



Appeal Decision

Site visit made on 12 August 2025

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th September 2025

Appeal Ref: APP/C1625/W/25/3363771

Land south of Trench Farm, Wickwar Road, Kingswood, Wotton-under-edge, Gloucestershire, GL12 8JU

- 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 Andy Knowles against the decision of Stroud District Council.
 - The application Ref is S.23/2121/FUL.
 - The development proposed is for the erection of a steel portal frame mixed use agricultural storage building.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Attention is drawn to an emerging development plan. At examination stage, the plan is well progressed, however, evidence suggests that there are significant matters not yet resolved. Accordingly, the emerging plan attracts very little weight in this decision.

Main Issue

3. The main issue is whether the proposed development at this location would be acceptable, having regard to relevant spatial policies.

Reasons

4. The appeal site is a parcel of land in a rural setting, a short distance from the built edge of Kingswood. The evidence indicates that the site was subject of a permission which permitted an agricultural building, but that approved building was demolished some time ago. I saw that the immediate site currently comprises an area of shingled hardstanding, edged by rough grazing and is devoid of buildings.
5. The proposal would therefore result in a new building in this countryside location. Policy CP15 of the Stroud District Local Plan (Local Plan) requires that proposals such as this will not be permitted except where the stated principles of that Policy are complied with. Largely consistent with this approach, Policy SL1 of the Kingswood Neighbourhood Development Plan (Neighbourhood Plan) restricts proposals outside the settlement limits boundary, unless they meet criteria set out in that particular Policy.
6. The first principle of Policy CP15 is that [the building] is essential to the maintenance of a sustainable farming enterprise. The Design and Access Statement and appeal statement indicate that the new building, in addition to

facilitating the agricultural uses on the site, is necessary for storage of equipment for the operation of land in this rural area. Somewhat contradictory to this, the appendices of the appeal statement suggests that the development is necessary for the management of the appellant's land which is no longer maintained by a third party.

7. The land shown as being in the control of the appellant appears limited to a couple of small fields. Moreover, there is very little firm evidence that the appellant has control of more land beyond this or is seeking the development in support of a new land based rural business. 'Farm enterprise' is not defined in the Local Plan, but it seems to me that a couple of fields would struggle to sustain a farming enterprise.
8. Also, the submitted drawing shows an existing building very close to the appeal site, in the land controlled by the appellant. I saw on the site visit that this existing building is a Dutch style barn and has a distinct appearance of an agricultural building. Furthermore, it appears to be of a size capable of accommodating the farm equipment indicated in this submission. Given these circumstances, it is unclear why a new building in addition to this is required for the maintenance of a relatively small parcel of land.
9. It is asserted that this new building would be more compact than the building that has been removed from the site. Be this as it may, even if I accept that this development is a replacement building, the principles set out in Policy CP15 only allows consideration of replacement dwellings.
10. For the reasons stated, I am not persuaded that this additional building is essential to the maintenance or enhancement of sustainable farming within the district. The proposal fails to comply with this local policy principle. The remaining principles of Policy CP15 relate to public enjoyment, community facilities, heritage assets, and rural exception sites, and are therefore not relevant.
11. Both parties draw my attention to Policy EI5 of the Local Plan. This Policy relates to farm enterprises and diversification and requires that proposals demonstrate the viability of farming, through helping to support farming activities on the rest of the farm. The supporting text of this Policy states that Farm Business Plans should support applications for diversification. A Farm Business Plan has not been submitted in this appeal. Moreover, I find no compelling evidence that this proposal would be used for a secondary activity to a main farm enterprise. Consequently, I find that the requirements of this Policy have not been satisfied in this case.
12. The appellant highlights that Policy SL1 of the Neighbourhood Plan provides support for new enterprise. However, it is unclear whether this proposal relates to a new enterprise. Even if I accept that it does, the necessity for an additional building at this relatively small site has not been demonstrated for the reasons set out above. I am not convinced that the new building is necessary for the purposes of agricultural, enterprise or diversification at the site. Moreover, given this factor and the lack of any substantive evidence regarding economic benefits, I am unable to conclude that the development would benefit the rural economy in a meaningful way.
13. Paragraph 88 of the National Planning Policy Framework (the Framework) requires decisions should enable, amongst other matters, the development and diversification of agricultural and other land-based rural businesses. But given the

limited information, it is uncertain that this proposal would deliver the type of development supported by this Framework provision.

14. The Framework also requires decisions should recognise that sites to meet local business in rural areas may have to be found beyond existing settlements. While local policies are restrictive regarding proposals in rural areas, in keeping with national guidance, they seek sustainable rural communities and do not preclude development in such areas. These Local Policies generally accord with these provisions of the Framework.
15. Permission was granted for a building on the site in 2008, but this was considered against a planning context which differs from the one that is currently in place. In any event, the detailed circumstances that underpinned that earlier decision have not been submitted to allow consideration of this matter in this appeal. Attention is drawn to a development at adjacent Trench Farm. Again, the details that underpin that Council decision have not been provided, but I note it relates to an extension of an existing building. It appears different in this regard, and not directly comparable to this proposal. These matters have not altered my findings for these reasons.
16. Accordingly, I find that the proposed development at this location would be unacceptable, having regard to relevant spatial policies. In this respect the proposal fails to accord with Policies CP15 and EI5 of the Local Plan and Policy SL1 of the Neighbourhood Plan. These Policies collectively seek, amongst other matters, to protect the separate identity of settlements and the quality of the countryside.

Other Matters

17. The appellant has submitted an Ecology Impact Assessment (EIA) in this appeal process to address the Council's second reason for refusing permission. The EIA identifies that further survey work may be necessary with regards Great Crested Newts, which is a legally protected species.
18. National guidance cautions where there are likely to be adverse effects on protected flora and fauna, proposals should not usually be decided until surveys are submitted. It is therefore necessary for evidence regarding potential impacts on habitats and species to be provided at the application stage.
19. Mitigation has been identified in the EIA, but this does not appear to address the potential need for additional survey work related to protected species. I find that there is insufficient information to conclude whether this proposal would accord with national policy and Policy ES 6 of the Local Plan on the matter of conserving the natural environment and safeguarding protected species.
20. The Council's officer expressed some support for the proposal at the application stage, but this was subject to additional information being provided. In any event the Council is not obligated by comments made during the application process.
21. No harm regarding character, access, turning and parking area has been identified subject to conditions. However, all development should be acceptable in these regards.
22. It is asserted that this proposal would remedy the poor condition of the site. However, I am not persuaded that this scheme, which conflicts with development

plan policy, is the only means of addressing this matter. I attach very limited weight to these matters accordingly.

23. The appellant states that the proposal is exempt from biodiversity net gain required by statute, but the evidence suggests that biodiversity enhancements could be secured by a separate condition. However, this would likely be a small benefit, given the scale of the development.
24. As already explored above, I am unpersuaded that there would be meaningful social and economic benefits as result of this development. Even if I accepted that there was a small benefit in this regard, this is countered by the factor that such benefits could be realised without the need for this development given the existence of a building on the wider site. The limited benefits likely to arise would not be sufficient to outweigh the conflict with locational policies in this case.

Conclusion

25. Having regard to the development plan and other material considerations, including the Framework, the appeal should be dismissed.

A J Sutton

INSPECTOR