

**Philip Isbell – Chief Planning Officer**  
**Sustainable Communities**

**Mid Suffolk District Council**  
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

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



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## **LISTED BUILDING CONSENT**

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

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**Correspondence Address:**

Mrs R Edwards  
Maude + Edwards Architects  
Unit 1  
Park Farm Business Centre  
FORNHAM ST GENEVIEVE  
Bury St Edmunds  
IP28 6TS

**Applicant:**

L Van Dijk  
Grange Farm  
Potash Lane  
Wyverstone  
IP14 4SL

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**Date Application Received:** 05-Jan-21

**Application Reference:** DC/21/00026

**Date Registered:** 06-Jan-21

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**Proposal & Location of Development:**

Application for Listed Building Consent. Alterations and conversion of existing outbuilding into play house/room (curtilage listed). This application follows the withdrawal of DC/20/03763

Grange Farm, Potash Lane, Wyverstone, Stowmarket Suffolk IP14 4SL

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled 2017.PL-100-B received 05/01/2021 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:

Floor Plan - Proposed 2017.PL-301-E - Received 26/02/2021  
Elevations - Proposed 2017.PL-401-E - Received 26/02/2021  
Elevations - Existing TSES 20195 715 MBS 01 - Received 05/01/2021  
Construction Method Statement 2017.PL-501-D - Received 26/03/2021  
Defined Red Line Plan 2017.PL-100-B - Received 05/01/2021  
Block Plan - Proposed 2017.PL-101-B - Received 05/01/2021  
Plans - Existing 2017.PL-102-B - Received 05/01/2021  
Elevations - Existing 2017.PL-103-B - Received 05/01/2021  
Elevations - Existing 2017.PL-104-B - Received 05/01/2021  
Survey Plan F477 ISP 01 - Received 05/01/2021  
Survey Plan TSES 20195 715 MBS 01 - Received 05/01/2021

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**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 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. 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 FOLLOWING REMOVAL OF EXISTING FINISHES: WORKS TO STRUCTURAL FRAME AND PLINTH

Prior to any works to the structural frame and plinth to the existing barn, a detailed schedule of works for the frame and plinth shall be submitted and agreed in writing with the Local Planning Authority. Such schedule of works shall include any repair works to be undertaken and shall include annotated photographs and survey drawings as appropriate. In addition, details shall also be provided of works to the walls including any application of insulation or other wall treatment to include material specifications and annotated photographs.

Once agreed, works to the frame and plinth shall be undertaken in accordance with the agreed details.

Reason: To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. ACTION REQUIRED PRIOR TO INSTALLATION OF FLUE: MANUFACTURERS DETAILS OF FLUE

Prior to the installation of the flue, manufacturer's details of said flue shall be submitted and agreed in writing with the Local Planning Authority. Thereafter the flue shall be installed in accordance with the agreed details.

Reason: In order to preserve the historic character of the listed building.

5. ACTION REQUIRED PRIOR TO INSTALLATION OF WINDOWS AND DOORS: DETAILS OF WINDOWS AND DOORS

Prior to the installation of any windows and doors, additional architectural detailing shall be submitted and agreed in writing with the Local Planning Authority. For the avoidance of doubt said drawings shall be produced in both elevation and section and at appropriate scales in order to give a further degree of detail of said windows or doors. Where manufacturers details are available, these may be submitted in place of the architectural drawings.

Thereafter said windows and doors shall be installed in line with the agreed details.

Reason: In order to preserve the historic character of the listed building.

6. ACTION REQUIRED PRIOR TO INSTALLATION OF STAIRCASE: DETAILS OF STAIRCASE

Prior to the installation of the staircase, additional architectural detailing shall be submitted to, and agreed in writing by, the Local Planning Authority. For the avoidance of doubt said drawings shall be produced in both elevation and section and at appropriate scales in order to give a further degree of detail of said staircase including banister and balustrades.

Thereafter installation of the staircase shall be undertaken in line with the agreed details.

Reason: In order to preserve the historic character of the listed building.

7. ACTION REQUIRED PRIOR TO INSTALLATION OF BALUSTRADES TO MEZZANINE: DETAILS OF BALUSTRADES

Prior to the installation of balustrades to the mezzanine, additional architectural detailing shall be submitted and agreed in writing with the Local Planning Authority. For the avoidance of doubt said drawings shall be produced in both elevation and section and at appropriate scales in order to give a further degree of detail of said balustrades.

Thereafter installation of the balustrades shall be undertaken in line with the agreed details.

Reason: In order to preserve the historic character of the listed building.

8. ACTION REQUIRED PRIOR TO INSTALLATION OF EXTERNAL VENTS OR PLUMBING: DETAILS OF SAID VENTS AND PLUMBING

Prior to the installation of the any new external vents or plumbing additional annotated photographs or elevational drawings at appropriate scale shall be submitted and agreed in writing with the Local Planning Authority.

Thereafter installation of the new external vents and plumbing shall be undertaken in line with the agreed details.

Reason: In order to preserve the historic character of the listed building.

9. ACTION REQUIRED PRIOR TO WORKS TO ROOF: DETAILS OF EAVES AND VERGES

Notwithstanding the detail shown on the approved drawings, additional large scale architectural drawings showing sections through the roof of the barn shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on to the roof. For the avoidance of doubt, said drawings shall be provided at appropriate scale and provide detail of both eaves and verges.

Thereafter, the works to the roof shall be undertaken in accordance with the agreed details.

Reason - In the interests of preserving the character and appearance of the listed building and its setting.

10. COMPLIANCE REQUIRED WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation measures and/or works shall be carried out in accordance with the details contained in Bat Survey Report (Abrehart Ecology Ltd, September 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

11. ACTION REQUIRED PRIOR TO COMMENCEMENT: SUBMISSION OF THE METHOD STATEMENT RELATING TO A REGISTERED SITE UNDER A BAT MITIGATION CLASS LICENCE FOR BATS

The following works hereby approved shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) a method statement supplied by an individual registered to use a Mitigation Class Licence for Bats; or
- c) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998.

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

NPPF - National Planning Policy Framework  
NPPG-National Planning Policy Guidance  
HB01 - Protection of historic buildings  
HB03 - Conversions and alterations to historic buildings  
HB05 - Preserving historic buildings through alternative uses

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

This relates to document reference: DC/21/00026

**Signed: Philip Isbell**

**Dated: 29th March 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.