

**Philip Isbell – Acting Chief Planning Officer**  
**Growth & Sustainable Planning**

**Babergh District Council**

Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: [www.babergh.gov.uk](http://www.babergh.gov.uk)



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**PLANNING PERMISSION**

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)  
ORDER 2015**

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**Correspondence Address:**

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Ferry Quay  
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IP12 1BW  
United Kingdom

**Applicant:**

Ms Nesbitt  
C/o 6 Alcott House  
Stone House  
73 Norcutt Road  
Twickenham  
TW2 6SR

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**Date Application Received:** 22-Mar-19

**Application Reference:** DC/19/01412

**Date Registered:** 25-Mar-19

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**Proposal & Location of Development:**

Full Planning Application - Conversion of barn to 1no. dwelling and the erection of a two bay cartlodge (re-submission of DC/19/00229)

Thatched Barn , Rose Farm , Rose Green, Lindsey IP7 6PX

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled Site Location Plan received 22/03/2019 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:

Frame Survey NE 07A - Received 22/03/2019  
Frame Survey SE and NW 12 - Received 22/03/2019  
Transport Assessment VS-01 - Received 22/03/2019  
Sectional Drawing 08 - Received 22/03/2019  
Plans - Existing 03 - Existing Stables - Received 11/04/2019  
Plans - Proposed 06 -Proposed Cartlodge - Received 11/04/2019  
Elevations - Proposed 07B - Received 18/04/2019  
General Details 10B - Received 18/04/2019  
General Details 11B - Received 18/04/2019  
Elevations - Proposed 12A - Received 18/04/2019  
Elevations - Proposed 13A - Received 18/04/2019

Photograph Visibility Splay Photographs - Received 22/03/2019  
Photograph Plinth Photographs - Received 22/03/2019  
Design and Access Statement Design and Access Statement - Received 22/03/2019  
Ecological Survey/Report Ecological Report - Received 22/03/2019  
Environmental Report Envirosearch Residential - Received 22/03/2019  
Heritage Statement Heritage Statement - Received 22/03/2019  
Land Contamination Questionnaire Land Contaminarion Questionnaire - Received 22/03/2019  
Structural Survey Structural Inspection Survey - Received 22/03/2019  
Elevations - Existing 02 - Received 22/03/2019  
Schedule Of Works 01A - Schedule of Repairs - Received 22/03/2019  
Plans - Existing 03 - Received 22/03/2019  
Floor Plan - Proposed 11A - Received 22/03/2019  
Elevations - Proposed 05 - Received 22/03/2019  
Plans - Proposed 04 - Received 22/03/2019  
Site Plan 06 - Received 22/03/2019  
General Details 10A - Received 22/03/2019  
Defined Red Line Plan Site Location Plan - Received 22/03/2019

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**Section B:**

Babergh District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION 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 development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning 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 or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non material amendment following an application in that regard.

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

3. ACTION REQUIRED: HERITAGE - WINDOWS AND DOORS

Before the commencement of any works above slab level, detailed elevation and section drawings of all new windows and doors, at 1:10 or 1:2 as appropriate, shall be submitted to and approved, in writing, by the Local Planning Authority and then carried out in its entirety as approved.

Reason - In the interests of preserving the character of the listed building.

4. ACTION REQUIRED: HERITAGE - MATERIAL SAMPLE

Before the commencement of any works above slab level, a sample panel(s) of brickwork no less than 1m squared, showing brick, bond, mortar mix and jointing, in relation to the new plinth to the barn and cartlodge, to be erected on site shall be inspected and approved, in writing, by the Local Planning Authority and retained on site for the duration of the works.

Reason - In the interests of preserving the character of the listed building.

5. ACTION REQUIRED: HERITAGE - BRICKS

Before the commencement of any works above slab level, manufacturer's details of new bricks to be used in the floor of the barn shall be submitted and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of preserving the character of the listed building.

6. SPECIFIC RESTRICTION ON DEVELOPMENT - HERITAGE - EXISTING PLINTH

All salvageable bricks from the existing plinth shall be reused in the new plinth.

Reason - In the interests of preserving the character of the listed building.

7. ACTION REQUIRED: HERITAGE - BOLLARD LIGHT

Before the commencement of any works above slab level, manufacturers details of the bollard light and annotated proposed block plan showing its intended location, at 1:500 or as appropriate, shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of preserving the character of the listed building.

