



Appeal Decision

Site visit made on 16 July 2025

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 August 2025

Appeal Ref: APP/W3520/W/25/3361001

Barn at Moat Farm, Barrells Road, Great Green, Thurston IP31 3SH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mrs K Stocking against the decision of Mid Suffolk District Council.
 - The application Ref is DC/24/03353.
 - The development proposed is Class Q - Conversion of agricultural building to form 2No dwellings (Class C3 dwellinghouses).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. It is common ground between the main parties that the appeal scheme meets the requirements of paragraph Q.1 Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the GPDO") as it stood prior to 21 May 2024, and would constitute development permitted under Class Q, subject to the prior approval of certain matters in Paragraph Q2. On the evidence before me I have no reason to conclude otherwise.

Background and Main Issues

3. Paragraph Q2.(1) states that development under Class Q(a) together with development under Class Q(c) is permitted subject to prior approval of a number of matters. They include (a) the transport and highways impacts of the development, and (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order.
4. The main parties have confirmed that under Article 7 of the GPDO, the Council's decision to refuse prior approval was made within an agreed extension of the statutory time period specified in Schedule 2, Part 3. Based on the Council's refusal reasons, the main issues in this appeal are:
 - whether the location and siting of the building would be undesirable, with particular regard to the effects of noise and disturbance on the living conditions of future occupants of the proposed dwellings, and
 - the effects of the proposal on transport and highway safety.

Reasons

Living conditions

5. The appeal building is located close to a group of buildings set around an outdoor yard area to the north, which appear to be indicative of a typical farmyard. They include a row of smaller buildings along the boundary with the appeal site and larger buildings slightly further away. I am advised that they are in a lawful agricultural use, and I have no substantive evidence to the contrary. They do not appear to be within the control of the appellant.
6. The Council, with advice from its Environmental Health Officer (EHO), contends that insufficient information has been submitted to demonstrate that the agricultural use of those buildings and land would not adversely affect the living conditions of the occupants of the proposed dwellings by reason of noise and disturbance. The appellant suggests that the buildings to the north of the appeal site and the land around them are in use for storage. However, there is limited evidence to support that suggestion. No technical assessment of the noise generated by activities on that land has been submitted with the appeal.
7. Planning Practice Guidance¹ (PPG) states that for the purposes of Paragraph Q2.(1)(e) “undesirable” means “harmful or objectionable”, and that the location of the building whose use would change may be undesirable if it is adjacent to other uses, such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals. Although I have no reason to find that the buildings near to the appeal site are used for intensive poultry farming or to store dangerous chemicals, the list of uses in the PPG above is not a closed list.
8. Noise emanating from machinery, plant, vehicles or animals on the nearby land and buildings was not audible at my site visit. However, my visit was only a snapshot in time, and there would appear to be nothing to stop them being used for agricultural activities, including the operation of vehicles, plant and heavy machinery. Those activities and operations could be continuous and take place within close proximity to the proposed dwellings, and at any time of the day or night. The Council’s EHO gives grain drying equipment as one such example.
9. To my mind, it is reasonable to suppose that agricultural activities would be focussed on the farmyard and buildings to the north of the appeal site and close to the proposed dwellings. In the absence of substantive technical evidence to demonstrate otherwise, I find it likely that the effects of noise and disturbance from those agricultural activities would be sufficiently intense to cause significant harm to the living conditions of future occupiers of the proposed dwellings. This would be particularly so during warmer weather, when those occupiers would be likely to have windows open for ventilation, including whilst sleeping.
10. Noise insulation for the proposed dwellings, including acoustic glazing and mechanical ventilation, could be secured by a planning condition. However, without any specific details of those measures being derived from a technical assessment, I have no substantive evidence to demonstrate whether they would adequately mitigate the effects of noise and disturbance on the living conditions of future occupiers of the proposed dwellings.

