



Appeal Decision

Hearing held on 20 May 2025

Site visit made on 20 May 2025

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 June 2025

Appeal Ref: APP/X3540/W/24/3357436

The Forge, Woodbridge Road, Bredfield, IP13 6AE

- 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 Robin D'arcy against the decision of East Suffolk Council.
 - The application Ref is DC/23/2693/FUL.
 - The development proposed is demolition of the existing commercial buildings on site and the erection of 7no dwellings and 14no commercial units.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 1 September 2020, the Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020 came into force and has made significant amendments to the previous system of use classes. Under the new system, Class B has been revoked and a new Class E has been created which incorporates the previous shops (A1), financial and professional services (A2), restaurants and cafes (A3) and offices and other business uses (B1).
3. Therefore, for the purposes of this appeal I have taken any reference to Class B1 as meaning Class E(g) (i) – (iii) which are uses which can be carried out in a residential area without detriment to its amenity; including offices, research and development and industrial processes.

Main Issues

4. The main issues in this appeal are:
 - whether the site represents an appropriate location for the proposed development, having regard to the site allocation within the Bredfield Neighbourhood Plan;
 - the effect of the development on the character and appearance of the area;
 - the effect of the development on highway safety; and
 - the effect of the development on residential amenity, by virtue of noise and disturbance.

Reasons

Appropriate Location

5. The appeal site is predominately covered by two site allocations within the Bredfield Neighbourhood Plan (BDP). Policy BDP.14 allocates the front of the site for approximately 10 dwellings. This part of the site is within the settlement boundary for Bredfield and the BDP sets out that development would not be intrusive into the countryside and naturally fit with other development within Woodbridge Road. As such the proposal is located within an appropriate location for the residential element of the scheme and the parties were in agreement on this matter.
6. The BDP recognises that the housing development would depend on the relocation of the existing businesses to the area to the west of the site. This is provided for by policy BDP.9 which sets out that the site known as The Forge may be expanded into the adjoining land with the subsequent relocation of existing businesses into new construction units and offer the opportunity for the establishment of new enterprises.
7. The businesses which operated from The Forge have, since the time of the adoption of the BDP, ceased to operate and one has relocated. There is no evidence before me to indicate that those businesses will return to Bredfield should the appeal be allowed. Therefore, the existing businesses will not be relocated as envisaged by the BDP policy. There is also no evidence before me to suggest there is a demand for business units within Bredfield, which is a small village with limited services and facilities.
8. It is clear from the evidence presented to me both orally and through written submissions, that the intention behind the allocation of the site within the neighbourhood plan was to safeguard an element of employment use within the village through providing a site for the existing businesses.
9. There was some suggestion that as the existing businesses no longer need to relocate that the need for the policy has been superseded and should be disregarded. However, the sustainable growth and expansion of all types of business, particularly in rural areas through well designed new buildings finds support in paragraph 88 of the National Planning Policy Framework (the Framework), and existing employment premises are protected in the Suffolk Coastal Local Plan (SCLP).
10. As such the proposal, if allowed, would enable an employment site to be retained within Bredfield. Furthermore, policy SCLP4.5 offers support to proposals which grow and diversify the rural economy subject to certain criteria. As such I am content that BDP policy 9 accords more broadly with the desire to maintain the rural economy which is evidenced through both the Framework and SCLP.

