

# Planning Statement

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Lawful Development Certificate for existing  
building works at:

The Cottage

The Street

Wattisfield

Diss

IP22 1NS



June 2022



## INTRODUCTION

- 1.1 The purpose of this supporting statement is to demonstrate that the existing single-storey rear extension, porch and replacement windows are lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended).
- 1.2 SA Architectural Services have been appointed by the current owner to apply for a 'Lawful Development Certificate' (LDC) to demonstrate to a prospective purchaser that no enforcement action can be taken by the local planning authority.
- 1.3 The statement is structured as follows: **Section 2**: describes the physical characteristics of the **site and its surroundings**; **Section 3**: summarises the **basis of determination**; **Section 4**: provides an **assessment** of the evidence submitted; and **Section 5**: sets out in brief our overall **conclusions**.

## SITE & SURROUNDINGS

- 2.1 The property is a listed, rendered and thatched two-storey property with attic, located in the Wattisfield Conservation Area. The listing is as follows;

**Grade:** II

**List Entry Number:** 1032165

**Date Listed:** 15 July 1988

**Location:** The Cottage, The Street

**Details:**

*TM 07 SW WATTISFIELD THE STREET (WEST SIDE) 3/113 No.1 Croft Cottages & The Cottage*

*GV II*

*House, divided into 2. Early C17, with indications of an earlier core. Timber-framed and rendered; colour-washed brick laid in rat trap bond to left gable end; thatched roof with decorated ridge, half-hipped on left; an internal chimney-stack with a plain shaft of old red brick, and an external stack with rendered shaft on the right gable end. 2 storeys and attics; 3-cell form. 2-light small-paned C20 casement windows and plank door. A small single-storey extension, rendered, with roman tiles, projects from the left end of the front: this was the former parish Reading Room. No.1 occupies 2/3rds of the range, with a 2-cell division inside. To the left of the stack, 2 bays with evidence of alterations: a tie-beam has been removed; housings for a 4-light diamond-mullioned window on the upper front wall; joists of ceiling to ground floor resting on clamps, so possibly inserted. The large main beam has a chamfer with lamb's tongue stop and bar. To the right of stack,*

*end wall exposed: good studding, long arched braces. Open fireplace with plain timber lintel to ground floor left, and a small upper fireplace. Attic to left of stack with poor clasped purlin roof which may be a replacement. The fill occupies the 3rd cell of the range: one 2-light window to the upper floor and one 3-light to the ground floor, both c.1980 casements with arched heads to lights. A single-storey lean-to on the gable end contains the C20 plank entrance door. Interior with good close-studding. In the partition wall a blocked 4-centred doorway with arched spandrels; ground floor ceiling with heavy unchamfered joists and a chamfered main beam with cut-off stops and small solid supporting braces. The gable-end fireplace has a plain cambered lintel with chamfer and cut-off stops to match the main beam. Beside it, the remains of a 3-light diamond-mullioned window, and evidence for another in the room above. Only rafters exposed in the attic.*

Listing NGR: TM0098774237



**Fig. 1:** Site location

- 2.2 The application site is located within an established residential area in Wattisfield. The site lies on the western side of The Street, located on a reasonably sized plot, which extends to around 0.04 hectares. The site contains a three bedroomed semi-detached property and outbuilding to the rear. There is off-road parking for vehicles to the front, and maintained lawned areas to the rear, enclosed by timber fencing and hedging, with gated access from the side of the property.
- 2.3 The site boundaries are defined by mature hedging, timber fencing panels and garden walling. The property lies within a group of listed buildings, including the Parish Church of St Margaret, opposite.
- 2.4 The Street is made up predominantly of houses and cottages tightly adjoining the edge of the road, giving a sense of enclosure, only relieved by the open space of the churchyard itself, set at a slightly higher level within a flint boundary wall.

## GUIDANCE

- 3.1 There are two types of lawful development certificate. A local planning authority can grant a certificate confirming that:
  - (a) an existing use of land, or some operational development, or some activity being carried out in breach of a planning condition, is lawful for planning purposes under section 191 of the Town and Country Planning Act 1990; or
  - (b) a proposed use of buildings or other land, or some operations proposed to be carried out in, on, over or under land, would be lawful for planning purposes under section 192 of the Town and Country Act 1990.
- 3.2 This application is in relation to Section 191 of the Act (a) above.

