
Appeal Decision

Site visit made on 2 December 2025

by **Mark Caine BSc (Hons) MTPL MRTPI LSRA**

an Inspector appointed by the Secretary of State

Decision date: 29th December 2025

Appeal Ref: APP/Z1510/W/25/3374038

Church Farm House, Compasses Road, Pattiswick, Bradwell, Essex CM77 8BG

- 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 G Collett at GAC Agricultural Contracting against the decision of Braintree District Council.
 - The application Ref is 25/00565/FUL.
 - The development proposed is described as an 'Agricultural Barn'.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr G Collett at GAC Agricultural Contracting against Braintree District Council. This application is the subject of a separate Decision.

Background and Main Issue

3. I am informed that Church Farm House was purchased by the appellant in 2021 and that following renovation works he and his family now occupy it. It is also stated that the appellant runs an agricultural contracting business, which supports farming businesses in the locality, on the appeal site, adjacent to Church Farm House. The appellant's submissions indicate that the land on which the appeal site is situated was bought from Holfield Grange Estate in October 2024.
4. The main issue is whether the location of the site is suitable for the proposed development, having regard to the Council's spatial strategy and its effect on the character and appearance of the area.

Reasons

5. The appeal site comprises an irregular shaped piece of land that contains a detached converted farmhouse and several single storey detached buildings. It is accessed via a long track off the junction between Church Road and Compasses Road and is surrounded by rolling open agricultural land and fields, which provides the site with a remote rural setting. The appeal site is in the open countryside, outside any defined settlement in the development plan.
6. Policy LPP1 of the Braintree District Local Plan Part 2, 2022 (Local Plan) states that development outside development boundaries will be confined to uses appropriate to the countryside whilst also protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils to protect the

intrinsic character and beauty of the countryside. This policy does not define what uses may be considered to be appropriate to the countryside.

7. It is uncontested between the main parties that an agricultural use would be, in principle, an appropriate use in the countryside having regard to Local Plan Policy LPP1 and I have no reason to disagree. The definition of agriculture under Section 336 (1) of the Town and Country Planning Act 1990 (the Act) 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 use 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, and "agricultural" shall be construed accordingly'*.
8. Whilst the appellant's design and access statement sets out that the proposed building would provide some additional storage for vehicles/equipment used for maintenance of the property, the majority of the proposed floorspace appears to be associated with the agricultural contractor business. Work as an agricultural contractor is not an agricultural activity which falls within the definition of agriculture as defined in section 336 of the Act.
9. Local Plan Policy LPP7 sets out that outside development boundaries, proposals for small-scale commercial development, which involve the conversion and re-use of existing buildings that are of permanent and substantial construction and capable of conversion without complete re-building, are acceptable subject to meeting criteria relating to traffic impact, amenity and landscape character. This indicates that small scale commercial developments are, in principle, an appropriate use in the countryside. As such, there is little substantive evidence before me to suggest that an agricultural contracting business, if small scale, would not be an appropriate use in the countryside.
10. Nevertheless, the proposal would not include the conversion or re-use of an existing building and therefore would not benefit from Local Plan policy support in respect of commercial development outside of settlement boundaries. Furthermore, whilst it has been designed to reflect the character and appearance of a traditional Essex style 'threshing' barn, the submitted plans show the proposed building to have a roughly inverted 'L' shaped footprint and to be of substantial size and scale. As such, it would result in the site having a considerably more built up and developed appearance.
11. The proposal would thereby introduce a dominant and visually intrusive feature into the countryside and cause harm to the open character and appearance of the area. Despite the intermittent roadside hedgerows, its conspicuous presence in the landscape would be readily apparent from several public vantage points, including along Church Road and Compasses Road.
12. In arriving at this conclusion, I have had regard to the submitted photographs and historic map which indicate that an agricultural barn occupied a similar position on this land. However, this building was destroyed by fire in 1965 and thereby no longer forms a part of the immediate local context. There is also little before me to suggest that planning conditions in respect of landscaping, external lighting, signage and restriction of use would overcome all of the harm that I have identified.

