



Appeal Decision

Site visit made on 25 June 2024

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2025

Appeal Ref: APP/X3540/W/23/3332943

Land And Buildings At Kiln Farm, Kiln Farm Chimers Lane, Woodbridge, Suffolk IP13 7QF

- 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 Christopher Dearling against the decision of East Suffolk Council.
- The application Ref is DC/23/1747/FUL.
- The development proposed is described as the 'renovation of the existing barn and stable wing into a 2 storey, 3 bed dwelling'.

Decision

1. The appeal is allowed and planning permission is granted for the 'renovation of the existing barn and stable wing into a 2 storey, 3 bed dwelling' at Land and Buildings At Kiln Farm, Woodbridge, IP13 7QF in accordance with the terms of the application, Ref DC/23/1747/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appellant refers to the compliance of the appeal scheme with "the tests (a) to (m) of Q.1 of the General Permitted Development Order 2015 and the application would be subject to Prior Approval under section Q.2." I am not aware of any consent granted by the Prior Approval process and the appeal seeks full planning permission for the appeal scheme. I have determined the appeal on that basis.

Main Issues

3. The main issue is:
 - i. Whether or not the appeal scheme complies with the spatial strategy of the Development Plan with particular regards to policies SCLP5.3 and SCPL5.5 of the East Suffolk Suffolk Coastal Local Plan.

Reasons

Spatial Strategy

4. The appeal proposes the creation of a new residential dwelling in the countryside through the conversion of an existing barn. Policy SCLP5.3 of the East Suffolk Suffolk Coastal Local Plan (the LP) permits new residential development in the countryside in particular circumstances detailed in the policy, of relevance to this appeal is criterion (e) through the conversion of an existing building subject to accordance with the provisions of policy SCLP5.5. In turn policy SCLP5.5 supports the conversion of buildings in the countryside

subject to various criteria including that the building is redundant; makes a positive contribution to the landscape; does not require significant alteration; maintains the structure, form and character of the rural building and does not harm the character of the landscape. That the appeal scheme complies with the remaining relevant criterion is not at dispute between the parties and I have no substantive evidence before me that would lead me to conclude otherwise.

5. With regards redundancy of the existing barn, the Officer's report identifies that the barn was previously used as part of a piggery and latterly as stabling for horses and ancillary storage. Furthermore, it is identified that the appeal scheme would retain an element of stabling. Conversely, the appellant's appeal statement details that while the appeal scheme does seek to retain an element of stabling within a 'stable wing', the building is distinct from the main barn and adjoining a small paddock area.
6. Policy SCLP5.5 does not define redundant. The common dictionary definition refers to 'no longer needed or useful'. The appellants evidence details that the need for the barn to provide stabling no longer exists through the change of ownership, changes to the operation of the surrounding property and the removal of all but one, now aged, horse.
7. The retention of the use of one building on the appeal site, a building that while attached is distinctly separate in character, appearance and construction does not persuade me that the building is not redundant. On this basis I am satisfied that it has been demonstrated that the barn subject of the appeal is redundant for the purposes of policy SCLP5.5.
8. Turning to the contribution to the landscape, I saw at the site visit that while the existing timber clad building appears as a pleasant if unremarkable building with no architectural or historical features, the form and external materials of the building are not dissimilar to other small farmsteads in the area.
9. The appellant has submitted a 'Proposed Landscape Assessment' that identifies the appeal property as part of the larger Kiln Farm estate, a small cluster of buildings accessed by a private drive surrounded by farmland. Views are often interrupted by intervening trees and hedgerows, but the site is visible from nearby public footpaths. The assessment concludes that the appeal property is 'indistinctive' but does play a role in the wider landscape and as part of the farm complex.
10. Based on my observations at the site visit and the evidence before me I am satisfied that the barn subject of this appeal appears as a pleasant if unremarkable building and while I am satisfied that it makes only a very modest positive contribution to the landscape, this is nonetheless sufficient to satisfy the relevant criteria of policy SCLP5.5.
11. Turning to whether or not the existing building requires significant alteration, I note that the engineer's letter¹ details that the foundations of the building are sufficient for the proposed development with only some limited works required. The fabric of the building consists of blockwork and framing, including cavity walls, though I note that the struts of the principal trusses would need to be replaced. Works to the façade are required and are inevitable given the nature of the conversion proposed. I acknowledge that some work is required to

¹ Super Structures letter dated 14 March 2023

convert the building to a residential use, but I consider that the works proposed in this instance fall below the threshold of significant alteration detailed in policy SCLP5.5.

