
Appeal Decision

Site visit made on 3 June 2025

by **C Walker BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th June 2025

Appeal Ref: APP/Z1510/W/24/3358190

Land north of Muchmores Farm, Blake End Road, Braintree CM7 5DS

- 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 Grove Smith Ltd against the decision of Braintree District Council.
 - The application Ref is 23/01221/FUL.
 - The development proposed is for the change of use to storage compound (Use Class B8), erection of 1.8m weldmesh fencing, laying of hardcore and vehicular accesses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have amended the description of development from that contained in the application form to omit superfluous content.
3. The appeal scheme is partly retrospective, with the two compounds operational. I was therefore able to observe the development in situ and I proceed on that basis.

Main Issues

4. The main issues are:
 - the effect of the development on the character and appearance of the countryside; and
 - whether the appeal site is a suitable location for the development, having regard to local and national policies.

Reasons

Character and appearance

5. The appeal site is located in the open countryside, accessed via Blake End Road which also serves a flying school and other commercial businesses. Comprising a converted poultry farm, Muchmores Farm is now in use as business and storage use (Use Classes B1 and B8), having been granted planning permission in 2004¹. Condition 7 explicitly stated there should be no outside storage, in the interests of the appearance of the surrounding countryside.
6. The northern edge of the commercial site is formed by an existing belt of evergreen cypress trees, with the appeal site lying beyond this. Having previously been arable fields, the site now forms three distinct parcels of land. Two of these

¹ Planning ref: 03/01561/COU

have been laid with hardstanding and are in use for external storage compounds, defined by 1.8m high green weldmesh fencing. The remaining parcel of land is shown on plan to be undeveloped agricultural land. The vehicular turning head that would serve this is already in place.

7. The landscape character surrounding the site is predominantly open, relatively flat and covered by arable fields with occasional small-wooded blocks. The area south of the appeal site has a mixed character of commercial uses with outdoor storage, yards and parking surrounded by agricultural land. To the north is a contained commercial depot, also surrounded by fields.
8. Bridleway No. 10 Great Saling (BW10) is located to the north of site, intervened by earth bunds. These bunds are established, mainly continuous vegetated features that perform a largely effective role in screening views from the BW10 to the south. However, the appeal site is still visible from the north and north-west where there are gaps in the bunding.
9. The Landscape and Visual Appraisal, supporting the appeal, concludes that the predicted effect on the local landscape would be of a minor harmful nature. I agree that the visual harm is not significant. However, the appeal site is both visually and functionally divorced from Muchmores Farm. The development breaches the tree belt that previously contained and defined the extent of the commercial use, encroaching into the open countryside. The extension appears as an illogical extension of commercial activities, that has a poor relationship with its surroundings and the existing tree belt.
10. Together the fencing, hardstanding and stored items add clutter to what was an undeveloped, open part of the countryside. This now conveys an industrial character, reading as a visual intrusion into the countryside and adversely affecting the rural character of the area.
11. At a height of up to 2.5m, the external storage would exceed the height of the proposed fencing. Whilst the appellant is proposing native planting on the outside of the fencing, it would take years before this would be effective at partially mitigating the harm I have identified. Furthermore, the proposed landscaping would separate the undeveloped parcel of land from the surrounding agricultural land. This brings into question whether this landscaping could fetter the ability of the retained agricultural land to be actively used for agricultural purposes in the future.
12. For the above reasons, the development conflicts with Policy LPP67 of the Braintree District Local Plan 2013-2033 (Local Plan). This requires development to recognise the intrinsic character and beauty of the countryside to ensure development permitted is suitable for the local context. It also conflicts with Policy SAL2 of the Salings Neighbourhood Plan 2019-2034 (2021) (Neighbourhood Plan) which seeks to conserve the landscape, protect the traditional dispersed rural settlement pattern, small pastoral fields, paddocks and meadows associated with peripheral farmsteads and conserve and enhance historic field patterns.

