
Appeal Decision

Site visit made on 3 June 2014

by Ray Wright BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 June 2014

Appeal Ref: APP/J1915/A/14/2216160

Land adjacent to Unit 2B, Hadham Industrial Estate, Church End, Little Hadham, Ware SG11 2DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Collins (Hadham Industrial Estates Ltd.) against the decision of East Hertfordshire District Council.
 - The application Ref 3/13/1541/FP, dated 22 August 2013, was refused by notice dated 24 October 2013.
 - The development proposed is 'Extension to existing storage compound used for storage of plant in association with Unit 2B. Erection of 2.2m perimeter fencing to match existing. Deposit of excavated land on adjacent land to create landscaped bund.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect on the character and appearance of this rural area.

Reasons

3. The appeal site is located on the south east edge of the Hadham Industrial Estate which is accessed via a road running north from the A120. The estate, which is in a countryside location, consists of a number of former farm buildings with associated parking and loading areas. Unit 2B has an external compound used for the storage of diesel powered pumps and associated pipes and the appeal proposal would extend this area to enable additional, larger pumps to be stored.
 4. The National Planning Policy Framework (Framework) confirms that sustainable growth of all types of businesses in rural areas should be supported. However, within such countryside locations the Framework also indicates the intrinsic character of the area needs to be recognised. Policy GBC3 of the East Herts Local Plan Second Review 2007 (LP) aims to limit development in rural areas, whilst accepting those schemes that assist rural diversification. Policy ENV1 of the LP requires consideration of loss of open land on the character and appearance of the locality.
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5. A bridleway passes to the north of the appeal site, and to the south, there is a public footpath. The site is open to the bridleway and the trees bounding the footpath do not provide an unbroken screen. Due to the rising ground levels to the east, both the appeal site and the existing compound are in clear public view from both these sides.
6. The current compound is separated from its associated industrial building by a grassed area. The existing fencing provides very limited visual enclosure and its pipes, pumps, and similar equipment are an alien feature which present a poor visual appearance within this open border to the estate.
7. Although the appeal site has been previously surfaced in chippings or similar, it currently remains clear and open. It is unobtrusive in the landscape and overall retains a verdant character. As proposed, it would be lowered to the same level as the existing compound. It would be surfaced in concrete similar to the existing compound and would have virtually the same fencing enclosure. The proposed reduction in levels in the appeal scheme could, to a limited degree, reduce the visual impact of the additional compound. However, at around 814m² it would be larger than that existing and with similar use and features it would, to my mind, represent an undesirable consolidation of this external storage area. It would form a dominant and intrusive element at the site and have a significant, adverse visual affect, out of keeping in this rural setting.
8. It is proposed that the spoil from the excavated compound would form a bund to its east. The bund would be located some distance from the compound boundary and, as proposed, have an unnatural junction with the present ground level. Due to its size and position, it would represent an obvious, stand alone and artificial landscape feature which would further draw attention to this part of the site.
9. The proposal would represent a further undesirable encroachment into the open countryside which would be visually intrusive and harm the character and appearance of the wider rural area. As such the proposal is contrary to the Framework and Policies GBC3 and ENV1 of the LP.

Other Matters

10. Nearby occupiers have raised concerns regarding noise and disturbance, traffic generation and highway safety, together with flooding and pollution. However, these issues were considered by the Council and highway authority who decided that with imposition of appropriate conditions these were not matters, in themselves, that would merit refusal of the application. I have no reason to disagree with this overall assessment. In addition, a concern in respect of lack of enforcement relating to different permissions and activities at the site is raised. However, this is a matter for the Local Planning Authority to deal with and, if necessary, should be addressed through their complaints procedure.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.

Ray Wright

INSPECTOR