



Appeal Decision

Site visit made on 24 July 2025

by R Kent BA (Hons) MTP DipM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2025

Appeal Ref: APP/P1615/W/25/3361652

Eastwood Lodge Farm, Parkhill, Woolaston, Gloucestershire GL15 6PT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr John Williams against the decision of Forest of Dean District Council.
 - The application Ref is P1066/24/PQ3PA.
 - The development proposed is Change of use and conversion of an existing rural building to one residential dwelling (C3) under the provisions of Class Q of the General Permitted Development Order.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A plan showing the curtilage for the proposed dwelling was submitted with the appeal. It is a smaller area of land than the area edged red on the 'Site Plan' reference 1563/02A and is within the area edged red on that plan. The Site Plan has not changed. I therefore regard the curtilage plan as additional information which does not fundamentally change the proposal as described on the application form and repeated in the heading above. Consequently, I have determined the appeal on the basis that the proposed change of use relates to the building and land within the line edged red on the curtilage plan submitted with the appeal and not to the larger area edged red on the Site Plan. The Council has made comments on the curtilage plan as has an interested party and I have taken those comments into account.
3. Noise and odour impact assessments were also submitted with the appeal in response to the Council's reasons for refusal. It is reasonable for the appellant to provide evidence to address the reasons for refusal and I have considered the appeal accordingly. The Council has commented on the assessments and I have taken its comments into account in my decision.

Background and Main Issues

4. The existing building is a timber clad structure with a long and complex planning history. Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) allows the change of use of buildings on agricultural units and former agricultural buildings to a use falling within Class C3 (dwellinghouses) of the Use Classes Order subject to various criteria and conditions being satisfied. Development permitted under Class Q. is subject to the conditions specified in paragraph Q2.

This requires the developer to apply to the Local Planning Authority for a determination as to whether prior approval is required for various matters specified in Q2.

5. There are four points at issue between the parties. The first point at issue is whether the proposed development satisfies Class Q.(a) in relation to whether the proposed curtilage falls outside the definition provided in paragraph Q3. Notwithstanding this, the second and third issues are whether the proximity of the building to a building and yard used for the keeping of livestock would harm the living conditions of future occupiers of the proposed dwelling as a result of noise and odour. The fourth point at issue is the design and external appearance of the building as a result of the conversion.
6. Against this background, I consider the main issues in this appeal to be whether the proposal would be permitted development under Schedule 2, Part 3, Class Q of the GPDO and, if so, whether prior approval would be required and should be granted with regard to transport and highway impacts, noise, odour, and design and external appearance.

Reasons

Whether permitted development

7. The existing building is a two storey structure which the Council has previously concluded to be a lawful agricultural building which has only ever been used as an agricultural building. Whilst the Council's officer report on the appeal proposal subsequently suggests that the building may have a "leisure use" it accepts that it is sited on an agricultural holding. The appellant has provided a letter from M J Fisher Accounting Services which confirms farm accounts have been submitted for the last two years and for the preceding 13 years which show that it is trading as a farm business. Evidence of livestock movements has also been provided by the appellant. The Council accepts that it does not have any conclusive evidence that the building is not located on an established agricultural unit as defined in the GPDO.
8. There is no requirement for a development proposed under Class Q to include a curtilage. However, the additional plan submitted with the appeal indicates a proposed curtilage for the development within the site edged red on the 'Site Plan' drawing 1563/02A. The plan depicting the proposed curtilage states the curtilage has an area of 75 sqm. Whilst the land area occupied by the building proposed to be converted is shown on the curtilage plan to be 75.81 sqm, the written dimensions of the building on the 'Existing Plans and Elevations' drawing 1563/03 indicate a footprint of 76.67 sqm. Using either figure, the area of the curtilage would be less than the area of land occupied by the existing building.
9. The Council has not identified any conflict with criteria (a) to (p) of GPDO paragraph Q1. and I have found no reason to arrive at a different conclusion. Therefore, for the reasons given, the proposal would be permitted development under Schedule 2, Part 3, Class Q of the GPDO.

Transport and highway impacts

10. The site is reached by a rough drive giving access to a narrow, single width lane which joins Park Hill Road. Its isolated location means that future occupiers of the

dwelling would be highly likely to depend on the private car to reach services and facilities. Whilst the Site Plan shows parking for two cars, these spaces would not be contained within the curtilage of the proposed dwelling to which the proposed change of use applies. Although the appellant suggests that a 2.2m wide strip would be sufficient to provide parking for a domestic vehicle within the curtilage, the plan does not demonstrate how the parking space would be laid out. I also saw on my site visit that the sloping site levels mean that there is a retaining wall on the south east side of the building which would further restrict vehicular access and manoeuvring space. From the information before me I am not convinced that the space would be of sufficient width to provide adequate space for parking and turning for the vehicles used by future occupiers of the proposed dwelling.

11. Even though it is indicated that the appellant would remain in control of the adjoining land and buildings and a planning obligation under S106 of the Act¹ has been suggested to tie the building to the land, no such obligation is before me. Land ownership can change over time and it has not been demonstrated that future occupiers of the dwelling would have the right to park vehicles on land outside its curtilage.
12. The proposal would be likely to lead to a small increase in vehicle movements as a result of the building being used as a dwelling rather than its existing agricultural use. Whilst there are few passing spaces along the lane and the lane may be used by walkers and horse riders, I have not seen any clear evidence that the increase in movements would have an adverse impact on highway safety. The Highway Authority considered that the existing access is safe and suitable and the Inspector in the 2017 appeal², whilst recognising that local highway conditions are not ideal, concluded that the small amount of additional traffic likely to be generated by the proposal would not have an unacceptable impact on highway safety. I am not aware of any significant change in circumstances since that appeal and have found no reason to arrive at a different conclusion.
13. Nevertheless, for the reasons given, from the information before me there would be an adverse transport impact on future occupiers of the proposed dwelling as a result of the uncertain future parking arrangements. This would conflict with the requirement of the National Planning Policy Framework (the Framework) that parking considerations are integral to the design of schemes and contribute to high quality places.

