



Appeal Decision

Site visit made on 29 October 2025

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2025

Appeal Ref: APP/P1615/W/25/3367097

**The Bungalow, Royal Oak Road, The Pludds, Ruardean, Gloucestershire
GL17 9UG**

- 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 Vanessa Frost against the decision of Forest of Dean District Council.
 - The application Ref is P1258/24/FUL.
 - The application sought planning permission for erection of a new 2-bedroomed holiday let involving part change of use of existing field with associated works (demolition of existing outbuildings) without complying with conditions attached to planning permission Ref P1262/18/FUL, dated 18 January 2019.
 - The conditions in dispute are Nos 5 and 6, which state that:
 - 5. *The holiday let hereby approved shall be used only for holiday purposes. It shall not be used as any individual's main or sole dwelling. A register of all occupiers - detailing dates, names and usual addresses - shall be maintained by the owner (or owners) and shall be kept up to date and available for inspection at all reasonable hours by officers of the Council.*
 - 6. *If the site should cease to function as a place of holiday accommodation, the land shall be restored to its original condition as pasture land through the removal of all built structures and hard surfacing within six months of the date that the site last operated for the purpose approved.*
 - The reasons given for the conditions are:
 - 5. *The site is in an area where permission would not normally be granted for permanent residential accommodation and the Local Planning Authority wishes to retain control over the use, in the interests of amenity and in accordance with Core Strategy Policies CSP.4 and CSP.7.*
 - 6. *To ensure that development does not do permanent and unjustified harm to the rural character and appearance of the site and its surroundings, in accordance with policies CSP.1 and CSP.4 of the Core Strategy, policies AP 1 and AP 4 of the Allocations Plan, and the National Planning Policy Framework.*
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Decision

1. The appeal is allowed and planning permission is granted for erection of a new 2-bedroomed holiday let involving part change of use of existing field with associated works (demolition of existing outbuildings) at The Bungalow, Royal Oak Road, The Pludds, Ruardean, Gloucestershire, GL17 9UG in accordance with the application Ref P1258/24/FUL, without compliance with condition number 6 previously imposed on planning permission Ref P1262/18/FUL, dated 18 January 2019, and subject to the conditions in the attached schedule.

Procedural Matter

2. The application sought planning permission without two of the conditions previously imposed. For the reasons set out below, I have found that one of those conditions should remain, but the other should not. As this decision results in the

grant of a new permission, the appeal is allowed, however, disputed condition 5 has been reimposed.

Main Issues

3. The main issues are:

- whether condition 5 is reasonable and necessary having regard to (a) whether it has been sufficiently demonstrated that the appeal property is no longer viable as a holiday let unit; and (b) whether the appeal site is a sustainable location for permanent residential occupation; and
- whether the requirement of condition 6 for the removal of the building in the event that it is no longer used as holiday accommodation is reasonable and necessary.

Reasons

Viability of the holiday let unit

4. Policy CSP.7 of the Forest of Dean Core Strategy 2012 (CS) encourages economic development throughout the district, including in rural areas, and supports tourism-related uses where they contribute to local employment and diversification. The policy recognises the value of holiday accommodation in sustaining rural vitality and enabling the reuse of buildings for tourism purposes.
5. The appellant has stated that the property has been marketed as a going concern and that mortgage lenders have flagged the site due to the refusal of change of use, thereby requiring any prospective purchaser to be a cash buyer. However, no substantive evidence has been provided to corroborate either claim. There is no documentation from lenders confirming that mortgage finance is unavailable nor is there any record of prospective buyers being refused finance on this basis. Likewise, no detailed marketing history has been submitted, such as the duration of marketing, platforms used, level of interest generated or correspondence with agents, to demonstrate that the property has been actively and unsuccessfully promoted for sale or lease as a holiday let.
6. Moreover, there is no financial data, occupancy records or professional assessments to show that the holiday let has failed to operate successfully or that demand for its continued use is lacking. Without such supporting material, it is not possible to conclude that the tourism use is no longer viable or that it could not continue under different ownership or management.
7. The appellant has also indicated that their spouse, who previously assisted with the operation of the holiday let, has been diagnosed with a medical condition that significantly limits his ability to carry out the physical tasks associated with managing the property. These include routine cleaning, maintenance and guest turnover. Whilst this is a matter of genuine personal concern, it does not in itself demonstrate that the tourism use is unviable in planning terms. No substantive evidence has been provided to show that contracting out these services would be cost prohibitive or that alternative management arrangements have been explored. Whilst I am sympathetic to the spouse's medical condition, in the absence of the above information, the personal circumstances do not override the policy requirement to justify the loss of a tourism asset.

