



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

COUNCIL OF THE ISLES OF SCILLY

Town Hall, The Parade, St Mary's TR21 0LW
Telephone: 01720 424350 – Email: planning@scilly.gov.uk

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2010

PERMISSION FOR DEVELOPMENT

Application No: P/17/072/FUL

Date Application Registered: 21st August 2017

Applicant: Mrs Rebecca Smith
Downs Farm
Downs
St Agnes
Isles Of Scilly
TR22 0PL

Agent: Paul Osborne
Jus Limin
Carn Thomas
St Mary's
Isles Of Scilly
TR21 0PT

Site Address: Leah's Barn Downs St Agnes Isles of Scilly

Proposal: Proposed new workshop and display area and re-roofing of the existing barn with natural slate at the barn to the west of Rosevear and to the south of Tarmarisk Farm (affecting the setting of a Listed Building) (Amended Plans)

In pursuance of their powers under the above act, the Council hereby **PERMIT** the above development to be carried out in accordance with the following Conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

C2 The development, hereby permitted, shall be carried out in accordance with the approved details only including:

- The Location Plan
- The Site Plan
- Proposed Store and Workshop Plan, Drawing Number: LB-RS-6a

These are stamped as Approved.

Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policy 1 of the Isles of Scilly Local Plan 2005.

PRE-COMMENCEMENT CONDITION – Site Waste Management Plan

C3 Prior to the commencement of the approved development, a scheme including details of the sources of all building materials and the means/location of disposal of all demolition material and all waste arising from building works, including excess material from excavations, shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required to fully understand the impact upon landscape and management of waste, to be submitted and agreed by the Local Planning Authority. This is to ensure those characteristics which contribute to the status of the Isles of Scilly as a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast are not eroded by uncontrolled mineral extraction or the tipping of waste. In accordance with the requirements of Policy 1 of the Isles of Scilly Local Plan 2005

- C4 Prior to the installation of any external lighting to the building or the area around the building, hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority. Once approved the lighting shall be installed and maintained in accordance with the agreed details only, including the brightness of the bulbs.**

Reason: In the interests of the amenities of the area, to accord with Policies 1 and 2 of the Isles of Scilly Local Plan 2005 and to protect the dark night sky of the Isles of Scilly.

- C5 Prior to the installation of the roofing materials, a sample of the proposed natural roof slate to be used in the works, hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details only and retained as such thereafter.**

Reason: In order to preserve the character of the conservation area in accordance with Policies 1 and 2 of the Isles of Scilly Local Plan 2005 and section 12 of the National Planning Policy Framework 2012.

- C6 The proposed window frames, including any glazing bars, to be used in the works, hereby permitted, shall be of timber construction and be retained as such thereafter.**

Reason: In order to preserve the character of the conservation area on St Agnes in accordance with Policies 1 and 2 of the Isles of Scilly Local Plan 2005 and section 12 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT CONDITION – Archaeological Monitoring

- C7 A) No works shall commence until a programme of archaeological work including a Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include and assessment of significance and research questions, and:**

- 1. The programme and methodology of site investigations and recording;**
- 2. The programme for post-investigation assessment;**
- 3. Provision to be made for analysis of the site investigation and recording;**
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;**
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation;**
- 6. Nomination of a competent person or persons/organisations to undertake the works set out within the WSI.**

B) No development shall take place other than in accordance with the WSI approved under Condition a).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

[Note: The archaeological recording condition will normally only be discharged when all elements of the WSI including on site works, analyses, report, publication (where applicable) of the archive work has been completed.]

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required to fully understand the impact upon the Islands archaeological, historic and built environment, to be submitted and agreed in writing by the Local Planning Authority. This is to ensure those characteristics which contribute to the status of the Isles of Scilly as a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast are preserved or enhanced. In accordance with the requirements of Policy 1 of the Isles of Scilly Local Plan 2005.

- C8 Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the Town and Country Planning Uses Classes Order 1987 as amended (or any order revoking or re-enacting those Order with or without modification) the barn, the subject of this permission shall only be used for the purposes falling within Use Classes B1 and/or A1, and for no other purpose, without the express grant of planning permission from the Local Planning Authority.**

Reason: Any other use would require further assessment in accordance with Policy 4 of the Isles of Scilly Local Plan 2005.

- C9 Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any order amending or re-enacting that order, the building hereby permitted shall be not extended, altered or the use changed, without the express grant of planning permission from the Local Planning Authority.**

Reason: To accord with the specific details of the application, to ensure that the building continues to fulfil its dedicated employment support function and to protect the character and appearance of the area from unsympathetic alterations and extensions.

Further Information

1. In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.
2. In accordance with the Town and Country Planning (fees for Application and Deemed Applications) (Amendment) (England) Regulations 2008 a fee is payable to discharge any condition(s) on this planning permission. **The fee is £97 for each request to discharge condition(s).** The fee is payable for each individual request made to the Local Planning Authority.
3. In accordance with the provisions of Section 96A of the Town and Country Planning Act which came into force on 1st October 2009, any amendments to the approved plans will require either a formal application for a non-material amendment (**for which a fee of £195 would be required**) or the submission of a full planning application for a revised scheme. If the proposal relates to a Listed Building you will not be able to apply for a non-material amendment and a new application for a revised scheme will be required. Please discuss any proposed amendments with the Planning Officer.
4. The Applicant is reminded of the provisions of the Wildlife and Countryside Act 1981 and the E.C. Conservation (Natural Habitats) Regulations Act 1994, the Habitat and Species Regulations 2012 and our Natural and Environment and Rural Communities biodiversity duty. This planning permission does not absolve the applicant from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licences required, as described in part IV B of Circular 06/2005. Care should be taken during the work and if bats are discovered, they should not be handled, work must stop immediately and a bat warden contacted. Extra care should be taken during the work, especially when alterations are carried out to buildings if fascia boards are removed as roosting bats could be found in these areas. If bats are found to be present during work, they must not be handled. Work must stop immediately and advice sought from licensed bat wardens in the first instance (R. Williams 01720 424315, M. And A. Gurr 01720 422224) or Natural England (01872 245045). Or, if none is available, The Bat Conservation Trust's National Bat Helpline on 0845 1300 228.

Signed



Senior Manager: Infrastructure and Planning

DATE OF ISSUE: 24/11/2017



COUNCIL OF THE ISLES OF SCILLY

Planning Department
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW

01720 424350

planning@scilly.gov.uk

Dear Mrs Rebecca Smith

Please sign and complete this certificate.

This is to certify that decision notice: P/17/072/FUL and the accompanying conditions have been read and understood by the applicant: Mrs Rebecca Smith.

I/we intend to commence the development as approved: Proposed new workshop and display area and re-roofing of the existing barn with natural slate at the barn to the west of Rosevear and to the south of Tarmarisk Farm (affecting the setting of a Listed Building) (Amended Plans) at: Leah's Barn Downs St Agnes Isles Of Scilly

on:..... and I am/we are aware of any conditions that need to be discharged before works commence. I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.

Print Name:.....

Signed:.....

Date:.....

Please sign and return to the **above address** as soon as possible.

For the avoidance of doubt you are reminded to address the following condition(s) before you commence the implementation of this permission. Although we will aim to deal with any application to discharge conditions as expeditiously as possible, you are reminded to allow up **to 8 weeks** for the discharge of conditions process.

PRE-COMMENCEMENT CONDITIONS

- C3 Prior to the commencement of the approved development, a scheme including details of the sources of all building materials and the means/location of disposal of all demolition material and all waste arising from building works, including excess material from excavations, shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.
- C7 A) No works shall commence until a programme of archaeological work including a Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include and assessment of significance and research questions, and:
1. The programme and methodology of site investigations and recording;
 2. The programme for post-investigation assessment;
 3. Provision to be made for analysis of the site investigation and recording;

4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
5. Provision to be made for archive deposition of the analysis and records of the site investigation;
6. Nomination of a competent person or persons/organisations to undertake the works set out within the WSI.

B) No development shall take place other than in accordance with the WSI approved under Condition a).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

[Note: The archaeological recording condition will normally only be discharged when all elements of the WSI including on site works, analyses, report, publication (where applicable) of the archive work has been completed.]