



Appeal Decision

Site visit made on 10 June 2024

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 June 2024

Appeal Ref: APP/Z1510/W/23/3326176

Petersfield Farm, Petersfield Lane, Gosfield, Essex CO9 1PU

- 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 Michael Butler against the decision of Braintree District Council.
- The application Ref is 23/00795/FUL.
- The development proposed is positioning of storage containers for B8 storage use.

Summary Decision: The appeal is dismissed.

Procedural matters

1. The majority of the containers already exist on the site. There are two versions of a layout plan that show a slightly different arrangement of containers. A coloured plan denoting those existing and additional proposed ones appears to reflect the layout of those containers already on the site.
2. A separate plan, showing the containers as hatched areas does not include two containers on the western site edge, between a large building on the site and adjoining car parking area. I have, therefore, determined the appeal on the basis of the coloured plan.

Main issues

3. The main issues are the effects on the character and appearance of the area, and whether the site is in an appropriate location, with regard to planning policies that seek to control the location of business activities.

Reasons

Character and appearance

4. The site is located amidst very gently rolling countryside that is generally a mix of agricultural fields and small areas of woodland or tree planting. There are roadside hedges and some other hedgerows that divide fields or exist close to the boundaries of properties. Within this landscape, there are a number of large, utilitarian buildings at Petersfield Farm. While these are prominent in the landscape, they have an agricultural character and appear as a typical farmstead.
5. There is a particularly large building within the appeal site. The existing containers have been set around this and a further, smaller, building to the rear of the adjoining parking area. Some containers, beyond the smaller building cannot be seen from the road and, when viewed from a nearby public

footpath to the rear, are seen amongst a number of other smaller buildings around the Petersfield Farm complex. They have a similar external appearance to the profiled sheet cladding of the large buildings and, given the distance from the footpath viewpoints, are not intrusive in the landscape.

6. A long run of further containers has been positioned between the large building and the field boundary to the east. These would be highly visible from the adjoining highway, but for a large bund that has been constructed along the site boundary. Although the bund has been formed from material on the appellants own land, its scale is such that there is no obvious reason to believe that it would not require planning permission.
7. Nevertheless, the bund has been planted in a manner that means that, from the public highway, it is seen as an additional boundary hedgerow. While taller than some nearby field boundaries and that bordering the highway, it does not appear as an unusual landscape feature. Moreover, it does a good job of screening the containers from close and more distant public views. With planning conditions to secure details and management of the hedgerow, I have no reason to find that the bund would be unacceptable, nor incapable of assimilating those existing and proposed containers along the eastern boundary into the landscape.
8. However, those containers between the tall building and the highway, and between that building and the parking area for the wider Petersfield Farm complex, are much more visible. The low roadside boundary across the majority of the Petersfield Farm complex, and views through the wide access to the parking area mean that those containers are particularly prominent.
9. Given the short-range views, they are less clearly read against the backdrop of buildings, or as part of the farmstead. Instead, they appear as individual items of incohesive, small-scale clutter about the site, adding an industrial character to the site. While containers are sometimes found around farms, the clinical siting and pristine yard area at this site does not convey an agricultural character. As such, those containers that are clearly visible from the road are detrimental to the character and appearance of the area. Given the presence of containers in these prominent locations, I find the proposal to harm the character and appearance of the area, contrary to those aims of policy LPP1 of the Braintree District Local Plan 2013-2033 (LP) that seek to protect the character and appearance of the countryside.

Location

10. LP Policy LPP3 permits commercial and business-related uses, including storage, within identified Employment Policy Areas. The site is not located within one of these areas, being in the countryside, beyond identified settlements. LP Policy LPP7 supports rural enterprises outside development boundaries, but only those stemming from the conversion of existing buildings. While the appellant suggests that a rural building could be converted to provide the use, this is a proposal for the siting of containers outside any building. Accordingly, while Policy LPP7 may be of limited relevance, given that it refers to building conversions, the proposal does not have the support of the policy.
11. The Council has alleged conflict with LP Policy LPP42 on the basis that the location is not accessible, but the Policy appears to be about facilitating travel by non-car means through design based measures, rather than the location of

development. From the evidence before me, I have no reason to find conflict with those aims.

12. The appellant has referred to Policy RLP40 that is said to allow some minor industrial or commercial development in the countryside. However, through their final comments it has been accepted that this analysis related to an older officer report and policies, including RLP40, that the Council's statement confirms have been superseded.
13. There are existing businesses at Petersfield Farm which have established some commercial use of the complex and the storage use would expand upon that. The site is also located close to the settlement of Gosfield and not far from Halstead. The existing uses at Petersfield Farm may result in a proportion of linked trips and the highway authority are unconcerned about transport impacts. Nevertheless, even in this context, my attention has not been drawn to any other development plan policies that would support it.
14. It may be that containers could be positioned on a working farm to store agricultural equipment and materials. However, there is no particular evidence that this is something the appellant intends or needs to do, certainly on the scale proposed, should permission be refused for a storage use. I, therefore, attribute limited weight to this possibility.
15. I understand that there may be numerous other examples of storage businesses, operating on a similar basis to this one around the Braintree area. However, the Council casts doubt on whether those benefit from planning permission, and if they do, they appear to pre-date the current LP and so would have been considered in a different policy environment. That policy difference would have also been the situation in an appeal at Bovingtons Farm. I have no doubt that some of the aims of older policies would likely have carried forward to the current LP, but I have not been provided with any clear evidence that those governing the location of business development are comparable. These other sites do not, therefore, give a reason to permit this proposal.
16. I, therefore, find that the proposal is not supported by development plan policies controlling the location of development and the use is not located in a suitable location in planning policy terms.

Other matters

17. It is said that there is a need for the development and I understand that those containers already on the site are fully occupied, with a waiting list for more space. While the appellant wishes to protect the anonymity of his clients, there is no particular evidence about where those using the containers are based, even in general terms, so the stated demand does not indicate a particular pressing need for the development to be in this location. It may well be that the need can be accommodated elsewhere on sites supported by the development plan, so I ascribe limited weight to the suggested need.

Conclusion

18. The proposal conflicts with the development plan in respect of effects on the character and appearance of the area and the location of development. No material considerations have been shown to carry sufficient weight to indicate

that a decision should be taken otherwise than in accordance with the development plan.

Formal Decision

19. The appeal is dismissed.

M Bale

INSPECTOR