



Appeal Decision

Site Visit made on 7 March 2023

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 17 March 2023

Appeal Ref: APP/J1915/W/22/3292565

Crumps Farm, West Road, Sawbridgeworth CM21 0LJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr B Wood against the decision of East Hertfordshire District Council.
 - The application Ref: 3/20/0633/FU, dated 16 March 2020, was refused by notice dated 14 October 2021.
 - The development proposed is change of use from agricultural storage to workshop (Class E(g) use), addition of single storey log store, together with associated elevational alterations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It appears that the development for which planning permission has retrospectively been applied has been constructed and is in use. I take the built elements of the appeal scheme to be as illustrated on Proposed Plans and Elevations drawing 13186-P002-C, which includes a garage at its southern end. A different garage scheme that was refused planning permission under application Ref: 3/20/0632 is not the appeal scheme in this case.
3. The description of Use Class E(g) reflects the reclassification of former Class B1 in the Use Classes Order, since the appeal planning application's submission. This change is reflected in the description in the banner heading above, which is taken from the appeal form and decision notice, in the interests of precision. Also, clarification provided about the workshop's use for making and storing event decorations¹ tallies with activity evident at the time of my site visit. Thus, the need for clarification implicit in the second reason for refusal is addressed, such that I shall assess the change of use element of the appeal scheme as being as described in the banner heading above.
4. Regarding heritage matters, the appeal building is in the setting of the Grade II listed farmhouse. The substantial timber-framed farmhouse, with tile roofs and brick and rendered walls, dates from the seventeenth century. Due to its proximity and former functional relationship to the farmhouse, the appeal building may be considered as a curtilage listed building. The special interest of the listed farmhouse is primarily associated with the legibility of its historic farmhouse architecture. The special interest of the curtilage listed building is primarily associated with its traditional farmstead storage building appearance.

¹ As set out in paragraph 6.15 of the appellant's Appeal Statement.

In relation to the farmhouse, the appeal building is of subordinate size, with a separation gap, and weatherboarded walls and partly tiled roof. These factors help the special interest of the listed farmhouse and the curtilage listed building endure. As such, I agree that the significance of heritage assets is not harmed.

Main Issues

5. The main issues in this case are:

- Whether the proposal would be inappropriate development in the Green Belt for the purposes of the Framework and development plan policy;
- The effect of the proposal on the openness of the Green Belt; and
- If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify development.

Reasons

Whether inappropriate development

6. The appeal site is located within the Metropolitan Green Belt, beyond the settlements of Sawbridgeworth and High Wych. Its surroundings are rural in character, with open fields neighbouring the site. In addition to the listed farmhouse and appeal building, the site includes equestrian and storage buildings, and a number of workshop spaces and commercial units.
7. Paragraph 149 of the National Planning Policy Framework (the Framework) sets out a small number of exceptions to inappropriate development in the Green Belt. One such exception is the extension or alteration of a building, provided it does not result in disproportionate additions over and above the size of the original building. Policy GBR1 of the East Herts District Plan (DP) sets out that planning applications within the Green Belt will be considered in line with the provisions of the Framework.
8. The footprint of the original building is approximately 55sq.m. A garage footprint of approximately 27sq.m was added to this. The log store part of the appeal development covers a further 25sq.m footprint. As such, the log store part of the appeal scheme, together with the garage, results in almost a doubling of the footprint of the original building. Also, the log store adds bulk to the eastern part of the building, facing towards fields. And the appeal scheme entails some southwards expansion of gable roof mass, to the full ridge height of the building. As such, the appeal development results in an overly large expansion of built footprint and bulk in relation to the original building. That the log store has a lower ridge height than the original building, and is of similar external materials to some other buildings in the vicinity does not alter this.
9. Therefore I conclude that the appeal development entails a disproportionate addition within the Green Belt. Thus, it does not fall within the exceptions listed in paragraph 149c) of the Framework. Therefore, the proposal would be inappropriate development in the Green Belt and would conflict with the Framework and Policy GBR1 of the DP.