8. For these reasons, the proposal fails to demonstrate that the existing tourism use is unviable. The removal of the holiday occupancy restriction would therefore result in the unjustified loss of a tourism asset and conflicts with Policy CSP.7 of the CS. I therefore find that condition 5 is reasonable and necessary in respect of protecting the rural economy.

Location

9. The appeal site is located in a rural setting, positioned well beyond any defined settlement boundary. In planning policy terms, it lies within open countryside as designated by the CS.
10. Policy CSP.4 of the CS and Policy AP.1 of the Forest of Dean Allocations Plan 2006 – 2026 (AP) collectively seek to promote sustainable development by directing the majority of new growth towards towns, villages and clusters that benefit from a reasonable level of services, facilities and employment opportunities. A key objective of this spatial strategy is to reduce the need for travel, particularly by private car, by encouraging development in locations where active travel and public transport are viable.
11. Policy CSP.4 makes clear that most development is expected to occur within established settlements, with strict controls applied to proposals in the open countryside unless they fall within a limited set of defined exceptions. In this instance, the proposal has not been demonstrated to meet any of those exceptions and therefore conflicts with the strategic approach to sustainable settlement patterns.
12. The site is located within The Pludds, a small settlement offering only a limited range of services and facilities. The appellant points to the relative proximity of certain amenities, including primary schools in Ruardean and Ruardean Woodside, a secondary school near Mitcheldean and local shops, public houses, takeaways and a GP surgery in neighbouring settlements a few miles away. Whilst the existence of these facilities is noted, their availability does not render the location sustainable for permanent residential use. The distances involved, generally exceeding a mile and frequently along unlit rural roads without footpaths, are not conducive to walking or cycling, particularly for children, older residents or during inclement weather.
13. Whilst there are bus stops located relatively close to the site, offering services to destinations such as Cinderford, the Forest of Dean Community Hospital and Brierley, no detailed timetable information has been provided. As a result, it remains unclear whether these services operate with sufficient frequency or convenience to support regular day-to-day travel. In the absence of such evidence, it is unlikely that public transport would represent a practical or attractive option for future residents. The appellant has also referred to school bus services serving nearby villages. However, no substantive information has been submitted regarding their routes, frequency or eligibility. Without this detail, it is not possible to conclude that these services would provide reliable or accessible transport for families residing at the appeal site.
14. Given the above, future residents of the proposed development are likely to be heavily reliant on the use of private vehicles. This would be the least sustainable travel option and would undermine the Council's spatial strategy.

15. Notably, the building's current use as a holiday let is consistent with Policy CSP.4, which supports rural diversification and tourism-related development where it contributes to the local economy and does not result in permanent harm to the countryside. Holiday accommodation typically generates lower levels of daily trip-making, is seasonal in nature and can be more readily justified in locations with limited access to services. In contrast, the proposed change to a permanent dwelling would introduce a year-round residential use in a location that is demonstrably unsustainable for permanent occupation, thereby conflicting with the spatial strategy and sustainability objectives of the development plan.
16. I acknowledge that the National Planning Policy Framework (the Framework) does support development in one village where it may help sustain services in another. However, this principle must be applied within the context of the wider spatial strategy, which seeks to concentrate growth in settlements with a baseline level of accessibility and infrastructure. The Pludds does not meet that threshold. Similarly, the Framework recognises that sustainable transport solutions will vary between urban and rural areas, it does not imply that locations outside settlements should be treated as inherently sustainable. Furthermore, the proposed installation of an electric vehicle charging point and cycle storage, whilst welcome, does not overcome the fundamental accessibility constraints of the site or the conflict with adopted policy.
17. For these reasons, the appeal site is not a sustainable location for permanent residential occupation, and the proposal therefore conflicts with Policy CSP.4 of the CS and Policy AP.1 of the AP. I therefore find that condition 5 is reasonable and necessary with regards to the Council's spatial strategy and access to services and facilities.

