

**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:**

Mrs Cassie Godfrey  
Unit 2B  
Barton Road Trading Estate  
Barton Road  
Bury St Edmunds  
IP32 7BE  
United Kingdom

**Applicant:**

Ms Emily Ackroyd-Cooper  
Buttons Green Farm Buttons Green  
Cockfield  
Suffolk  
IP30 0JF

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**Date Application Received:** 18-Jul-23

**Application Reference:** DC/23/03375

**Date Registered:** 17-Aug-23

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**Proposal & Location of Development:**

Application for Listed building Consent - Change of use and conversion of existing curtilage listed barn/outbuilding to music studio/home office for use ancillary to main dwelling. Addition of insulation, insertion of glazed doors behind the existing timber barn doors, insertion of two new skylights to the rear elevation, creation of a new mezzanine floor to 1/3rd of the floor area.

Buttons Green Farm, Buttons Green, Cockfield, Bury St Edmunds Suffolk IP30 0JF

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled 2355-02A received 27/09/2023 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:

Design and Access Statement 230110 - Received 18/07/2023  
Land Contamination Assessment - Received 10/08/2023  
Bat Survey - Received 18/07/2023  
Ecological Survey/Report - Received 18/07/2023  
Schedule Of Works - Received 18/07/2023  
Photograph - Received 19/10/2023  
Photograph - Received 27/09/2023  
Plans - Proposed 2355-02B - Received 19/10/2023  
Defined Red Line Plan 2355-02A - Received 27/09/2023  
Proposed Site Plan 2355-02A - Received 27/09/2023

**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 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 proper planning of the works.

3. ACTION REQUIRED: TIMBER FRAME REPAIRS

Following the lifting of the roof coverings and the removal of the wall cladding, prior to any other works taking place, a detailed Schedule of Works and annotated photographs, including materials specification, for any timber framed repairs shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

4. ACTION REQUIRED: FACING AND ROOFING MATERIALS SHORTFALLS

Following the lifting of the roof coverings and removal of the wall cladding, prior to any other works taking place, manufacturers literature of the proposed materials for the facing and roofing in any shortfall, including finishes shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

5. ACTION REQUIRED: MATERIALS AND INSULATION

Following the lifting of the roof coverings and the removal of the wall cladding, prior to the any other works taking place, notwithstanding the submitted details, large scale section drawings of each element of wall and roof, detailing the existing structure, build-up of insulation and internal and external finishes, including manufacturers literature for materials and insulation shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

6. ACTION REQUIRED: EAVES AND VERGES

Following the lifting of the roof coverings and removal of the wall cladding, prior to any other works taking place, and notwithstanding the submitted details, large scale section drawings of the eaves and verges shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

7. ACTION REQUIRED: INSULATION AND INTERNAL FLOOR FINISHES

Following the removal of the existing concrete floor, and not withstanding the submitted details, large scale section drawings through the floor to demonstrate the build-up of insulation, including scale section drawings through the floor to demonstrate the build-up of insulation, including manufacturers literature of insulation and internal flooring finishes shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

8. ACTION REQUIRED: FINISHES BETWEEN ADJOINING BARN

Following the removal of the wall cladding, large scale section drawings showing the proposed junction and finishes between the southwest elevation and adjoining barn, and detailed scheme of works shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

9. ACTION REQUIRED: BRICKS AND MORTAR

Prior to infilling of the rear elevation opening, manufacturers literature of the bricks and mortar specification shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

10. ACTION REQUIRED: MEZZANINE FLOOR

Prior to the installation of the mezzanine floor, large scale elevation and section drawings through the mezzanine floor construction and leading edge, as well as all elements of the balustrade, including materials specification and finishes shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

11. ACTION REQUIRED: STAIRCASE

Prior to the installation of the staircase, large scale elevation and section drawings of all aspects of the staircase, including materials specifications and finishes shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

12. ACTION REQUIRED: WINDOWS AND DOORS

Prior to the installation of any windows and doors, large scale elevation and section drawings of proposed windows and doors, including the relationship to their surrounds, as well as materials and finishes shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

13. ACTION REQUIRED: ROOF LIGHTS

Prior to the installation of the rooflights, manufacturers literature and specification of the rooflight unit type and size shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

14. ACTION REQUIRED: FLUE

Prior to the installation of the flue, manufacturers literature and specification of the rooflight unit type and size shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

15. ACTION REQUIRED: RAINWATER GOODS

Prior to the installation of the rainwater goods, manufacturers literature of the rainwater goods, including materials and finishes shall be submitted to and approved, in writing, by the Local Planning Authority; and then carried out in its entirety as approved.

Reason - In the interests of protecting the historic significance of the heritage asset.

16. ACTION REQUIRED: ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Practical Ecology Ltd, December 2022) and the Further Bats Survey (Skilled Ecology Consultancy Ltd, July 2023) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason - To conserve protected and Priority species and allow the Local Planning Authority 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).

17. ACTION REQUIRED: SUBMISSION OF EVIDENCE OF SITE REGISTRATION UNDER A BAT MITIGATION CLASS LICENCE FOR BATS

Any works which will impact the breeding and/or resting place of bats shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
- b) Evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
- c) A statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason - To conserve protected species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

18. ACTION REQUIRED: GREAT CRESTED NEW METHOD STATEMENT

Prior to the commencement of any works to alter the building, a Great Crested Newt Method Statement shall be submitted to and approved, in writing, by the Local Planning Authority. this will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newts during the construction phase.

The measures and/or works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason - To conserve protected and Priority species and allow the Local Planning Authority 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).

19. ACTION REQUIRED: BIODIVERSITY COMPENSATION AND ENHANCEMENT STRATEGY

Prior to the commencement of any works, a Biodiversity Compensation and Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved, in writing, by the Local Planning Authority.

The content of the Biodiversity Compensation and Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed compensation and enhancement measures;
- b) Detailed designs or product descriptions to achieve stated objectives;
- c) Locations. Orientations and heights of proposed compensation and enhancement measures by appropriate maps and plans (where relevant);
- d) Persons responsible for implementing the compensation and enhancement measures; and
- e) Details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason - To conserve and enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

20. ACTION REQUIRED: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

Prior to first use, a lighting design scheme for biodiversity shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show and where external lighting will be installed (through the provision of appropriate technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason - To allow the Local Planning Authority 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).

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

NPPF - National Planning Policy Framework  
SP03 - The sustainable location of new development  
LP03 - Residential Extensions and Conversions  
LP15 - Environmental Protection and Conservation  
LP16 - Biodiversity & Geodiversity  
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. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any 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 listed building consent relates solely to the plans, drawings, notes and written details submitted with the application or as subsequently amended in writing and referred to in this notice. Any variation of the works or additional works found necessary before work starts or while work is in progress or required under the Building Regulations, or by the County Fire Services or environmental health legislation may only be carried out after approval by the Local Planning Authority. Unauthorised modifications, alterations or works not covered by this consent may constitute an offence under Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and may render the applicant, owner(s), agent and /or contractors liable to enforcement action and/or prosecution.

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/23/03375

**Signed: Philip Isbell**

**Dated: 23rd November 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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