



Appeal Decision

Hearing held on 10 June 2025

Site visit made on 10 June 2025

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2025

Appeal Ref: APP/P0119/W/24/3356637

Oakfield Farm, Green Lane, Bagstone, Wotton Under Edge GL12 8BD

- 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 John Mattingley against the decision of South Gloucestershire Council.
 - The application Ref is P23/01929/F.
 - The development is the temporary stationing of a mobile home to provide agricultural workers accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issue

2. Details that are not development have been removed from the description above.
3. The planning application form indicates that at the time of submission the proposed temporary dwelling, a mobile home, had been erected on site. The Council then determined the application retrospectively. During the Hearing, the appellant confirmed that the mobile home was currently occupied by his daughter and her young family. As I observed this to be the case during my site visit I have, therefore, determined the appeal retrospectively.
4. The second reason for refusal on the decision notice sets out the development's conflict with policies CS4A and CS8 of the Core Strategy¹. This relates to the location of a site relative to key services and facilities, as well as its accessibility by a range of transport modes. Given the use of the dwelling and the temporary nature of the development, during the Hearing the Council confirmed that this reason for refusal was superfluous.
5. Consequently, the main issue is whether there is an essential need for a temporary dwelling in the countryside to accommodate a rural worker, having regard to the National Planning Policy Framework (the Framework) and the local development strategy.

Reasons

6. As the appeal site is located outside a defined settlement boundary, for the purposes of the Local Plan² it lies within the countryside where residential development is acceptable in the specific circumstances set out in Policy PSP40 of

¹ South Gloucestershire Local Plan: Core Strategy adopted December 2013 (the Core Strategy)

² South Gloucestershire Local Plan: Policies, Sites and Places Plan, adopted November 2017 (the Local Plan)

the Local Plan. The sole circumstance relevant in this case comprises rural workers dwellings, provided the requirements of Policy PSP41 of the Local Plan are met.

7. Whilst Policy PSP41 predominately focusses on the requirements necessary to demonstrate the acceptability of a permanent rural worker's dwelling, for new or establishing businesses, where permanence cannot be demonstrated, this policy permits the Council to consider a temporary consent. Nonetheless, applications for a temporary permission should still be able to demonstrate that:
 - there is a clearly established functional need to live at the place of work or in the immediate vicinity; and
 - this need cannot be fulfilled by an alternative dwelling or the residential conversion of an existing building; and
 - there is a firm intent and ability to develop the business and it has been planned on a sound financial footing.
8. Although the above is more detailed than the criteria set out in paragraph 84 of the Framework, it broadly reflects the considerations the Planning Practice Guidance (PPG), which supports the Framework, establishes as constituting an essential need.

Essential need for additional rural worker to live on site

9. The appeal site forms part of a wider landholding of approximately 27 acres. A further 50 acres of land is rented by the business from an adjoining farm via an annually renewed agricultural lease. This additional land is used for grazing and growing crops for fodder. Were it not available to the business, the appellant indicated he would seek other land to rent and/or purchase.
10. The business comprises the rearing of Aberdeen Angus cows and Saddleback pigs, both of which are sold for meat. Chickens and ducks are also bred for meat and egg sales, whilst six heavy horses are kept to work the land. The business' stock fluctuates during the year depending on breeding numbers, timings of meat sales and external influences including disease and predator attacks. The appellant's desire to grow the animal stock is reflected in the increase in numbers currently owned against those listed within the planning application documentation.
11. With the exception of the occasional use of one tractor, farming is undertaken by the appellant's heavy horses which, together with a no-chemical approach to fertilising, minimises the environmental impact the business has on the land. Additionally, crops are grown for fodder or silage, allowing the business to be partially self-sufficient and therefore minimise costs. Any excess produce is either sold locally or stored on the landholding for use during the following season/year.
12. However, farming with heavy horses is time intensive and requires some specialist knowledge and expertise, particularly given the age of the equipment used. The appellant derives benefits from his experience through running regular teaching days to small groups. These are either introductory sessions or are tailored to cover specific heavy horse farming tasks, for example ploughing and log removal. In the last year, the appellant indicated that approximately six teaching days had been run. Knowledge of the use of heavy horses in farming within the local community is enhanced through an annual charity open day run on the landholding.

