

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

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

Website: [www.babergh.gov.uk](http://www.babergh.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:**

Mr Les Edwards  
Nags Corner  
Nayland  
Nr Colchester  
CO6 4LT

**Applicant:**

Mr T Robertson  
5 The Green  
Hartest  
Bury St Edmunds  
IP29 4DH  
Suffolk

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**Date Application Received:** 17-Nov-21

**Application Reference:** DC/21/06233

**Date Registered:** 18-Nov-21

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**Proposal & Location of Development:**

Application for Listed Building Consent - Erection of single storey linked rear extension, replacement window and doors, insertion of new dormer window. Replace thatched roof. Widen pedestrian gateway and repairs to boundary wall. Internal works as detailed in the Design \_ Access/Heritage Statement.

Tebbit, The Row, Hartest, Suffolk IP29 4DJ

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled Drg no: 1332-01-01B at 1:1250 received 17/11/2021 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:

Application Form - Received 17/11/2021  
Defined Red Line Plan Drg no: 1332-01-01B at 1:1250 - Received 17/11/2021  
Block Plan - Existing 1332-01-01B - Received 24/01/2022  
Elevations - Existing 1332-01-01B - Received 24/01/2022  
Sectional Drawing Existing 1332-01-01B - Received 24/01/2022  
Plans - Existing 1332-01-02B - Received 24/01/2022  
Elevations - Proposed 1332-01-03C - Received 24/01/2022  
Block Plan - Proposed 1332-01-03C - Received 24/01/2022  
Sectional Drawing Proposed 1332-01-03C - Received 24/01/2022  
Plans - Proposed 1332-01-04D - Received 26/01/2022  
Flood Map - Received 17/11/2021

Design and Access Statement Rev A - Received 24/01/2022  
Heritage Statement Rev A - Received 24/01/2022  
Photograph - Received 17/11/2021  
Flood Risk Assessment - Received 18/11/2021  
Fenestration Drawing Windows 1332-01-05 - Received 24/01/2022  
Fenestration Drawing Doors 1332-01-06 - Received 24/01/2022  
Wall and Gate details 1332-01-07A - Received 24/01/2022  
Fireplaces 1332-01-08 - Received 24/01/2022  
Joinery details 1332-01-09 - Received 24/01/2022  
Ecological Survey/Report - Received 24/01/2022

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## **Section B:**

Babergh 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 IN ACCORDANCE WITH ECOLOGICAL APPRAISAL  
RECOMMENDATIONS

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecological Appraisal (Skilled Ecology Ltd, January 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve and enhance 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), as updated by the Environmental Act 2021.

4. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: ZINC PROFILE AND FINISH

Prior to works above slab level to new extension, details of proposed zinc profile and finish, shall be submitted to and approved in writing by the Local Planning Authority.

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

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

Prior to works above eaves level to the new extension, detailed section drawings through eaves and verges of proposed extension, to include pitched and flat roof elements, at 1:20 or as appropriate, shall be submitted to and approved 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 IN ACCORDANCE WITH A SPECIFIC TIMETABLE: CHIMNEY POTS

Prior to the installation of new chimney pots to heightened stack, details of proposed chimney pots, to include manufacturer's literature/photographs as appropriate, shall be submitted to and approved in writing by the Local Planning Authority.

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

7. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: PROPOSED PLASTER MIX

Prior to installation of new plastered ceilings in Entrance Hall and Living Room, details of proposed plaster mix, to include ratios and constituent parts, and backing, shall be submitted to and approved in writing by the Local Planning Authority.

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

8. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: FENESTRATION

Prior to installation of any new fenestration on extension, details of proposed fenestration, to include detailed elevation and section drawings at 1:10 and 1:2 respectively, and/or manufacturer's literature, shall be submitted to and approved in writing by the Local Planning Authority.

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

9. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: INTERNAL DOORS

Prior to installation of new internal doors in the historic core, detailed elevation and section drawings at 1:10 and 1:2 respectively/manufacture's literature/photographs of proposed doors, shall be submitted to and approved in writing by 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: EXTERNAL FLUE

Prior to the installation of the external flue on the extension, details of proposed appearance and of flue, to include manufacturer's literature/photographs as appropriate, shall be submitted to and approved in writing by the Local Planning Authority.

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

11. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: NEW EXTERNAL VENTS

Prior to the installation of any new external vents, manufacturer's details of proposed vents and annotated photographs to show proposed locations, shall be submitted to and approved in writing by the Local Planning Authority.

