



Appeal Decision

Site visit made on 19 November 2019

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 17 December 2019

Appeal Ref: APP/X1545/W/19/3234761

Broadfield Fruit Farm, Braxted Park Road, Great Braxted, Essex CO5 0QB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Purdy against the decision of Maldon District Council.
 - The application Ref FUL/MAL/19/00470, dated 16 April 2019, was refused by notice dated 12 July 2019.
 - The development proposed is an agricultural storage barn.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site is located on the south side of Braxted Park Road which can be characterised as a distinctly rural area. The site is located away from any defined development boundary and therefore, in planning policy terms, the site is located in the countryside. That said, an agricultural building in such a location would not be inappropriate in principle.
4. The site itself is located to the rear of an existing residential property where there are derelict buildings. The application boundary also includes a route to the public highway although this does not appear to relate to the access which I observed on site which has already been constructed. The section which has already been constructed between the main access driveway and the main part of the appeal site itself is well outside of the scope of the appeal proposal.
5. Furthermore, from the evidence before me, the access driveway I observed on site does not benefit from any planning permission. Notwithstanding that, the application before me does not include a new access to the main part of the appeal site and no details of the access are provided on the submitted plans. I have therefore concentrated my decision to the proposed building itself.
6. At my site visit I saw that the existing buildings are in a very poor state of repair and appeared to have suffered from fire damage and partial collapse. The site also had what appeared to be building materials and some vehicles which did not appear to be associated with any agricultural use.

7. However, the proposal before me is for an agricultural storage barn which from the submitted plans would be 30.3 metres long by 15.2 metres wide. It would have an eaves height of 6.7 metres and a ridge height of 8.1 metres. Whilst the appeal statement provides different dimensions for the proposed building, I have determined the appeal on the basis of the appeal application drawings.
8. The appellant has set out that there is an urgent need for the storage barn to securely store equipment and hay. However, there is limited information provided as to what is needed to be stored or why the building is the size (including its height) currently proposed.
9. Furthermore, the plans for the building show that it would only have two external openings both of which would be on the east elevation. The openings would consist of a personnel door and a large roller shutter. Given the position of the roller shutter on the end elevation of the building, it is unclear how the building would be used for such a mixed storage use.
10. Taking the above into account, there is insufficient information before me to be able to conclude that there is an agricultural need for a building of this size and height at the appeal site. In coming to that view, I acknowledge that the Appellant farms a significant area of land in Essex. However, very little detail of this has been provided to me and the 'not to scale' plan showing land within the appellants control also appears to include land not within agricultural use. Without such a justification, the proposal could be considered to be an unnecessary building in the countryside. It would also be of a size and scale which would give rise to some harm to the character and appearance of the area through the construction of a significantly taller building than the existing buildings at the site.
11. Turning to the design and appearance of the proposed building, this would be similar to many modern agricultural buildings and as such I consider that in this respect the proposal is not objectionable. However, that does not outweigh the harm I have already found.
12. The Appellant has also drawn my attention to an agricultural building at Sheepcoates Farm which the Council determined that prior approval was not required¹. However, I am not aware of the full details of that proposal, and I am also conscious that this proposal was a prior notification application and not an application for planning permission. Moreover, each application must be considered on its individual merits.
13. For the above reasons there is insufficient information provided to justify a new agricultural building, including its height. In the absence of such a justified need, the proposal would give rise to harm to the rural character and appearance of the area. Therefore, the proposal would be contrary to Policies E4, D1, S1 and S8 of the Maldon Local Development Plan 2014-2029 (2017) which amongst other matters seek to ensure that there is a justifiable and functional need for buildings associated with agriculture and that the development respects the character and local context, including building heights. It would also be at odds with the aims of the National Planning Policy Framework which recognises the intrinsic character and beauty of the countryside.

¹ Reference 19/00451/AGR

Conclusion

14. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR