

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

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

Website: [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



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## **REFUSAL OF PLANNING PERMISSION**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)**  
**ORDER 2015**

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**Correspondence Address:**

Mr Aaron Worley  
Thirty-One Architecture  
12 Pamment Close  
Tostock  
Bury St. Edmunds  
IP30 9FT

**Applicant:**

Mr Dan Balmer  
High Barn  
Chapel Lane  
Drinkstone  
IP30 9TA

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**Date Application Received:** 03-Oct-22

**Application Reference:** DC/22/04893

**Date Registered:** 04-Oct-22

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**Proposal & Location of Development:**

Householder Application - Erection of side extension forming boot room, central orangery extension and internal works as stated within Design Access and Heritage Statement.

High Barn, Chapel Lane, Drinkstone, Bury St Edmunds Suffolk IP30 9TA

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled 1000\_2210\_P3 received 04/10/2022 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:

Elevations - Existing 1015\_2210\_P1 - Received 03/10/2022  
Plans - Existing 1010\_2210\_P2 - Received 03/10/2022  
2030\_2210\_P2 Internal Works Plan - Received 03/10/2022  
Photograph 1030\_2210\_P1 Photographic Schedule - Received 03/10/2022  
Design and Access Statement 2210\_P2 - Received 03/10/2022  
Heritage Statement 2210\_P2 - Received 03/10/2022  
Schedule Of Works 2210\_P2 - Received 03/10/2022  
Defined Red Line Plan 1000\_2210\_P3 - Received 04/10/2022  
Block Plan - Proposed 1000\_2210\_P3 - Received 04/10/2022  
Plans - Proposed 2010\_2210\_P5 - Received 25/10/2022  
Elevations - Proposed 2015\_2208\_P6 - Received 11/11/2022

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**Section B:**

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN REFUSED** for the development proposed in the application in accordance with the particulars and plans listed in section A for the following reasons:

1. Development plan policy CS5 requires all development proposals to protect, conserve and where possible enhance the built historic environment. Development Plan Policy HB1 requires that all such proposals should protect the character and appearance of all buildings of architectural or historic interest. Development Plan Policy HB3 provides that proposals for the alteration of listed buildings will only be permitted in exceptional circumstances and will be required to meet high standards of design, detailing, materials and construction, to the satisfaction of the district planning authority, and should not detract from the architectural or historic character of the existing building or its setting. Furthermore, development plan policy HB4 provides that listed building consent for extensions to listed buildings will only be granted if the proposal does not dominate the original building and does not detract from the architectural or historic character of the building, both externally and internally. Furthermore paragraph 196 of the NPPF provides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The proposed development, erection of a rear extension and side extension would both result in unsympathetic articulations between the historic core and extensions due to their scale, positioning and juxtaposition architectural styles. Cumulatively, when viewed with the C20 extension, the rear extension would obscure too much of the rear historic elevation and thus reduce the ability to appreciate the simple, linear form of the former C18 barn. It is therefore considered to detrimentally impact the significance of the designated heritage asset, which is of notable interest as an early example of the conversion of a farm barn into a pair of modest cottages, resulting in a low to medium level of less than substantial harm to the significance of Grade II listed High Barn. On this basis the proposal would fail to safeguard the statutory objectives in s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The limited public benefits of the proposal are not considered to outweigh the harm to the setting and significance of the aforementioned Heritage Asset.

The application does not meet the requirements of s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, nor paragraphs 199, 200 and 202 of the NPPF or policies HB01 and CS05 of the Development Plan.

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

GP01 - Design and layout of development  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
H18 - Extensions to existing dwellings  
HB01 - Protection of historic buildings  
HB03 - Conversions and alterations to historic buildings  
SB02 - Development appropriate to its setting

CS01 - Settlement Hierarchy  
CS02 - Development in the Countryside & Countryside Villages  
CS05 - Mid Suffolk's Environment  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
Drinkstone Neighbourhood Plan  
NPPF - National Planning Policy Framework  
NPPG-National Planning Policy Guidance

**NOTES:**

0. 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 Local Planning Authority attempted to discuss its concerns with the applicant but was not able to secure the necessary improvements to the scheme that would have enabled the proposals to be considered more favourably.

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/22/04893

**Signed: Philip Isbell**

**Dated: 25th November 2022**

**Chief Planning Officer  
Sustainable Communities**

## 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.