Removal of the building

18. The approved development comprises a permanent two-bedroom dwelling. It is not a temporary structure or ancillary tourism facility such as a caravan or shepherd's hut. As such, the imposition of a condition that mandates demolition upon cessation of a particular use is disproportionate and inconsistent with the nature and permanence of the development.
19. This approach fails to reflect the planning status of the building as lawful development. There is no policy requirement within the Council's development plan to restore built development to its pre-application state, nor is there any evidence that the continued presence of the building would result in permanent harm to the character or appearance of the countryside. The condition appears to pre-empt future planning considerations by removing the opportunity for the Council to assess any alternative use proposals on their individual merits through the normal development management process.
20. For these reasons, condition 6 requiring the removal of all built structures and hard surfacing and the restoration of the land to pasture in the event that the holiday use ceases, is neither reasonable nor necessary in the context of the permission granted. It is not necessary, as there is no demonstrable harm arising from the continued presence of the building. It is not reasonable, given the permanent nature of the development and the lack of policy support for enforced removal. Nor is it precise or enforceable in practical terms, particularly in defining what

constitutes cessation of use and how restoration would be monitored. Accordingly, the condition should be removed.

Conditions

21. Based on the findings set out above, I conclude that condition 6 is neither reasonable nor necessary and should be removed. However, condition 5, which restricts the use of the building to holiday accommodation, remains justified in planning terms and will be retained in its existing form.
22. As the effect of allowing this appeal is to grant a new and standalone planning permission, it is necessary to restate in full all conditions from the original permission that remain relevant and applicable to the development.
23. The standard time limit condition is no longer required as the development has already been completed. In addition, conditions 2 and 3 attached to the original permission were subsequently varied through a Section 73 application granted in 2021. I have therefore imposed the amended versions of those conditions in place of the originals.

Conclusion

24. For the reasons given above, the appeal should be allowed, and the planning permission varied in the terms I have explained.

K Reeves

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the details approved through planning permission P2051/21/FUL.
- 2) The roof of the holiday let shall be constructed of slate and the walls render and be maintained as hereby approved for the duration of the permitted use.
- 3) The drainage for the development hereby permitted shall be undertaken in accordance with the Council's Technical Guidance document on Drainage requirements for domestic extensions and single dwellings.
- 4) The holiday let hereby approved shall be used only for holiday purposes. It shall not be used as any individual's main or sole dwelling. A register of all occupiers - detailing dates, names and usual addresses - shall be maintained by the owner (or owners) and shall be kept up to date and available for inspection at all reasonable hours by officers of the Council.
- 5) The building hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing dated 12 December 2018 and those facilities shall be maintained available for those purposes thereafter.
- 6) Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plans dated 12 December 2018 and retained in perpetuity.
- 7) The development hereby approved shall be carried out in accordance with the approved Biodiversity mitigation, enhancement details, and as shown on the revised plans dated 12 December 2018 and thereafter permanently maintained for the duration of the use hereby approved.
- 8) All external lighting shall be installed in accordance with the specifications and locations as shown on the revised drawings dated 12 December 2018, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed.
- 9) The proposed landscaping for the development shall be carried out as shown on the approved plans received 12 December 2018. The scheme shall be carried out in all respects in accordance with the approved scheme not later than the first planting season following the construction of the holiday let hereby permitted. If at any time during the subsequent five years any tree, shrub or hedge forming part of the scheme shall for any reason die, be removed or felled it shall be replaced with another tree, shrub or hedge of the same species during the next planting season to the satisfaction of the Local Planning Authority.

End of Schedule