



Appeal Decision

Site visit made on 18 December 2025

by **Robert Fallon B.Sc. (Hons) PGDipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 March 2026

Appeal Ref: APP/F3545/W/25/3368573

Barn at Hall Farm, Church Road, Chevington, IP29 5QQ

- 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 & Mrs Reilly against the decision of West Suffolk Council.
 - The application Ref is DC/25/0243/FUL.
 - The development proposed is the replacement of agricultural building with self-build dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of agricultural building with self-build dwelling at the Barn at Hall Farm, Chevington, IP29 5QQ in accordance with the terms of the application, Ref DC/25/0243/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. Following determination of the application, the Council and appellant agreed to a revised development description. Given that I consider this to be a more accurate reflection of the proposal, I have amended it to match that shown on the appeal form. I have accordingly considered the scheme on this basis and am satisfied that this has not prejudiced the interests of any party.
3. The Council has confirmed that a new Local Plan¹ was adopted in July 2025, with the following policies of particular relevance to the appeal;- SP1, SP4, SP7, SP11, SP12, SP13, SP20, SP21, LP1, LP26, LP41 and LP44. The Council also confirmed that these replace all policies referred to in the reason for refusal, namely DM2, DM5, DM27 and DM33 of the Development Management Policies Document². The appellant was consulted in respect of this and confirmed that they had no further comments to make beyond those in its statement of case. Further consultation was not carried out with other interested parties as the Local Plan adoption has not resulted in any changes to the proposed scheme. As a consequence, my determination of this appeal is now against the new Local Plan and I am satisfied this has not prejudiced the interests of any party.

Planning obligation

4. Following submission of the appeal, the appellant tendered a signed and dated unilateral undertaking to;- (1) provide a strategic access management and monitoring (SAMM) financial contribution; and (2) restrict the scheme to a self-build dwelling.

¹ West Suffolk Local Plan 2024-2041, West Suffolk Council, July 2025.

² Forest Heath and St Edmundsbury Local Plan, Joint Development Management Policies Document, February 2015

Main Issues

5. The main issues are:-

- whether the development is in an appropriate location; and
- the effect of the development on the character and appearance of the area.

Reasons

Appeal site context

6. The appeal site contains a metal clad agricultural barn and fertiliser tank set against the backdrop of a mature tree belt. A further fertiliser tank and storage container are positioned directly adjacent to the northwest corner of the building. The site is set amongst open fields with a clear open countryside character.
7. The closest settlement to the appeal site is Chevington, a village to the southwest containing limited community facilities, amenities and services (a public house, village hall and church).
8. Vehicular access to the appeal site is via a long and narrow private gravel track with no streetlighting or footways. A public right of way runs adjacent to the northern boundary of the building. The site does not fall within a defined settlement boundary and therefore falls within the open countryside for planning purposes in accordance with Policy SP13 of the Local Plan.

Whether the development is in an appropriate location

9. Policy SP21 of the Local Plan states that new dwellings will only be permitted in the countryside where; - (a) the development is within a small cohesive group of seven or more dwellings; (b) the scale of development consists of the infilling of a small undeveloped plot with one or two dwellings; and (c) the location has access to sustainable transport links. It further states, amongst other things, that permission will not be granted where a proposal;- (a) harms or undermines a visually important gap that contributes to the character and distinctiveness of the rural scene; (b) contributes towards coalescence with adjacent settlements; or (c) contributes towards the development of isolated homes in the countryside in a piecemeal manner.
10. The site does not fall within a small group of seven or more dwellings and neither does it constitute a small infill plot. Furthermore, the private gravel track that connects the site to Chevington does not have a footway or associated streetlighting to accommodate a range of pedestrians (such as those with disabilities or parents with small children in pushchairs or prams). As a consequence, the scheme would not enable or encourage safe-walking by all parties throughout the day and into the evening. Neither is there any evidence before me of regular public transport in close proximity that would provide an alternative means of travel. On this basis, I do not consider the site to have access to sustainable transport links.
11. In light of the above, I conclude that the development conflicts with Policies SP1, SP12, SP21 and LP1 of the Local Plan, which collectively seek, amongst other things, to;- (1) locate housing where it will enhance or maintain the vitality of rural communities and ensure that the countryside is protected from inappropriate

development; (2) protect the countryside from unsustainable development; and (3) ensure proposals demonstrate that measures have been taken to provide access to local services and facilities via walking and wheeling routes.

