

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



LISTED BUILDING CONSENT

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1992

Correspondence Address:

Mr Peter Deane
Ben Pentreath Ltd
1-4 Lamp Office Court
London
WC1N 3NF

Applicant:

The Hon. Edward Tollemache
Helmingham Hall
Helmingham
Stowmarket
IP14 6EF

Date Application Received: 04-Nov-22

Application Reference: DC/22/05516

Date Registered: 08-Nov-22

Proposal & Location of Development:

Application for Listed Building Consent. Mono-pitched roof to north side replaced with glazed lantern. Insertion of traditional timber screen and door to rear of east elevation service entrance arch to enclose boot room. Re-opening of 3no internal blind kitchen windows. Kitchen window adapted into door. Consolidation and upgrading of mechanical and electrical services. Damp treatment and internal alterations to service wing as per Schedule of Proposed Works.

Helmingham Hall, Access From Ipswich Road To Helmingham Hall, Helmingham, IP14 6EG

Section A – Plans & Documents:

This decision refers to drawing no./entitled L-100 received 04/11/2022 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:

Floor Plan - Proposed A-101 P1 kitchen only - Received 04/11/2022
Floor Plan - Proposed A-100 P1 ground - Received 04/11/2022
Elevations - Proposed A-101.1 P1 kitchen N & E - Received 04/11/2022
Elevations - Proposed A-101.2 P1 kitchen S & W - Received 04/11/2022
Fenestration Drawing A-101.4 kitchen window door - Received 04/11/2022
Floor Plan - Proposed A-102 P1 prep kitchen only - Received 04/11/2022
Elevations - Proposed A-102.1 P1 prep kitchen north - Received 04/11/2022
Elevations - Proposed A-102.2 P1 prep kitchen east - Received 04/11/2022
Elevations - Proposed A-102.3 P1 prep kitchen south - Received 04/11/2022
Floor Plan - Proposed A-100.1 P1 ground M&E strategy - Received 08/11/2022

Fenestration Drawing A-101.5 window door 1 - Received 08/11/2022
Fenestration Drawing A-101.6 window door 2 - Received 08/11/2022
Sectional Drawing A-103.5 boot room screen - Received 08/11/2022
Elevations - Proposed A-103.2 P1 boot room east - Received 04/11/2022
Elevations - Proposed A-102.4 P1 prep kitchen west - Received 04/11/2022
Floor Plan - Proposed A-103 P1 boot room - Received 04/11/2022
Elevations - Proposed A-103.1 P1 boot room north - Received 04/11/2022
Elevations - Proposed A-103.3 P1 boot room south - Received 04/11/2022
Elevations - Proposed A-103.4 P1 boot room west - Received 04/11/2022
Floor Plan - Proposed A-104 P1 larder - Received 04/11/2022
Elevations - Proposed A-104.1 P1 larder N & E - Received 04/11/2022
Elevations - Proposed A-104.2 P1 larder S & W - Received 04/11/2022
Floor Plan - Proposed A-107 P1 courtyard - Received 04/11/2022
Elevations - Proposed A-107.1 P1 courtyard north - Received 04/11/2022
Elevations - Proposed A-107.2 P1 courtyard east - Received 04/11/2022
Elevations - Proposed A-107.3 P1 courtyard south - Received 04/11/2022
Elevations - Proposed A-107.4 P1 courtyard west - Received 04/11/2022
Elevations - Proposed A-200 P1 external northeast - Received 04/11/2022
Elevations - Proposed A-200.1 P1 external northeast - Received 04/11/2022
Elevations - Proposed A-201 P1 external northwest - Received 04/11/2022
Elevations - Proposed A-201.1 P1 external northwest - Received 04/11/2022
Defined Red Line Plan L-100 - Received 04/11/2022
Floor Plan - Existing S-100 - Received 04/11/2022
Heritage Statement - Received 04/11/2022
Elevations - Existing S-200 external northeast - Received 04/11/2022
Elevations - Existing S-200.1 external northwest - Received 04/11/2022
Schedule Of Works - Received 04/11/2022
Design and Access Statement - Received 04/11/2022

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

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.

Note: 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: KITCHEN FLOOR

Following the lifting of the existing kitchen floor and prior to any further works to the kitchen flooring, the extent of retention of tiles/bricks/cobbles and proposed new/shortfall materials shall be submitted to the Local Planning Authority and approved, in writing. Details shall include photos of a sample and/or manufacturers literature of the each proposed new material. The details as may be agreed shall thereafter be entirely implemented as approved.

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

4. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: REMOVAL OF CEMENT FLOOR/REPLACEMENT FLOORING

Notwithstanding the submitted information, prior to the removal of any cement flooring, details of the proposed new/replacement flooring, including manufacturers literature as appropriate, 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.

5. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: REMOVAL OF CEMENT FLOOR METHOD STATEMENT

Prior to the removal of any cement flooring, a method statement for the removal of the cement flooring shall be submitted to and approved, in writing, by the Local Planning Authority. The method of removal as agreed shall thereafter be carried out entirely as approved.

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

6. SPECIFIC RESTRICTION ON DEVELOPMENT: NEW WINDOWS

Any proposed new windows to be installed shall match those existing in appearance, finish and furniture.

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.

7. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DOORS

Prior to the commencement of any works to doors, the extent of the alteration or repairs to the doors, including a schedule of works and detailed drawings of an appropriate scale, where appropriate, 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: GLAZED SCREENS

Prior to the installation of any glazed screens, detailed appropriately scaled elevation and section drawings of the glazed screens, including its surrounds, method of opening and materials 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: NEW GLASS HOUSE / YARD ROOF

Prior to the installation of the new 'glass house'/yard roof lantern, detailed appropriately scaled elevation and section drawings, including details of materials, finishes and method of fixing shall be submitted to and approved, in writing, by the Local Planning Authority. The details as may be agreed 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.

10. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: CHIMNEY BREAST

Notwithstanding the submitted information, following the removal of the plaster from the chimney breast in the kitchen but prior to any further works to any underlying fabric, a schedule of proposed works, including elevation and sectional drawings as appropriate, shall be submitted to and approved, in writing, by the Local Planning Authority. These details as may be agreed 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.

NB: Opportunity for the Heritage Team to inspect the underlying fabric shall be provided as part of this condition.

11. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: SERVICES

Prior to the commencement of any work concerning the alteration/upgrading of the heating services, details of the extent of work required 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.

12. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: NEW DOOR BETWEEN LARDER AND 'GLASS HOUSE'/YARD - INVESTIGATION

Notwithstanding the submitted information, prior to the commencement of any works related to the insertion of the new door between the larder and 'glass house'/yard, an investigation into the possible historic fabric of the wall affected by the proposed door shall be carried out. Details of this investigation, including justification as necessary, shall be submitted to the Local Planning Authority for inspection.

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

13. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: OPENING UP OF FIREPLACE - INVESTIGATION

Notwithstanding the submitted information, prior to opening up of the fireplace in the kitchen, an investigation into the impact of opening up the fireplace on the surrounding historic fabric shall be carried out. Details of this investigation, including justification as necessary, shall be submitted to the Local Planning Authority for inspection.

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

NPPG - National Planning Policy Guidance

FC1 - Presumption In Favour Of Sustainable Development

FC1.1 - Mid Suffolk Approach To Delivering Sustainable Development

HB1 - Protection of historic buildings

HB3 - Conversions and alterations to historic buildings

HB6 - Securing the repair of listed buildings

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

This relates to document reference: DC/22/05516

Signed: Philip Isbell

Dated: 11th January 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.