

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:

Gary Godbold
3 The Meadows
Cotton
Stowmarket
IP14 4NZ

Applicant:

Mr J Howard
157, The Street
Stoke Ash
IP23 7EW

Date Application Received: 29-Oct-20

Application Reference: DC/20/04856

Date Registered: 30-Oct-20

Proposal & Location of Development:

Application for Listed Building Consent - Re-build fire damaged cottage, as per schedule of works COT070-157-S3.

157 The Street, Stoke Ash, Eye, Suffolk IP23 7EW

Section A – Plans & Documents:

This decision refers to drawing no./entitled COT070-157-P1 received 29/10/2020 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 COT070-157-P1 - Received 29/10/2020
Elevations - Existing COT070-157-H1 - Received 29/10/2020
Elevations - Proposed COT070-157-H2 - Received 29/10/2020
Sectional Drawing COT070-157-S1 - Received 29/10/2020
Floor Plan - Existing COT070-157-S2 inc sections - Received 29/10/2020
COT070-157-S3 Schedule of Works - Received 29/10/2020
Floor Plan - Proposed COT070-157-S4 inc sections - Received 29/10/2020
Sectional Drawing COT070-157-S5 - Received 29/10/2020

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 - LBC

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 PRIOR TO INSERTION OF ROOFLIGHTS - ROOFLIGHT DETAILS

Notwithstanding the submitted information, prior to the insertion of any rooflights, written confirmation as to number and position of proposed rooflights and manufacturer's details of proposed rooflights shall be submitted to and approved in writing by the local planning authority. The approved details shall then be implemented as approved.

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

4. ACTION REQUIRED FOLLOWING REMOVAL OF RENDER FRM CHIMNEY STACK -
SCHEDULE OF REPAIR WORKS TO CHIMNEY

Following removal of render from chimney stack, prior to the commencement of any further repair works to the chimney, a detailed schedule of repair works to the chimney to be submitted, to include proposed drawings/annotated photographs as appropriate, for the approval in writing by the local planning authority. The approved details shall then be implemented as approved.

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

5. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DAMP PROOF INJECTION -
CONFIRMATION OF DAMP PROOF DETAILS

Prior to the commencement of any damp proof injection, confirmation that damp-proof injection would occur only through the mortar or C20 brickwork, and annotated floor plan, at 1:50, to show exactly where it is proposed, shall be submitted to and approved in writing by the local planning authority. The approved details shall then be implemented as approved.

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

6. ACTION REQUIRED PRIOR TO CLEANING AND TREATMENT OF TIMBERS AND BRICKWORK - DETAILS OF METHODS AND PRODUCTS TO BE USED

Prior to the commencement of any cleaning and treating of timbers and brickwork, full details of all methods and products to be used, to include manufacturer's literature, shall be submitted to and approved in writing by the local planning authority. The approved details shall then be implemented as approved.

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

7. ACTION REQUIRED PRIOR TO COMMENCEMENT OF REPAIRS TO TIMBER FRAME AND HISTORIC INFILL - DETAILS OF EXTENT OF FRAME AND INFILL REPAIRS

Prior to the commencement of any repairs to the timber frame and historic infill, detailed elevation drawings/annotated photographs showing extent of frame and infill repairs, including replacement and strengthening, shall be submitted to and approved in writing by the local planning authority. The approved details shall then be implemented as approved.

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

8. ACTION REQUIRED PRIOR TO THE INSTALLATION OF ANY NEW WINDOWS - DETAILED ELEVATION AND SECTIONAL DRAWINGS

Prior to the installation of any new windows, detailed elevation and section drawings through all new windows, at scale 1:10 and 1:2, shall be submitted to and approved in writing by the local planning authority. The approved details shall then be implemented as approved.

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

9. ACTION REQUIRED PRIOR TO INSTALLATION OF GLAZING TO THE EXISTING MULLION WINDOW - DETAILS THROUGH FEATURE

Prior to the installation of glazing to the existing mullion window, detailed proposed section drawings through this feature, showing new glazing, at scale 1:2, shall be submitted to and approved in writing by the local planning authority. The approved details shall then be implemented as approved.

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

10. ACTION REQUIRED PRIOR TO INSTALLATION OF NEW STAIRCASE - DETAILED ELEVATION AND SECTIONAL DRAWINGS

Prior to the installation of the new staircase, detailed elevation and section drawings through new staircase at scale 1:20, to include details of bannisters/balustrades, or

manufacturer's details, as appropriate, shall be submitted to and approved in writing by the local planning authority. The approved details shall then be implemented as approved.

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

11. ACTION REQUIRED PRIOR TO INSTALLATION OF NEW ROOF TILES - MATERIAL DETAILS

Prior to the installation of any new roof tiles, manufacturer's details of proposed roof tiles shall be submitted to and approved in writing by the local planning authority. The approved details shall then be implemented as approved.

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

12. ONGOING REQUIREMENT - LATH AND PLASTER CEILINGS MATCHING MATERIALS AND TECHNIQUES

All previously removed damaged lath and plaster ceilings shall be replaced using matching materials and techniques.

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

13. ONGOING REQUIREMENT - PLASTER BOARDING TO MATCH PREVIOUS

All new plaster boarding of internal walls shall be conducted to match previous extent of plaster boarding.

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

14. ONGOING REQUIREMENT - LAMBSWOOL INSULATION

All lambswool insulation in walls shall be inserted into existing voids only.

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

15. ONGOING REQUIREMENT - THATCH TYPE

The new thatch type/thatching method and details shall match those previously on the building (water reed).

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

16. ONGOING REQUIREMENT - FLOORBOARDS

Any new floorboards inserted shall match those existing.

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

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS05 - Mid Suffolk's Environment
HB01 - Protection of historic buildings
HB03 - Conversions and alterations to historic buildings
HB06 - Securing the repair of listed buildings
CL08 - Protecting wildlife habitats

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/20/04856

Signed: Philip Isbell

Dated: 2nd December 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.