11. Additionally, BDP policy 9 sought to allow the opportunity for the establishment of new enterprises. The proposal is for a mixed scheme comprising B2, B8 and E(g) uses, there are no end users identified and there is no breakdown as to the floorspace for each use class. During the hearing the appellant indicated that they would be willing to remove reference to Class B8 uses, which are not identified as being appropriate within BDP policy 9. Furthermore, suggested conditions are before me to limit the uses to Classes B2 and E(g), however this would evolve the scheme to something materially different to which the Council considered and therefore I have considered the appeal on the basis of the proposal before me.
12. BDP Map 5 shows the extent of the site and indicates an access off Boulge Road to serve the proposed business site, which is outside of the area shaded blue which is the extent of the allocation. It has been put to me that the proposed development extends beyond the allocated site, however this is to facilitate the proposed access and road, which must have been envisaged in placing the indicative access some distance beyond the blue shaded area. It also provides for an element of landscaping.
13. The Council's reason for refusal also sets out that it has not been established whether the development would comprise micro enterprises. Micro enterprises are defined within the supporting text to BDP policy BDP.8 which defines them as being small scale businesses with up to nine employees.
14. However, there is nothing within the allocation which requires the site to only accommodate micro enterprises and I accept the appellant's point that it would be difficult to require businesses to restrict themselves to nine employees should they find they need to expand their workforce by one or two whilst still having sufficient space to operate from the site. Therefore, I do not find that there would be a conflict with Policy BDP.9 in this regard, albeit that the scheme does not find additional support from Policy BDP.8.
15. Policy SCLP3.2 sets out the settlement hierarchy for the plan area, enabling the Council to achieve its vision for the area, whilst meeting the scale of development required. Bredfield is categorised as a small village, where development of employment uses should be appropriate to the scale of the settlement and referencing policies SCLP4.2 and SCLP4.5
16. Policy SCLP4.5 states that the scale of the enterprise should accord with the settlement hierarchy so takes us no further forward in terms of establishing how the scale should be assessed. However, it does require development to accord with the vision of the neighbourhood plan.
17. The overall vision statement within the BDP sets out that the vision is of a thriving and vibrant village community, ready to welcome a degree of controlled growth provided that it does not put at risk, amongst other things, environmental assets and relatively safe roads.
18. Therefore, I have found nothing within the overarching spatial strategy which would indicate that 14 no. commercial units would not be at a scale envisaged by both the SCLP and the BDP, subject to the other criteria outlined within these policies being adhered to.

19. Taking all of these considerations together, through the inclusion of Class B8 uses within the proposal there is a limited conflict with Policy BDP.9 in this regard. However, this is tempered by the retention of an employment site within the village, through the relocation of the employment space provided within the frontage of the site.

Character and appearance – residential

20. The character of the area is of linear development, mainly semi detached, fronting Woodbridge Road. The existing commercial development is at odds with the scale and pattern of the residential development and as the site is allocated for up to 10 dwellings there is an acceptance that the development of the site would result in dwellings being sited to the rear of the site, rather than continuing a pattern of frontage development.
21. The inclusion of two pairs of semi-detached dwellings fronting Woodbridge Road ensures that the linear character is maintained, with the detached dwellings located to the rear of the site arranged in a horseshoe around the access road.
22. The footprint of the proposed dwellings appears reasonable and commensurate with the other dwellings within the vicinity. The gardens whilst modest again are of a size evident in neighbouring plots, whilst recognising that many have larger gardens.
23. Whilst it has been put to me that a reduction in the number of dwellings could enable a more spacious layout, that is not the proposal before me and the plots are of sufficient size to provide an appropriate level of parking and amenity space and the proposed dwellings would not appear cramped within the plot with spacing available to the side and rear. The proposed dwellings, by virtue of their size and scale, reflects the dwellings within the locality and would contribute positively to the character and appearance of the area.
24. In conclusion the proposal would accord with BDP Policy BDP.15 and SCLP Policies 4.2 and 4.5 which seek to ensure that new development responds to local context, is an asset to the street scene and is well related to its surroundings in terms of the massing of the development.

Character and appearance – commercial

25. As the site is allocated for employment use a degree of landscape change is accepted. As a result of the size and position of the site, which projects in an irregular pattern, I agree that any development of the site which extends into the countryside, would introduce built form into the landscape and result in a change to the character and appearance of the area. However, the allocation does not place any requirements in terms of amount of floor space to be provided or the scale, height or number of units and therefore consideration needs to be given to the quantum of development proposed and whether this is sympathetic to the local context.

