
Appeal Decision

Site visit made on 14 January 2026

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Appeal Ref: APP/X3540/W/25/3370546

Hare House, Wood Hall Drive, Sutton, Suffolk IP12 3EQ

- 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 Ben Scopes of Paws for Thought Therapy against the decision of East Suffolk Council.
 - The application Ref is DC/23/3374/FUL.
 - The development proposed is retention of existing care farm.
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Decision

1. The appeal is allowed and planning permission is granted for retention of existing care farm at Hare House, Wood Hall Drive, Sutton, Suffolk IP12 3EQ in accordance with the terms of the application, Ref DC/23/3374/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos PW1260-PL100REVC, PW1260_PL03 and 2023 21.208 100.
 - 2) The dwellinghouse will remain in C3 use independent from the care farm use hereby permitted.
 - 3) The use hereby permitted shall only take place between the following hours: 0900 - 1500 Mondays - Fridays.
 - 4) The number of users of the care farm hereby permitted shall not exceed 12 at any one time.

Preliminary Matter

2. While I note the name stated on the appeal form, the Appellant has confirmed the appeal is to proceed on the basis of the name stated in the application form. I have used this name in the banner heading above.

Main Issue

3. The main issues are:
 - whether the existing care farm use accords with the Council's development strategy for community facilities; and
 - whether there are any material considerations that would warrant a decision other than in accordance with the development plan.

Reasons

Community facilities

4. Policy SCLP8.1 of the Suffolk Coastal Local Plan Adopted September 2020 (LP) states that proposals for new community facilities and assets will be supported if the proposal meets the needs of the local community, is of a proportionate scale, well related to the settlement which it serves and would not adversely affect existing facilities that are easily accessible and available to the local community.
5. The site comprises the property known as Hare House and includes an outbuilding, paddock and outdoor activity space. The outbuilding accommodates a specialist care farm facility for children with special educational needs and disabilities (SEND) and the use includes animal care, horticultural learning and structured therapeutic activities.
6. The evidence regarding the provision for SEND in Suffolk indicates, among other things, that there is insufficient local provision to meet specialist needs, and that provision is required throughout Suffolk.
7. The care farm at Hare House is called Paws for Thought Therapy and constitutes Alternative Provision in terms of provision for children with SEND. Moreover, Paws for Thought Therapy is commissioned by Suffolk County Council to support young people access Alternative Provision, delivering Therapeutic support to help teenage children and young people back into their education pathways. Accordingly, I consider that the care farm constitutes a community facility that meets the needs of the local community. Given the limited scale of the outbuilding, and the modest scale of the site, the facility is of a proportionate scale, commensurate to its use.
8. The site lies near Sutton which has no settlement boundaries and is an area defined as countryside in the LP. The evidence indicates that the facility serves children and young people from across Suffolk and are referred by Suffolk schools, local authority services, and social workers. However, the nearest villages and towns, from which users of the facility are likely to be residents of, are some distance from the site and separated from it by countryside. Accordingly, users even from the nearest settlements are likely to be reliant on private vehicles for access to the facility. Therefore, the site is not well related to the settlement which it serves in the terms of LP Policy SCLP8.1
9. Given the shortfall in provisions for the SEND community, the facility does not adversely affect existing facilities that are easily accessible and available to the local community. Nonetheless, as the facility is not well related to the settlement which it serves, it does not accord with LP Policy SCLP8.1. The proposal would also conflict with LP Policy SCLP7.1 which seeks, among other things, development that encourages people to travel using non-car modes to access services and facilities.
10. Consequently, the existing use fails to accord with the Council's development strategy for community facilities. As the nearest settlements are a short drive away from the site, the harm resulting from the failure to accord with the development plan in this instance would be limited.

