



Appeal Decision

Site visit made on 7 February 2025

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2025

Appeal Ref: APP/D3505/W/24/3348208

Grove Farm, Grove Lane, Wenham Parva, Suffolk CO7 6QB

- 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 N Brown against the decision of Babergh District Council.
 - The application Ref is DC/23/03351.
 - The development proposed is erection of storage barn.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's second reason for refusal articulated its concern that the proposal would fail to achieve a 10% biodiversity net gain. However, the Council has since confirmed that it does not wish to defend this reason for refusal. In summary, its reasons for doing so are that it opines that the proposal would meet the de-minimis exemption criteria within the statutory framework for biodiversity net gain introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Consequently, the Council has set out that it no longer considers it justifiable to demand the development achieves no less than a 10% gain. In the light of the Council's updated position, the matter of biodiversity net gain is not a main issue in my decision.
3. On site, there is a stable block sited upon part of the concrete hardstanding that the storage barn the subject of the appeal is proposed. The planning status of this stable block is not clear to me but, regardless, and for the avoidance of doubt, I have determined the appeal on the basis of the plans submitted.

Main Issue

4. The main issue is whether the appeal site provides a suitable location for the development proposed having particular regard to relevant development plan policy which controls new buildings in the countryside.

Reasons

5. The appeal site is a concrete hardstanding located at Grove Farm. Grove Farm is situated within the countryside, and it includes a dwelling, identified on site as Grove Farmhouse, which is a Grade II listed building (Wenham Grove Farmhouse in the official list entry). Grove Farmhouse is served by a spacious and enclosed garden. Elsewhere, as part of the Grove Farm building group, there are a number of barns.

6. Policy SP03 of the Babergh and Mid Suffolk Joint Local Plan Part 1 (JLP) sets out the approach towards the location of new development in the district. The policy directs that most development should be located within settlements, and it places restrictions on development outside their boundaries within the countryside.
7. Outside the settlement boundaries, Policy SP03 outlines that development will normally only be permitted where it would meet at least one of four criteria. The use of the word “normally” does mean that there may be occasions whereby development not meeting any of the criteria could still comply with the policy. This means that the policy has some flexibility to cater for certain eventualities and exceptional circumstances which may arise.
8. In essence, the aforementioned criteria allow for allocated site development and developments which accord with a made neighbourhood plan. Development which accords with one of a prescribed list of other policies within the JLP, or development constituting an isolated home in accordance with the National Planning Policy Framework (the Framework), make up the remaining criteria.
9. Since the site is not allocated for development, the proposal is not for an isolated home in the countryside and no made neighbourhood plan applies to the site, the proposal does not meet three of the aforementioned criteria.
10. One of SP03’s prescribed policies is LP03 which relates to residential extensions and conversions. The proposed detached barn is sought for domestic storage purposes. Buildings such as detached outbuildings can rightly be considered as extensions to dwellings, but it depends upon the specifics of the development.
11. Positioned beyond its spacious garden, and some further land, the appeal site is well-separated from Grove Farmhouse. As a result, the proposed barn would be erected a considerable distance from the dwelling it is proposed to serve.
12. Opposite the appeal site there is Barn A. It is a large building with a utilitarian appearance. Consequently, it exudes the appearance of a working farm building rather than a domestic building ancillary to the dwelling. After Barn A, Barn B is the next nearest barn to the appeal site. It is positioned to the site’s south-east and is closer to the dwelling. The submitted Heritage Statement¹ explains that Barn B is a historic barn which has supported farming operations at Grove Farm. The Heritage Statement contains photos of Barn B, including figure 17, which shows the likes of hay being stored within it and the caption explains that the barn is a working farm outbuilding. The appearance of Barn A, and the evidence of the historical and recent use of Barn B, indicates to me that the proposed barn would be located in a part of Grove Farm much more associated with the operation of a farm and not the domestic function of the dwelling.
13. Whilst I accept that the landholding associated with Grove Farmhouse is large and, as a result, the property would be likely to need quite a lot of storage, with a maximum length of 15 metres (m), a width of 12.5m and a maximum height of 5.325m the barn would be a significantly sized building. I have very limited information before me on precisely what would be stored within the proposed building or why existing buildings do not suffice for the storage requirements. In such circumstances, I find the proposed building’s size to be very much atypical for the purposes of domestic storage and unjustified.

