



Appeal Decision

Site visit made on 23 March 2021

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2021

Appeal Ref: APP/J1915/W/20/3260794

Land adjacent Ideal Farm, Braughing Friars, Braughing, Herts

- 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 Miss Abby Canfield against the decision of East Hertfordshire District Council.
 - The application Ref 3/20/0994/FUL, dated 7 June 2020, was refused by notice dated 10 August 2020.
 - The development is a chicken run to house geese, ducks, and chickens. The run is divided in three separate areas to house the poultry separately. The run is made with timber and chicken wire, with three poultry houses for the birds to roost at night. The sheds are 8ft by 10ft which sit on slabs. The run is 23.35 x 12.31. Change of use to agricultural.
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Decision

1. The appeal is allowed and planning permission is granted for a chicken coop for housing chickens, ducks and geese on land adjacent to Ideal Farm, Braughing Friars, Braughing, Herts in accordance with the terms of the application, Ref 3/20/0994/FUL, dated 7 June 2020, and the plans submitted with it, subject to the condition below:
 - 1) The development hereby approved shall be carried out in accordance with the following approved plans: unnumbered location plan dated 05 Apr 2019 1:1250; unnumbered block plan dated 05 Apr 2019 1:500; 310A Site plans & Elevations; 300A Floor plans.

Preliminary Matters

2. The application was made retrospectively. The construction was incomplete at the time of my visit; the roof of the coop had temporary netting in place. For the avoidance of doubt, my determination of the appeal is based on the drawings submitted and not on the development as constructed. For succinctness, I have used the description of development given in the appeal form and in the Council's decision notice in my formal decision.

Main Issue

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

Reasons

4. The site is in the open countryside where agricultural buildings such as chicken coops are not uncommon. Indeed, the remains of previous buildings appearing
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similar to poultry sheds, stand on the adjacent land, close to this coop, which suggests that low-scale buildings for poultry are not an unusual feature of the landscape in this area. The coop is shorter than the stables beside it, standing around 2m tall, and limited in footprint. The bird sheds within it are small in footprint. Being shorter than surrounding buildings, little taller than the field boundary enclosures beside it, and taking-up only a very small portion of the open field, it is not a dominant structure by any measure.

5. The sides and roof are to be enclosed by chicken wire. This will allow light to pass through the coop, and to reduce its presence in middle-distance views. The coop is sited beside the taller stables, close to the corner of two, tree-lined field boundaries. This siting limits its exposure across the open field in long-distance views from two aspects of the surrounding countryside. Against the background of the field enclosures, the coop tends to be visually absorbed.
6. Some glimpsed views of it are possible through the boundary enclosure beside the public bridleway, and part of its roof may be visible from the north. However, its form and scale are not incompatible with the agricultural character of this rural area. I can identify no incompatibility from the appearance of the coop with the manège or paddock area, which contain ground surfacing, grass, and timber posts, to exercise and enclose horses. Nor do its timber structure and wire enclosure, similar to structures commonly found in the countryside, appear at odds with the character of the landscape in which it stands.
7. The coop has a visual presence within the field, and standing where there was previously no building, it has reduced the openness of the countryside, though given its siting and its visual dimensions, by only a marginal degree. However, the effect on openness is not a measure in the development plan policy applied by the Council. The test for development in policy GBR2 of the East Herts District Plan 2018 (DP), which permits buildings for agriculture in the Rural Area beyond the Green Belt, is whether it is compatible with the character and appearance of the rural area. It is. There is therefore no conflict with DP policy GBR2. Nor does the development conflict with DP policy DES4 which requires a high standard of design and layout in development to reflect and to promote local distinctiveness.

Other Matters

8. The appellant has set out how waste from the poultry in the coop would be regularly collected and removed. Given the number of birds kept, and the distance of the coop from surrounding houses, the closest of which is around 37m away across the bridleway, as well as the boundary enclosures, stables and trees between them and the coop, it is unlikely that noise and odours would reach a level uncharacteristic of the rural area which includes worked land, and certainly not to a level which may harm the privacy of surrounding occupiers. I note that the Council raised no objection on noise and odour grounds, and that its environmental health section did not raise any objection. I can identify no conflict with DP policy DES4 where it protects the amenity of the occupiers of neighbouring properties.
9. There are no trip estimates provided. However, given the scale and nature of the coop, their number is unlikely to be significantly greater than the trips already associated with the equestrian use, and no material risk to safety. There would be no conflict with paragraph 109 of the Framework which

indicates that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety.

Conditions and Conclusion

10. As the development is almost complete, a start date condition is unnecessary. For the avoidance of doubt, I have imposed a condition requiring the development to accord with the approved plans. As the materials of the development are given in the application form there is no necessity for a materials condition. As I have found no harm from appearance, and the site is already partially screened, I see no justification for a condition requiring landscaping screening works.
11. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Patrick Whelan

INSPECTOR