



Appeal Decisions

Site visit made on 16 July 2024

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 August 2024

Appeal A Ref: APP/W1525/W/23/3329132

Runwell Hall Farm, Hoe Lane, Rettendon, Chelmsford, Essex CM3 8DQ

- 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 Stuart Philpot of SJR Farming Ltd against the decision of Chelmsford City Council.
 - The application Ref is 22/02187/FUL.
 - The development proposed is erection of agricultural machinery storage building and farm/estate office building.
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Appeal B Ref: APP/W1525/W/24/3338327

Runwell Hall Farm, Hoe Lane, Rettendon, Chelmsford, Essex CM3 8DQ

- 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 Stuart Philpot of SJR Farming Ltd against the decision of Chelmsford City Council.
 - The application Ref is 23/01803/FUL.
 - The development proposed is erection of farm office building.
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Decisions

1. Appeals A and B are dismissed.

Preliminary Matters

2. As set out above, there are two appeals on the same site. They differ only in the design of the office building proposed in each appeal, and the inclusion of an agricultural machinery storage building in Appeal A only. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
3. The Council has raised no objection to the agricultural machinery storage building element of Appeal A, and, on the evidence before me, I have no reason to disagree. Furthermore, the appeal documents indicate that it has been approved under a separate application process. As such, I have focused on the proposed farm/estate office building element of Appeal A as well the farm office building proposed in Appeal B (the proposals) in my reasoning below.
4. The Government published a revised National Planning Policy Framework (the Framework) in December 2023. For the avoidance of doubt, where reference is made in this decision to paragraph numbers, they are taken from the latest version of the Framework.

Main Issues

5. The main issues in both Appeal A and B are:

- Whether the proposals would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
- The effect of the proposals on the openness and purposes of the Green Belt; and
- Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

6. The main issue in Appeal A only is:

- The effect of the proposed development on the character and appearance of the area.

Reasons

Inappropriate development

7. The appeal site is within the Green Belt. The Framework, at paragraph 154, establishes that new buildings in the Green Belt are inappropriate unless they are one of the exceptions listed. One such exception, 154(a), is buildings for agriculture and forestry.
8. Policy SP11 of the Chelmsford Local Plan (LP) states that inappropriate development will not be approved except in very special circumstances. LP Policy DM6 also indicates that planning permission for new buildings will be granted for agriculture and forestry as an exception.
9. The proposals in both cases would be used in connection with SJR Farming Ltd which manages 735 hectares of farmland and property assets. The question is whether the intended use of the building in each appeal falls under the definition of 'agriculture' for the purpose of Green Belt policy.
10. The definition set out in section 336 of the Town and Country Planning Act 1990 indicates that agriculture '*includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its uses in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes*'.
11. Whilst offices do not fall within the above definition, I am in no doubt that a farm office could be a building for agriculture and fall within the paragraph 154(a) exception, as the management of an agricultural enterprise is integral to that use.
12. However, the appellant has indicated that the proposals would also be used to manage the other business activities of SJR Farming Ltd, which do not fall within the definition of agriculture. Additionally, although they arise from farm diversification, such activities would not ordinarily be incidental to agriculture

or consequential on the agricultural operations that take place within the farm holding.

13. Farm diversification is commonplace in the farming industry and there may be good reasons to provide management facilities for all aspects of the business within one building. Nonetheless, it remains that the proposals would not be for agriculture, but for a mixed use.
14. The Framework does not set out any limiting criteria relating to size in the exception set out at paragraph 154(a). Accordingly, whilst the appellant acknowledges that the proposals are larger than is immediately required, this matter is not relevant to this main issue.
15. For these reasons, the appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful, and would conflict with LP Policies SP11 and DM6 as well as the Framework unless very special circumstances exist.

Openness

16. The Framework, at paragraph 142, sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
17. The proposal in Appeal A is a large two-storey building and in Appeal B it is a long, rectangular single storey building, each with an extensive hard surfaced area for vehicle parking. Although the proposals would be seen close to large scale buildings, in comparison with the existing, undeveloped parcel of land, their large footprint and volume would result in a significant visual and spatial loss of openness.
18. I conclude on this issue that the proposals would result in a loss of openness in the Green Belt, contrary to paragraph 142 of the Framework.

Character and appearance (Appeal A only)

19. The site is a little used, overgrown parcel of land that forms part of a complex of agricultural and commercial buildings which are predominantly large steel portal framed structures, or smaller constructions clad in dark wood. It is not visible from public vantage points due to the distance to the nearest buildings and highways, the ground levels, and large areas of woodland planting.
20. The proposal is a two-storey brick building with a large roof with deep eaves, balconies and significant elements of glazing. It would, therefore, be unrelated, in scale and appearance, to the simple and functional design of the existing buildings nearby. Nevertheless, there is nothing within the relevant policy that prescribes the design approach that should be followed on this site or that suggests a modern building, specifically designed to draw the eye, would be inappropriate. Furthermore, the proposed development would not adversely affect the landscape quality of the area, and the absence of visibility from public vantage points would ensure that it would not adversely affect the public's perception of the countryside.

21. Accordingly, for the above reasons, I find that the building would not be incompatible with its surroundings having regard to its scale, siting, form, architecture and materials.
22. I therefore conclude that the development proposed in Appeal A would not harm the character and appearance of the area and would accord with LP Policy DM23 which requires that development is of a high quality and inclusive design. It would also achieve the design aims set out in chapter 12 of the Framework.

Other Considerations

23. The appeal proposals would support the management of the property portfolio that has arisen from the diversification of an existing farm business, as well as supporting the agricultural activity on the farm holding. In those respects, I recognise that the proposal would support a prosperous rural economy and the development and diversification of agricultural businesses in accordance with the Framework.
24. The appellant states that staff members who carry out the management of the property portfolio are also involved in the office management of the purely agricultural side of the business. Consequently, it is space efficient and practical to have the management activity for both aspects of the business in one building. Additionally, as the farming business is centred at Runwell Hall Farm the proposed siting of the proposals would reduce vehicle movements between sites.
25. The proposals would also provide a high-quality working environment of a size that would futureproof the business by accommodating younger members of the family who will join the farming business within the next few years.
26. In combination, such benefits, as set out above, attract moderate weight in favour of the appeal proposal.

Green belt balance

27. Paragraph 152 of the Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the Framework advises that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless that harm, and any other harm, are clearly outweighed by other considerations. This is a high hurdle to overcome.
28. I have concluded that the appeal scheme would be inappropriate development and would, by definition, harm the Green Belt. I have also found harm to the openness of the Green Belt. The lack of harm to the character and appearance of the area arising from the Appeal A proposal is a neutral factor.
29. The other considerations I have found are of moderate weight in favour of the proposal. Consequently, these considerations, along with all other matters acknowledged in the evidence, do not clearly outweigh the identified harm to the Green Belt, either individually or collectively, so as to amount to the very special circumstances necessary to justify the development.

Conclusion

30. The proposals conflict with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.

31. As such, I conclude that the appeals should be dismissed.

Elaine Moulton

INSPECTOR