

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:

Moss Architectural Design
East View
Church Road
Otley
IP6 9NP

Applicant:

Mr T Monaghan
Stackyard Barn
Pettaugh Lane
Gosbeck
Suffolk
IP6 9SE

Date Application Received: 04-May-20

Application Reference: DC/20/01764

Date Registered: 05-May-20

Proposal & Location of Development:

Application for Listed Building Consent - Conversion and alteration of cartlodge, erection of single storey link element and associated works as per supporting statement.

Stackyard Barn, Pettaugh Lane, Gosbeck, Ipswich Suffolk IP6 9SE

Section A – Plans & Documents:

This decision refers to drawing no./entitled TM/LB/001 received 04/05/2020 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 TM/LB/001 - Received 04/05/2020
Floor Plan - Existing TM/LB/002 - Received 04/05/2020
Sectional Drawing TM/LB/003 - Received 04/05/2020
Floor Plan - Proposed TM/LB/005 - Received 04/05/2020
Sectional Drawing TM/LB/006 - Received 04/05/2020
Elevations - Proposed TM/LB/008 - Received 04/05/2020
Elevations - Existing TM/LB/004 - Received 04/05/2020
Elevations - Proposed TM/LB/007 - Received 04/05/2020

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

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 - For the avoidance of doubt and in the interests of the integrity, character, setting, significance and experience of the heritage asset(s).

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

No development/works shall be commenced above slab level, unless otherwise approved in writing by the Local Planning Authority, until manufacturers literature of all proposed facing and roofing materials 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: AGREEMENT OF BRICKWORK DETAILS

Before any brickwork is commenced, details of the brick bond, mortar gauge and pointing profile to be used shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented entirety as approved.

Reason - To secure an orderly and well designed development sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area.

5. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS TO WALL: DETAILS OF LIME MORTAR MIX

Before any work is commenced, manufacturers literature or specification of the lime mortar mix to be used shall be submitted to and agreed, in writing, by the Local Planning Authority.

Reason - In the interests of visual amenity and the character and appearance of the area.

6. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS TO WALL: DETAILS OF LIME PLASTER MIX

Before any work is commenced, manufacturers literature or specification of the proposed lime plaster to be used shall be submitted to and agreed, in writing, by the Local Planning Authority.

Reason - In the interests of visual amenity and the character and appearance of the area.

7. 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 building/s, detailed large scale drawings of the eaves and verge detail of the building/s shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented and completed entirety 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.

8. SPECIFIC RESTRICTION ON DEVELOPMENT: RAINWATER GOODS TO BE USED

Details of the proposed rainwater goods (including gutters, downpipes, hopperheads and soil pipes) shall be submitted to and approved, in writing, by the Local Planning Authority. Such rainwater good as may be agreed shall be those used in the development and fully applied prior to the first use/occupation and thereafter retained unless otherwise approved, in writing, at a later date with the Local Planning Authority.

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

9. SPECIFIC RESTRICTION ON DEVELOPMENT: FLUE DETAILS AND FINISHES

Manufacturers literature of the flue (including any finishes) shall be submitted to and approved, in writing, by the Local Planning Authority. Such details as may be agreed shall be those used in the development and fully applied prior to the first use/occupation and

thereafter retained unless otherwise approved, in writing, at a later date with the Local Planning Authority.

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

10. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: ROOF LIGHT DETAILS

Notwithstanding the already submitted information, manufacturers literature of the rooflights shall be submitted to and approved, in writing, by the Local Planning Authority prior to the commencement of development. The rooflights shall thereafter be constructed as approved.

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

11. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT OF FENESTRATION DETAILS

Prior to the commencement of any works, large scale drawings showing details of all windows and doors by section and elevation at a scale between 1:2 & 1:10 as appropriate shall be submitted to and approved in writing by the Local Planning Authority. The approved windows and doors shall be implemented entirely in accordance with the approved details.

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

12. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: INSULATION DETAILS

Before any works are commenced, manufacturers literature and large scale section drawings of the insulation, showing its relationship to the existing structure and the internal finishes, and its position within the building 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.

13. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: TRUSSES DETAILS

Before any works to the trusses of the hereby approved development, detailed large appropriately scale drawings of the trusses 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.

14. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: STAIRCASE DETAILS

Prior to the commencement of any works, detailed large appropriately scaled drawings of the staircase 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.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
GP01 - Design and layout of development
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
H18 - Extensions to existing dwellings
HB01 - Protection of historic buildings
HB04 - Extensions to listed buildings

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/20/01764

Signed: Philip Isbell

Dated: 13th August 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.