26. The Landscape and Visual Impact Assessment, August 2023 by Landscape Arboriculture Sculpture (LVIA) sets out that along Boulge Road views from Little Gables will have a substantial magnitude of change during both the site clearance and construction phase and for the first five years of being operational, diminishing to moderate in years 6-15. With the impact significance being medium high and then medium after year 6. Views further along Boulge Road are tempered by the existing hedgerows, resulting in the LVIA concluding that there would be a slight change and low impact significance. However, given the proposal includes proposals for road widening and the need for visibility splays to be provided for the access the existing hedgerow may not remain in its current form and as such views into the site could be more until such time as new landscaping is established.
27. The proposed commercial units have been designed in 3 blocks with block A and B comprising smaller units and Block C 2 larger units. They have the appearance of modern commercial buildings with roller shutter doors on the front with a personal door to the side and are typical in their design of those found in industrial estates.
28. The sites location within a rural setting will mean that the buildings will be a stark contrast to the appearance of the modest residential development which fronts both Boulge Road and Woodbridge Road and there will be views across the site possible from Boulge Road from the proposed access road.
29. The layout of the units results in one long run of units parallel with the side boundary of the site facing into the site, with the two smaller blocks placed perpendicular with their backs facing the access road, albeit block C has a dual aspect with roller shutter doors on both the east and west elevation. As a result of its siting on the boundary, Block B would be a harsh feature which fails to create a soft transition into the countryside beyond, with any landscaping on the boundary taking time to establish. The site does not contain any internal landscaping to soften the proposed parking areas and as such the site would contain large open areas of hard landscaping.
30. Furthermore, the proposed layout fails to demonstrate that the development adequately provides for commercial vehicles, such as vehicle accommodation, loading, unloading and turning, signing and road marking and whether the parking spaces have been designed to accommodate the minimum bay size for vans and HGVs. This creates a degree of uncertainty as to whether the proposed parking layout would be as shown on the plans as larger vehicles are likely to spill out into the other unmarked areas.
31. The scale of the development which extends beyond the indicative area shown on the allocation to accommodate the proposed landscaping, is not replicated within the immediate vicinity of the site. The scale and quantum of development is such that its appearance would be stark against the rural landscape when viewed from Boulge Road. There would clearly be a change from the wider rural character to the industrial appearance of the buildings.

32. The proposal would fail to accord with Policy BDP.15 and SCLP11.1 which together seek to ensure where new development is permitted it is in harmony with existing nearby buildings and the general landscape, in particular reflecting the rural spacious character of Bredfield. Development should also respond to local context and avoid the perception of a car dominated environment.

Highways

33. Policy SCLP4.3 of the SCLP considers the expansion and intensification of employment sites and permits proposals unless the scale of the development would cause a severe impact on the highway network. Whilst policy SCLP4.2 when considering new employment development sets out that the development must not have an unacceptable adverse impact on the local highway network. Finally, policy BDP.9 of the BDP sets out that development of the site should ensure activities on the premises will not result in significant increases in heavy vehicular traffic on the roads in the vicinity of the premises, or elsewhere in and around the parish.
34. Boulge Road is approximately 3.6m wide and is not suitable for two-way HGV movements, with a ditch running along the southern edge of the road which restricts the useable width of the road. The junction with Woodbridge Road is also restricted in terms of larger vehicles turning north with limited visibility. As a result of this the County Council initially raised a holding objection, which was subsequently removed in part due to the allocation within the BDP requiring access off of Boulge Road.
35. The planning application was accompanied by a highway statement, prepared by MJ Engineering Group, which considered the location, means of access, movement from the site and the impact on the highway network. However, in doing so it considered the residential use of the site and Class E(c) employment uses. There is nothing in the evidence before me to suggest that the site would accommodate Class E (c) uses and it is not mentioned in any of the other supporting documents. The supplementary response dated 7 November 2023 from MJ Engineering Group (SR) also suggested the development will be small business units, attracting car movements more than HGV and LGV. No explanation for this was given during the hearing.
36. The evidence sets out that from Class E (c) uses the trip generation has been estimated at 17 commercial movements in the AM peak and 10 in the PM peak. However, this is not broken down into trips generated by cars, LGV or HGVs and as such there is no indication as to the number of LGV or HGV movements associated with the proposed development. The report goes on to state that this is in comparison with 22 movements passing the proposed commercial access currently, which is not considered onerous and that the overall increase would be negligible.
37. However, even if I were to accept the appellant's case that Class B8 uses could be restricted by planning condition, I have no evidence before me to indicate the number of HGV and LGV movements which may be associated with Class B2 and Class E(g) uses and whether this would still be negligible, as suggested by the appellant, when compared with the existing number of HGV and LGV movements along Boulge Road. There is also nothing to suggest that only small business units would be occupying the site and the layout includes the provision of 2 larger units.