13. Additional diversification of the farm activities includes wild camping in two of the fields on a temporary basis (a maximum of 28 days during the summer months). This requires minimal management as, aside from access to water, no other facilities are provided for the campers. Any increase to the number of camping days permitted would require additional consents and improvements made to the facilities provided.
14. The appellant and his daughter both work full time for the business, with the daughter's partner assisting on an ad hoc basis. Other family members and volunteers support the business at specific times through the year, such as during the harvest of hay and silage, often into the evening, or on the charity open day.
15. Based on the quantum of stock and activities outlined within the application documentation, plus an additional allowance for the labour intensity of farming using heavy horses. The worker hours shown in the Supporting Statement³ submitted with the planning application and the Evaluation of a Rural Business⁴ report commissioned by the Council falls just short of the equivalent of two full time rural workers. When the additional stock outlined during the Hearing is included, the number of worker hours increases, albeit marginally. Further worker hours would also be needed were the appellant to diversify into breeding turkeys for sale at Christmas.
16. Nonetheless, the number of worker hours needed to support the business is not an indication that it is necessary for all workers to live on site. It is evident, however, that the business does require one rural worker to be readily available outside usual working hours, for activities such as birthing and rounding up animals which have escaped via gates along the public rights of way being left open by walkers. The farmhouse on the landholding supports this function, being subject to a condition restricting its occupancy to an agricultural worker. In this case, the appellant lives in the farmhouse and fulfils the role of being readily available day and night.
17. Although monitoring animals before, during and after birth requires round the clock care, these activities do not require two workers to be available at all times. Therefore, whilst the appellant may suffer sleep deprivation following a long night of tending to the livestock, this does not prevent his daughter, or another worker, taking over during the day. Furthermore, in the event that additional support is required, the appellant would have time to call upon assistance from others living within a reasonable commute of the farm.
18. Consequently, it has not been demonstrated that there is a clearly established functional need for a second rural worker to live at their place of work or in the immediate vicinity.

Alternative accommodation

19. Along with the appellant, his partner and her elderly mother live in the farmhouse. Whilst the farmhouse has already been extended to provide additional accommodation, the potential for further expansion has not been fully investigated by the appellant due to the likely construction costs and the anticipated need for planning permission. Despite the difficulty of the compatibility of four generations

³ Prepared by David James, undated

⁴ Prepared by Acorus, dated 5 July 2025

living together given the health of the elderly family member, this represents a preference for the appellant and his family which would be of a personal benefit, not driven by the needs of the business, even on a temporary basis. Furthermore, even though the additional rural worker's accommodation is intended for the appellant's daughter, the grant of planning permission would be restricted for occupation by a rural worker, not a named individual.

20. There are various buildings on the appellant's landholding, currently used for the storage of agricultural equipment, animal fodder and livestock shelter/stabling. None of these, however, are suitable for conversion to residential accommodation given their size, proportions, construction materials and, in the case of one of the largest barns, is in poor condition due to fire damage sustained last year.
21. Additionally, given the countryside location of the appeal site and the size of the nearest settlement of Bagstone, the availability of alternative accommodation to either rent or purchase is limited. When taking into account the likely wage of a rural worker, the value of nearby properties means the likelihood of finding suitable alternative accommodation in the area is very low.
22. I conclude that, had I determined that there is a functional need for a second rural worker to live at or near the landholding, this need cannot be fulfilled by the residential conversion of an existing building or an alternative dwelling close by.

