



Appeal Decision

Site visit made on 21 August 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 September 2023

Appeal Ref: APP/W1525/W/22/3311909

Seven Acres Farm, Crows Lane, Woodham Ferrers, Chelmsford, Essex CM3 8RS

- 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 Peter Evans against the decision of Chelmsford City Council.
 - The application Ref 22/01042/FUL dated 24 May 2022, was refused by notice dated 25 October 2022.
 - The development proposed is the change of use of agricultural land to storage yard and the demolition of an agricultural building replaced with a boat storage building and the laying of hardstanding.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my site visit, the proposed use as caravan storage and the provision of hardstanding to facilitate the change of use had occurred. The application made clear that the scheme was submitted on part retrospectively and I have dealt with the appeal on that basis.
3. Since the submission of the appeal the National Planning Policy Framework has been superseded by the National Planning Policy Framework (2023) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Application for costs

4. An application for costs was made by Chelmsford City Council against the Appellant, Mr Peter Evans. This application is the subject of a separate decision.

Main Issue

5. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

6. The landscape surrounding the appeal site retains a distinctly rural character, with wooded areas and open fields defining the visual setting. Natural features such as these contribute greatly to the inherent beauty of the area. The appeal

site is a former poultry farm, located within the rural area. The appeal site is accessed via a narrow, largely undeveloped lane, a Public Right of Way (PRoW) runs along its southeastern boundary. The site is bounded by mature trees and vegetation.

7. I understand that the proposal before me differs from a previously dismissed appeal¹, the height of the proposed storage building has reduced, and materials proposed to be used in the construction of the building have been revised.
8. With regard to the proposed boat storage building, whilst the reduction in size and use of rural materials would lessen the visual impact, the building would be significantly larger in scale to the buildings that would be replaced. Policy DM8 of the Chelmsford Local Plan (2020) (the Local Plan) provides criteria for assessing new buildings within the rural area. The proposed building does not comply with the criteria listed.
9. The use of the land for the storage of caravans and other leisure vehicles was considered in the previous appeal by the Inspector, it was found that the use *"detracts from the rural character of the area and represents a visually discordant development that has suburbanised this area of verdant countryside."* I do not disagree; notwithstanding this the Appellant has submitted a Landscaping Plan illustrating additional screening of the site, including a 3m high earth bund with evergreen hedging which would screen the site to a degree from the PRoW.
10. I note that the Appellant has provided a legal agreement securing the provision and maintenance of the proposed landscaping scheme. Whilst the Appellant contends that the design of the caravan storage facility is identical to that of an agricultural yard in the countryside with the storage of farm vehicles/machinery being similar to the storage of caravans/motorhomes due to their similar sizes and appearance. I disagree.
11. The Appeal Site lies some 200 metres away from the highway known as Crows Lane, nonetheless the stark white vehicles suburbanise the rural nature of the area. I am not persuaded that the bund and landscaping would mitigate the visual impact of the parked vehicles which is at odds with the rural setting and impairs the natural aesthetic of green, open fields that one would expect in a rural environment.
12. The long-term storage of caravans and other recreational vehicles on the site mars the intrinsic rural qualities of the landscape.
13. The Appellant has highlighted a number of reasons to justify the development, such as the proposed development diversifies the now ceased poultry farming business. That other caravan storage facilities in the area have closed and that there is a two-year waiting list for a caravan storage space at the appeal site. The Appellant also asserts that the site is a secure and sustainable business.
14. With regard to the benefits of the proposed development highlighted by the Appellant I have not been provided with substantive evidence to support the proposal in this location which would outweigh the harm to the character and appearance of area.

¹ APP/W1525/W/21/3268220

15. Whilst planning policies and decisions should enable the development and diversification of agricultural and other land-based rural businesses the proposed development is inappropriate in this location and the diversification of an agricultural site does not outweigh the harm I have identified.
16. There is conflict with Policies S1, S11, DM8 and DM10 of the Local Plan and the Framework which seeks, amongst other things, to ensure that developments do not adversely impact on the identified intrinsic character, appearance, and beauty of the rural area.

Conclusion

17. For the reasons given above, I conclude that the appeal should be dismissed.

C Pipe

INSPECTOR