12. I also find that the scheme conflicts with Paragraphs 9, 96 and 110 of the Framework³ as it would result in; (a) a planning decision not playing an active role in guiding development towards sustainable solutions; (b) a planning decision not enabling and supporting healthy lifestyles, for example with safe and accessible sports facilities and local shops; and (c) the planning system failing to actively manage patterns of growth in support of the transport objectives outlined in Paragraph 109; - namely, that it would be heavily car dependant and not promote walking and public transport.

The effect of the development on the character and appearance of the area

13. The proposed dwelling would occupy the same footprint as the existing barn and extant Class Q permitted development for its conversion into a dwelling⁴ ('the fallback scheme'), with a similar scale and form. I recognise that it would have a very slightly larger height, width and length to accommodate a more energy efficient construction, but am not of the view that this would be noticeably different from the fallback scheme.
14. Although the development would have a different external appearance from the existing barn, it has incorporated a mix of zinc and timber finishes with irregular openings that draw inspiration from modern agricultural buildings and give it a unique "agri-residential" character. I also recognise that it proposes slightly different elevations to that approved under the fallback scheme, but consider these to be an improvement in that they reduce the amount of glazing across the more prominent north elevation which helps to give it a more agrarian appearance. Overall, I consider it to be a high quality contemporary piece of architecture that would not erode the rural character of the area or jar with the surrounding landscape.
15. In light of the above, I conclude that the development would not conflict with Policies SP4, SP7 and LP26 of the Local Plan, which collectively seek, amongst other things, to ensure that new development;- (1) demonstrates sustainable design principles through good quality and innovative design; (2) respects local context & character and creates a sense of place; (3) is sympathetic to the character of the landscape and avoid detrimental effects on key features, local distinctiveness and visual amenity; and (4) results in a more acceptable and sustainable replacement building that might otherwise be achieved through conversion.

Other matters

16. The appeal site is within the zone of influence for the Breckland Special Protection Area (SPA) and Breckland Special Area of Conservation (SAC), which is protected by the Conservation of Species and Habitats Regulations 2017 and referred to in the West Suffolk Recreational Disturbance Avoidance and Mitigation Study⁵. As a consequence, the Council states that a strategic access management and

³ National Planning Policy Framework, Ministry of Housing, Communities and Local Government, 12 December 2024 (as amended on 7 February 2025).

⁴ Council ref: DC/24/0597/P3QPA approved on 3 July 2024.

⁵ West Suffolk Recreational Disturbance Avoidance and Mitigation Study, Footprint Ecology, June 2025.

monitoring (SAMM) contribution of £391.97 is required to avoid and mitigate the recreational effects of development upon this designated wildlife site.

17. The appellant has submitted a planning obligation and covenant pursuant to S106 of the Town and Country Planning Act 1990 (as amended) and S111 of the Local Government Act 1972 ('the planning obligation'). This contains details of the appellant's undertaking to make the relevant SAMM contribution of £391.97 and to ensure that the dwelling is built as a self-build unit. As a consequence, I am satisfied that the scheme accords with Policy SP11 of the Local Plan which seeks, amongst other things, to mitigate the potential adverse effects of development on European designated sites for nature conservation. Furthermore, I am satisfied that this document meets the regulatory tests of the Community Infrastructure Levy (CIL).