Openness of the Green Belt

10. The Framework states that an essential characteristic of Green Belts is their openness and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land within them permanently open. Openness has both visual and spatial dimensions.
11. The stretch of West Road off which Crumps Farm is situated connects two public footpaths, one of which is approximately opposite the farm access, and the other further to the east. As I saw during my site visit, albeit a snapshot in time, pedestrians and drivers use this stretch of road which approaches and runs past Crumps Farm.
12. Approaching from the east of the appeal site, trees and hedging screen the appeal development from view at various points along West Road and from the public footpath off it. Also, off the road, looking from the east, the log store stands against the backdrop of the host building, viewed across intervening fields. Together, these factors go some way to moderate views of the eastern elevation of the enlarged appeal building. Approaching from the west of the property, intervening farmstead buildings and hedging screen the appeal development. Also, the farmhouse screens views of the additional bulk of the appeal development, entering the farm access. And in various views from the north and south, the expanded building does not appear readily more noticeable than the previous form.
13. However, that said, in failing to keep the land on which the log store is situated permanently open, the appeal development erodes the openness of the Green Belt. This is noticeable from the eastern part of the appeal site and fields to the east. Also, the expansion of gable roof form to full height at the south-western corner of the building is noticeable from the yard area in front of the entrance to the events business, the carpark area of nearby commercial units, the eastern part of the appeal site and fields to the east. In combination, the above factors lead to the appeal development being of sufficient scale and visibility to attract attention, and having a greater impact on the openness of the Green Belt than previous development on the site. This causes moderate harm to openness. This must be regarded as some additional harm to add to the harm by reason of inappropriateness.
14. This harmful loss of openness is at odds with the fundamental Framework aim to keep Green Belt land permanently open. Furthermore, the expansion of building footprint towards the north-eastern corner of the site, with associated built mass, which the addition of the log store entails, results in the appeal development's encroachment into the countryside. Therefore, the appeal development undermines the purposes of the Green Belt as set out in the Framework.

Other considerations

15. The appeal development provides for a small scale, farm diversification business that employs up to two people, with associated socio-economic benefits in the area. This is within the context of other nearby commercial business units on the site.

16. The appellant's depiction of the log store extension as diverting the farmhouse residents' storage of, and associated access to, logs and other domestic items² away from the main body of the appeal building, raises the possibility of the log store extension making the intensified, business use of the main body of the appeal building more likely. Given this, the change of use and building elements of the appeal development are not clearly severable. Also, given the appellant's indication of some domestic demand for dry storage space for logs and other materials on the site, it is open to question whether the main body of the appeal building would be vacant or 'redundant' without the appeal development. In any case, even if the log store extension facilitates the intensified, business use of the main body of the appeal building, the appeal development's scale of benefit is modest and thus carries limited weight.
17. The absence of harm to the significance of heritage assets, and to the locality's rural character are neutral factors that do not weigh in favour of the appeal development.

Whether very special circumstances

18. Policy GBR1 of the DP requires planning applications within the Green Belt to be considered in line with the provisions of the Framework. As per the Framework, inappropriate development in the Green Belt should not be permitted except in very special circumstances, which will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
19. I have found that the appeal scheme is inappropriate development in the Green Belt, which is, by definition harmful. The appeal scheme also results in moderate harm to the openness of the Green Belt, and conflicts with one of the purposes of including land within it. Paragraph 148 of the Framework requires substantial weight to be given to any harm to the Green Belt. Thus, the totality of identified harm to the Green Belt carries substantial weight.
20. On the other hand, the other considerations I have identified are of limited weight in favour of the appeal scheme. Therefore, the harm to the Green Belt is not clearly outweighed by the other considerations identified, and the very special circumstances necessary to justify the development do not exist. As such, the proposal is contrary to Policy GBR1 of the DP, and the Framework.

Conclusion

21. The appeal development is contrary to the development plan and Framework and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal fails.

William Cooper

INSPECTOR

² As described on page 2 of the appellant's response to the Council's Appeal Statement.