



Appeal Decision

Site visit made on 13 August 2025

by **E Worley BA (Hons) Dip EP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 September 2025

Appeal Ref: APP/P1615/W/25/3364592

Butts Cottage, Ashleworth Lane, Corse, Gloucestershire GL19 3BU

- 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 & Mrs Clive Wilkes against the decision of Forest of Dean District Council.
 - The application Ref is P0203/25/FUL.
 - The development proposed is described as 'Change of use of holiday cottages to residential by removal of condition no 5 of P0011/03/COU. No external changes are proposed at this stage'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Financial information, including details of income and expenditure, together with estimated costs associated with the operation of the business by an employee, has been submitted as part of the appeal. Given that the Council and interested parties have had the opportunity to comment on this information as part of the appeal process, no injustice would occur should I accept it. For the avoidance of doubt, I have determined the appeal based on this information.

Main Issues

3. The main issues are:
 - the effect of the loss of the tourist accommodation on the rural economy; and
 - whether the site represents an appropriate location for housing with unrestricted occupancy having particular regard to accessibility to facilities and services.

Reasons

Loss of tourist accommodation

4. The appeal site comprises a pair of 2 bedroom semi-detached holiday cottages at Butt's Cottage. Access to the cottages from Lawn Road is shared with Butt's Cottage. Planning permission was originally granted for the holiday lets, subject to a condition to restrict their occupancy for holiday purposes, as the site is in an area where permission would not normally be granted for permanent residential accommodation. The appeal proposal seeks to change the use of the holiday let accommodation to an unfettered residential use as a single dwelling. The appeal submissions set out that the appellants are no longer able to continue the day to day running of the holiday lets themselves and therefore wish to retire and move

into the holiday let accommodation, as it would be more practical than their existing property and align more closely with their needs.

5. Policy CSP.7 of the Forest of Dean Core Strategy, adopted February 2012 (CS) seeks to promote economic development throughout the district to develop the local economy, including tourism, and that priority will be given to, among other things, sustaining the development of key economic sectors, such as tourism. The supporting commentary sets out that the CS strongly supports economic development in rural areas, including tourism based enterprise, as a means of achieving its objectives.
6. The appellants' submissions indicate that while turnover has fallen, the business continues to generate a profit, despite the alleged falling demand and increasing costs. However, it is suggested that this is due to the appellant fulfilling the day-to-day needs of the business themselves, a situation which is becoming untenable because of their age and health issues. Furthermore, it is asserted by the appellants that it would not be financially viable or practical to employ others to manage the business and maintain the property, due to the unpredictable nature of the work, sometimes around the clock. In addition, the appellants' financial information relating to the estimated costs associated with employing a third party to run the business suggest that the minimum costs would exceed the income generated.
7. Nonetheless, in the absence of a detailed breakdown of costs, it is unclear as to how some of the predicted figures put forward in connection with the running of the business have been derived, and the basis on which a salaried general manager is justified. Consequently, there is no substantive evidence that the holiday cottages could not be managed effectively by a third party, or that it would not be financially viable, particularly given that the appeal submissions indicate that they are currently underused, and have been for the last few years, due to the personal circumstances of the appellants.
8. Moreover, while there may be alternative holiday accommodation provision in the locality, there is no compelling reason why the holiday cottages at Butt's Cottage would not be attractive to visitors. In that regard, the Council indicate that it continues to receive planning applications for tourism development which suggests an ongoing demand in the area.
9. The holiday lets are located within the side garden of Butts Cottage, and share its access, garden space and utilities, an arrangement which it is suggested means it would be difficult to sell the holiday units off separately from the main dwelling. However, there is no clear reason why they could not be physically separated from Butt's Cottage, and a new access and amenity area created and thus operate independently from Butt's Cottage, without detriment to the living conditions of the occupiers of the host dwelling. While it may be the appellants' intention to cease the operation of the business in the future, which it is suggested would result in the loss of the holiday lets, any commercial decisions that may be taken by the appellant regarding the future of the business do not alter my assessment of the proposal, which is based on the current circumstances.
10. In light of the above considerations, there is no substantive evidence that the holiday let accommodation is not a viable business or could not operate as such. I therefore conclude that, notwithstanding the modest scale of the existing

accommodation, the loss of the holiday cottages would harm the rural economy, and in that regard would conflict with Policy CSP.7 of the CS.

