



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

COUNCIL OF THE ISLES OF SCILLY

Town Hall, The Parade, St Mary's TR21 0LW
Telephone: 01720 424455 – Email: planning@scilly.gov.uk

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

REFUSAL OF PERMISSION FOR DEVELOPMENT

Application No: P/18/055/FUL

Date Application Registered: 10th July 2018

Applicant: Mrs Rosemary Sharman
Robinswood Farm
Bere Wood
Bere Regis
Wareman
Dorset
UK

Site: Trevean, The Thorofare Hugh Town St Mary's Isles of Scilly

Proposal: Replacement of timber windows on front elevation with UPVC windows in same style and colour.

In pursuance of their powers under the above act, the Council hereby **REFUSE** the above development for the following reason:

- R1 The replacement of existing traditional sliding sash timber windows with upvc materials would have a detrimental impact upon the character and appearance of the Conservation Area contrary to Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990, which requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character of the Conservation Area. The proposal is also considered to be contrary to paragraphs 124 and 130 of the National Planning Policy Framework 2018. This states that Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 172 requires planning authorities to attach great weight to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. Paragraph 200 requires Local planning authorities to look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. The proposal is therefore considered to be contrary to the National Planning Policy Framework 2018, Policy 2 of the adopted Isles of Scilly Local Plan 2005 and the Isles of Scilly Design Guide SPD 2007.

Signed

Senior Manager for Infrastructure and Planning

DATE OF ISSUE: 1st August 2018

It is important that you should read the notes attached to this form.



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Planning & Development Department
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW
☎ 0300 1234 105
✉ planning@scilly.gov.uk

Dear Applicant,

As your application has been refused, this letter is to inform you of the process in which you can appeal against the decision made by the Local Planning Authority.

Appealing Against the Decision

If you are aggrieved by the decision to refuse your application as detailed on your decision notice, you can appeal against this decision to the Secretary of State. All appeal decisions are considered by the Planning Inspectorate – a government department aimed at providing an unbiased judgement on a planning application. From the date of the refused decision notice attached you must lodge an appeal within the following time periods:

- Householder Application - 12 weeks
- Planning Application – 6 months
- Listed Building Consent – 6 months
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Lawful Development Certificate – None (unless for LBC – 6 months)
- Other Types - 6 months

Note that these periods can change so you should check with the Planning Inspectorate for the most up to date list. You can obtain the appeal forms by calling 0303 444 5000 or submit an appeal through the Planning Portal <https://www.gov.uk/appeal-planning-inspectorate>

You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

Purchase Notices

Planning control is intended to regulate the development of land in the public interest. For this reason, planning decisions may conflict with the private interests of land owners. There is no entitlement to compensation for adverse planning decisions (except in limited circumstances). This is because owners usually have some continuing benefit from current uses. However, occasionally there may be no reasonably beneficial use for the land. In order to remedy this situation; an owner has the right, in certain circumstances, to serve a "purchase notice" requiring a local authority to purchase their interest in the land. Purchase notices will be considered by the Planning Inspectorate, although you are advised to contact the Planning Department if you wish to consider this option.

Listed Buildings

Please note that any unauthorised works to a listed building are considered to be a criminal offence. If you need further clarification of what type of works may require consent, please contact the department.

Re-submissions for Planning Permission

Under planning regulations, you are allowed to re-submit your application after a refusal without a fee, provided certain criteria are met. The re-submission must be within 12 months of the date of the original decision, the proposal must be on the same site and be similar to the previous application. Similarly, the application must be made by the same applicant. If you consider resubmitting your application, contact the Planning Department so we can explain where your application can be improved to be in accordance with local planning policy. In order for the Council reach a different decision, however you will need to address all of the previous reasons for refusal.

Should you require any further advice regarding any part of your application, please contact the Planning Department and we will be happy to help you.