
Appeal Decision

Site visit made on 1 April 2022

by Steven Hartley BA (Hons) Dist.TP(Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 7TH April 2022

Appeal Ref: APP/Z1510/W/21/3280573

Gosfield Airfield, Hedingham Road, Gosfield CO9 1SA

- 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 MACE/Park Hall against the decision of Braintree District Council.
 - The application Ref 19/01072/FUL, dated 14 May 2019, was refused by notice dated 9 February 2021.
 - The development proposed is the construction of an assembly and distribution facility.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by MACE/Park Hall against Braintree District Council. This application is the subject of a separate decision

Procedural Matters

3. In February 2021, the Council adopted the Braintree District Shared Strategic Section 1 Plan (LP) which superseded policies CS1, CS4, CS9 and CS11 of the Braintree District Council Core Strategy 2011 (CS). The local planning authority (LPA) has referred in its decision notice to the draft Braintree Local Plan, Section 2 (DLP) which has yet to complete its examination in public and is not therefore an adopted policy document. I therefore afford it limited weight.

Main Issues

4. The main issues are (i) whether the proposed development is in a suitable location having regard to development plan policies and (ii) the effect upon the character and appearance of the area.

Reasons

Suitable location

5. The appeal site forms an open space in a countryside location adjoining the Gosfield airfield. It has a protected woodland to the south and east and is accessed from Hedingham Road. It is not allocated for employment use in the

Braintree District Local Plan Review 2005 (LPR), nor is it recommended, according to the LPA, for any such inclusion in the emerging plan, whereas the adjoining airfield is to be considered for such uses.

6. The National Planning Policy Framework 2021 (the Framework) recognises the importance of ensuring that economic activity is supported by a sufficient supply of suitable land, and LP policy RLP40 is also supportive of minor commercial and industrial users in the countryside. However, the appeal proposal is for a large building of some 42 metres in length and 12 metres in height (plus one building of limited size). I consider that it goes beyond the reasonable definition of a minor commercial or industrial development in the countryside.
7. I appreciate that the appellant has sought, but failed, to find an alternative suitable site, though I am not aware of the area of search or the circumstances in which all other possible sites have been found to be unsuitable or unavailable. For its part, the local planning authority (LPA) considers that there are sufficient sites in the area, but I have no details before me.
8. On the information which is before me, I conclude that the proposed development would conflict with the LPR policy RLP2 which limits development generally to areas within town development boundaries and village envelopes. The appeal site is not contained within either. Furthermore, I conclude that it would conflict with CS policy CS5 where, outside such areas, development will be strictly controlled to uses appropriate to the countryside in order to protect its character, appearance and biodiversity.

Character and appearance

9. The site lies within the Gosfield Wooded Farmland Area, defined in the Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessment 2006 (LCA) and which is noted by its open land and with both large and small woodland areas. The assessment guidelines seek to ensure that new development is small in scale and responds to the historic settlement pattern and to locally distinctive building types.
10. The proposed development includes two buildings including one of 42 metres in length and 12 metres high and the other being an office contained within a cabin. The proposed development would not be small in scale, and it would not therefore correspond to the character and appearance of the area as defined in the LCA.
11. Therefore, I conclude that the proposed development would be contrary to LPR policies RLP 80 and RLP 90 which require that new development should not be detrimental to the distinctive landscape features of the area and should reflect the local distinctiveness of the landscape. It would also be contrary to CS policies CS5 and CS8 which aim to strictly control development in the countryside in order to protect and enhance the landscape. It would also be contrary to paragraph 174 of the Framework which aims to protect landscape distinctiveness.

Other Matters

12. The proposed development would create jobs and this is a factor in its favour. However, this would not outweigh my conclusions upon the main issues.

Conclusion

13. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Steven Hartley

INSPECTOR