

Appeal Decisions

Hearing Held on 20 October 2020 Site visit made on 21 October 2020

by Mrs H M Higenbottam BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2020

Appeal A: APP/J3530/X/19/3228391 The Stables, Mill Road, Badingham, Woodbridge IP13 8LF

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a failure to give notice within the prescribed period of a decision on an application for a certificate of lawful use or development (LDC).
- The appeal is made by Mr Zachary Ludgrove against Suffolk Coastal District Council.
- The application (Ref: DC/19/0622/CLE) is dated 8 February 2019.
- The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended.
- The use for which a certificate of lawful use or development is sought is 'The building was erected and has been used as stables in excess of 10 years'.

Appeal B: APP/X3540/X/19/3236963 The Stables, Mill Road, Badingham, Woodbridge IP13 8LF

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
- The appeal is made by Mr Zachary Ludgrove against East Suffolk Council.
- The application (Ref: DC/19/2786/CLE), dated 11 July 2019, was refused by notice dated 23 August 2019.
- The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended.
- The use for which a certificate of lawful use or development is sought is 'Use of the building as a stable'.

Appeal C: APP/X3540/W/20/3246134 The Stables, Mill Road, Badingham, Woodbridge IP13 8LF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr Zachary Ludgrove against East Suffolk Council.
- The application Ref: DC/19/4326/FUL, is dated 5 November 2019.
- The development proposed is the change of use and conversion of rural building to a dwelling (including removal of existing residential caravan upon grant of permission).

Decisions

Appeal A

1. The appeal is allowed and attached to this decision is a certificate of lawful use or development describing the existing use which is considered to be lawful.

Appeal B

2. The appeal is allowed and attached to this decision is a certificate of lawful use or development describing the existing use which is considered to be lawful.

Appeal C

- 3. The appeal is allowed and planning permission is granted for the change of use and conversion of rural building to a dwelling (including removal of existing residential caravan upon grant of permission) at The Stables, Mill Road, Badingham, Woodbridge IP13 8LF in accordance with the terms of the application, DC/19/4326/FUL, dated 5 November 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: OS Plan Existing 1:1250 Existing Elevations Proposed Elevations Existing Ground Floor Plan Proposed Ground Floor Plan Existing Block Plan Proposed Block Plan Proposed Site Plan
 - 3) Notwithstanding the stated materials in the application form no development shall take place until details/samples of the materials proposed to be used on the external walls, roofs and openings of the development have been submitted to, and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.
 - 4) No development shall take place until the access track from Mill Road to the appeal site (identified by a red line on the location plan (1:2500) on the Existing Block Plan) has been surfaced with a bound material, across its whole width, for a minimum distance of 5m from the edge of the metalled carriageway of Mill Road.
 - 5) No development shall take place until a scheme for the secure cycle storage of two bicycles shall be submitted to and approved in writing by the local planning authority. The secure cycle storage shall be provided before the first occupation of the development in accordance with the approved scheme and shall thereafter be kept available for the storage of bicycles.
 - 6) No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:

- i) means of enclosure;
- ii) boundary treatments;
- iii) vehicle and pedestrian access, parking and circulation areas;
- iv) hard surfacing materials;
- v) storage area for refuse and recycling bins.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

All other landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied.

- 7) Any trees or plants in the approved details of landscaping which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 8) Within three months of the development hereby permitted being occupied the 'existing static caravan' identified on drawing reference 'Existing Block Plan' shall be permanently removed from the appeal site.
- 9) The development hereby approved shall not be occupied until a scheme for the erection or installation of a barn owl nest box and a bat box has been submitted to and approved in writing by the local planning authority. The approved scheme shall be erected or installed within three months of the occupation of the development or of the schemes approval whichever is the latest.
- 10) The development hereby approved shall not be occupied until the area within the site shown on drawing reference 'proposed site plan' for the purposes of manoeuvring and parking of vehicles has been provided and that space shall thereafter be kept available at all times for those purposes.
- 11) No external lights or floodlights shall be erected or installed on the external surfaces of the building or within the site unless details of the external lights or floodlights have been submitted to and approved in writing by the local planning authority. Any external lights or floodlights erected or installed shall be in accordance with the approved details.
- 12) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking ore re-enacting that Order (with or without modification) no development falling within the following Classes of the Order shall be carried out:

Schedule 2 Part 1 Classes A, B and E.

