



Appeal Decision

Site visit made on 24 June 2025

by K Townend BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2025

Appeal Ref: APP/C1625/W/25/3362916

Land at Elmore, Gloucester GL2 3NY

- 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 M Watts against the decision of Stroud District Council.
 - The application Ref is S.24/1259/FUL.
 - The development proposed is change of use from agricultural land to a dog exercising paddock.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal is in an appropriate location for the intended use, having regard to the development strategy for the area, including whether the appeal proposal is justified as a farm diversification scheme; and
 - whether the appeal site is suitably located in relation to settlements, the accessibility of the site for future users, and the effect of the development on highway safety.

Reasons

Development strategy

3. The appeal site comprises an agricultural field located outside of any of the defined settlements listed in the Stroud District Local Plan, adopted November 2015 (the LP). It is, for planning purposes, in the countryside.
4. The appeal proposal is for a dog exercising paddock to provide facilities for dog owners from the surrounding area to bring their dog(s) for exercise in a secure environment. The paddock would be bookable so that it would be used by one hirer at any one time with a change-over period between bookings. The paddock would provide for the public enjoyment of the countryside and exercise for both owners and dogs.
5. Policy CP15 of the LP seeks to protect the identity of settlements and the quality of the countryside by limiting the forms of development that would be permitted. Exception one allows for development that is essential to the maintenance or enhancement of a sustainable farming or forestry enterprise. Exception two allows for development that is essential to be located in the countryside in order to promote public enjoyment of the countryside and support the rural economy

through, amongst other matters, leisure. Exception six allows for essential community facilities.

6. Policy E15 of the LP also supports farm diversification schemes where the proposal can demonstrate the viability and farming activities would be supported. The supporting text to Policy E15 describes diversification as any proposal which seeks to supplement farm income on working farms, and recommends that Farm Business Plans are submitted to show how any applications for diversification fit into the wider farming picture.
7. The proposal would provide a community facility, and the appellant has submitted a number of letters showing local community support. However, the field is detached from the main built up areas of Gloucester, Quedgeley and Hardwicke. There are dwellings and other businesses in Elmore and in the surrounding countryside. Nevertheless, the appeal proposal would be likely to serve a wider area and draw bookings from the main built up areas around Gloucester, as the appellant accepts within their Business Plan. I have no evidence that the facility could not be provided elsewhere, in a location that is closer to the community it is likely to serve. Even with the letters of support I do not have sufficient compelling evidence that it is an essential facility for the local community.
8. Furthermore, although the proposal would promote the enjoyment of the countryside for leisure use, and the use is one which would be appropriate in the countryside, I have no compelling evidence that the proposal would need to be on this field, divorced from the settlement by a number of other fields. The appellant notes that there are already public rights of way in the countryside which provide access for residents and dogs to enjoy the countryside for leisure, even though I accept that the public rights of way would not provide a secure facility for nervous or reactive dogs. It is not for the Council to provide evidence of alternative sites, and it was clear to me on my visit that there are other fields closer to the main settlement which would be capable of providing such a facility.
9. I, therefore, find that the appeal proposal would not comply with exception two or exception six of Policy CP15 of the LP.
10. The appellant's business plan provides details which show that the appeal proposal would supplement the farming enterprise following the loss of the Basic Payment scheme. The appeal submission also provides information to indicate a local demand, albeit limited. The detail of the number of bookings achieved by similar businesses indicates that those particular fields are well used. However, I do not have the information of where those fields are located, whether they are closer to the communities which they serve, whether they provide additional facilities such as shelters and dog exercise equipment, or whether the size is similar. The information provides an indication that dog exercise fields can be economically viable, however there is insufficient information to show that they are comparable to the site before me.
11. The submitted Business Plan, letters of support, forecasted growth and similar business information, albeit forecasted and limited, do show that the proposed development would support the viability of the farm. The proposal would, therefore, be within the definition of farm diversification set out in Policy E15 of the LP.
12. However, although the proposal would comprise farm diversification and would support the farm enterprise, the limited information, limited local support, and lack

of certainty over the forecasted income of the use, is not sufficient to indicate that the development is essential to the maintenance or enhancement of a sustainable farming or forestry enterprise. It would, therefore, not comply with the first exception of Policy CP15 of the LP.

