

Philip Isbell – Chief Planning Officer
Sustainable Communities

Babergh District Council

Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.babergh.gov.uk



LISTED BUILDING CONSENT

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

Correspondence Address:

Kay Pilsbury Thomas Architects
Honeylands
Radwinter
Saffron Walden
CB10 2TJ
United Kingdom

Applicant:

Mr & Mrs Scott
Shelley Hall
Layham Road
Shelley
IP7 5QX

Date Application Received: 25-Nov-20

Application Reference: DC/20/05338

Date Registered: 26-Nov-20

Proposal & Location of Development:

Application for Listed Building Consent - Demolition of C20th East Boot room and Low C20th garden wall. Erection of single storey East Extension. Demolition and reconstruction of C20th West Pantry block, erection of single storey link extension and alterations to west boot room. Repairs, replacement of windows and doors, internal re-ordering and the replacement of the existing C20th timber staircases. External and Internal alterations as detailed in the Heritage, Design and Access Statement.

Shelley Hall, Layham Road, Shelley, Ipswich Suffolk IP7 5QX

Section A – Plans & Documents:

This decision refers to drawing no./entitled 1938.SD.100 received 25/11/2020 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:

Block Plan - Proposed 1938.PD.200 - Received 25/11/2020
Floor Plan - Proposed Ground 1938.PD.201L - Received 12/01/2021
Floor Plan - Proposed First 1938.PD.202G - Received 25/11/2020
Floor Plan - Proposed Second 1938.PD.203G - Received 25/11/2020
Elevations - Proposed East 1938.PD.204E - Received 25/11/2020
Elevations - Proposed West 1938.PD.205E - Received 25/11/2020
Elevations - Proposed North and South 1938.PD.206A - Received 25/11/2020
Defined Red Line Plan 1938.SD.100 - Received 25/11/2020
Floor Plan - Existing Ground 1938.SD.101 - Received 25/11/2020

Floor Plan - Existing First 1938.SD.102 - Received 25/11/2020
Floor Plan - Existing Attic 1938.SD.103 - Received 25/11/2020
Elevations - Existing West 1938.SD.104 - Received 25/11/2020
Elevations - Existing East 1938.SD.105 - Received 25/11/2020
Elevations - Existing North and South 1938.SD.106 - Received 25/11/2020
Heritage Statement / Design and Access Statement - Received 25/11/2020

Section B:

Babergh 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 - LBC

The works 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 consent.

Reason - In the interest of the integrity, character, setting, significance and experience of the heritage asset.

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

Prior to the commencement of any works to alter fenestration or joinery of the hereby approved development, detailed large appropriately scale drawings (1:2 or 1:10), including sections, which shall include details of materials, finishes, method of opening, glazing and colour of all new or replacement doors, linings and windows and their surrounds to be installed 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. (Note: The large scale drawings should be of appropriate scale to clearly show the detailing of the fenestration and you are advised to discuss these with the Local Planning Authority in advance.)

4. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: FIRE ALARMS

Prior to the commencement of any works to install data and media installation and interconnected fire alarms of the hereby approved development, details of all interventions including drawings of sections through the fabric, as well as manufacturers' literature for the 'data and media installation and interconnected fire alarms' 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. (Note: The large scale drawings should be of appropriate scale to clearly show the detailing of the fenestration and you are advised to discuss these with the Local Planning Authority in advance.)

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

Before any works are commenced to proposed morning room, boot room extensions and link extension, detailed horizontal and vertical sections through these elements, including the eaves and verges of the building/s (morning room and boot room extension only), detailed large scale drawings of the eaves and verge detail of the building/s 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. This condition is required to be agreed prior to the commencement of such works to ensure matters of historic interest are considered and approved early to avoid damage or lost. If agreement was sought at any later stage there is an unacceptable risk of lost and damage to such assets.

6. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: MANUFACTURER'S LITERATURE OF PROPOSED ROOF CLADDING

Prior to the installation of the roof cladding, manufacturer's literature of proposed roof cladding with confirmation of proposed finish, including colour, for the proposed morning room, boot room and link extension shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented entirety as approved.

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

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

No development/works shall be commenced above slab level, unless otherwise approved in writing by the Local Planning Authority, until a sample panel of brickwork not less than 1msq to be used for the reconstructed pantry west block, to show bond, mortar mix, gauge and joint finish, have been placed on site for inspection by officers of the Local Planning

Authority 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.

Note: The Local Planning Authority requires 14 days written notice of materials being provided on site. If provision on site is not possible, please contact the Local Planning Authority to organise an alternative location. Materials will not be accepted at the council offices.

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.

8. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
MANUFACTURER'S LITERATURE OF PROPOSED FIRST FLOOR STAIRCASE

Prior to the installation of the proposed first floor staircase, manufacturer's literature of proposed first floor stair case along with confirmation of proposed finish to , including colour, shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented entirety as approved.

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

9. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DETAILS OF STAIRCASE

Prior to the commencement of any works to add or alter the attic staircase detailed large scale (1:5, 1:10 or 1:20 scale) drawings of the staircase to be installed/alterd shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented and completed as approved.

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

10. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
MANUFACTURER'S LITERATURE OF ALL NEW EXTERNAL PIPEWORK

Prior to the installation of the all new external pipework, manufacturer's literature of all proposed new external pipework and confirmation of proposed finish, including colour, shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented entirety as approved.

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

11. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
MANUFACTURER'S LITERATURE OF PROPOSED ROOFLIGHT, TILE VENTS AND
ROOF TILES

Prior to the installation of the proposed rooflight, tile vents and roof tiles, manufacturer's literature of proposed rooflight, tile vents and roof tile and confirmation of proposed finishes, including colour, shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented entirety as approved.

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

12. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT
OF BRICKWORK BOND DETAILS AND EXTENT OF REPOINTING REQUIRED

Before any brickwork above slab level is commenced, the extent of repointed shall be illustrated on an elevation drawings along with the details of the bond of brickwork, joints and mortar mix to be used shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented entirety as approved.

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

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

CN06 - Listed Buildings - Alteration/Ext/COU
CN01 - Design Standards
HS33 - Extensions to Existing Dwellings
NPPF - National Planning Policy Framework

NOTES:

1. **Listed Building Note**

This consent relates solely to the details submitted with the application. No other works to the Listed Building are inferred and any revisions or additions to the agreed scheme of works require the prior written consent of the Local Planning Authority. Unauthorised works to a Listed Building constitute a criminal offence under the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. **Listed Building Note - Conditions**

This consent contains conditions that may have to be discharged before any work is commenced. If you do not comply with the condition precedent you could invalidate this consent. A condition precedent cannot legally be complied with retrospectively and a new application could be required. There is no charge applicable to discharge a condition of a Listed Building Consent. The applicant/developer is advised to submit relevant details for all conditions in a single request.

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/20/05338

Signed: Philip Isbell

Dated: 14th January 2021

**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.