Preliminary Matters

- 4. On 1 April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) states that any plans, schemes, statements or strategies prepared by the predecessor Council should be treated as if it had been prepared by the successor Council.
- 5. Appeals A and B were submitted by the appellant as appeals against nondetermination of the respective applications by Suffolk Coastal District Council and East Suffolk Council respectively. In respect of Appeal A, the appeal was lodged on the same day that the Council state that a decision was made on the application which was 9 May 2020. I will deal with Appeal A on the basis that it was made against non-determination. The Council state that a decision was issued on 23 August 2019 for the Appeal B application. The appeal was made on 11 September 2019. I will therefore deal with Appeal B as an appeal against the refusal of the application.
- 6. I raised the issue of different descriptions in both Appeal A and Appeal B in a Pre-Hearing Note. It was agreed at the Hearing that the description for both Appeal A and Appeal B would be altered to 'Non-commercial use for stabling of four horses and ancillary storage.' I will determine the appeals on this basis.
- 7. It was also agreed that the address for all three appeals should be recorded as The Stables, Mill Road, Badingham, Woodbridge IP13 8LF and I have recorded this above.

Application for costs

8. At the Hearing an application for costs was made by Mr Zachary Ludgrove in relation to Appeals A and B against East Suffolk Council. This application is the subject of a separate Decision.

Appeal A and B

Main Issue

9. Whether or not the use of the building for non-commercial use for stabling of four horses and ancillary storage is lawful.

Reasons

- 10. The burden of proof is on the appellant to show on the balance of probabilities that the barn has been used for non-commercial use for stabling of four horses and ancillary storage, that this took place more than ten years before the date of each application and that the use has continued without material interruption since that date. The appellant states that the use ceased in October 2018, although at the time of the Hearing friends of the appellant were keeping their horses at the property. On the basis of the applications the appellant is seeking to demonstrate that the use was lawful in a period ten years before October 2018. Therefore, the relevant date for both appeals is October 2008.
- 11. The appellant's own evidence does not have to be corroborated by `independent' evidence. If there is no evidence to contradict or otherwise make

the appellant's version of events less than probable, the appellant's evidence alone may be sufficient to justify the grant of a certificate. This is provided that it is sufficiently precise and unambiguous.

- 12. At the Hearing the Council stated that on considering the issue afresh during the appeal process it concluded that following the receipt of additional information a lawful use as stables could be established. The Council considered that there was no material change of use over the relevant period and the use sought in both Appeal A and B was therefore lawful.
- 13. The appellant has provided the following evidence in support of both appeals:
 - Statutory declarations from the appellant dated 4 February 2019 for Appeal A and 1 July 2019 for Appeal B;
 - Statutory declaration from a third party dated 4 February 2019 for Appeal A and 1 July 2019 for Appeal B;
 - Appeal A: Additional photographs paragraphs 3.5 to 3.7 of May 2019 statement of case; these were included in the Appeal B application paragraphs 2.11 to 2.18 of July 2019 statement submitted with the application;
 - Appeal B application various appeal decisions in relation to the weight statutory declarations should be given;
 - Planning statements for both applications and appeals including a narrative of how the site was used and addressing points raised by the Council.
- 14. The building, which was once a bus depot building, was brought to the site and erected in 1988. Substantial completion is stated to have been in May 1988. There is no dispute between the parties in relation to the erection of the building. The use is stated to have begun following substantial completion of the building in 1988.
- 15. In relation to the use, the evidence demonstrates that the barn/building was used for stabling of horses and ancillary paraphernalia to do with keeping and riding or otherwise leisure horses. The supporting information explains it was not a commercial stable use. It was low key in nature and as it was noncommercial, I would not expect the type of documentary evidence that might be produced in relation to rent and users in a commercial livery situation. As such, the evidence is mostly provided by the statutory declarations supported by some photographs and the appellant's agent's narrative in the planning statement for each application and at appeal.
- 16. A statutory declaration is a formal statement made under the provisions of the Statutory Declarations Act 1835 to affirm something is true to the best knowledge of the person making the declaration. Accordingly, a statutory declaration submitted pursuant to an LDC appeal should be treated as sworn first-hand evidence. I therefore consider that significant weight should be given to the statutory declarations in this case. There is no substantiated evidence to demonstrate some other use of the building or cast doubt on the evidence in the statutory declarations. Furthermore, there appears to be no dispute about the erection of the building.