38. Whilst the County Council Highway Authority are correct to take into account that the site is allocated for commercial use with access proposed from Boulge Road, there is nothing in the policy which indicates that the highway network could in fact accommodate the levels of traffic generated from a scheme of 14 commercial units.
39. Neither the Highway Authority response or the evidence from MR Engineering responds to the implications of the weight restriction which is in place for vehicles heading south along Woodbridge Road preventing access to the A12 for vehicles over 7.5 tonnes. Therefore, HGVs egressing the site would be required to take alternative routes turning left out of the Boulge Road/Woodbridge Road junction. The evidence provided by Pulsar Transport Planning (PTP), on behalf of a third party, demonstrates through swept path diagrams the difficulties for HGV vehicles turning left out of the junction, to avoid the weight restriction, and how this could impact other road users. Whilst this restriction could limit the type of businesses which locate to the site and as a result lead to a small number of HGV movements, I have no certainty in this regard. The appellant has provided no details of proposed routing for HGVs or how the impact of the existing weight limit has been considered.
40. The PTP evidence also highlights that the commercial development proposals, based on a Class E(C) use would increase the volume of traffic along Boulge Road to almost double the levels currently using the route, whilst also adding in larger vehicles. As such there is no certainty, based on the evidence before me, that the scale of the proposal will not result in a significant increase in heavy vehicular traffic as required by the BDP policy.
41. Furthermore, Policy BDP.9 sets out that off-site highway improvements will be necessary to make the proposal acceptable in planning terms. The SR sets out that highway improvements will be considered, including widening the highway within the appellants control. It goes onto suggest that widening to 5.5m may be possible for an initial 85m. However, without a drawing to indicate how this will be achieved, I do not have any certainty that this can be realised within land either controlled by the appellant or highway authority, and therefore whether sufficient mitigation can be delivered in order to make the proposal acceptable.
42. In conclusion, there is insufficient evidence to demonstrate that the traffic generated from a proposal for 14 commercial units, noting that the appellant's evidence has not considered Class B2 or Class B8 uses, would not result in an adverse impact on the highway network. In addition, there is a lack of detail regarding the proposed off site highway improvements to give certainty that these could be both delivered and would provide sufficient mitigation for the existing highway network.
43. The proposal therefore fails to demonstrate that it would deliver a place that is safe, secure and attractive and which minimises the scope for conflicts between pedestrians, cyclists and vehicles along Boulge Road. This is contrary to Policy SCLP7.1 which also requires any significant impacts on the highway network to be mitigated and is of a scale proportionate to the existing transport network.
44. The proposal would also be contrary to Policy BDP.9 of the BDP and Policy SCLP 4.2 of the SCLP. Albeit I accept that this is unlikely to result in a severe impact such as to result in a conflict with Policy SCLP4.3.

