



Appeal Decision

Site visit made on 6 October 2025

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2025

Appeal Ref: APP/W3520/W/25/3370251

Church Farm Barn, Withersdale Street, Mendham, Suffolk IP20 0JR

- 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 Mr & Mrs B Carless against the decision of Mid Suffolk District Council.
 - The application Ref is DC/25/01330.
 - The development proposed is the conversion of two agricultural buildings to dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form. In section E of the appeal form it is stated that the description of development has not changed from that stated on the application form. However, a different description has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the description given on the original application form.
3. Prior approval is sought in respect of the proposed change of use and conversion of agricultural buildings to dwellings under the provisions of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).
4. The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2024/579 came into force from the 21 May 2024, which involved several amendments to Class Q of the GPDO, including development that could be permitted and relevant limitations on the permitted development rights. However, the amendments to Class Q included transitional arrangements, such that any application or appeal made before 21 May 2024 should continue to be determined against the previous version of Class Q of the GPDO.
5. The Council made their decision against the 2020 version of Class Q. In addition, the application form and the appeal evidence of the appellants has also referred to this version of the GPDO. For the avoidance of doubt, I have proceeded on this basis, and the appeal has been considered against the provisions of the 2020 version of the GPDO.

Main Issue

6. Class Q of the GPDO permits the change of use of an agricultural building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order together with building operations which are reasonably necessary to enable the conversion of the building. This is subject to various limitations and conditions as set out in paragraphs Q.1 and Q.2 of that Class.
7. The main issue is whether the building is in use as an agricultural building and whether the appeal site was used solely for an agricultural use as part of an established agricultural unit on 20 March 2013, or if the appeal building was not in use on that date, when it was last in use.

Reasons

8. Paragraph Q.1.(a) states that development is not permitted if the site was not used solely for an agricultural use as part of an established agricultural unit. In this context, 'agricultural' is defined in Section 336 (1) of the Town and Country Planning Act 1990. While the definition is not exhaustive, it includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly.
9. The buildings at the site have historically been used for agricultural purposes, including for the housing of livestock. A Rural Payments Agency Single Business Identifier number and a County Parish Holding (CPH) number have been provided. The appellant states that the unit consists of the fields to the front and rear of the site, with the CPH relating to land parcels used to keep livestock. However, the appellant confirms that the buildings are no longer used or required for the housing of livestock. There is no substantive evidence before me detailing when the use of the buildings for housing livestock ceased and the type of any agricultural activity that has taken place within, and in association with the use of, the buildings.
10. The appellant states that the buildings have since been used for the storage of various items and equipment associated with the agricultural unit. The images within the Structural Survey Reports¹ for both buildings are not an exhaustive montage of the interior of the barns. Nonetheless, they provide a snapshot of the interior of the buildings and the items that have been stored within them. The images in relation to Barn 2 show an assortment of items and materials, including an oil tank, bath, vacuum cleaner, tables, roof sheeting and buckets. Moreover, Photograph 2 of Table 11 on Page 26 of the Preliminary Ecological Appraisal² (PEA) describes Barn 2 as being in use for domestic storage whilst Photograph 11 on Page 27 of the PEA appears to show a lawn mower and a bicycle within the other building.

¹ Dated 3 February 2025, prepared by Stroud Associates Ltd.

² Dated February 2025, prepared by DCS Ecology.

11. Although some materials may be required for maintenance purposes, the appellant has not explained how the items shown in the imagery are required for agricultural purposes. Furthermore, the photographs submitted do not include any evidence, nor have I been directed to any further evidence, of agricultural equipment or machinery within the buildings.
12. There has been no formal change of use of the buildings at the site, including through the grant of planning permission or through a Lawful Development Certificate. However, the evidence before me indicates that the buildings have been used for the storage of a considerable number of other items and materials. It is also unclear as to the extent that the storage of these items was solely related to an agriculture use. Moreover, there is limited evidence before me detailing the activities associated with the agricultural use of the buildings. On this basis, I cannot be certain that the buildings were used solely for an agricultural use.
13. The totality of the evidence does not demonstrate that the site has been used solely for an agricultural use as part of an established agricultural unit on 20 March 2013, or if the appeal building was not in use on that date, when it was last in use. On the balance of probabilities and based on the evidence before me, I therefore cannot find that the scheme complies with paragraph Q.1(a) of the GPDO. Accordingly, the proposal does not benefit from the permitted development rights under Schedule 2, Part 3, Class Q of the GPDO.

Conclusion

14. For the reasons given above, the proposal would not comply with the description of permitted development as it is set out by Schedule 2, Part 3, Class Q of the GPDO. The appeal should therefore be dismissed.

J Pearce

INSPECTOR