- 17. I am satisfied that it is more likely than not that the building was erected in May 1988 and used for the stabling of horses on a non-commercial basis and for ancillary paraphernalia for the keeping of horses since that time on a continuous basis until at least October 2018. Subsequent stabling use has been *ad-hoc* and for the stabling of friends' horses. There is no evidence to contradict this version of events. On the balance of probabilities, I consider that the use of the building as stables for four horses and ancillary storage is lawful through the passage of time. I therefore conclude that both Appeal A and Appeal B should succeed.
- 18. For the reasons given above I conclude, on the evidence now available, that the Council's deemed refusal for Appeal A and its refusal for Appeal B to grant certificates of lawful use or development in respect of non-commercial use for stabling of four horses and ancillary storage was not well-founded and that both Appeal A and Appal B should succeed. I will exercise the powers transferred to me under section 195(2) of the 1990 Act as amended.

Appeal C

Main Issue

19. The main issue in relation to this appeal is whether the proposed conversion of the building to a dwelling is acceptable, having regard to local and national planning policy.

Planning Policies

- 20. The development plan includes policies of the East Suffolk Council Suffolk Coastal Local Plan (adopted September 2020) (LP). The most relevant policies are LP Policies 5.3, 5.5, 10.1, 10.4 and 11.1.
- 21. Outside defined settlement boundaries new residential development will be limited to those circumstances set out in LP Policy 5.3. Policy 5.3(e) allows for the conversion of an existing building in accordance with LP Policy 5.5. LP Policy 5.5 states that the conversion of buildings in the countryside for residential use will be permitted where the stated criteria are met.
- 22. LP Policy 10.1 supports development where it can be demonstrated it maintains, restores, or enhances the existing green infrastructure and positively contributes towards biodiversity and/or geodiversity. LP Policy 10.4 expects development to demonstrate that the location, scale form design and materials will protect and enhance the special qualities and features of the landscape in which it is sited. It requires proposals to include measures that enable its integration into the landscape and seeks to protect and enhance the tranquillity and dark skies across the plan area including controlling exterior lighting. LP Policy 11.1 supports locally distinctive and high quality design.

Reasons

- 23. The appeal site is located in open countryside about 80m to the north of the village of Badingham. To the west and south is grazing land which slopes slightly away from the barn.
- 24. The barn the subject of the appeal is a utilitarian structure, with a concrete plinth wall with the upper walls formed with profiled sheet and the roof is covered with a corrugated sheet material. Access is via a track from Mill Road

and a parking area is available in front of the barn. The existing barn is well screened from the road with a mixed native hedge, with some large mature trees within it, between Mill Road and the barn.

- 25. There is a mobile home (identified as a static caravan on the submitted plans) between the barn and the grazing land to the west. The siting of this mobile home has a lawful use for residential purposes. The appellant has stated it is his intention to remove the mobile home if the barn the subject of this appeal is converted to a dwelling. The appeal is therefore considered on the basis of the removal of the mobile home.
- 26. Some long distance views of the existing barn and mobile home are available from the footpath the other side of the agricultural field to the north. The barn is seen nestled against the mature hedge with the new residential development in Badingham to the southwest. The Council state the site lies on the edge of the farmed clay plateau and upper Alde Valley landscape.
- 27. The site is accessed via an existing field gate off Mill Lane. This access is not within the appeal site, but I understand the land is within the ownership of the appellant, albeit it is not within the blue land identified as land within the ownership of the appellant on the submitted plans.
- 28. LP Policy 5.5 supports the conversion of buildings in the countryside subject to a number of criteria. The Council consider that the proposal is in breach of criteria a), b) and c) of LP Policy 5.5. I will consider these each in turn.