13. For the above reasons, I find that the proposal is not in an appropriate location for the intended use, having regard to the development strategy for the area, including whether the appeal proposal is justified as a farm diversification scheme. The proposal is, therefore, contrary to the requirements of Policy CP15 of the LP.

Location and highway safety

14. The appeal site lies on an unnamed, single track, road from Elmore. The road is a no-through road and serves as access to Velthouse Farm and the agricultural land either side of the lane. There is an existing agricultural access serving the site. The appellant's Transport Statement notes the requirement to book the field would mean that, at most, there would be one vehicle arriving and one vehicle leaving per hour between the hours of 09:00 and 17:00.
15. I accept that the predicted level of vehicle movements would not result in severe effects on highway safety, and I have had regard to the TRL Research Working Paper TSN29R and the advice regarding the capacity of single-lane carriageways.
16. However, given the low level of vehicle movements currently on the lane the addition of two vehicles per hour would be noticeable and would increase the risk of vehicles meeting each other and the risk of conflict with pedestrians. I have not accepted the Transport Statement author's view that pedestrians walking on the lane should be treated as car equivalent, as pedestrians are clearly different from cars. Even though there would not be delays on the road there would be greater risk of meeting another vehicle, including large agricultural vehicles.
17. There are passing places along the road, nevertheless these are infrequent and most rely on field access gateways. The next passing place is not visible from the previous one and the whole of the road length is not visible from the access off the road in Elmore. This would result in the risk of vehicles having to reverse along the lane or back onto the Elmore road. Although this is commonplace on country roads it is not likely to be commonplace on this lane given its no-through road status.
18. The proposal, albeit not having a severe impact, would adversely affect the traffic on the lane and would generate traffic of a level that is inappropriate for the lane. It would, therefore, result in an unacceptable impact on highway safety.
19. The current arable use of the field would have a substantially lower level of vehicle movements per day, although it would generate higher numbers and of larger vehicles during ploughing, planting, and cutting. The removal of the existing use would not be a significant benefit to outweigh the harm, especially as the other fields off the lane would continue to be in agricultural use.
20. The appellant has also suggested that hirers would be able to cycle to the site using dog carriers or trailers on bicycles which would provide alternatives to the private car. Although this would be possible, given that the dog walking field is most likely to be used for dogs that are reactive or nervous, I find that it would be highly likely that the vast majority of the users would access the site by private car.

21. It is only a short drive from the nearest edge of the main built up area of Gloucester and there are other properties within the countryside that are closer. Nevertheless, the proposal would increase car movements and not provide opportunities to make the location more sustainable, nor promote walking, cycling and public transport use, other than walking once on site.
22. Moreover, although the Transport Statement now details visibility splays in both directions these are not indicated on the submitted layout plan and they fall short of the visibility splays required. Furthermore, the layout plan indicates a very small parking and turning area, and I have no compelling evidence that this area is sufficient to allow for a vehicle to enter and leave in a forward gear. The proposal would, therefore, not provide a safe and suitable access.
23. Although appropriate parking and turning could be secured by condition this would not overcome the locational harm.
24. For the above reasons, I find that the appeal site is not suitably located in relation to settlements, would have poor accessibility of the site for future users, relying heavily on the private car, and would not provide sufficient visibility or space for parking and manoeuvring. Taken together, these matters would result in the development having an adverse effect on highway safety.
25. Consequently, the appeal proposal fails to comply with the requirements of Policies EI12, E15 and ES3(5) of the LP which, taken together, seek to ensure that new development contributes towards new or improved walking and cycling facilities, has regard to the traffic impact on the local highway network, maintains the relative sustainability of rural areas, would not generate traffic of a type or amount inappropriate for the rural roads, and resists development that would likely lead to a detrimental impact on highway safety.

Other Matters

26. The appellant has noted that the Council did not undertake a site visit to contextualise the location or the proposed use. However, the conduct of the Council during the application does not affect my findings on the main issues.

Conclusion

27. For the reasons given above I have found that the proposal would be contrary to the development plan. There are no other material considerations that would indicate that the proposal should be determined other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

K Townend

INSPECTOR