place to be reasonable and necessary. The suggested condition has therefore been amended to reflect this.

37. It is reasonable and necessary to attach conditions requiring approval of the external finishes of the building and details of hard and soft landscaping (including an implementation programme) in the interests of the character and appearance of the area. I have not though found the Council's condition seeking to prevent the staining, oiling or painting of the building's timber cladding to be reasonable or necessary.
38. A condition restricting the hours of construction activity and construction related deliveries to the site is reasonable and necessary in the interests of the living conditions of neighbouring residents.

Conclusion

39. The proposal accords with the development plan read as a whole and there are no other material considerations, including the provisions of the Framework, that indicate a decision other than in accordance with it. The appeal is therefore allowed.

Lewis Condé

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Ms. H Bridge (Appellant)

Mr. S Barr (Appellant's Son)

Mr S. Eachus, BA(Hons) MRICS, MBIAC (Planning Consultant)

FOR THE LOCAL PLANNING AUTHORITY:

Mr. N Gardiner-Clark, MSc, RTPI (Planning Officer)

Miss. R Brown, MA, RTPI (Senior Planning Officer)

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - HB/AB/23/201 Site Location Plan
 - HB/AB/23/202 Worgans Barn Land Ownership Plan
 - HB/AB/23/203 Existing Site Plan
 - HB/AB/23/204 Proposed Site Plan
 - HB/AB/23/013 Proposed Elevations and Plans
- 2) Notwithstanding the approved plans, no additional development shall take place until details of the existing ground levels, proposed finished floor levels, ridge and eave heights of the agricultural building and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3) No additional development shall take place until a construction ecological management plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be implemented and adhered to throughout the remaining construction period of the development hereby approved.
- 4) Prior to their use in the development hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter maintained for the lifetime of the development.
- 5) Prior to use of the development hereby permitted, details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - i) Any hard landscaping areas and boundary treatments (including type and colour of materials);
 - ii) Planting plans and written specifications (including cultivation and other operations associated with plant and grass establishment);
 - iii) Schedule(s) of plants noting species, plant size and proposed numbers/densities, and management to aid establishment; and
 - iv) Details of the implementation programmeThe landscaping works shall be carried out in accordance with the approved details and as per the agreed implementation programme.
- 6) No construction processes shall be carried out on site, including operation of machinery or plant, and no construction related deliveries taken except between the hours of 08:00hrs and 18:00hrs on Monday to Fridays, between 08:00hrs and 13:00hrs on Saturdays and not at any time on Sundays, Bank or Public Holidays.