



Appeal Decision

Site visit made on 3 February 2026

by **N Bowden BA(Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 February 2026

Appeal Ref: APP/Z1510/W/25/3376298

Church Farm, Compasses Road, Pattiswick, Braintree 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 (GAC Agricultural Contracting) against the decision of Braintree District Council.
 - The application Ref is 25/02017/FUL.
 - The development is a proposed agricultural barn.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. The appeal is made further to a very recent decision for a similar development on the same site¹ which was determined on 29 December 2025 (the 2025 decision). Whilst I have not been provided with full details of this case, I have been able to glean, from the evidence provided, that this proposal is largely similar. This is because it is for a very slightly smaller building and that building would be put to the same use.
3. The 2025 decision was dismissed and therefore regard must be had to it as a material consideration. Moreover, given the recency of the decision and there being no substantive changes in adopted policy in the intervening period, it must be a strong material consideration. The courts have established that like cases should be decided in a like manner. However, that does not mean that like cases must be decided alike². Accordingly, and despite my findings here, I have approached this proposal on that basis. Even so, much of the appellant's case has already been rehearsed in the 2025 decision and there is no need for me to re-visit it in detail.
4. Due to the similarities with the 2025 decision, the main issue is therefore 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 a detached farmhouse together with various outbuildings. It is set in the open countryside and outside any development boundaries as defined in the Braintree District Local Plan (BDLP). Policy LPP1 of

¹ Council ref: 25/00565/FUL, Inspectorate ref: APP/Z1510/W/25/3374038

² North Wiltshire District Council v SoSE and Clover (1993) 65 P. & C.R. 137

the BDLP explains (in summary) that development outside development boundaries will be confined to uses appropriate to the countryside to protect the intrinsic character and beauty of the countryside.

6. I accept that the building would be used for the purposes of agricultural contracting. Moreover, I accept the importance of such contracting services in a modern agricultural economy. However, it is not an agricultural activity, having regard to the definition of agriculture as defined in section 336 of the Act. Under the terms of policy LPP7 of the BDLP, such a use would be acceptable as a matter of principle but only insofar as this would comprise the conversion or re-use of an existing building. Although the proposed building would occupy a similar siting to a pre-existing one, there is clearly no building there at present and the evidence suggests that one has not been in existence since the 1980s as the most recent estimation, with earlier dates cited.
7. Whilst the building would not be especially large for a typical modern storage building, it would nevertheless be of an appreciable size. It would enlarge the overall presence of built form in this rural location to the detriment of the character and appearance of the area. Accordingly, it would conflict with policies LPP1 and LPP7 of the BDLP insofar as it would be harmful to the character of the area and not in accordance with the spatial strategy.
8. I am not unappreciative of the appellants position and do accept that having equipment and machinery for the contracting business that is close to the place of residence would be of benefit. However, none of the justification put to me suggests that this would be more than highly desirable and convenient. I am sure it would no doubt minimise transport costs and/or the costs of renting a suitable unit elsewhere, but it does not amount to an essential need.
9. I recognise there is local support for the proposal with nearby residents and other businesses, including agricultural operations, expressing their support for the proposal. However, this support cannot override the adopted policies of the development plan.

Other Matters

10. The site is within the setting of the Grade II listed Church Farm which draws its significance from its age, materials, design and function as a traditional farmhouse in this rural setting. I must have special regard to the desirability of preserving its special architectural or historical interest. However, no party has expressed concern in this regard, and I have no reason to disagree with these findings.
11. The National Planning Policy Framework (the Framework) does support rural businesses and the economy. This proposal would align with these aims, but as was found in the 2025 decision, there is nothing especially compelling in this case that indicates that this should be granted permission when balanced with the general presumption against new commercial buildings in the countryside that would be harmful to the character and appearance of the area.
12. Matters have been raised regarding the processes in which the Council reached its decision. These procedural issues are not for me to consider here and, in any case, do not affect my assessment of the proposal which is based upon the planning merits alone.

Conclusion

13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. There are insufficient differences in either the form of this proposal or the arguments put forward in support of it that suggest that the outcome here should be any different to that of the 2025 decision. The appeal is dismissed.

N Bowden

INSPECTOR