### **Basis Of Determination**

- 3.3 In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise, unambiguous and credible to justify the grant of a certificate on the balance of probability.
- 3.4 A local planning authority needs to consider whether, on the facts of the case and relevant planning law, the specific matter is or would be lawful.

Planning merits are not relevant at any stage in this particular application or appeal process.

## ASSESSMENT

- 4.1 This application seeks to establish that on the balance of probabilities, the existing building works referred to above are lawful development.

### Evidence Submitted With The Application

- 4.2 In this instance, the local planning authority do not appear to have records of listed building consents for the three projects, and nor are they able to confirm if they were carried out after the property was listed (and therefore would have required permission).



**Fig. 2:** Rear single-storey lean-to

- 4.3 The applicant can confirm that none of the work questioned has been undertaken in her ownership, and the work appeared to be several years old at the point of purchasing the property in 1989, this is borne out by a structural survey (appended to this statement) undertaken at the point of purchase which refers to defects in rooms not consistent with them being new at the time.
- 4.4 Sections (2) (b) and (c) of the structural survey refer to defects to the bathroom roof (located in the rear single-storey lean-to) and entrance hall

and kitchen roof (side single-storey lean-to), which suggests that these were almost certainly undertaken prior to 15<sup>th</sup> July 1988, when the property was listed. Section (3) also advises that there was widespread evidence of rising dampness in these locations.

- 4.5 A description of the internal plan within the listing referred to above (a copy of the formal notice of listing is also appended to this statement) also in part bears this out.



**Fig. 3:** Front elevation showing windows to ground and upper floors, both c.1980 casements, and entrance porch

- 4.6 The official list entry also refers to “one 2-light window to the upper floor and one 3-light to the ground floor, both c.1980 casements with arched heads to lights”, which again suggests that these were installed prior to the buildings listing on 15<sup>th</sup> July 1988. The existing windows on the principal elevation also match this description, which suggests that these were present at the time of the buildings listing. Whilst in a “serviceable condition” Section (6) of the structural survey also indicates that “a considerable amount of the putty is cracked/uneven/loose and needs to be removed” which would suggest that these were not new at the time.

- 4.7 Although the porch is not referenced in either of the appended documents, on the balance of probability, this was almost likely constructed at the same time as the lean-to extension(s), given the palette of materials used in its construction. Nonetheless, the applicant has also confirmed that none of the work questioned has been undertaken in her ownership. A Statutory Declaration appended to this statement includes the applicants supporting statement for the same.

## CONCLUSIONS

- 5.1 Based on the information provided and on the balance of probability, the single-storey extension and associated building works as set out in the application would be lawful development.
- 5.2 The current plan of the property accords with a building survey undertaken at the point of purchase in 1989, which also refers to defects in rooms not consistent with them being new at the time.
- 5.3 A description of the internal plan within the buildings official list entry also in part bears this out.
- 5.4 It is therefore considered that the extension and building works undertaken at The Cottage, Wattisfield, would have fallen within the scope of Schedule 1, Class I of the Town and Country Planning General Development Order 1973, which would have applied at the time, prior to the buildings listing in 1988. As there is no record of planning permission being applied for at the time, determination is requested on the basis that the development has been in existence for substantially more than 4 years, after which an application may be made for a certificate.