¹ Heritage Statement Ref: 2309.1374 dated 23 October 2023

14. Given the combination of the site's distance from the dwelling, its positioning within an area of operational character and the building's significant size, as a matter of fact and degree, I find that the proposed barn does not amount to a residential extension. Consequently, Policy LP03 does not apply to the proposal nor, in turn, does the proposal comply with LP03. None of Policy SP03's other prescribed policies apply to the proposal either. This means that none of Policy SP03's four criteria are met.
15. Furthermore, the supporting text to Policy SP03 assists in understanding its interpretation and purpose and, as a part of this, it emphasises the importance of recognising the intrinsic character of the countryside. The appeal site is not dilapidated, nor do I find that its condition to be detrimental to the area, whereas, the provision of such a large building on the extremity of the Grove Farm building group and without adequate justification would harm the countryside's intrinsic character.
16. I have no good reason to conclude that there are exceptional or abnormal circumstances which apply to the appeal scheme which would give me grounds to find the proposal complies with Policy SP03 despite its conflict with its criteria. This is particularly the case given I have not been provided with an adequate justification for the building proposed.
17. Therefore, for the reasons I have given above, the proposal conflicts with JLP Policy SP03 and, having particular regard to this development plan policy, I find that the appeal site does not provide a suitable location for the development proposed.

Other Matters

18. The appellant submits that the benefit of the proposal would be derived from the support it would provide for the residential occupation of a large site. However, given the lack of detail I have in relation to the proposed barn's purpose and contribution to Grove Farm, I can only conclude that this is a matter of limited weight, and it is insufficient to outweigh the harm I have identified in my main issue.
19. The appellant has drawn my attention to appeal decisions relating to sites at Stowmarket² and Copdock³. However, appeal decisions are heavily dependent on the case-specific evidence and circumstances. I have come to my own views on this appeal having regard to the evidence before me now, my own experience and the particular circumstances of the case. I do not have the full details of the cited cases before me, and it is not clear that the specifics of those cases are very comparable with the appeal before me. For these reasons, the cited appeal decisions are of limited weight in my decision.
20. The list entry description of Grove Farmhouse identifies that it dates from the 16th or 17th Centuries or potentially earlier. The dwelling is, therefore, of considerable age. Despite some more modern interventions, the dwelling still exhibits some traditional design facets and architectural features including its steeply pitched roof slopes, multiple chimney stacks and dormers. As a traditional farmhouse, the listed building also provides evidence of the area's agricultural heritage. This heritage,

² Appeal decision APP/W3520/D/24/3336927

³ Appeal decision APP/D3505/D/23/3335770

the building's age and traditional design means that its significance is principally derived from its architectural and historic interest.

21. Still set within a rural landscape with fields nearby, the listed building maintains a close relationship with agricultural land around it whilst the presence of other buildings within the Grove Farm group assists with the interpretation of the farm's character, layout and function in the past. Furthermore, Grove Farmhouse's spacious garden permits its architectural interest to be appreciated. These facets of the listed building's setting contribute positively to its significance.
22. The appeal site's degree of separation from Grove Farmhouse and the presence of some other buildings on intervening land would ensure that the proposed barn would not strongly impose itself upon the listed building's setting. It would not lessen the extent to which the listed building's architectural and historic interest is currently appreciated, and I conclude that no harm would be caused to Grove Farmhouse's significance as a designated heritage asset. I have already set out that the appeal site is neither dilapidated nor detrimental to the area and, whilst I have identified that the proposed barn would not harm the listed building, its erection would not enhance or better reveal the listed building's significance either.
23. It may be, in respect of a range of other planning considerations, that the development would not result in harmful effects. This may include the effects of the proposal upon the living conditions of any local residents, upon trees and flood risk whilst no designated landscape would be affected. Even so, an absence of harm in respect of such matters is a neutral factor in my decision and it does not outweigh the harm that I have identified in my main issue.
24. Finally, the appellant makes a submission that, having regard to paragraph 11 d) of the Framework, the development plan contains no relevant policies in regard to the proposal and is, in effect, silent. However, there are multiple policies within the development plan which provide a framework to assess the proposal's acceptability and likely effects. Not least, this includes JLP Policy SP03 which governs development in the countryside. Consequently, I cannot agree with the appellant that paragraph 11 d) is engaged on the grounds suggested to me.

Conclusion

25. The proposal would conflict with the development plan taken as a whole. There are no material considerations of sufficient weight to indicate a decision other than one in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

H Jones

INSPECTOR