



Appeal Decision

Site Visit made on 26 July 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th August 2021

Appeal Ref: APP/W1525/W/21/3273322

Land off Rodney Way, Widford Employment Park, Chelmsford, Easting 596059 Northing 205258

- 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 Saxton 4x4 Limited against the decision of Chelmsford City Council.
 - The application Ref 20/00761/FUL, dated 19 May 2020, was refused by notice dated 29 January 2021.
 - The development proposed is a vehicle parking facility, hardstanding and related development, and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site had been partially laid with hardstanding prior to my site visit. I have determined the appeal accordingly.
3. The Government released a revised National Planning Policy Framework in July 2021. The main parties were invited to comment on the revised document.
4. I have amended the description of the appeal proposal to omit the word retention, as this is not a form of development.

Main Issues

5. The site falls mainly within the Green Belt. The main issues are therefore
 - Whether the development proposed would constitute inappropriate development in the Green Belt, including any effect on openness, having regard to the National Planning Policy Framework and any relevant development plan policies,
 - The effect on the character and appearance of the area; and,
 - Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

6. Policy S11 of the Chelmsford Local Plan 2020 (the LP) states, among other considerations, that the openness and permanence of the Green Belt will be protected and opportunities for its beneficial use will be supported where consistent with the purposes of the Green Belt. Policy DM10 of the LP states that engineering operations will be permitted within the Green Belt where they preserve openness and do not conflict with the purposes of including land in the Green Belt.
7. These policies are consistent with the fundamental aim of Green Belt policy identified in the National Planning Policy Framework (the Framework) to prevent urban sprawl by keeping land permanently open. The Framework also states that limited infilling or the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development will not be inappropriate development.
8. The appeal site has been partially laid with hardstanding, and the proposal would extend this to the whole area of the site that lies within the Green Belt. The undeveloped area of the site is overgrown and free of any structures. The remaining area of the site, other than the access drive which does not fall within the Green Belt, comprises a large expanse of hardstanding that substantially encroaches on Green Belt land.
9. The remains of a small building stand near the site entrance from the access drive, and the appellant has referred to other buildings having been present on site. However, the remains amount to only a very small part of this site and any evidence of previously existing hardstandings or buildings on site have been replaced with the current hardstanding. In any case, the appeal proposal includes the laying of hardstanding across the entire site, and a considerable area of the site is not previously developed land. Green Belt openness has both a visual and spatial element, and while there would be no new buildings on site the hardstanding would replace this largely undeveloped land. There would therefore be a greater impact on the spatial openness of the Green Belt from the proposed development.
10. The hardstanding would be used for the long-term parking of cars. While not fixed objects, the ongoing parking of large numbers of cars on the site would amount to additional harm to both the visual and spatial openness of the Green Belt.
11. The appeal site is not wholly previously developed land, and the extent of proposed development would result in greater harm to the openness of the Green Belt. The appeal proposal would therefore be inappropriate development contrary to the requirements of Policies S11 and DM10 of the LP and of the Framework, which are set out above.

Character and appearance

12. The appeal site lies outside of the industrial estate, and the submitted aerial photographs show that there was little development on the site in 2000 or 2016. The introduction of the proposed expanse of hardstanding would therefore result in the loss of a large area of predominantly undeveloped

land in this location. While the site lies between developed land and the A414, it nevertheless contributes to the overall open and undeveloped character of land either side of the river. The open views to the urban edges of Chelmsford are noted as a visual characteristic of the Can and Wid River Valley in the Landscape Character Assessment, and the wider area is designated as a Green Wedge in the LP, with Policy S11 stating that such areas have an identified intrinsic character and beauty.

13. The site slopes down towards the river and is visible in longer views in the area, including from the industrial estate. The extent of the hardstanding and the volume of cars to be parked on site would be intrusive in the wider landscape, and out of keeping with the character of the area.
14. While the site could be screened with boundary landscaping, no details of this have been submitted. Given the size of the site and the extent of hardstanding, together with the volume of cars that could be parked on a site of this size, the effectiveness of any such landscaping in providing adequate screening is unclear.
15. The development would therefore result in harm to the character and appearance of the area. It would conflict with Policies S11 and DM10 of the LP that collectively state that development which materially harms the role, function and intrinsic character and beauty of the Green Wedge will not be approved.

Other considerations

16. The appellants have identified considerations that they contend weigh in favour of the development. The development would support the appellants' car sales business by providing extensive additional storage for its stock close to the showroom. This would allow the company to expand, potentially creating up to 100 new jobs if a second site can be acquired in the area and providing additional business to their associated suppliers. Recent retail development of land neighbouring the existing showroom has introduced additional constraints on delivery vehicles, while parking arrangements in the industrial estate predate current levels of vehicle ownership. Use of the site for parking of the stock owned by the appellants' business would therefore reduce parking demand on the industrial estate and in the vicinity of the showroom.
17. Landscaping could soften the appearance of the development in the wider area but given the scale of development any such landscaping would have to be substantial and would be likely to take time to establish. In the absence of any detailed information on proposed landscaping, this attracts very limited weight.
18. The appellants have referred to the restrictions imposed on trading practices and Government recommendations to limit the use of public transport because of the COVID-19 pandemic. However, at the time of this decision these restrictions have largely been lifted. This therefore attracts limited weight.
19. Cumulatively, these considerations attract considerable weight in favour of the proposed development. Set against these considerations, the appeal proposal is inappropriate development that would also cause harm to the openness of the Green Belt. The Framework directs that substantial weight be given to any harm to the Green Belt. In addition, the development would result in harm to

the character and appearance of the area, which attracts considerable further weight given the sensitivity of the site as part of the Green Wedge.

20. Overall, therefore, the considerations advanced by the appellants would not clearly outweigh the substantial weight that must be given to the harm to the Green Belt as well as the harm to the character and appearance of the area. Very special circumstances consequently do not exist in this instance.

Conclusion

21. There are no material circumstances that indicate this appeal should be determined other than in accordance with the development plan. Accordingly, for the reasons set out above, this appeal fails.

M Chalk

INSPECTOR