## APPENDIX 1 - Photographs

### Photographs

1-3 Views of principal elevation

4 Existing porch roof

5 View of existing side single-storey lean-to

6 View of existing rear single-storey lean-to





Photographs

7-8 Views internally of existing entrance hall/dining room (located in the side single-storey lean-to)

9-10 Views internally of existing kitchen (located in the side single-storey lean-to)

11 View internally of existing bathroom (located in the rear single-storey lean-to)

12 View internally of rear entrance hall (located in the rear single-storey lean-to)



## APPENDIX 2 - Statutory Declaration

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The Cottage  
The Street  
Wattisfield  
Diss  
IP22 1NS

1<sup>st</sup> June 2022

Dear Sir / Madam,

**Ref.: Application for a Lawful Development Certificate for Existing Building Works at The Cottage, The Street, Wattisfield, Diss, IP22 1NS**

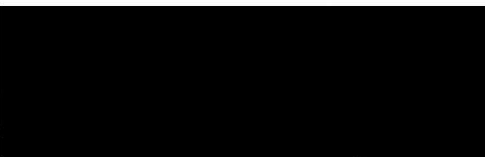
I, Frances Patricia Abbott, of The Cottage, The Street, Wattisfield, Diss, IP22 1NS, hereby on the 1<sup>st</sup> June 2022 confirm the following statement has been made in respect to building works that have been undertaken at the property.

The side and rear single-storey lean-to extensions, incorporating open porch, were constructed by a previous owner(s) prior to completion of the purchase of the property in 1989. The existing windows and doors were also installed by a previous owner(s) prior to this date.

It was apparent that the work(s) appeared to be several years old at the point of moving in in 1989. This is also borne out by a structural survey undertaken at the point of purchase, which refers to defects in rooms in these locations not consistent with them being new at the time.

I swear that the information I have provided is true and complete.

Yours faithfully,

Sign 

Ms. Frances Patricia Abbott

## APPENDIX 3 - Structural Survey

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A STRUCTURAL SURVEY

OF

THE COTTAGE

THE STREET

WATTISFIELD

DISS, NORFOLK

FOR MR. M.J. ABBOTT AND MRS. F.P. SMITH

(1) Introduction:

Our survey was carried out on 15th August 1989 in accordance with the terms confirmed in our letter of 14th August.

The property consists of a semi detached traditional period cottage, probably about 400 years old, with various later alterations and additions, on a gently sloping site in the centre of the village. The property was not occupied or furnished at the time of our survey apart from carpets and other floor coverings in some rooms. The weather was dry.

(2) The Roof:

(a) The Main Roof:

This has coverings on the front and rear slopes of traditional straw thatch. This is probably about ten years old.

The front slope is generally satisfactory with no signs of any significant weathering. However the rear slope is starting to show signs of weathering although we do not consider that rethatching is immediately necessary. This slope faces approximately south west so that it has deteriorated at a faster rate than the front slope. There

is a good thickness of thatch on both slopes.

Straw thatch normally has a life about 20 years before it needs to be top dressed with a new layer of thatch. The precise rate of deterioration is difficult to predict. The rear slope may need to be top dressed within less than ten years.

There is a traditional straw ridge. This is generally satisfactory and needs only some minor "tidying up" including the replacement of a few slipped and loose hazel splines.

The front and rear slopes are protected from attack by birds by wire netting. This needs refixing along the rear eaves, probably where the netting was lifted for the re-tiling of the bathroom roof.

(b) The Bathroom Roof:

This has a covering of modern interlocking concrete tiles. These are satisfactory. However lead flashings need to be provided at the roof abutment. There is a PVC gutter and downpipe. The stopped ends to the gutter and the downpipe need refixing.

(c) The Entrance Hall and Kitchen Roof:

This also has a covering of modern interlocking concrete tiles. A lead flashing is needed at the abutment with the side wall of the original cottage. There is a PVC gutter and downpipe. These are both poorly fixed/aligned and need refixing correctly.

There are stained timber fascias, barge boards and cappings to both single storey roofs. These need restaining.

(d) The Chimney Stack:

There is a rendered chimney. The top needs some minor repair. There is an inadequate flashing at the abutment of the chimney with the rear slope of the thatched roof. The result is that there is quite significant dampness which has caused deterioration of the plaster to the right hand external wall of the rear first floor bedroom. We recommend that a 12 in wide lead skirt flashing is provided to the chimney in order to give better weather protection. The defective plaster to the bedroom wall will need to be renewed. This chimney serves the living room fireplace. This has been used in recent years but we are not able to comment on the efficiency of the flue as there was no fire lit at the time of our survey. The size of the hearth has been reduced by way of brickwork constructed within the opening. This has probably been provided in order to try and improve the draught.