¹ Paragraph: 109 Reference ID: 13-109-20150305

11. Consistency in planning decisions is an important material planning consideration. However, I have limited information to explain the circumstances that led the Council to grant prior approval for an identical conversion of the appeal building in 2021, ref: DC/21/01018. The evidence before me does not indicate whether the previous scheme was supported by a technical noise assessment or whether the Council's EHO had any concerns with it. That approval has since lapsed and is not a realistic fallback position.
12. I have assessed the proposal on the evidence before me and have had regard to the EHO's technical advice. In the absence of substantive evidence to the contrary, that advice carries significant weight against the scheme. In those circumstances the previous grant of prior approval is a matter of limited weight and relevance to my considerations in this appeal.
13. Consequently, I am not satisfied on the evidence before me that noise and disturbance generated by the activities on the nearby land and buildings would not adversely affect the living conditions of the future occupiers of the proposed dwellings. I therefore conclude on this main issue that the future occupiers of the proposed dwellings would be provided with unsatisfactory living conditions, thus making it undesirable for the building to change to Class C3 dwellinghouses, having regard to the prior approval matter under Class Q, Paragraph Q2.(1)(e) of the GPDO.
14. Insofar as relevant to this prior approval matter and the development proposed, it would be contrary to Paragraphs 135.f) and 187.e) of the National Planning Policy Framework ("the Framework") which state that planning decisions should ensure a high standard of amenity for future users, and prevent new development from being adversely affected by unacceptable levels of noise pollution.
15. The GPDO's objective of delivering homes under Class Q is likely to require a certain level of coexistence with agriculture. However, this does not mean that all such proposals will be acceptable on the grounds of noise and disturbance, hence the requirement to assess proposals on a site-specific basis through the prior approval process.
16. Whilst the Council makes a brief mention of odour from the adjacent agricultural land and buildings, it has provided little information on its nature or frequency. On this basis it has not been demonstrated that odour would occur on a sufficiently regular basis and intensity to adversely affect the living conditions of the future occupants of the proposed dwellings.

Transport and highway safety

17. Barrells Road is a narrow rural lane that serves a small number of properties and provides a route for vehicles passing through the area. Although my site visit was only a snapshot in time, I observed only a few vehicles passing by the appeal site and travelling at low vehicle speeds. This appears to reflect the fact that Barrells Road is part of a network of routes across the area, including the broadly parallel Oak Road, giving drivers a choice of routes. There is little substantive evidence, including from the Local Highways Authority (LHA), to suggest otherwise.
18. The narrowness of the road and the presence of nearby buildings and accesses close to the appeal site would be likely to encourage drivers to exercise a degree of caution. Regular users of Barrells Road would be aware of them and other road

users would be alerted to the potential for vehicles joining the road by the presence of those buildings and their accesses.

19. The proposed development would utilise the existing access to the agricultural building. Whilst the type and number of vehicular movements would be different to the existing use, the residential movements associated with two dwellings would be modest. Furthermore, I am not aware that vehicle movements associated with the existing use have led to issues of highway safety.
20. In terms of visibility splays, I have not been provided with a figure for the 'y' distance, only the setback distance of 2.4 metres from the highway. However, given the national speed limit, the 'y' distance is likely to be greater than the actual distance of visibility looking south from the access point. This is due to the encroachment of planting that would partly obscure visibility along the carriageway looking south from the access, particularly when in leaf. The distance of visibility for a driver looking north when exiting the access is relatively extensive.
21. I have had regard to the small number of vehicular movements using the existing access, together with the very low levels of traffic using Barrells Road, and travelling at low speeds close to the appeal site. Together, these factors lead me to conclude that the distance of visibility afforded to drivers exiting the site of other approaching vehicles in the carriageway would be adequate for them to see one another and react accordingly to avoid collisions.
22. The driver of a vehicle in the carriageway would be able to see a vehicle emerging out of the access across a sizeable distance. The width of the appeal site access and the openness of the car parking area and appeal site frontage would provide drivers of vehicles exiting the site with good visibility of cyclists and walkers in the highway.
23. Consequently, even though the access may not comply with the LHA's guidance on visibility splays, its use would be at a low level. The potential for conflict between vehicles exiting the appeal site and other users in the highway, including cyclists and walkers, would be very low and would not pose an unacceptable safety risk. I therefore conclude on this issue that the proposed development would not be unacceptably harmful to highway safety.
24. Insofar as relevant to this prior approval matter and the development proposed, the proposal would comply with Framework Paragraphs 115.b) and 116, which seek to ensure that safe and suitable access can be achieved for all users, and that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. The proposal therefore complies with Class Q, Paragraph Q2.(1)(a).

Conclusion

25. The location of the appeal building and the likely adverse effects of noise and disturbance on the living conditions of future occupiers makes it undesirable, on the evidence before me, to change use to two dwellings. Accordingly, the appeal should be dismissed.

G Sylvester

INSPECTOR