LP Policy 5.5

- 29. Criteria a) requires the building to be redundant. There is no definition of the term redundant within the policy or the supporting text. However, the Compact Oxford Dictionary defines it as superfluous, not needed. The appellant states that the building is surplus to his requirements. While he has allowed friends to keep their horses at the property recently it is not required for his horses or other purposes. On the basis of the information available I accept that the building is superfluous to the appellant's needs and as such it complies with criteria a).
- 30. Criteria b) requires the building to provide a positive contribution to the landscape. The appeal building is a functional utilitarian building often found within the rural landscape and it is neutral in the landscape as it nestles against a mature hedge. The appellant states the barn has provided a positive contribution by containing equestrian paraphernalia within the building, which is positive within the landscape. Taking the functional use of the building together with the neutral affect within the landscape of the building I consider that it complies with this criterion.
- 31. Criteria c) requires that the conversion does not need significant alteration. The building comprises a structural frame with concrete plinth and external materials attached to the frame to create the walls and roof. The Council accept that it does not require rebuilding and thus complies with this criterion. While I accept the proposal includes recladding the walls and roof, as well as the insertion of windows and doors, I am satisfied it would not require significant alteration in that the building would remain and is capable of conversion. The proposal complies with criterion c).

32. I therefore find that the proposal complies with LP Policy 5.5. It therefore also complies with LP Policy 5.3. It would also comply with paragraph 79(c) of the National Planning Policy Framework (the Framework) as it would reuse a redundant building in the countryside for residential purposes and enhance the immediate setting.

Landscape and design

- 33. The application form lists the proposed materials as black stained boarding for the walls, slate or corrugated sheeting for the roof and metal or upvc for windows and doors.
- 34. The Council accept that the proposal would result in improvements to the visual appearance of the building, subject to the use of appropriate materials, and that the proposed openings have been limited. In my view, due to the scale of the roof the materials will require careful consideration. I am concerned that inappropriate materials, on the roof, walls, or openings, may result in a reduction in the quality of the completed building. Therefore, notwithstanding the listed materials, I will impose a condition requiring the external materials to be agreed and for the conversion to be completed in accordance with the approved materials. This would ensure the development complies with LP Policies 10.4 and 11.1.
- 35. The appellant has submitted a Landscape Assessment Report which concludes that the proposed domestic curtilage can be visually separated from the wider paddock using additional structural planting and/or traditional post and rail fencing and specimen trees. No detailed proposals for landscaping have been proposed. The Council consider that the report does not address the landscape character appropriately.
- 36. The appeal site includes the land which is immediately around the building and the mobile home and parking/hardstanding areas. This area is currently separated from the grazing land and forms a parcel of land with the building, within the wider land holding. This area would become the garden of the dwelling. It would be divided into a parking/circulation area to the front of the barn and then a 'U' shaped area of land around the building to provide useable garden area. In my view, it would be proportionate to the scale of the barn and would not result in encroachment into the grazing land.
- 37. The building, although visible in the wider landscape from the footpath to the north, is not prominent. In my view, subject to the imposition of conditions requiring a scheme of hard and soft landscaping, the garden area of the proposed residential dwelling would not detract from the wider landscape and with suitable soft landscaping to the boundaries would be assimilated into the landscape. The removal of the mobile home will benefit the longer distance views of the site from the footpath, and appropriate landscaping, hardsurfacing and fencing would result in the enhancement of the immediate setting of the building.
- 38. While conditions restricting permitted development, rights are only justified in exceptional circumstances I consider that due to the location and views of the barn and the proposed residential garden within the landscape it would be appropriate to withdraw certain permitted development rights. I will therefore withdraw permitted development rights relating to the enlargement, improvement, or other alteration of a dwellinghouse (Class A); additions etc to

the roof of a dwellinghouse (Class B); and buildings etc incidental to the enjoyment of a dwellinghouse (Class E).