13. I recognise the important role of agricultural contractors, as set out in the National Association of Agricultural Contractors manifesto, and I have had regard to the APHA registration. It has also been put to me that the appellant's use of the site continues to support the activities of the farmed estate (Holfield Grange Estate) surrounding the appeal site. Nonetheless, no substantive evidence of the existing agricultural business operations has been provided and no business plan for any proposed future enterprise has been submitted.
14. I am therefore unable to be satisfied, based on the evidence before me, that the size and scale of the proposal is required to meet the demands of the business or future livestock on the site. In reaching this view, I am mindful that a much smaller building, that does not include a domestic car parking space, was recently applied for on the site (Ref: 25/02017/FUL) following the refusal of the scheme that is the subject of this appeal.
15. Moreover, there is little evidence before me to substantiate that the site and the existing single storey structures and buildings on it have received planning permission or are lawful. I am therefore unable to be certain that the use of the site as an agricultural contractor has been established for several years.
16. I appreciate that a typical industrial estate adjoining residential areas may not be a suitable site for the proposed development. It is also asserted that there is a limited supply of existing agricultural buildings to accommodate the appellant's machinery and vehicles. However, given the lack of detail in respect of any alternative sites and buildings I am unable to discount them as unsuitable locations for the proposed development.
17. As such, insufficient evidence has been advanced to enable me to conclude with any degree of confidence that there is a justification or a proven requirement for the proposed location of the appeal scheme. Accordingly, I cannot find that the location of the site is suitable for the proposed development, having regard to the Council's spatial strategy. It would also have an unacceptably harmful effect on the character and appearance of the area and would thereby fail to accord with Policies LPP1 and LPP7 of the Local Plan.

Other Matters

18. Neither main party has raised any objections to the effect of the proposed development on the significance and setting of Church Farm House, which is a Grade II listed building. I consider its significance to derive, to a considerable extent, from its age, materials and architectural features, honestly reflecting in the present its historic agricultural origins as a traditional farmhouse. In reaching my decision I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historical interest which it possesses. The proposal would result in some change to the setting of the listed building. However, I agree that, given its siting and relationship with this property, in a similar position to a former historic barn, along with its agricultural design and appearance, the proposal would not materially harm the significance and setting of this heritage asset.
19. The National Planning Policy Framework explicitly seeks to support a prosperous rural economy, and the promotion of other land based rural business and growth in existing businesses. Nevertheless, as previously noted, there is little substantive information before me to demonstrate how the business operates and how the

proposal would support farm viability, or to substantiate how this would secure current and future income from sheep rearing for the appellant and his family. Given the lack of detail in these respects, any economic and social benefits, would be somewhat limited.

20. The proposed development would provide a more secure place for the storage of items that are currently housed elsewhere on the site and would potentially provide financial savings in overheads when compared to other potential sites. However, these benefits would primarily be for the individual benefit of the appellant and therefore do not weigh significantly in favour of the proposal.
21. Reference has been made to other planning applications at the site, and on other farm site settlements comprising listed farmhouses and adjacent outbuildings that have been developed as alternative uses. Nonetheless, on the evidence presented I cannot be certain that they represent a direct parallel to the appeal proposal. In reaching my findings I have also had regard to an appeal decision for an agricultural storage barn (Ref: APP/Z1510/W/24/3353197). However, this related to the construction of a storage building associated with the uses that the land has planning permission for and was subject to a restrictive condition to ensure no commercial activity on the site. Accordingly, its circumstances are not directly comparable with those which apply in this appeal.
22. As previously mentioned, I have also been made aware that a planning application for a smaller building on the site has been submitted and refused permission since this appeal was submitted. Whilst I have had regard to this, each application and appeal must be determined on its own merits, and that is what I have done with this case.
23. Whilst the appellant's frustration regarding the Council's communication and handling of the application is noted, this matter has had no bearing on the outcome of this appeal as I have only had regard to the planning merits of the proposal that is before me. I also note that the Council has found the effects on highway safety and heritage matters to be acceptable. Nonetheless, the absence of harm in these respects are neutral factors that do not weigh in favour of the proposed development. Furthermore, although the proposal has attracted letters of support from local residents and no statutory consultees have raised any objections, the level of support or objection to a proposal are not determining factors in the consideration of an appeal. All of the matters above therefore do not overcome or outweigh the harm that I have identified in relation to the main issue of this case.

Conclusion

24. The proposed development consequently conflicts with the development plan and there are no material considerations that warrant taking a decision otherwise than in accordance with it. The appeal should therefore be dismissed.

Mark Caine

INSPECTOR