Noise and odour

14. The building is sited a short distance to the south west of a portal framed building split into two parts. Both parts of the building have an entrance in its south eastern elevation accessed via a surfaced yard area. The current arrangement is that cattle are over-wintered in the far part of the building which has also been used for lambing. The part of the building nearest the proposed dwelling is used for the storage of straw, animal feed and farming equipment.
15. The Noise Impact Assessment is a general assessment focussing on cattle-related noise. It concludes that noise levels at the proposed dwelling would be perceptible due to its proximity to the cattle building. Whilst the predicted daytime noise levels are found to be consistent with rural farm environments, the assessment does not

¹ Town and Country Planning Act 1990 (as amended)

² APP/P1615/W/16/3162282

demonstrate the night time noise impact, the predicted noise from the use of the yard or the impact that noise from other livestock or agricultural activity, such as farm machinery or lambing sheep, would have.

16. Taking into account the Noise Policy Statement for England, whilst the farm currently operates with limited livestock numbers, I am mindful that the nature of the farming activity and the size of the holding could change in the future. Since agricultural uses do not constitute development under s55 of the Act, the Council would have no control over any future intensification of the agricultural use of the building or what agricultural uses the two parts of the building are put to.
17. Although the assessment concludes that daytime noise levels are to be expected on a rural working farm, the occupation of the proposed dwelling would not be restricted to the appellant or to an agricultural worker. The appellant's suggested 'Informative Note' demonstrates the noise effects that the agricultural use could have on future occupiers of the dwelling. It recognises that noise might occur at unsociable hours including early mornings, evenings and weekends. Due to the proximity of the proposed dwelling to the livestock building and yard, these impacts would cause harm to the living conditions of future occupants who may have no connection with, or influence over, the agricultural activities in or around the building.
18. The Odour Impact Assessment recognises that due to the close proximity of the proposed dwelling to the cattle building there would be some perceptible odour at times. Whilst the current farming practices significantly reduce odour emissions and the Council has not received odour complaints, for the reasons given above the current farming practices could change in the future.
19. For the above reasons, even though the proposed dwelling would be sited on higher ground than the livestock building, I am not satisfied from the information before me that the conversion to a dwelling would not result in a harmful impact on future occupiers of the dwelling as a result of noise or odour. This would conflict with the Framework's requirement that planning decisions create places which, amongst other things, have a high standard of amenity for future users.

Design and external appearance

20. The existing timber clad, pitched roof building has doorways on its south east and north west elevations but no other existing openings. Whilst internal alterations have been made in the past which internally give the building the look and feel of a dwelling, these are not evident externally and the building has a simple appearance compatible with its rural surroundings.
21. Class Q.(c) permits building operations reasonably necessary to convert the building including the installation or replacement of doors and windows. Some change in the appearance of an agricultural building as a result of the conversion to a dwelling is therefore to be expected. Whilst it would be possible to see some of the proposed windows from the nearby public footpaths which pass close to the site, the retention of the existing tiled roof and stained timber cladding means that the building would retain much of its existing simple, agrarian appearance.

Other Matters

22. I am aware of appeal decisions in Staffordshire³ and Worcester⁴ but have not been provided with full details of those proposals or the layout of the agricultural buildings on those farms. Moreover, the Inspector in the Worcester appeal recognised that there will be situations where the particular circumstances of an appeal would result in an unacceptable conflict between residential and agricultural uses. This appeal is one such case. In the Staffordshire decision the 40m distance between the proposed dwelling and the nearest farm building where cattle were housed is greater than the equivalent distance in the current appeal. The circumstances of those appeals are not identical to this appeal and they therefore carry little weight.
23. I am also aware of another site where substantial new openings have been approved⁵ by the Council as part of a prior approval for the conversion of an agricultural barn to provide a single dwelling. Whilst this demonstrates the scale of external alterations which might be carried out under Class Q, I am not aware of the planning context of that site or the full details of that proposal. I have considered this appeal on its individual merits.
24. The Council's officer report indicates that the proposal could have a likely significant effect on the Wye Valley and Forest of Dean Special Area of Conservation. Article 3(1) of the GPDO grants planning permission for classes of development as set out in Schedule 2 subject to Regulations 75 to 78 of the Conservation of Habitats and Species Regulations 2017. This provides that it is a condition of any planning permission granted by the GPDO that development which is a) likely to have a significant effect on a European site or offshore marine site, alone or in combination with other plans or projects and b) not directly connected with or necessary to the management of the site, must not begin until the developer has received written notification of the approval of the local planning authority under Regulation 77. A Regulation 77 application may be submitted and determined separately to an application for prior approval and I have determined the appeal accordingly.
25. Reference is made to a lack of engagement by the Council when it considered the application. This is a matter which can be pursued through other processes and does not have a bearing on my consideration of the appeal.

Conclusion

26. Paragraph W.(3) (b) of Part 3 of the GPDO indicates that an application may be refused where the developer has provided insufficient information. On the information before me I cannot conclude that the proposal would be acceptable in terms of transport, noise, and odour impacts. Therefore, for the reasons given above the appeal should be dismissed.

R Kent

INSPECTOR

³ APP/B3410/W/23/3332618

⁴ APP/J1860/W/17/3179919

⁵ P0802/24/PQ3PA