



Appeal Decision

Site visit made on 9 September 2025

by Jennifer Wallace BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2025

Appeal Ref: APP/W3520/W/25/3361654

Barn to the Rear of 28 High Street, Debenham, Stowmarket, Suffolk

- 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 Mrs M Mayers against the decision of Mid Suffolk District Council.
 - The application Ref is DC/24/00924.
 - The development proposed is conversion of barn to dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Section 1(5)(b) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) confirms that any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948, shall be treated as part of the [listed] building. The law that refers to curtilage came into effect on 1 January 1969. Case law has established the starting point for assessing whether a building lies in the curtilage of a listed building should take account of the physical layout of the listed building and the structure, ownership (historically and at the time of listing), and the use or function of the buildings historically and at the time of listing.
3. Paragraph 207 of the National Planning Policy Framework (the Framework) requires applicants to describe the significance of any heritage assets that may be affected by a proposal including any contribution made by their setting. It goes on to advise that this should be proportionate to the assets importance and sufficient to understand the potential impact of a proposal on its significance when assessed using appropriate expertise.
4. The appeal property is referred to as a barn and likely dates from the 19th century. L Aldous¹ (referred to as 28 High Street in the supporting documentation) also lies within the appellant's control. It is a Grade II listed building and there is a footpath link from the listed building to the appeal property. The listing description identifies that the oldest part of L Aldous is part of a former inn and identifies two other listed buildings which form the remainder. These are Bleak House² (26 High Street) which is also Grade II listed and Ancient House³ (3 Gracechurch Street) which is a Grade II* listed building. Given the appeal property has a form resembling a stable, it is possible that the appeal property was used in association with the former inn.

¹ List Entry Number: 1352485 Date first listed: 09 December 1955 Date of most recent amendment: 24 June 1988

² List Entry Number: 1032286 Date first listed: 09 December 1955 Date of most recent amendment: 24 June 1988

³ List Entry Number: 1032319 Date first listed: 09 December 1955 Date of most recent amendment: 24 June 1988

The appellant's evidence indicates these, along with the Debenham Conservation Area, are the heritage assets to be affected by the proposal, and that the listing descriptions for each of the listed buildings are sufficient to describe their significance.

5. The list description should not be taken as a definitive description of the special interest of a building because it is primarily for identification purposes. The Heritage Statement contains only one historic map, which shows no divisions of the land to the rear of the listed buildings. It is suggested that the appeal property is not within the curtilage of L Aldous and that it should be considered to be associated with 5 Gracechurch Street. However, there is only scant evidence to support these suggestions.
6. Paragraph 208 of the Framework requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
7. A detailed comment was provided by the Council's Senior Heritage Officer. This considers that the heritage status of the building is unclear but that listed building consent should have been sought for the proposal unless further evidence was provided to demonstrate the appeal building was not curtilage listed. It refers to further map evidence, but I do not have copies of those maps before me. It also identified further listed buildings whose significance also may be affected by the proposal. The comment is inconclusive as to the heritage status of the appeal property. The Council's officer report does not address this uncertainty. Nor does it identify the listed buildings it considers would be affected by the proposal or the historic relationship between any of those listed buildings and the appeal property. It seeks to assess the proposal as if the appeal property itself were both a designated and non-designated heritage asset. Consequently, its reason for refusal is ambiguous in relation to the exact nature of the heritage assets which would be affected.
8. It is imperative that, at the outset, the status of the building as a designated or non-designated heritage asset is established in order to ensure that the correct statutory duties and/or policy tests in the Framework are applied and discharged. Taking all of the above into account, there is not sufficient evidence before me to allow me to assess whether the appeal property is curtilage listed and, if so, to which listed building. Given the group value of L Aldous, Bleak House and Ancient House, along with the fact Ancient House is a Grade II* listed building and so a heritage asset of the highest significance, it is fundamental that there is clarity on this matter. Nor is there sufficient evidence for me to identify which heritage assets the proposal could potentially affect. Consequently, there is insufficient information to allow me to properly discharge my duties under s66(1) of the Act. Nor can I draw any conclusions against the relevant policies of Babergh and Mid Suffolk Joint Local Plan 2023 and the Framework.
9. As a result, the appeal must be dismissed.

Jennifer Wallace

INSPECTOR