Other matters

- 39. The habitats and coast, heaths and estuaries of Suffolk are internationally recognised wildlife assets. The habitats and species they hold are protected by UK and European legislation and under are the Ramsar Convention. The Council in conjunction with others has produced guidance entitled *Habitats Regulations Assessment Recreational Disturbance Avoidance and Mitigation Strategy for Ipswich Borough, Babergh District, Mid Suffolk District and East Suffolk Councils Technical Report* (May 2019). LP Policy 10.1 states that this guidance has been prepared to provide a mechanism through which impacts on such protected areas from increased recreation can be avoided and mitigated via financial contributions.
- 40. The Council consider that on the basis that the proposal includes the removal of the mobile home it would maintain one residential unit on the site. In the light of the guidance, the Council are content that there would be no requirement for mitigation from increased recreation as there would be no growth in residential use on the site. I concur with this finding. On the basis of the information available, I will impose a condition to require the existing mobile home to be removed on the occupation of the barn to ensure that there is only one dwelling unit on the site.
- 41. The existing access is beyond the red line on the location plan (1:2500) (which is part of the Existing Block Plan) and is also not included in the blue outlined land which is used to indicate land within the ownership of the appellant. However, the appellant confirmed at the Hearing, that the track was within his control. The Council require that the first 5m of the access track is finished with a bonded material for the purposes of highway safety. In my view, this would improve highway safety by preventing debris/loose material being taken onto the public highway. Subject to a requirement that this is carried out prior to the development starting, i.e. a Grampian style condition, I am satisfied that the proposal would have an appropriate access. In addition, adequate parking and cycle parking can be provided within the site without a negative impact on the wider countryside. I will impose conditions relating to the access and provision of vehicle and cycle parking.
- 42. The appellant has produced a document entitled *Preliminary Ecological Appraisal*. This concludes that the appeal site could provide suitable nesting habitat for barn owls with the provision of a next box, and that the provision of bat boxes would provide suitable roost sites for a range of bat species. The appraisal does not propose any details of where these would be sited and as such details will be required to be submitted. The appellant confirmed at the Hearing that an owl box and a bat box could be incorporated within the development. These facilities would address LP Policy 10.1 which requires development to positively contribute towards biodiversity and/or geodiversity. I will therefore impose a condition to require the submission of details of a scheme for an owl box and a bat box.
- 43. In addition, due to the appeal sites location in the countryside, where LP Policy 10.4 seeks to ensure that external lighting is limited to protect the dark skies in the countryside I will impose a condition requiring any external lighting scheme to be submitted to and approved by the local planning authority.

Conditions

- 44. In addition to those conditions I have referred to above I have considered other conditions proposed by the Council. I have considered these, and those previously referred to, in the light of the Planning Practice Guide and the tests in the Framework. In addition to the standard implementation condition it is necessary, for the avoidance of doubt, to include a condition setting out the approved plans for the scheme.
- 45. I will impose a condition to ensure that any unexpected contamination which is found is assessed and remediated. This will ensure the safety of future occupiers of the dwelling.

Conclusion on Appeal C

46. For the reasons set out above, subject to the imposition of the conditions referred to, the development would comply with paragraph 79(c) of the Framework and LP Policies 5.3, 5.5, 10.1, 10.4 and 11.1. I therefore conclude that the appeal should be allowed.

Hilda Higenbottam

Inspector

APPEARANCES

FOR THE APPELLANT:

Mr S Bainbridge BSc MSc MRTPI	Principle Planning Manager, Parker Planning
Mr Ludgrove	Services acting on behalf of the Appellant. Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Mrs N Webb BSc MSc	Senior Planner, East Suffolk Council
Mr N Newton BA(Hons) MSc	Landscape and Arboriculture Manager, East
	Suffolk Council

DOCUMENTS SUBMITTED AT THE HEARING

- 1 LP Policy 10.1 submitted by the Council
- Habitats Regulations Assessment Recreational Disturbance
 Avoidance and Mitigation Strategy for Ipswich Borough, Babergh
 District, Mid Suffolk District and East Suffolk Councils Technical
 Report (May 2019) submitted by the Council
- 3 LP Policies 3.2, 3.3, 5.3, 5.5 and 5.14.



Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191 (as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 8 February 2019 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in red on the plan attached to this certificate, was lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990 (as amended), for the following reason:

It is more likely than not that the building was erected in May 1988 and used for the stabling of horses on a non-commercial basis and for ancillary paraphernalia for the keeping of horses since that time on a continuous basis until at least October 2018. There is no evidence to contradict this version of events.

The use of the building as stables for four horses and ancillary storage is lawful through the passage of time.

Signed

Hilda Higenbottam Inspector

Date 17 December 2020 Reference: **APP/J3530/X/19/3228391**

First Schedule

Non-commercial use for stabling of four horses and ancillary storage.

Second Schedule

Land at The Stables, Mill Road, Badingham, Woodbridge IP13 8LF

NOTES

This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).

It certifies that the use /operations described in the First Schedule taking place on the land specified in the Second Schedule was /were lawful, on the certified date and, thus, was /were not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the use /operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use /operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.



Plan

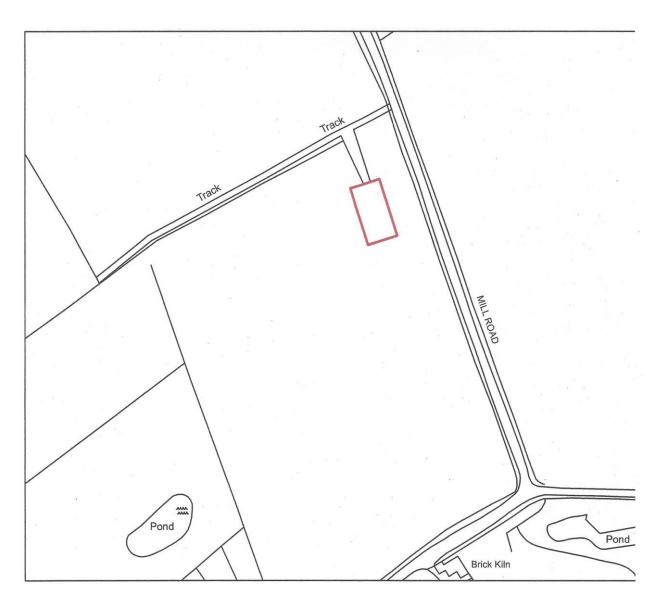
This is the plan referred to in the Lawful Development Certificate dated: 17 December 2020

by Mrs H M Higenbottam BA (Hons) MRTPI

Land at: The Stables, Mill Road, Badingham, Woodbridge IP13 8LF

Reference: APP/J3530/X/19/3228391

Scale: nts





Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191 (as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 11 July 2019 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in red on the plan attached to this certificate, was lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990 (as amended), for the following reason:

It is more likely than not that the building was erected in May 1988 and used for the stabling of horses on a non-commercial basis and for ancillary paraphernalia for the keeping of horses since that time on a continuous basis until at least October 2018. There is no evidence to contradict this version of events.

The use of the building as stables for four horses and ancillary storage is lawful through the passage of time.

Signed

Hilda Higenbottam

Inspector

Date 17 December 2020 Reference: **APP/X3540/X/19/3236963**

First Schedule

Non-commercial use for stabling of four horses and ancillary storage.

Second Schedule

Land at The Stables, Mill Road, Badingham, Woodbridge IP13 8LF

NOTES

This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).

It certifies that the use /operations described in the First Schedule taking place on the land specified in the Second Schedule was /were lawful, on the certified date and, thus, was /were not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the use /operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use /operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.



Plan

This is the plan referred to in the Lawful Development Certificate dated: 17 December 2020

By Mrs H M Higenbottam BA (Hons) MRTPI

Land at:

Reference: APP/X3540/X/19/3236963

Scale: nts

