

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council
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LISTED BUILDING CONSENT

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1992

Correspondence Address:

Mr C Beech
Beech Architects
Church Farm Barn
The Street
Thorndon
IP23 7JR

Applicant:

Ms Clarkson
Oak Tree Farm, Debenham Road
Kenton
IP14 6JZ

Date Application Received: 04-Aug-20

Application Reference: DC/20/03264

Date Registered: 07-Sep-20

Proposal & Location of Development:

Application for Listed Building Consent. Conversion of 1no dwellinghouse into 2no separate dwellinghouses by conversion of derelict wing.

Oak Tree Farm, Debenham Road, Kenton, Stowmarket Suffolk IP14 6JZ

Section A – Plans & Documents:

This decision refers to drawing no./entitled 01E received 04/08/2020 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan 01 E - Received 04/08/2020
Elevations - Existing 04 A - Received 12/10/2020
Floor Plan - Proposed 05 B - Received 05/10/2020
Block Plan - Proposed 06 D - Received 05/10/2020
Site Plan 07 D - Received 05/10/2020
Plans - Proposed Cart Lodges 09 A - Received 05/10/2020
Design and Access Statement - Received 05/10/2020
Land Contamination Assessment - Received 07/09/2020
Land Contamination Questionnaire - Received 06/09/2020
Frame Replacement Plan 12 - Received 06/09/2020
Ecological Survey/Report - Received 06/09/2020
Block Plan - Existing 02 - Received 04/08/2020

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **LISTED BUILDING CONSENT HAS BEEN GRANTED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
COMMENCEMENT TIME LIMIT

The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

Reason - To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. APPROVED PLANS & DOCUMENTS

The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Reason - For the avoidance of doubt and in the interests of proper phased planning of the development.

3. ACTION REQUIRED PRIOR TO COMMENCEMENT OF ANY WORKS: STABILISATION

Prior to the commencement of works, details of the proposals and proposed works to stabilise the building shall be submitted to and approved, in writing, by the Local Planning Authority and shall thereafter be entirely implemented as approved.

Reason - In the interests of the character, integrity and preservation of the building

4. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT ACTION
REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: BUILDING
RECORDING ANALYSIS

Prior to commencement of any works to the building, a programme of building recording and analysis shall be secured and implemented in accordance with a written scheme of investigation previously submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interests of the character, integrity and preservation of the building/s.

5. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: METHOD STATEMENT

Prior to the commencement of any works to the building/s, a method statement describing how the following features are to be protected/ treated throughout the works:

- a) Doors (interior and exterior) and surviving elements of second fix carpentry (e.g. architraves)
- b) Fireplaces, insets, and timber fire surrounds
- c) Surviving plaster to interior walls and ceilings;

shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented and completed entirety as approved.

Reason - In the interests of the character, integrity and preservation of the building/s

6. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: REPAIRS

Prior to any repair works being undertaken, a condition survey and schedule of repairs, including structural and timber frame repairs and appropriately scaled drawings of the timber frame repairs, shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented and completed entirety as approved.

Reason - In the interests of the character, integrity and preservation of the building/s

7. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: CHIMNEY STACK

Prior to any works to repair the chimney stack, a schedule and specification for repairs shall be submitted to and approved in writing by the Local Planning Authority. This shall include structural repairs, repairs to finishes, fireplace inserts and surrounds to the fireplaces. These repairs shall be implemented and completed as approved.

Reason - In the interests of the character, integrity and preservation of the building/s.

8. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DETAILS OF INTERNAL FINISHES

Before any works are commenced to strip out any internal finishes or features, a schedule of internal finishes detailing those finishes to be retained/ repaired or replaced and any new finishes shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented as approved.

Reason - In the interests of the character, integrity and preservation of the building/s.

9. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DETAILS OF FLOOR, PLINTH, WALLS, EAVES AND VERGES

Before any renovation works are commenced large scale drawings (of minimum 1:5 scale) showing the proposed construction detailing of the floor, plinth, wall, eaves, and verges of the farmhouse shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented and completed entirety as approved.

Reason - In the interests of the character, integrity and preservation of the building/s.

10. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: SCHEDULE OF WINDOWS AND DOORS

Before any renovation works are commenced a schedule of windows, internal and external doors and second fix carpentry shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented as approved. This should schedule the existing joinery to be retained/ repaired and the pattern of new windows and doors.

Reason - In the interests of the character, integrity and preservation of the building/s.

11. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: FENESTRATION

Prior to the commencement of any works to the fenestration large scale drawings, of a scale of between 1:1 & 1:20 showing by plan, section and elevation the head, cill, and jamb of new windows and doors to be used in the farmhouse shall be submitted to and approved, in writing, by the Local Planning Authority and shall thereafter be entirely implemented as approved.

Reason - In the interests of the character, integrity and preservation of the building and in the interests of visual amenity and principles of good design in accordance with the NPPF.

12. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DETAILS OF PLASTERING/RENDERING

Before any works to the plastering or rendering of the house (both internal and external), details of the lime plaster and render, including constituent parts, mix and backing, shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented in their entirety as approved.

Reason - In the interests of the character, integrity and preservation of the building/s

13. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DETAILS OF GARAGE EAVES AND VERGES

Before any works are commenced to the garages detailed large scale drawings of the proposed eaves, verges and ridge details shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented and completed entirety as approved.

Reason - In the interests of the character, integrity and preservation of the building/s.

14. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT OF MATERIALS

No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and approved, in writing, by the Local

Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation.

Reason - To secure an orderly and well-designed finish sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area.

15. ACTION REQUIRED PRIOR TO THE FIRST OCCUPATION OF DEVELOPMENT:
DETAILS OF SCREEN WALLS AND FENCES

Prior to the first occupation of the development precise details of the provision, siting, design and materials of all screen walls and fences or other boundary treatments shall have been submitted to and approved, in writing, by the Local Planning Authority. The screen walls and fences as may be approved shall be erected prior to the dwelling/s to which they relate being first occupied and thereafter be retained in the approved form.

Reason - In the interests of visual amenity and the character and appearance of the area.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
CS01 - Settlement Hierarchy
CS05 - Mid Suffolk's Environment
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
GP01 - Design and layout of development
HB01 - Protection of historic buildings
HB03 - Conversions and alterations to historic buildings
HB04 - Extensions to listed buildings
HB05 - Preserving historic buildings through alternative uses
HB06 - Securing the repair of listed buildings

NOTES:

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

2. **Listed Building Note**

This listed building consent relates solely to the plans, drawings, notes and written details submitted with the application or as subsequently amended in writing and referred to in this notice. Any variation of the works or additional works found necessary before work starts or while work is in progress or required under the Building Regulations, or by the County Fire Services or environmental health legislation may only be carried out after approval by the Local Planning Authority. Unauthorised modifications, alterations or works not covered by this consent may constitute an offence under Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and may render the applicant, owner(s), agent and /or contractors liable to enforcement action and/or prosecution.

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on: infrastructure@baberghmidsuffolk.gov.uk

This relates to document reference: DC/20/03264

Signed: Philip Isbell

Dated: 30th October 2020

**Chief Planning Officer
Sustainable Communities**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development. Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

Discharging your obligations under a condition:

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

Building Control:

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.