Intent and financial soundness

23. The financial information included in the Supporting Statement⁵ submitted with the planning application shows forecasted budgets, comprising sales and costs, based on a hypothetical productive capacity of the farm over a 12-month period. Although providing additional figures to those submitted during the determination of a previous, withdrawn planning application⁶, nonetheless limited information accompanies these largely generic figures verifying how they have been derived. Whilst a net profit is indicated, the budgeted costs omit the salaries of replacement labour for two full time workers. Furthermore, other income and costs, such as poultry meat and egg sales, the depreciation of any farm assets has not been specified and the costs of renting other grazing land should the adjoining farmer's fields no longer be available to the appellant.
24. Nevertheless, whilst it is not possible to guarantee future costs and revenue, I see no reason why forecasted costs and anticipated income over a three-year period could not be prepared, informed by a business plan and strategy which establishes the targeted growth and diversification of the business. Moreover, no accounts, audited or otherwise, are before me which would provide actual sales and costs figures. This is despite the business having been operational and grown since the mobile home was erected in November 2021 or from the period following the planning application submission in June 2023. Indeed, during the Hearing it was asserted that the business has grown larger in the last 12 months.
25. Therefore, despite the appellant's clear passion for his farming practices and product, it has not been demonstrated that his intent to develop the business has been planned on a sound financial footing.

⁵ Prepared by David James, undated

⁶ Council ref: P22/06119/F

Summary

26. Although I have found that no alternative accommodation suitable for a rural worker is available on or close to the landholding, it has not been demonstrated that there is a functional need for a second rural worker's dwelling on the landholding to support the appellant's business. Furthermore, the lack of financial details and/or a business plan with forward projections backed by sound evidence provides little certainty around the longevity of the business.
27. I conclude that there is not an essential need for a temporary dwelling in the countryside to accommodate a rural worker, having regard to the Framework and the local development strategy. As a result, the development conflicts with policies PSP40 and PSP41 of the Local Plan and the provisions of the Framework in this respect.

Other Matters

28. The Equality Act 2010 (the Act) identifies age as a protected characteristic whilst the long-term effects of a health condition can be an impairment that is also a relevant protected characteristic. Therefore, given the age and health of the appellant's partner's mother, I have a duty to consider the aims of the Public Sector Equality Duty (PSED) which forms part of the Act within my determination of this appeal.
29. I do sympathise with the difficulties the appellant's current living arrangements presents to his family. However, even if I were to agree that the existing farmhouse could not be extended or modified to accommodate the appellant's daughter and her family, these are personal preferences beneficial to family life. They are not driven by an essential or functional need of the business.
30. The development would provide some economic benefits to the business and the appellant's daughter, given its siting relative to the landholding. Nonetheless, I have not found an essential or functional need for an additional worker to live on-site. Consequently, these benefits are minor, including the support of meat sales from a nearby public house. Other economic and social benefits derived from the continued operation of a rural business would also arise. However, I see no reason to conclude that the ability of the business to grow is dependent upon my decision. As the mobile home is already in place, any benefits from its implementation have already been realised. From an environmental perspective, the low impact farming methods adopted on the farm supports high levels of animal welfare and protects the field hedgerows as wildlife corridors. I attribute a small amount of weight to these benefits.
31. I have not found that there is a functional or essential need for two rural workers to live on the landholding on a temporary basis nor has it been demonstrated that the business has been planned on a firm financial footing. As a result, the development conflicts with policies PSP40 and PSP41 of the Local Plan. I attach significant weight to the appeal scheme's conflict with the local development strategy in this regard.
32. Having had due regard to the aims of the PSED and all other matters raised, the harm I have identified above outweighs the benefits of the development in terms of eliminating discrimination against persons with a protected characteristic, advancing equality of opportunity for those persons and fostering good relations

between them and others. Consequently, it is proportionate and necessary to determine this appeal in accordance with the development plan as a whole.

Conclusion

33. The development conflicts with the development plan as a whole and there are no material considerations which indicate a decision should be made other than in accordance with it. Accordingly, the appeal is dismissed.

Juliet Rogers

INSPECTOR

APPEARANCES

For the Appellant:

Mr John Mattingley	Appellant
Ms Kate Price	Appellant's Partner
Mr Toby Read BSc(Hons) MRICS FAAV	Rural Chartered Surveyor from David James

For the Local Planning Authority:

Mr James Reynolds	Planning Officer
Mr James Whilding MRICS FBIAC	Managing Director of Acorus Rural Property Services Limited