
Appeal Decision

Site visit made on 20 October 2025

by **N Robinson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 October 2025

Appeal Ref: APP/J3720/W/25/3365398

Templar House, Church Bank, Temple Grafton, Warwickshire B49 6NS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Estates of Jean and Gordon Fisher against the decision of Stratford-on-Avon District Council.
 - The application ref is 24/00315/VARY.
 - The application sought planning permission for proposed erection of agricultural workers dwelling without complying with a condition attached to planning permission Ref 76/00750/FUL, dated 17/01/1977.
 - The condition in dispute is No 4 which states that: The occupancy of the dwelling shall be limited to persons solely or mainly employed or last employed in agriculture, as defined in Section 290(1) of the Town and Country Planning Act 1971, or in forestry, or the dependents of such persons residing with him (but including the widow or widower of such a person).
 - The reason given for the condition is: "The development is in an area where it would not be allowed unless associated with the needs of the agricultural economy".
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. Planning permission for development described in the banner heading was approved on 17 January 1977. This permission included a number of conditions, one of which required that the occupancy of the dwelling be limited to persons solely or mainly employed or last employed in agriculture or forestry or the dependents of such persons residing with him or the widow or widower of such a person. The appellant wishes to remove this condition.
3. The reason for the condition given on the decision notice sets out that the condition is necessary as the development is in an area where it would not be allowed unless associated with the needs of the agricultural economy. The Council's evidence indicates that the condition is necessary to ensure that the dwelling remains as an agricultural/ forestry worker's dwelling. The main issue is whether the disputed condition is necessary and reasonable to ensure that there is adequate provision of accommodation for agricultural/forestry workers in the area.

Reasons

4. Templar House is a 5-bedroom dwelling. It is stated that the general condition of the property is poor and that the property is not habitable and requires extensive renovation and modernisation. The property has been marketed since April 2023

at an asking price of £650,000. It is stated that, based on similar sized dwellings in the local area, this represents a discount of 35-45% of the market value to reflect the occupancy restriction. The marketing campaign was extensive and involved advertisements on various property portals, a display within the local agent's store, advertisements in Farmers Weekly magazine, information distributed at Farmers Forum events and letters sent to local agricultural businesses and rural clients.

5. The appellant indicates that an average farm worker's salary is between £18,000 and £25,000 per annum, which, it is stated, would enable a mortgage in the region of £72,000-£112,500 or up to £225,000 for 2 experienced agricultural workers. This is not disputed by the Council, and I see no reason to disagree with this. Given this, even with the discount the property would be beyond the financial means of an average agricultural worker. In light of this, it is unsurprising that the marketing campaign did not attract any interest from eligible occupiers working in agriculture or forestry. Consistent with the conclusions of the Inspector in an appeal decision¹ to which I have been directed, it is likely that the market price was too high for the target market. Thus, I cannot be certain that there would be no interest in the property by eligible occupiers if the property had been advertised at a price which was affordable to them.
6. The cost of repairs to render the property habitable have not been detailed and there is no evidence before me that this would be unnecessarily prohibitive or that it would render the purchase of the dwelling unachievable to those on an agricultural or forestry worker's salary. That the dwelling is larger than rural worker's dwellings typically permitted by the Council is noted, however there is no evidence before me that the house is too large to be suitable for the purpose of an agricultural/ forestry worker's dwelling or that its size would render it undesirable to the target occupiers.
7. Drawing on the above, whilst the property was the subject of an extensive marketing campaign, it has not been marketed at a price which is realistic to the intended occupiers. I cannot therefore be certain that there is no interest in the property by agricultural or forestry workers. Given this there is insufficient evidence to demonstrate that the dwelling is no longer needed to meet the needs of agricultural/ forestry workers employed in the area. As the condition was attached for the reason that the development is in an area where it would not be allowed unless associated with the needs of the agricultural economy, I do not share the appellant's view that the condition is disproportionate or burdensome.
8. It is therefore necessary for the disputed condition to be retained to ensure that adequate accommodation is available in the locality for agriculture/ forestry workers. I am satisfied that the condition in dispute is necessary, relevant to planning, relevant to the development, enforceable, precise and reasonable in all other respects and thus meets the tests set down in the Planning Practice Guidance².

Conclusion

9. For the above reasons, the appeal is dismissed.

N Robinson INSPECTOR

¹ APP/J3720/W/23/3335015

² Paragraph: 003 Reference ID: 21a-003-20190723