

**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 Matthew Skinner  
10 Martyns Rise  
Long Melford  
CO10 9HR  
United Kingdom

**Applicant:**

Mr & Mrs Chase  
2 Lower Road  
Glensford  
Suffolk  
CO10 7QU

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**Date Application Received:** 26-Jan-23

**Application Reference:** DC/23/00415

**Date Registered:** 27-Jan-23

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**Proposal & Location of Development:**

Application for Listed Building Consent - Erection of single storey rear extension.

2 Lower Road, Glensford, Sudbury, Suffolk CO10 7QU

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled 22-106-SP-099-P1 received 26/01/2023 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:

Plans - Existing 22-106-SP-100-P2 - Received 09/03/2023  
Floor Plan - Proposed 22-106-SP-101-P2 - Received 09/03/2023  
Design and Access Statement A - Received 09/03/2023  
Heritage Statement A - Received 09/03/2023  
Elevations - Proposed 22-106-SE-300-P1A - Received 27/01/2023  
Defined Red Line Plan 22-106-SP-099-P1 - Received 26/01/2023  
Existing Site Plan 22-106-SP-099-P1 - Received 26/01/2023  
Proposed Site Plan 22-106-SP-099-P1 - Received 26/01/2023  
Application Form - Received 26/01/2023

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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 FOR DESIGNATED ASSET

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:  
FENESTRATION

Prior to the installation of fenestration, elevation and section drawings of the proposed fenestration, at an appropriate scale shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented and completed as approved.

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

4. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: EAVES AND  
VERGES

Prior to the commencement of works above slab level, detailed section drawings through the eaves and verges at an appropriate scale shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented and completed as approved.

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

5. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: MATERIALS

Prior to the commencement of works above slab level, manufacturers' specifications, including finish/colour, of external facing and roofing materials (including render and paint details) shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented and completed as approved.

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

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

Notwithstanding the submitted information, prior to the installation of rainwater goods, manufacturer's details (including finish/colour) of proposed rainwater goods shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented and completed as approved.

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

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

NPPF - National Planning Policy Framework

CN01 - Design Standards

CN06 - Listed Buildings - Alteration/Ext/COU

HS33 - Extensions to Existing Dwellings

TP15 - Parking Standards - New Development

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh

CS15 - Implementing Sustainable Development

LP03 - Residential Extensions and Conversions

LP19 - The Historic Environment

LP24 - Design and Residential Amenity

**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.

2. **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.

3. **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](mailto:infrastructure@baberghmidsuffolk.gov.uk)

This relates to document reference: DC/23/00415

**Signed: Philip Isbell**

**Dated: 30th March 2023**

**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.

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### Mid Suffolk District Council

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