8. ACTION REQUIRED: HERITAGE - STAIRCASES

Before the commencement of any works above slab level, detailed section drawings through the proposed staircases, 1:10, shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of preserving the character of the listed building.

9. ACTION REQUIRED: HERITAGE - WALL PARTITIONS

Before the commencement of any works above slab level, details of the finish to the new partitions within the barn shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of preserving the character of the listed building.

10. ACTION REQUIRED: HERITAGE - ROOF COVERING

Notwithstanding the proposed roof covering materials for the cartlodge submitted, manufacturers details of alternative roof covering materials to be used on the cartlodge shall be submitted to and approved, in writing, by the Local Planning Authority, before the commencement of any works above slab level; and the carried out in its entirety as approved.

Reason - In the interests of preserving the character of the listed building.

11. ACTION REQUIRED: HERITAGE - EAVES AND VERGE OF CARTLODGE

Before the commencement of any works above slab level, detailed section drawings through the eaves and verge of the cartlodge, at 1:10, shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of preserving the character of the listed building.

12. ACTION REQUIRED: HERITAGE - THATCH TYPE

Before the commencement of any works above slab level, details of the thatch type to be used on the roof of Thatched Barn shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of preserving the character of the listed building.

13. ACTION REQUIRED: HERITAGE - VERGE AND RIDGE OF THE ROOF

Before the commencement of any works above slab level, detailed section drawings through the verge and ridge of the roof, at 1:10, shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interests of preserving the character of the listed building.

14. SPECIFIC RESTRICTION ON DEVELOPMENT: HIGHWAYS - VEHICULAR ACCESS

The vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM01 and with an entrance width of 3m and made available for use prior to occupation.

Thereafter the access shall be retained in the specified form.

Reason - To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

15. SPECIFIC RESTRICTION ON DEVELOPMENT: HIGHWAYS - VISIBILITY SPLAYS

Before the access is first used, visibility splays shall be provided as shown on Drawing No. VS-01 with an x dimension of 2.4m and a y dimension of 90m and thereafter retained in the specified form.

Notwithstanding the provisions of Part 2 Class A of the Town & Country (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason - In the interests of highway safety.

16. ACTION REQUIRED: HIGHWAYS - MANOEUVRING AND PARKING

The use shall not commence until the area(s) within the site shown on VS-01 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason - to ensure that sufficient space for on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

17. ACTION REQUIRED: HIGHWAYS - REFUSE/RECYCLING BINS

Before the development is commenced above slab level, details of the areas to be provided for storage and presentation of refuse/recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason - To ensure that refuse/recycling bins are not stored on the highway causing obstruction and dangers for other users.

18. SPECIFIC RESTRICTION ON DEVELOPMENT - ECOLOGY

All recommendations made within the ecological report submitted on the 22nd of March 2019 shall be implemented in full.

Reason - In the interests of protecting the existing ecological value of the site.

19. ACTION REQUIRED PRIOR TO COMMENCEMENT DEVELOPMENT: MITIGATION TO BE AGREED

Prior to the commencement of development a scheme of appropriate protected species mitigation measures (including precise details of the timing, any translocation measures deemed necessary and method of protection) shall be submitted to and approved, in writing, by the Local Planning Authority. No development shall be undertaken except in accordance with the approved scheme of mitigation and timings as may be agreed in writing.

Reason - In order to safeguard protected wildlife species and their habitats and because [this is a timber framed building where it is highly likely, due to its age, that bats will be present] [the site includes a pond which with the surrounding habitat is likely to support great crested newts]. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to disturb protected species and their habitat.

**SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:**

CS02 - Settlement Pattern Policy

NPPF - National Planning Policy Framework

CN01 - Design Standards  
CN06 - Listed Buildings - Alteration/Ext/COU  
CR19 - Buildings in the Countryside - Residential  
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
H16 - Protecting existing residential amenity  
H17 - Keeping residential development away from pollution  
HB01 - Protection of historic buildings  
HB03 - Conversions and alterations to historic buildings  
HB05 - Preserving historic buildings through alternative uses  
NPPF - National Planning Policy Framework

**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.

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](mailto:infrastructure@baberghmidsuffolk.gov.uk)

This relates to document reference: DC/19/01412

**Signed: Philip Isbell**

**Dated: 13th June 2019**

**Acting Chief Planning Officer  
Growth & Sustainable Planning**

## **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.