Material considerations

11. The users of the care farm share the protected characteristic of disability. Therefore, I have had due regard to the public sector equality duty set out in s149 of the Equality Act 2010 and Article 14 of the of the First Protocol to the Convention, as incorporated by the Human Rights Act 1998.
12. I have also had regard to the rights of the appellants under Article 8 of the European Convention on Human Rights as incorporated into the Human Rights Act 1998. Article 8 affords the right to respect for private and family life and home. As the Article 8 rights in this case are those of children, I have also had regard to Article 3(1) of the United Nations Convention on the Rights of the Child which provides that the best interests of the child shall be a primary consideration.
13. As set out above, I have found that the existing care farm use meets the needs of the local community in Suffolk. In particular, it provides an Alternative Provision for children with SEND in a region where the specialist provision and services available are not presently meeting the needs of children and young people with SEND.
14. Dismissing this appeal would result in closure of the facility. Given the shortage of provisions for children with SEND, the evidence indicates that it is unlikely that the children and young people who currently use the facility would be allocated an alternative provision elsewhere in the region. Even if alternative provision was found, this would reduce capacity elsewhere and increase pressure on local services. Moreover, as the care farm provides a particular form of therapy in its countryside setting, it is unlikely that any similar alternative provision would be located closer to settlements such that they would not conflict with the development plan.
15. Accordingly, I find that the dismissal of this appeal would amount to a grave interference with the Article 8 rights of the users of the care farm and I attach significant weight to this material consideration. Given the limited harm that would result from the conflict with the development plan, this material consideration warrants a decision other than in accordance with the development plan. As such, the appeal should be allowed.

Other Matters

16. Hare House is a non-designated heritage asset and lies in the setting of the Grade II listed Sutton Hall, Nut Tree Farmhouse, Pettistree Hall, Sutton Hall Estate Office and Lodge At Sutton Hall, and the Grade II* listed Wood Hall. The significance of these buildings, insofar as they relate to this appeal, lie in the evidence of historic vernacular houses. As the scheme does not introduce new built development, it would not harm the significance of these listed buildings.
17. I note evidence regarding the sale of the property and planning history of the site as well as right of access and small holdings. However, I have necessarily determined the appeal based on its planning merits. I note concerns regarding notification. However, from the evidence before me, the necessary notifications of the appeal have taken place.
18. The access to the site is via a public right of way and lies near to a junction. However, given the limited speeds of vehicles approaching the junction and that it serves a few properties, the care farm use is unlikely to have unacceptably increased the risk of collision at this junction. In addition, there is no substantial

evidence before me to demonstrate that the use results in severe residual cumulative impacts on the road network or an unacceptable impact on highway safety. Therefore, while I acknowledge local concerns regarding highway safety, this matter has not altered my overall decision.

19. The site lies within a National Landscape. The scheme may increase trips to and from the site. However, given the scale of the proposal and that no new built development is proposed, the use does not harm the character and appearance of the National Landscape or surrounding area.
20. I note local concerns regarding habitats sites such as Crag Pit, Sutton Site of Special Scientific Interest (SSSI), Deben Estuary (Ramsar, Special Protection Area (SPA), SSSI), Rockhall Wood Pit, Sutton (SSSI), Sutton and Hollesley Heaths (SSSI) and Sandlings (SPA). The scheme does not include new residential development. Therefore, it does not result increased recreational pressure on the sites and therefore does not result in likely significant effects on habitats sites. Accordingly, an Appropriate Assessment is not required.
21. I acknowledge the evidence regarding paragraph 11d of the Framework. However, as I am allowing the appeal for the reasons given above, this matter is not determinative for my overall decision.

Conditions

22. The condition specifying plans is necessary in the interests of certainty.
23. As the care farm is not connected with the domestic or leisure activities of the occupiers of Hare House, the suggested condition restricting the use to purposes incidental to the use of the Hare House would not be reasonable and has not been attached. From the evidence, although the red line boundary includes the dwelling, the care farm use does not utilise the house. Accordingly, a condition separating the use of the dwelling and the care farm is necessary in the interests of certainty and to safeguard the living conditions of neighbouring occupiers.
24. The conditions restricting hours of use is necessary to safeguard the living conditions of neighbouring occupiers.
25. The suggested condition relating to a register of the users of the care farm would not limit the number of users of the care farm at any one time and is therefore not necessary. The condition has therefore not been attached. I have attached a condition restricting the number of users of the care farm at any one time in order to safeguard the living conditions of neighbouring occupiers. Although the evidence indicates that the care farm accommodates around 8 users, the Appellant confirmed that the capacity of the care farm is for 12 users. As this constitutes a modest number of users, the condition is necessary and reasonable.

Conclusion

26. For the reasons given above, the appeal is allowed.

R Sabu

INSPECTOR