



Appeal Decision

Site visit made on 1 June 2026

by **S A Hanson BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date 19 June 2026

Appeal Ref: APP/C1625/C/25/3369713

Land off Ebley Road, Stonehouse, Gloucestershire

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Nigel Jennings against an enforcement notice issued by Stroud District Council.
 - The notice was issued on 13 June 2025.
 - The breach of planning control as alleged in the notice is: The material change of use of land from agriculture to a mixed use of agriculture and car park, storage of vehicles, and the laying of hardcore without the benefit of planning permission.
 - The requirements of the notice are to:
 - i) Cease the use of the land for the storage and parking of vehicles.
 - ii) Permanently remove all the vehicles from the land.
 - iii) Cover the area of hardcore (as identified on the submitted plan, within the area shaded grey), with soil and apply grass seed mix.
 - The period for compliance with the requirements is: two months after this notice takes effect, being the 25.09.2025.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended) (the Act). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. It is directed that the enforcement notice is corrected and varied by:

Deleting requirement (i) in part 5 of the notice and substituting it with: “(i) Cease the mixed use of the land.”

Deleting the time for compliance in part 6 of the notice and substituting it with “two months for steps i) and ii)” and four months for step iii)”.

2. Subject to the corrections and variations, the appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the Act as amended.

Matters concerning the notice

3. I have a duty to get the notice in order if I can do so without prejudice to the parties. It is open for me to vary and/or correct the notice in accordance with my powers under section 176(1)(a) of the Act. The allegation relates to a material change of use of the land to a mixed use. The requirements of the notice should square up with and follow logically from the allegation regarding what a notice may require under s173 of the Act to remedy the breach of planning control. To bring the steps in line with the allegation, it is necessary to correct requirement (i) to cease the ‘mixed use’.

4. Furthermore, the time for compliance with the notice includes a date which has been overtaken by the appeal process. To avoid ambiguity, I shall correct the notice to remove the date.
5. As these corrections do not substantively change the notice, I am satisfied that no injustice would be caused to any party.

Ground (a) and deemed planning application

Main Issues

6. The main issues are whether the development preserves or enhances the character or appearance of the Stroud Industrial Heritage Conservation Area.

Reasons

7. The appeal concerns a parcel of land situated between the B4008 Ebley Road to the north and the Stroudwater Navigation Canal to the south. The site benefits from a single existing vehicular access point from Ebley Road and is located within an area characterised by mixed-use activity. The frontage of the site has been surfaced with loose stone, providing a hardstanding area used for vehicle parking in connection with the appellant's business, which is located on the opposite side of the road. The remainder of the site appears to comprise open meadow land.
8. The frontage boundary is delineated by a mature hedge. Within the site, aside from the variation in ground cover, there appeared to be no formal physical boundary distinguishing the parking area from the agricultural land. At the time of my visit, several vehicles, including cars and commercial vans, were parked on the hardstanding area.
9. The appeal site lies outside the defined settlement boundary and is therefore within the countryside. Policy CP15 of the Stroud District Local Plan (the SDLP) seeks to strictly control development in such locations unless it meets defined exceptions. The unauthorised use of the land as a car park and for vehicle storage is not essential to agriculture or forestry, required for rural tourism or community use, nor otherwise compliant with the exceptions listed under Policy CP15. While the use supports an existing business, this does not, in itself, justify development in the countryside where it fails to meet policy requirements.
10. The appeal land is also within the Stroud Industrial Heritage Conservation Area (IHCA). Consequently, I am required to pay special attention to the desirability of preserving or enhancing the IHCA, in accordance with the statutory duty as set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
11. The significance of the IHCA derives in part from its linear form following historic transport routes and valleys that connected mill complexes during the 18th and 19th centuries. The IHCA Management Proposals Supplementary Planning Document (November 2008) (the IHCA SPD) identifies that the pattern of development, together with the spaces between industrial groupings and settlements, is fundamental to this significance. In particular, these intervening green gaps provide visual relief and reinforce the historic relationship between built form, landscape and movement through the area.