Large open inglenook fireplaces often do not draw very satisfactorily. Traditionally a fire would have been kept burning all year round so that the flue would have been constantly warm. However with the more modern practice of only lighting a fire occasionally the large cold flues do not draw satisfactorily. It may be possible to obtain an improvement by fitting a register plate and hood.

(e) Roof Interior:

There is no access to the small loft area above the second floor bedroom. However the undersides of several of the rafters are exposed in this room. These are generally satisfactory and show evidence of old and apparently inactive woodworm infestation. We recommend that a trapdoor is fitted so the top sections of the rafters etc can be checked.

There is a small access trap to the loft in the rear single storey bathroom section. This trapdoor was too small for us to enter the roof space. However we were able to ascertain that there are all new rafters to this roof which is satisfactory. The ceiling joists are relatively modern. There was no evidence of any woodworm infestation in the timbers near the trap. There is an insulated cold water tank. However this could not be closely inspected. The water pipes are not properly lagged. There is between 2 ins and 3 ins of fibreglass quilt laid above the bathroom ceiling. We recommend that a standard size access trapdoor is provided to this loft so that a proper inspection can be made.

(3) The Walls:

The external walls to the original section of the cottage are of traditional heavy timber frame construction on shallow brick or flint footings. The front entrance hall walls are relatively light weight timber frame with external rendering, on approximately 2 ft 6 in high footings. The kitchen and bathroom walls are of part light weight timber frame and part solid construction, probably brick.

The rendering to all elevations of the property is generally satisfactory with no signs of any major defects. However the partly exposed brick footings to the front of the cottage need some repair/making good. Approximately 3 sq yds of rendering at the rear have been poorly applied and need to be renewed.

The internal walls are of part solid and part timber stud construction. The plaster is uneven/poor in several places and needs renewing. Several of the original timbers are exposed. These are mainly dark stained/painted and show evidence of old and apparently inactive woodworm infestation. However if there is no guarantee certificate for previous treatment with the title deeds we recommend that a report is obtained from a specialist

company and all necessary treatment carried out.

We took several readings internally with a damp detection meter. We found widespread evidence of rising dampness in various locations including the following:-

- (a) The rear wall of the rear staircase hall
- (b) The rear bathroom wall.
- (c) The internal and external walls of the front entrance hall.
- (d) Parts of the kitchen walls.

We recommend that a report and estimate are obtained from a specialist company for all necessary damp proofing treatment.

(4) The Floors:

The floor in the second floor bedroom is reasonably firm. There are wide very old boards which are probably of oak. These are generally worn and show evidence of old woodworm infestation. However this floor is <sup>probably</sup> original. We would therefore recommend that the repair/renewal of the boards is kept to a minimum in order to retain as much of the original structure as possible.

The stairs leading down to first floor level are of traditional timber construction. The majority of the nosings are worn and need to be renewed.

The floors at first floor level are reasonably firm although sloping. There were boards exposed in the front bedroom which were probably about 150 years old. These show evidence of scattered woodworm infestation. Some limited repairs are needed. Very old boards were visible in the back bedroom where a corner of the carpet was lifted. These have been patched/repared in several places. Some further replacement of the boards is necessary.

The stairs leading down to ground floor level are of traditional timber construction. They are firm.

We recommend that all of the floor and staircase timbers are treated against woodworm infestation unless there is a guarantee certificate for previous treatment with the title deeds.

At ground level the floors are of solid construction throughout. The surfaces are as follows:-



Living room, rear hall and understairs cupboard. Damp and uneven bricks. New floor required incorporating a damp proof membrane. Original bricks could be then relaid on the new floor.

Front Hall. Slightly uneven but reasonably dry cement screed/concrete.

Kitchen. Lino tiles on damp concrete floor. Tiles should be removed and a surface damp proof coating applied e.g. Wetcote.

Bathroom. Modern thermoplastic tiles. These are dry but worn.

(5) The Ceilings:

These are of various materials including traditional lath and plaster, fibre board and tongued and grooved timber matchboarding.

