

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:

Mr Lee French
Eagle House
Sudbury Road
Great Whelnetham
Bury St Edmunds
IP30 0UN
United Kingdom

Applicant:

Mr Neil Bell
Appleton
Church Road
Stowupland
IP14 4BG

Date Application Received: 24-Aug-22

Application Reference: DC/22/04260

Date Registered: 25-Aug-22

Proposal & Location of Development:

Application for Listed Building Consent - Erection of a two storey side extension and outbuilding (following demolition of existing extension), alterations/part demolition of existing porch, replacement of windows and chimney pot, installation of a first floor shower room, and internal alterations to ground floor as shown in proposed floor plans

Appleton, Church Road, Stowupland, Stowmarket Suffolk IP14 4BG

Section A – Plans & Documents:

This decision refers to drawing no./entitled 1967/21/03Rev I received 24/08/2022 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:

Application Form - Received 24/08/2022
Existing Plans and Elevations 1967/21/01 Rev A - Received 24/08/2022
Proposed Plans and Elevations 1967/21/02 Rev J - Received 24/08/2022
Defined Red Line Plan 1967/21/03 Rev I - Received 24/08/2022
Block Plan - Existing 1967/21/03 Rev I - Received 24/08/2022
Block Plan - Proposed 1967/21/03 Rev I - Received 24/08/2022
Heritage Statement - Received 24/08/2022

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 FOR DESIGNATED ASSET

CONDITION: 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 consent.

REASON: For the avoidance of doubt and in the interests of proper planning of the development.

NOTES FOR CONDITION:

Any indication found on the approved plans to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

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

No development/works shall be commenced above slab level on the extension until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used on the extension have been submitted to 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.

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.

4. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: FENESTRATION ON DWELLING AND EXTENSION

Prior to installation of fenestration on the existing dwelling or on the new extension of the hereby approved development, detailed large appropriately scale elevation and section drawings which shall include details of materials, finishes, method of opening, glazing and colour of all new or replacement windows, roof lights and doors 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.)

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

Before any works are commenced to the eaves and verges of the existing building or extension, including the porch canopy, detailed large scale section drawings through the eaves and verges of the proposed main extension and porch canopy, and abutment of main extension to existing building, at 1:20 or as appropriate, shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented and completed entirely 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: DETAILS OF JOINERY COLOUR

Before any joinery works (including windows, doors, brackets, bargeboards and fascias) are carried out, the details of the type of finish and colour(s), including manufacturer's literature as appropriate, to be applied to all external joinery (including windows, doors, brackets, bargeboards and fascias) shall be submitted to and approved, in writing, by the Local Planning Authority. The finish and colours as may be agreed shall be carried out in their entirety prior to the first use/occupation of the development.

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

7. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: RAINWATER GOODS

Prior to the commencement of any works to alter or install new rainwater goods of the hereby approved development, manufacturer's details of materials, finishes and colour of all new or replacement rainwater goods 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.

8. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: EXTERNAL EXTRACT VENTS AND EXTERNAL PIPING

Prior to the installation of any external vents and external piping of the hereby approved development, detailed manufacturers literature which shall include details of materials, finishes, colour and annotated photographs detailing proposed location(s) of all new or

replacement external vents and external piping 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.

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

Prior to the installation of the new chimney pot of the hereby approved development, manufacturer's details of materials, finishes and colour of all new or replacement chimney pot(s) 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.

10. SPECIFIC RESTRICTION ON DEVELOPMENT: BARGEBOARDS AND FASCIAS

All new bareboards and fascias in the hereby approved development shall be painted timber unless otherwise approved, in writing, by the Local Planning Authority prior to commencement of construction on bargeboards or fascias..

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.

11. SPECIFIC RESTRICTION ON DEVELOPMENT: BLOCKED OPENING SURFACE FINISH

All new material to be used to block up existing openings within the existing dwelling of the hereby approved development shall be finished with smooth plastered surface finish to match existing, unless otherwise approved, in writing, by the Local Planning Authority prior to commencement of works to block up existing openings..

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.

12. SPECIFIC RESTRICTION ON DEVELOPMENT: EXISTING TIMBERS

No timbers within the thatched portion of the existing dwelling of the hereby approved development shall be cut unless otherwise approved, in writing, by the Local Planning Authority prior to commencement of cutting of timbers.

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.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

- GP01 - Design and layout of development
- HB01 - Protection of historic buildings
- HB03 - Conversions and alterations to historic buildings
- HB04 - Extensions to listed buildings

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS05 - Mid Suffolk's Environment
NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance

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/22/04260

Signed: Philip Isbell

Dated: 30th September 2022

**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.