12. Having regard to the evidence and my site observations, the works undertaken including the laying of hardcore, the stationing of vehicles, and the clearance of vegetation have materially altered the character of what was previously an open agricultural field. Although no permanent structures have been erected, the change of use has introduced a distinctly urban appearance. The erosion of pasture and vegetation, coupled with the introduction of a utilitarian surface and activity, has resulted in an incongruous and visually intrusive feature within the landscape. While the surrounding area contains mixed uses, these are typically contained within established developed parcels on land within the settlement boundary. The appeal site differs in that it forms part of an open gap.
13. The IHCA SPD emphasises that the contribution of such spaces is not incidental but central to the conservation area's significance. It states that the gaps between mills, industrial groups and settlement clusters are "particularly crucial" because much of the character of the area is experienced in transit. This reinforces the importance of maintaining openness in locations such as the appeal site.
14. The nearby settlement pattern, including Ryeford, typically comprises dispersed buildings associated with canal and mill development, often positioned for functional reasons such as proximity to crossings, locks or industrial sites. This historic arrangement relies upon the retention of intervening undeveloped land, and the appeal site forms part of this pattern. Its undeveloped nature allows for uninterrupted appreciation of the landscape and the historic infrastructure within it.
15. Any encroachment into this space, even absent built form, diminishes its function as a buffer and erodes the characteristic separation that underpins the IHCA's significance. The introduction of a hard-surfaced parking area in this location along with an increased activity from vehicle movements, disrupts this balance and undermines the spatial qualities that the designation seeks to preserve.
16. This concern is highlighted by the inclusion of the IHCA on Historic England's Heritage at Risk Register. The designation is noted to be vulnerable to incremental change arising from development pressures, with cumulative impacts posing a particular threat to its overall significance. The appeal development exemplifies such incremental change. While limited in isolation, its effect contributes to a broader pattern that risks undermining the spatial and visual qualities of the conservation area.
17. When considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to its conservation. In this case, the appeal site forms part of the IHCA whose significance derives in part from its distinctive spatial character, including the pattern of dispersed industrial development interspersed with areas of undeveloped land.
18. For the reasons set out above, the introduction of a hard-surfaced parking area, together with the associated storage and parking of vehicles, has eroded the open and rural character of the site and introduced an urbanising element into what was previously undeveloped pasture. This has diminished the site's role as part of the network of open spaces which contribute positively to the significance of the IHCA, including its function in maintaining separation between settlement clusters and enabling appreciation of the area's historic form.
19. I find that the resulting harm to the significance of the IHCA would be less than substantial. However, such harm nevertheless is a matter of considerable weight

and importance. The Framework, at paragraph 215, requires that this harm be weighed against the public benefits of the development. The appellant has set out that the use of the site supports an existing local business, provides operational convenience, and involves no permanent built development such that it could be reversed. I acknowledge these points.

20. However, the support provided to the appellant's business is primarily a private benefit and carries limited weight in the overall planning balance. The absence of permanent built structures and the reversibility of the development do not negate the harm arising from the change in use and its impacts on character and appearance.
21. These considerations amount to limited public benefits and even when considered cumulatively, I find that the identified public benefits are clearly outweighed by the harmful impact of the development on the significance of the IHCA. Consequently, the proposal fails to satisfy the requirements of the Framework in respect of conserving or enhancing the historic environment.
22. To conclude, I have had regard to all the matters raised, including case law referred to by the appellant. The development fails to preserve or enhance the character or appearance of the IHCA. It is also unacceptable in principle having regard to its location within the countryside. Accordingly, the development conflicts with Policies CP14, CP15 and ES10 of the SDLP. These policies are consistent with the aims of the Framework in seeking to protect the character of the countryside and conserve heritage assets.
23. Therefore, for the reasons given, the appeal on ground (a) does not succeed.

Ground (g)

24. The appeal under ground (g) is that the compliance period specified in the notice, in accordance with section 173(9) of the Act, falls short of what should reasonably be allowed. As such, the scope of this ground is limited to assessing whether the time provided is reasonable for carrying out the required steps. The appellant seeks an extended period of 12 months to allow for orderly cessation and restoration. The notice requires compliance within 2 months.
25. The steps required are relatively straightforward including cessation of the use, removal of vehicles, and covering the hardcore with soil and re-seeding. The Council has intentionally limited intervention (requiring covering rather than removal of hardcore) to avoid disturbance of potentially contaminated land. Given this, the required works do not justify a prolonged compliance period.
26. I find that 2 months provides sufficient time to cease the unauthorised use and remove vehicles and there is no substantive evidence before me demonstrating that a longer period is necessary to secure compliance. However, in order to implement basic remediation measures such as re-seeding, it would be preferable to undertake this during early autumn as this is an ideal time for reseed grass when temperature, moisture, and daylight are optimum for grass seed to establish successfully as the soil will be warm, rainfall is more frequent, and weed pressure is lower. This creates conditions for root development before winter dormancy sets in.

27. Therefore, the notice shall be varied to extend the period for compliance in relation to requirement iii) "Cover the area of hardcore (as identified on the submitted plan, within the area shaded grey), with soil and apply grass seed mix" to four months.
28. The appeal on ground (g) therefore succeeds in part.

Overall Conclusion

29. There are no material considerations before me which indicate that the decision should be taken other than in accordance with the development plan as a whole.
30. For these reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed, the enforcement notice upheld, as varied, and planning permission refused on the application deemed to have been made under section 177(5) of the Act as amended.

S A Hanson

INSPECTOR