Suitable location

13. The spatial strategy within the Local Plan directs development towards the most sustainable and accessible locations. It provides a settlement hierarchy, including with reference to the availability of employment land, which ranks the different

areas of the district in order of their sustainability merits. Development boundaries are drawn around the highest-ranking sustainable settlements to guide where new growth should be located. The appeal site lies outside of a defined settlement boundary, in the open countryside. The spatial strategy sets out that to protect the intrinsic beauty of the countryside, development here is normally restricted to that which supports countryside uses. This is reflected in Policy LPP1 of the Local Plan which states that development outside of settlement boundaries will be confined to uses appropriate to the countryside. Appropriate is not defined by the policy. However, the supporting text explains that new development outside development boundaries would not normally be considered sustainable.

14. The use, described by the appellant as Use Class B8, relates to storage and distribution, an employment use. The forecasted employment needs for Braintree, are set out in Policy SP5 of the Local Plan. Ample sites have been allocated to meet these employment needs in Policy LPP2 of the Local Plan. Muchmores Farm is not a location contained within this policy. The proposal therefore does not follow the spatial strategy.
15. The proposal is also at odds with Policy SAL8 of Neighbourhood Plan. This supports new and existing businesses and employment where they are appropriate in scale and environmental impact to a countryside setting, subject to criteria relating to servicing arrangements and landscaping. The supporting text to this policy explains the area has a rich farming heritage and that there are three main groups of farm buildings which now form industrial unit centres, including Muchmore Farm.
16. However, the overarching policy objective is to promote development and diversification of agricultural and other land-based businesses. This aligns with the National Planning Policy Framework (the Framework), which in order to support a prosperous rural economy, states that decisions should enable the sustainable growth and expansion of all types of business in rural areas and the development and diversification of agricultural and other land-based rural businesses.
17. The appeal site compounds are standalone businesses, with no functional reliance on any of the existing units at Muchmores Farm. Therefore, they do not constitute an extension of the existing commercial units where only an extension could be located. A lack of alternative storage sites has been cited and the appellant asserts that, should this appeal fail, at least one of the businesses may not continue. However little evidence is before me on this matter, such that I ascribe it limited weight.
18. Other than the convenience of the local road network, its convenient location for one of the business directors and the cheaper costs of land acquisition, no clear need has been demonstrated as to why these open storage compounds need to be located within the open countryside. In this case, the type of use proposed, which could be for any storage and distribution use, is not agricultural diversification nor is it a land-based business requiring a countryside setting. Thus, based on the merits of the scheme, I do not find it to be a sustainable form of development, a prerequisite of the Framework. In any event, it is incompatible with the environment given the adverse effects on the character and appearance of the area, bringing it into conflict with Policy SAL8 of the Neighbourhood Plan.

19. Therefore, I find that the appeal site is not a suitable location for the development having regard to both local and national planning policy. It undermines the spatial strategy and conflicts with development plan policies LPP1 of the Local Plan and SAL8 of the Neighbourhood Plan, in addition to running counter to the objectives of the Framework which is a material consideration.

Other Matters

20. The appellant asserts that the failure of this appeal would result in the loss of employment, albeit limited details of the extent are provided. The application form offers no clarity on the matter, and it would vary depending on the occupiers of the compounds over time. However, present employment levels are unlikely to be significant given that vehicle movements are said to be only up to 12 movements per day on a weekday for both compounds. In any case, planning guidance is clear that there should be no distinction made between proposals for development and those made retrospectively. Therefore, I give this only modest weight.
21. Whilst it is acknowledged that the development does bring about economic benefits in terms of employment, this is likely to make only a modest contribution. Weighed against the substantial harm identified, I find that these economic benefits do not outweigh the harm to the character and appearance of the area or the locational conflict.

Conclusion

22. For the reasons set out above, the proposal would conflict with the development plan as a whole, and there are no other considerations that indicate a decision other than in accordance with it. I therefore conclude the appeal should be dismissed.

C Walker

INSPECTOR