12. The submitted plans show that the external alterations are limited and I consider to be in keeping with the character and form of the building. As such I am satisfied that the appeal scheme maintains the structure, form and character of the rural building.
13. Finally, turning to whether or not the proposed conversion has harmful effect on the character of the landscape, I note that the previously referred to 'Proposed Landscape Assessment' found a positive landscape contribution from the appeal scheme making reference to removing the cluttered perimeter and introducing landscaping enhancements.
14. The appeal scheme will inevitably introduce some domestic paraphernalia but, as shown on the submitted plans the boundaries of the site, access and other areas are defined and limited to a small area in the context of the wider landscape.
15. The appeal site is not subject to any notable long-range views and the physical works of the appeal scheme maintain the form and character of the rural building. As such, I am satisfied that the appeal scheme does not have a harmful effect on the character of the landscape.
16. For the reasons detailed above I am satisfied that the appeal scheme complies with the criteria of policy SCLP5.5 and thus policy SCLP5.3 and as such complies with the spatial strategy of the Development Plan.

Other Matters

17. The appeal site sits within the setting of Kiln Farmhouse, a grade II listed building. I have therefore had regard to The Planning (Listed Building and Conservation Areas) Act 1990, S66(1) which requires that when considering whether to grant planning permission for development which affects the setting of a listed building, special regard is to be had to the desirability of preserving that setting. The National Planning Policy Framework also requires great weight to be given to the conservation of the setting of listed buildings.
18. The significance of the farmhouse lies principally within the historic architecture of the building, being mid 17th Century with later additions and alterations. Externally the building appears as a traditional timber framed structure with brick skin and half-hipped pantile roof. The appeal site forms a part of the farmstead complex both visually.
19. The council state that the barn subject of this appeal is not a non-designated heritage asset and that the appeal scheme has a neutral effect on the setting of the Farmhouse.
20. The appeal scheme would change the barn to a dwelling, with alterations in the external elevations of the building, the character of the use of the building and other external alterations. I consider these alterations to be largely of a neutral effect on the setting of the listed building. Following my observations at the site visit I consider that some of the external alterations to the appeal site would improve the general appearance of the appeal site and thus have a small overall positive effect on the setting of the listed building.

21. Overall, I therefore consider that the appeal scheme would have a small positive effect on the setting of the listed building.

Conditions

22. I have had regard to the planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents and i note that the comments and submitted evidence in respect of land contamination. In light of the evidence already submitted in support of the appeal scheme the conditions proposed by the Council relating to contaminated land are not necessary.
23. In order to define the permission and to control the timescales for life of the permission, I have included conditions relating to the life of the permission (1) and the approved plans (2). In the interests of the character and appearance of the area and the setting of the adjacent building I have included a condition relating to the materials used in the external surfaces of the building (3) and removal of permitted development rights (4).
24. In the interests of highway safety, I have included a condition relating to the details and provision of vehicle parking (5). Also, in accordance with the Local Plan I have included a condition relating to electric vehicle car charging infrastructure (6) and cycle parking (7).
25. In the interests of the character and appearance of the area I have included a condition relating to bins and refuse collection (8).
26. In the interests of the environment and the living conditions of future residents I have included conditions relating to ecological measures (9), and unexpected contamination (10).

Conclusion

27. For the reasons given above the appeal should be allowed.

Mr M Brooker

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this decision.
2. The development hereby permitted shall be carried out in accordance with drawing nos. 2223.110.01, 2223.110.12, 2223.110.10, 2223.110.13, 2223.110.11, 2223.110.04.
3. No development shall commence beyond slab level until details of the materials to be used in the construction of external surfaces of the dwelling and associated garage, have been submitted to and approved by the local planning authority.
4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no development permitted by the virtue of Classes A, AA, B, C, D, E, F and Part 2 Class A of Schedule 2 of the said Order shall be undertaken.
5. The use shall not commence until the area within the site shown on drawing no.2223.110.13 for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter the area shall be retained, maintained and used for no other purposes.
6. No development shall commence beyond slab level until details of the infrastructure to be provided for electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in its entirety before the development is brought into use and shall be retained.
7. No development shall commence beyond slab level until details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in its entirety before the development is brought into use and shall be retained thereafter.
8. No development shall commence beyond slab level until details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in its entirety before the development is brought into use and shall be retained thereafter.
9. Development must be undertaken in accordance with the ecological avoidance, mitigation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Anglian Ecology, March 2023) and Great Crested Newt eDNA survey Report (Anglian Ecology, July 2023).

10. approved under condition 11 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.
11. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
 - evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
 - evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.
12. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

End of Schedule