The joists have been exposed to the living room ceiling. There are poorly cut and fixed fibre board panels in between the timbers. We recommend that they are replaced with plasterboard, properly trimmed and secured.

Some of the other ceilings are uneven but there were no signs of any major defects.

(6) External Doors and Windows:

There are modern hardwood timber front and rear external doors. These are in serviceable condition. The windows are principally of modern stained softwood timber with single glazing. The woodwork needs restaining. A considerable amount of the putty is cracked/uneven/loose and needs to be renewed.

(7) Services:

Mains water is connected and there are hot and cold supplies to the kitchen and bathroom fittings. Hot water is provided by an electric immersion heater only. We recommend that the plumbing installation is checked by a plumber, especially as the cottage has not been occupied for several months.

Mains electricity was connected at the time of our survey. There are relatively modern 13 amp power points, light switches and flexes. We nevertheless recommend that the electrical installation should be tested by an engineer, particularly as this is a thatched property, before contracts are exchanged.

We understand from the neighbouring owner that mains drainage is connected. However we were unable to locate any manhole covers within the boundaries. The garden was very much overgrown at the time of our survey. The main sewer connection may be taken via the adjoining cottage. We therefore recommend that your solicitor is asked to ascertain from the Local Authority the actual point of connection to the public sewer at the time that he carries out his local search. We also recommend that a test report on the drains is obtained from a specialist firm.

(8) Externally:

The boundary fences etc. have not been inspected in detail. However the original mainly flint retaining wall to the right hand side has collapsed in several places. We recommend that a new retaining wall is provided to prevent the ground slipping away. This could be built of engineering bricks which would be more durable than flint.

Please let us know if you require a supplementary report on the boundaries etc. At that stage it would be helpful if we could receive a copy of the deed plan from your solicitor in order that we may particularly check those boundaries which will be your responsibility.

(9) Conclusion:

We consider that the original section of the property consists of quite an attractive period cottage with many original features. Various repairs and improvements have been carried out in recent years. However there are still several items which need attention including adequate damp proofing of the walls, together with associated replastering, relaying of the damp brick floors, redecoration and replacement of old and worn bathroom and other fittings. We also consider that it is essential that the right hand boundary/retaining wall is rebuilt as soon as possible to prevent the soil slipping away.

We shall be pleased to discuss with you our various observations and recommendations.

We have not inspected the woodwork or other parts of the structure which are covered, unexposed or inaccessible and we are therefore unable to report that any such property is free from defect.

This report shall be for the private and confidential use of the client for whom the report is undertaken and should not be reproduced in whole or in part or relied upon by third parties for any use without the express written authority of the surveyors.



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SHEPPARD & CO

Chartered Surveyors  
7 Brentgovel Street  
Bury St. Edmunds  
Suffolk

17th August 1989

## APPENDIX 4 - Formal Notice Of Listing

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## MID SUFFOLK DISTRICT COUNCIL

A. L. DUNN, DMA, MBIM, FCIS  
SECRETARY

COUNCIL OFFICES, HIGH ST, NEEDHAM MARKET,  
IPSWICH, SUFFOLK, IP6 8DL.  
Telephone NEEDHAM MARKET (0449) 720711

Owner and Occupier  
The Cottage, The Street (West side),  
Wattisfield  
Diss  
Norfolk

Your ref:

Ref: 108.3/113Z

Phone Ext. 249  
Mr Knights

17 MAY 1989

**VERY IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear Owner and Occupier

Resurvey of buildings of SPECIAL ARCHITECTURAL or HISTORIC INTEREST.

The resurvey of buildings of Special Architectural or Historic Interest (Listed Buildings) is currently being undertaken in Suffolk by the Department of the Environment. In consequence many buildings are being added to the list and some buildings are being upgraded.

The property known as No. 1 Croft Cottages and The Cottage is included on the Statutory List. The formal notice of listing, together with the Grade and description of this building and some explanatory information is enclosed.

The legal effects of owning, or living in, a listed building are explained fully in the attached documents, but the following points are important.