Planning balance

18. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of applications should be made in accordance with the development plan unless material considerations indicate otherwise.
19. In view of the existing barn benefitting from an extant Class Q permitted development for its conversion into a dwelling and the approval of all pre-commencement conditions relating to this, I consider it highly likely that this scheme would be implemented if the current appeal were dismissed. Although the Council has questioned whether this fallback scheme would be implemented because of an inability to utilise the existing steel frame, I am content that this is not the case based on the appellant's structural survey. I have as a consequence given this fallback position substantial weight in my assessment.
20. Furthermore, when compared to the fallback scheme, I attach significant weight in my assessment to the proposal attaining better-quality sustainable construction standards in terms of:- (1) energy efficiency; (2) optimising the use of more modern and efficient mechanical/electrical equipment; and (3) a longer lifespan. The development also offers an improved design of building when set against the fallback scheme, to which I attach modest weight. Similarly, by reason of there being an existing shortfall in self-build provision, I also attach modest weight to the scheme making a small contribution towards this.
21. Although the Council has raised concerns about the scheme setting a precedent if allowed, I have considered this appeal on its own individual circumstances as set out in my reasoning above. Any future planning applications would also be subject to similar individual assessment, on their own merits, at the time of submission.
22. In view of the above, I conclude that the material considerations I have considered, when taken collectively, would outweigh the harm arising from the site's inappropriate location and indicate that that the proposal should be determined other than in accordance with the development plan.

Conditions

23. The Council has suggested conditions which I have considered in the light of the Framework & Planning Practice Guidance and to which I have made some slight amendments in the interests of good practice and to aid clarification.

24. A condition has been imposed to ensure the scheme is carried out in accordance with the submitted plans. Given that vehicles and machinery will operate on the adjacent agricultural fields, a condition requiring acoustic insulation of the dwelling is also necessary to protect future occupants from airborne traffic noise.
25. In view of the response of the Council's environmental health team, two further conditions have been imposed relating to a ground contamination assessment. I have also attached a condition restricting the erection of external lighting to protect the nocturnal character of the landscape.
26. I have not attached the Council's condition restricting the development to a self-build unit as this is addressed in the appellant's planning obligation. Furthermore, given the small-scale nature of the development, I do not consider it necessary to restrict construction working hours as any disturbance can be suitably controlled under other legislation.

Conclusion

27. For the reasons given above the appeal should be allowed.

Robert Fallon

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be commenced within 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 22-053-A-003 – Location plan
 - 22-053-A-004 – Block plan
 - 22-053-A-012 – Floor plans
 - 22-053-A-013 – Roof and section plans
 - 22-053-A-022 – Elevations
 - 22-053-A-023 – Elevations
- 3) No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency, Land Contamination Risk Management (LCRM) (or equivalent British Standard and Model Procedures if replaced), has been submitted to and approved in writing by the local planning authority. If any contamination is found, no development shall take place until:

- i) a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority;
 - ii) the site has been remediated in accordance with the approved measures and timescale; and
 - iii) a verification report has been submitted to and approved in writing by the local planning authority.
- 4) If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until:
 - i) additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and
 - ii) a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.
- 5) The building envelope, glazing and ventilation of the dwellings hereby permitted shall provide appropriate sound attenuation against external noise. The acoustic insulation of the dwellings shall be such to ensure noise does not exceed an LAeq (16hrs) of 35dB(A) within bedrooms and living rooms between 07:00 and 23:00hrs and an LAeq (8hrs) of 30dB(A) within bedrooms and living rooms between 23:00 and 07:00hrs. The noise levels specified in this condition shall be achieved with the windows closed and other means of ventilation provided as appropriate ranging from background to rapid / purge ventilation to prevent overheating in accordance with the Acoustics & Noise Consultants (ANC) and Institute of Acoustics (IoA) Acoustics Ventilation and Overheating Residential Design Guide, January 2020.
- 6) No security lights or floodlights shall be erected on site without the submission of details to, and written approval from, the Local Planning Authority to ensure a lighting environment of low district brightness at residential properties.

End of schedule