Residential amenity - noise and disturbance

45. The proposal would place commercial units in proximity to both the proposed and existing dwellings. The site layout indicates that the boundaries of the site would be landscaped with a mix of native thicket hedging and individual trees with no acoustic mitigation proposed.
46. The proposed commercial buildings have been sited away from the boundary but the relationship with the proposed dwellings would mean that parking and bin storage would share a boundary with the rear garden of plots 4 and 5.
47. The rear garden of Old Smithy is very narrow and currently there is nothing to separate it from the field and as such it enjoys wide ranging views across the open countryside. These will be replaced with views out over the proposed access road, which whilst off set from the boundary will run parallel with the rear garden of Old Smithy. The garden of the neighbouring property, Little Gables extends to the side and again will be enclosed by the proposed landscaping and be in close proximity to Block C – the two largest commercial units.
48. As set out above the site is allocated for commercial use within the BDP and as such it is accepted that a degree of change will occur, in particular in terms of outlook, for those properties through the introduction of a commercial use into an open agricultural field.
49. I have also taken into account the lawful use of the existing site and that this use was unfettered in terms of hours of operation, external storage and noise levels at the nearest sensitive receptor. The site, whilst currently vacant, could resume its commercial use in the future and this could result in noise and disturbance to those existing properties along Woodbridge Road. Albeit I have not been provided with any evidence to suggest that the previous use of the site had led to complaints from adjoining residents. Even so, the relocation of the commercial use onto the new site would enable controls through planning conditions to be imposed and this would result in some benefits to the wider community.
50. It has been put to me that a noise assessment could not be carried out as the end users of the units are currently unknown, however there is nothing to prevent an assessment being carried out on the basis of a worst case scenario as to the anticipated noise arising from the site. This could have been used to demonstrate that the layout of the units, in terms of the position of openable doors, turning and manoeuvring areas and the placing of the units had been considered so as to minimise any potential impact on the neighbouring properties, both existing and proposed. However, no evidence has been provided to demonstrate that the layout of the proposed units has been designed to maximise the opportunities for the buildings to provide a buffer to the activities that may take place on the site.
51. It has been put to me that matters pertaining to noise could be dealt with by planning condition, requiring details to be submitted prior to the occupation of each unit. Whilst this would enable a degree of control in terms of the type of equipment which might be installed and how the unit would operate, it would not be possible to provide for more significant changes such as alteration to the position and siting of the units. In any event, I do not have sufficient detail before me to determine the suitability of any such mitigation and I am concerned that once the layout of the units is fixed it would be difficult to optimise any mitigation to provide the best outcome for the nearest residential properties.

52. Furthermore, the position of the access road, running parallel to the rear boundary of Old Smithy and Little Gables, means that both the front and rear of the properties will be exposed to the potential for noise and disturbance from vehicles passing in close proximity, noting the increased traffic which would be using Boulge Road to access the site. The additional noise and disturbance resulting from the increased traffic movements in close proximity to the rear boundary would be harmful to the living conditions of Old Smithy and Little Gables.
53. I consider that noise from cars accessing, turning and manoeuvring within the site and utilising the proposed parking area, given its potential proximity would be detrimental to living conditions of neighbouring properties. Whilst planting and a fence could help to mitigate this effect, I do not have sufficient detail before me to determine the suitability of any such mitigation and in particular the proposed landscaping would take time to become established enough to provide any meaningful buffer. I am concerned that any future need for acoustic fencing or bunds could also lead to further unsatisfactory effects on living conditions in terms of outlook.
54. The Council in their reason for refusal have cited the possible impact of odour and vibration, however I am content that these matters could, if I were to allow the appeal, be appropriately dealt with by planning conditions to secure details of extraction equipment and by ensuring activities are not carried on outside of the buildings themselves.
55. In conclusion, the proposal has failed to adequately demonstrate that the proposal would not have an unacceptable impact on the amenity of neighbouring properties, by virtue of noise and disturbance, contrary to policy BDP.9 of the BDP. For the same reason the proposal would be contrary to policy SCLP4.2 as it fails to demonstrate that it would not have an unacceptable adverse impact on surrounding land use, and policy SCLP4.3 as there is insufficient information to provide certainty that potential adverse impacts can be successfully mitigated.

Other Matters

56. The appeal scheme proposes a dwelling on a site that lies within the Zone of Influence of the Sandlings SPA, Deben Estuary SPA/RAMSAR and Alde-Ore Estuaries SPA/RAMSAR (Habitat Sites).
57. The Conservation of Habitat and Species Regulations 2017 (the Regulations) require that the competent authority must ensure that there are no significant adverse effects from the proposed development, either alone or in combination with other projects, that would adversely affect the integrity of the Habitat Sites. The effects arising from the proposal need to be considered in combination with other development in the area and adopting a precautionary approach.
58. Since the development is for 7 dwellings, the number of additional recreational visitors would be modest and the likely effects on the Habitat Sites from the proposed development alone may not be significant. However, in combination with other developments it is likely that the proposal would have significant effects on the designated site. Given my findings, the Regulations place a duty on the competent authority to undertake an appropriate assessment of the implications of the appeal scheme in view of the site's conservation objectives.

59. The site is within the 13km zone of influence where new residential development is likely to result in recreational pressure, which would, both alone and in combination with other development within the zone of influence, have a likely significant effect on the interest features of the aforementioned Habitat Sites. Therefore, I consider that the development would have an adverse effect on the integrity of the Habitat Sites, but regard can be had to whether these adverse effects can be mitigated.
60. The Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy Planning Document sets out a strategic approach to mitigation by several councils across the wider area. It details mitigation measures that would be funded by financial contributions at a specified tariff per dwelling. Since these include a range of habitat-based measures such as education, communication and monitoring, and have been endorsed by Natural England, I am satisfied that the measures would adequately overcome any adverse effects of the proposal on the Habitat Sites.
61. The appellants have indicated that they have made a per dwelling contribution to fund the Suffolk Recreational Avoidance Mitigation Strategy (RAMS) and the Council has confirmed that the payment has been made. This approach can be problematic as there is no obligation on the Council to spend the money as envisaged and in a particular timescale. However, as I am dismissing the appeal for other reasons, I have not taken the matter further.

Planning Balance

62. The proposal would give rise to some economic benefits during both the construction and operational phase and provide limited support to local services. The development would also lead to some enhancements arising from additional landscaping and enhanced boundary planting, which could be secured by planning condition. The proposal would also provide housing which would contribute to the Council's housing supply, whilst noting that they presently have a 5 year supply of housing.
63. The site, in terms of the housing element, is of a scale appropriate to the size of the existing settlement and there is no evidence that local infrastructure would be unable to meet the needs of the development.
64. However, the identified adverse impacts of the proposed commercial development, the conflict with the development plan, the impact on adjoining residents, the character and appearance of the area and due to the uncertainty surrounding the impact on the highway network, to which I have collectively afforded significant weight, would outweigh the benefits outlined above.
65. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.

Conclusion

66. For the reasons given above the appeal should be dismissed.

G Pannell

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

P Cobbold – Phil Cobbold Planning Ltd

B Cobbold – Phil Cobbold Planning Ltd

FOR THE LOCAL PLANNING AUTHORITY:

J Blackmore – Planning Manager (Development Management)

INTERESTED PARTIES

D Hepper – Chairman of Bredfield Parish Council

B Norton – Norton Taylor Nunn

Cllr. C Hedgley

Mr P Wogens

Ms D. Causier

Mr C Clement-Smith

Ms L Taylor

Ms S Manville

Mr G Palser

DOCUMENTS

DOC 1: Bredfield Neighbourhood Plan – Page 7 Overall Vision Statement