- (i) Any works to the building involving its demolition, demolition of part or most alterations must not be carried out before Listed Building Consent has been granted by the Council.
- (ii) Even minor alterations and in some cases repairs to the building can also require Listed Building Consent.
- (iii) It is an offence to carry out any works to a listed building that require Listed Building Consent without that consent having been first obtained.
- (iv) In some circumstances it is possible that grant aid may be available for essential repairs to the fabric of the listed building.



## MID SUFFOLK DISTRICT COUNCIL

A. L. DUNN, DMA, MBIM, FCIS  
SECRETARY

COUNCIL OFFICES, HIGH ST, NEEDHAM MARKET,  
IPSWICH, SUFFOLK, IP6 8DL.  
Telephone NEEDHAM MARKET (0449) 720711

If as owner, you do not actually occupy the property but have a tenant for it, or if you occupy the property as tenant and it belongs to somebody else, please let me know so that I may provide the other person with their own set of papers. Please write to me FREEPOST with this information, or telephone Mrs Banthorp if that would be more convenient.

If you would like any advice or help in this matter, please do not hesitate to contact the Conservation Officer in the Planning Department, Mr. A. D. Knights, on Needham Market 720711, ext. 249.

Thank you for your attention to these papers.

Yours faithfully,

A solid black rectangular box redacting the signature of the secretary.

D Banthorp (Mrs)  
for Secretary



# MID SUFFOLK DISTRICT COUNCIL

A. L. DUNN, DMA, MBIM, FCIS  
SECRETARY

COUNCIL OFFICES, HIGH ST, NEEDHAM MARKET,  
IPSWICH, SUFFOLK, IP6 8DL.  
Telephone NEEDHAM MARKET (0449) 720711

Owner and Occupier  
The Cottage, The Street (West side),  
Wattisfield  
Diss  
Norfolk

Your ref:  
Ref. 108.3/113Z  
Phone Ext. 249  
Mr Knights

Town and Country Planning Act 1971  
Buildings of Special Architectural or Historical Interest

NOTICE IS HEREBY GIVEN that the building known as No. 1 Croft Cottages and The Cottage situated in the parish of Wattisfield, Suffolk has been included in the list of buildings of special architectural or historic interest in that area, compiled by the Secretary of State for the Environment under Section 54 of the Town and Country Planning Act 1971 on 15 JUL 1989

A L DUNN  
Secretary

17 MAY 1989

Please see the explanatory notes below

## Grade II

House, divided into 2. Early C17, with indications of an earlier core. Timber-framed and rendered; colour-washed brick laid in rat trap bond to left gable end; thatched roof with decorated ridge, half-hipped on left; an internal chimney-stack with a plain shaft of old red brick, and an external stack with rendered shaft on the right gable end. 2 storeys and attics; 3-cell form. 2-light small-paned C20 casement windows and plank door. A small single-storey extension, rendered, with roman tiles, projects from the left end of the front; this was the former parish Reading Room. No. 1 occupies 2/3rds of the range, with a 2-cell division inside. To the left of the stack, 2 bays with evidence of alterations; a tie-beam has been removed; housings for a 4-light diamond-mullioned window on the upper front wall; joists of ceiling to ground floor resting on clamps, so possibly inserted. The large main beam has a chamfer with lamb's tongue stop and bar. To the right of stack, end wall exposed; good studding, long arched braces. Open fireplace with plain timber lintel to ground floor left, and a small upper fireplace. Attic to left of stack with poor clasped purlin roof which may be a replacement. The Cottage occupies the 3rd cell of the range: one 2-light window to the upper floor



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and one 3-light to the ground floor, both c.1980 casements with arched heads to lights. A single storey lean-to on the gable end contains the C20 plank entrance door. Interior with good close-studding. In the partition wall a blocked 4-centred doorway with arched spandrels; ground floor ceiling with heavy unchamfered joists and a chamfered main beam with cut-off stops and small solid supporting braces. The gable-end fireplace has a plain cambered lintel with chamfer and cut-off stops to match the main beam. Beside it, the remains of a 3-light diamond-mullioned window, and evidence for another in the room above. Only rafters exposed in the attic.

VERY IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY