



Appeal Decision

Site visit made on 8 July 2025

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th August 2025

Appeal Ref: APP/J1915/W/24/3354539

Skeleton Green, Buntingford Road, Puckeridge SG11 1RT

- 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 Lino Meta of LM Ground Facilities against the decision of East Hertfordshire District Council.
 - The application Ref is 3/24/1088/FUL.
 - The development proposed is described on the application form as 'the retention of containers ground and first floor with associated external stair access'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development has been carried out and therefore I am considering this appeal retrospectively.

Main Issues

3. The main issues are:
 - the effect of the development on the character and appearance of the surrounding area; and
 - the effect of the development on Roman Site Near Railway Station, a designated Scheduled Monument.

Reasons

Character and appearance

4. The appeal site comprises a compound on the east side of Buntingford Road. It contains a series of single-storey buildings, shipping containers over two levels and equipment stored on an area of hardstanding. The Council sets out that the appeal site is immediately adjacent to the boundary of the Upper Rib Valley Landscape Character Area. Therefore the development has the potential to effect its setting.
5. The Council's Landscape Character Assessment Supplementary Planning Document (SPD, 2007) sets out the distinct landscape character areas across East Hertfordshire. For the Upper Rib Valley Character Area, the document identifies its key characteristics and features. This includes the generally open undulating valley landform, the presence of arable production, extensive woodland and hedgerow oaks set within fields.

6. Despite some recent residential development near the site, I observed that the surrounding area to the north, east and immediate south reflects the description within the SPD, consisting of an open, rural character, featuring agricultural land with some woodland amongst it. Nevertheless, the site, by reason of its use and nature, could reasonably be described as making a very limited contribution to the rural character of the surrounding area.
7. The development comprises the retention of several large containers, stacked over two storeys, together with external stair accesses. The site, its buildings and stored equipment, can be clearly seen from the main access to the site on Buntingford Road. Although this is a relatively fleeting view, particularly if travelling by car, I have no doubt that those views would become clearer during the winter months. In addition, views of the upper level containers are visible from further afield and draw greater attention to the site than would otherwise be the case. These upper level containers, in particular, are highly prominent, utilitarian structures that appear discordant and incongruous here. They have a harmful visual impact on the surrounding rural area and detract from the surrounding landscape character.
8. I accept that the site has been used for many years for business purposes, as have a number of its established buildings. This is not in dispute as far as this appeal is concerned. However, the previously single-storey structures would have had a markedly different effect on the surrounding area, with a limited visual impact. The established use of the site for storage purposes does not mean that any form of development should automatically be accepted. Moreover, the appellant has set out that they are prepared to relocate containers to a 'less intrusive location within the site'. While I acknowledge this, an appeal cannot be used to evolve a scheme. In the interest of fairness, I have assessed the development based only on the plans before me.
9. I also understand the limitations of the site and that the storage containers have been stacked for the business's efficiency. However, there is no substantive evidence before me to demonstrate that this is the only arrangement possible and that an alternative, less harmful arrangement could not come about without negatively affecting the operation of the business.
10. Overall, I conclude that the development, in particular the upper level containers, have a harmful effect on the character and appearance of the surrounding area. This is contrary to the relevant provisions of policies GBR2, DES2 and DES4 of the East Herts District Plan (LP, 2018). These policies, taken as a whole, seek to ensure that development takes place only in the right location, is of a high design standard and conserves, enhances or strengthens the character and distinctive features of the district's landscape. This is in a similar vein to the provisions of the SPD insofar as good design and the protection of landscapes is concerned.

Heritage assets

11. The Council's second reason for refusal relates to insufficient information having been submitted in respect of a nearby scheduled monument (SM) known as 'Roman site near railway station'¹.

¹ List Entry Number: 1005249

12. Mindful of paragraph 207 of the National Planning Policy Framework (the Framework), together with the Planning Practice Guidance², applicants and appellants must define the significance of any identified heritage assets likely to be affected by development. There is no substantive evidence before me, such as a heritage statement or other desk-based assessment, to fully understand the special interest and significance of that SM. As a result, it is not possible to adequately assess the potential effect of the development on the SM, or any necessary mitigation measures. On this basis, it is not possible for me to satisfactorily conclude that the development could meet the requirements of planning policies in this respect. Moreover, I note Historic England was consulted. In its consultation response, it raised concerns about the potential for direct harm to the SM and its setting as a consequence of the development.
13. Overall, there is insufficient evidence before me to demonstrate that the development has an acceptable effect on the SM, contrary to the relevant provisions of LP policy HA1. This policy, in summary, seeks to ensure that developments preserve and where appropriate enhance the historic environment. This is in a similar vein to the objectives of the Framework insofar as scheduled ancient monuments are concerned.
14. Even were I to find this issue acceptable, it would not outweigh or overcome the harm identified under the other main issue in respect of character and appearance.

Other Matters

15. I acknowledge the frustration of the appellant in respect of communication with the Council. Nevertheless, this has not altered my conclusions on the main issues which is based on the assessment of the plans and evidence before me.
16. I also acknowledge that the development meets some other planning policy objectives. However, a lack of harm in other respects is effectively neutral in my determination of the appeal.

Conclusion

17. For the reasons above and having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

A Price

INSPECTOR

² Paragraph: 009 Reference ID: 18a-009-20190723