Suitability of location

11. The appeal site is located in an area of open countryside. It is a short walk from the garage at the junction of Lawn Road and the A417, where there is a convenience store, which would provide for everyday items. As well as bus stops at the garage, the Stagecoach 351 service stops at the appeal site. While the appellants submissions indicate that this would provide access by public transport to Gloucester, Tewkesbury, and Staunton, I have not been provided with timetables of the bus services, to determine whether they would be suitable for travel to work or school.
12. The site is not a significant distance from amenities and facilities in Ashleworth, and is not isolated from other development. However, while I note the appellants travel to Ashleworth by foot, the route, along a rural road, devoid of streetlights and footpaths, is not conducive for such journeys, particularly in the dark or inclement weather. Furthermore, access to The Old Bakery bus stop and Hartpury by foot, would necessitate travel along the busier A417, which is also unlit and without a dedicated footpath, would be even less attractive in safety or convenience terms.
13. Given the lack of connectivity with the surrounding settlements, and uncertainty regarding the extent of the bus service, it is therefore unlikely that future occupiers of the dwelling would walk to access services and facilities other than the shop at the garage. Consequently, despite the relatively modest distances to nearby settlements, occupiers would be likely to be heavily reliant on the use of private cars both to access local facilities therein and day to day services and amenities further afield such as employment, education, and a broader range of retail options.
14. While I appreciate that the appellants currently reside at the site in Butt's Cottage, the proposal would allow the occupation of the holiday accommodation, on a permanent residential basis, in addition to the main dwelling, which could be occupied separately. I am mindful that occupiers of the holiday cottages would be likely to use the accommodation as a base from which to travel to local attractions, shops and public houses/restaurants. In addition, the holiday lets would generate trips by cleaners, maintenance and management personnel. Nevertheless, there are tangible differences between residential occupation on a permanent basis and short-term holiday let occupation.
15. It is reasonable to assume that the holiday cottages would be likely to have periods of vacancy. Moreover, the vehicular movements of holidaymakers are likely to be less frequent than daily trips typically expected by permanent occupiers, which would be likely to include regular daily trips to school, work and a wider range of shopping options, which tourists would not need to undertake. Moreover, even if the appellants currently only own one car and use public transport, there is no certainty that future occupiers of the property would adopt the same patterns of travel.
16. My attention is drawn by the appellant to an appeal decision at The Cider Barn for a similar proposal¹. However, for the reasons set out above, I have formed by own

¹ Ref: APP/U1105/W/22/3298314

view regarding the likely patterns of travel of permanent and temporary occupants of the dwelling, taking account of the circumstances of the case.

17. Reference has been made to permission granted by the Council² for the change of use of holiday let accommodation at Corse Hill Farm. However, the proposal in that case was for annex/holiday let accommodation, which both maintained a holiday let use and did not relate to the provision of a separate dwelling. It is therefore not comparable to the appeal proposal. Furthermore, in the case of The Roosting Place, whereby the Council granted permission for the change of use of an existing holiday cottage to a dwelling house³, it would appear that the site differs from the appeal site in that it was closely related to a small hamlet of dwellings and their associated facilities and therefore considered to be in a sustainable location. Given these differences I attribute these cases limited weight, and in any event have considered this appeal on its own merits in light of the evidence before me.
18. The appellant asserts that occupiers of residential properties in Ashleworth, Hartpury and Redmarley, including new housing recently constructed and under construction in Ashleworth, would be similarly dependent on the private car to access services and amenities to future occupiers of the dwelling. While development within the existing boundaries of rural villages would accord with relevant policies in relation to the location of new residential development, I do not have full details in respect of more recent developments so I cannot be certain of the specific circumstances of those cases. As such the weight to be attached to these are limited.
19. While the proposal would not have an unacceptable impact on highway safety, and the residual cumulative impacts on the road network would not be severe in relation to its functioning, the proposal would nonetheless conflict with the aims of the National Planning Policy Framework (the Framework) that seek to ensure that sustainable transport modes are prioritised.
20. For the foregoing reasons I conclude that the site would not represent an appropriate location for housing with unrestricted occupancy having particular regard to accessibility to facilities and services. It would therefore fail to accord with the aims of Policy CSP.4 of the CS which require new development to contribute to reinforcing the existing settlement pattern in a manner which emphasises the importance of the towns, focussing new development within existing settlement boundaries and Policy CSP.16 of the CS which require development to take account of the scale, function and level of services accessible from their intended location and of the availability of public transport, and that the defined settlement boundary will be a key determinant in judging the acceptability of proposals. It would also fail to accord with Policy AP.1 of the Forest of Dean Allocations Plan 2006-2026, adopted June 2018 which requires development to be sustainable, in accordance with national guidance and policies in the CS and the combined aims of Policies PD 0.1 and PD 0.3 of the Gloucestershire Local Transport Plan (2020 - 2041) which seek to address travel demand by among other things, promoting the use of sustainable modes of transport.
21. The Council's second refusal reason cites Policies CPS.1, CPS.2 and CSP.7 of the CS. However, as these policies relate to the design, construction and layout of

² LPA Ref: P0038/24/FUL

³ LPA Ref: P0243/14/COU

new development and the economy respectively, they are not directly relevant to this main issue.

Other Matters

22. The proposal would offer benefits in terms of housing supply, which is a key objective of the Framework, which seeks to significantly boost the supply of housing. Permanent occupancy of the appeal property would be likely to provide some social and economic benefits when compared to current less consistent occupation of the holiday cottages, which may enhance or maintain the vitality of the rural community and support local services. The proposal would also accord with policies in the Framework which promote and support the development of under-utilised land and buildings. However, any benefits in these regards would be modest, given the scale of the development.
23. The evidence before me explains the appellants' wish to retire and that the proposal would provide modern accommodation to meet their future needs, in lieu of their current dwelling, Butts Cottage, which is of some age and thus in need of maintenance. The proposal would also enable a family member to occupy Butts Cottage to provide care that may be required in the future. In exercising my function on behalf of a public authority, I have had due regard to the Public Sector Equality Duty contained in the Equality Act 2010 (the Act). The Act sets out the relevant protected characteristics which include age. The effect of not granting planning permission may result in the appellants, who live in Butts Cottage, having to move elsewhere.
24. I understand that the appellants' existing accommodation is problematic due to the ongoing maintenance, and that the proposal would enable family to live close by, should they need to in the future. However, there is no substantive evidence that the appeal proposal is the only means of meeting the appellants' accommodation needs or care requirements should they arise, or that it would be the minimum necessary, solely to meet these needs. For these reasons, I give moderate weight to the need for the proposal to provide alternative accommodation due to the personal circumstances of the appellants.
25. The Council indicates that it cannot demonstrate an adequate supply of housing land. In such instances paragraph 11 of the Framework falls to be considered. In so far as this appeal is concerned, this indicates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
26. The support for the proposal in the Framework set out above is countered by the harm to the rural economy through the loss of the holiday lets and the location of the proposed unrestricted housing with regard to accessibility of facilities and services. In this case, the identified adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Therefore, the proposal would not benefit from the presumption in favour of sustainable development.
27. There is no compelling evidence that the proposal would use less water and electricity than the holiday let use or generate less waste or noise pollution. Moreover, while I note the appellants' contention that both the holiday lets and

Butts Cottage would fall into disrepair if the appeal is dismissed, there is no clear evidence that this would be the case.

28. The absence of harm in other regards, including the character and appearance of the area, biodiversity and flooding are normal expectations of new development and therefore of neutral weight.

Conclusion

29. The harm identified in respect of the main issues means that the proposal would conflict with the development plan as a whole. There are no other considerations, including the provisions of the Framework, which outweigh this finding to justify granting planning permission contrary to the development plan. The appeal should therefore be dismissed.

E Worley

INSPECTOR