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

12. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: WINDOW REFURBISHMENT

Prior to the commencement of repairs to existing windows to be refurbished, a schedule of repairs for each window, to include drawings/annotated photographs/written schedule as appropriate, shall be submitted to and approved in writing by the Local Planning Authority.

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

13. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: FIREPLACES

Following the opening up of the fireplaces as detailed, no further works to the fireplaces shall commence until a detailed schedule of repair (and any further alterations proposed, to include drawings/annotated photographs/written statement, and details of bricks and mortar to be used to form new arches, as appropriate), has been submitted to and approved in writing by the Local Planning Authority.

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

14. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: FRONT DOOR PAINT

Prior to painting of new front door, details of proposed paint colour, to include manufacturer's literature as appropriate, shall be submitted to and approved in writing by the Local Planning Authority.

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

15. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: GATE FINISHES

Prior to the application of any finishes to the joinery of the new gate, details of proposed finishes to include manufacturer's literature as appropriate, shall be submitted to and approved in writing by the Local Planning Authority.

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

16. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: RETAINING BRICK WALL

Prior to construction of low brick retaining wall, manufacturer's details of bricks and any copings to be used and confirmation of height of wall, shall be submitted to and approved in writing by the Local Planning Authority.

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

17. SPECIFIC RESTRICTION ON DEVELOPMENT: LEADWORK

All leadwork to be undertaken in accordance with the codes and details recommended by the Lead Sheet Training Academy.

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

18. SPECIFIC RESTRICTION ON DEVELOPMENT: NEW DORMER

The new dormer shall match the eaves and verge details, render type, colour and finish, thatch type and detailing of existing dormer adjacent.

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

19. SPECIFIC RESTRICTION ON DEVELOPMENT: THATCH

The new topcoat of thatch shall match the existing type and finish of the existing thatch.

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

20. SPECIFIC RESTRICTION ON DEVELOPMENT: PLINTH

All plinth repairs shall match existing, in materials, form and finish unless otherwise agreed in writing with the Local Planning Authority.

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

21. SPECIFIC RESTRICTION ON DEVELOPMENT: FINISHES MADE GOOD

All finishes to be made good, shall match the existing following removal, alteration and addition of new features and openings as agreed in writing by the Local Planning Authority.

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

22. SPECIFIC RESTRICTION ON DEVELOPMENT: BRICK BOND AND MORTAR

New bricks, bond, mortar and jointing for heightening chimney stack shall be to match existing, unless otherwise agreed in writing by the Local Planning Authority.

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

23. SPECIFIC RESTRICTION ON DEVELOPMENT: LATH AND PLASTER FINISHES

Any repairs required to areas of damaged lath and plaster finishes, shall use matching plaster mix, backing and finish, unless otherwise approved in writing by the Local Planning Authority.

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

24. SPECIFIC RESTRICTION ON DEVELOPMENT: FENESTRATION PAINT

All new fenestration joinery on historic core shall be painted to match existing, unless otherwise agreed in writing by the Local Planning Authority.

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

25. SPECIFIC RESTRICTION ON DEVELOPMENT: CUTTING

No timbers to be cut to install new vents and pipework, unless otherwise agreed in writing by the Local Planning Authority.

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

26. SPECIFIC RESTRICTION ON DEVELOPMENT: NEW BOUNDARY WALL

The new section of brick and flint boundary wall shall reuse all salvageable material, with all new material required to match the existing. The new section should also match existing brickwork bond, mortar and jointing, and the ratio of flint to mortar in the historic section of flintwork wall to the south.

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

27. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: BOUNDARY WALL

The new section of brick and flint wall shall be constructed within 6 months of the dismantling of the current section of wall, to ensure the harm is mitigated within a reasonable timeframe, unless otherwise agreed in writing by the Local Planning Authority.

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

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

CN01 - Design Standards

CN06 - Listed Buildings - Alteration/Ext/COU

CN08 - Development in/near conservation areas

CR04 - Special Landscape Areas  
HS33 - Extensions to Existing Dwellings  
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS11 - Core and Hinterland Villages  
Hartest Neighbourhood Plan  
NPPF - National Planning Policy Framework

**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. In this case the applicant took advantage of the Council's pre-application service prior to making the 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.

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/21/06233

**Signed: Philip Isbell**

**Dated: 1st March 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.