

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**



**COUNCIL OF THE ISLES OF SCILLY**

Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD  
Telephone: 01720 424350 – Fax: 01720 424317

Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

**GRANTING OF LISTED BUILDING CONSENT**

**Application No:** P/12/088/LBC

**Date Application Registered:** 10th August 2012

**Applicant:** Mr Adrian Smith  
Duchy of Cornwall  
Hugh House  
The Garrison  
St Mary's  
Isles of Scilly  
TR21 0LS

**Agent:** Mr James Hetherington  
Smiths Gore  
1 - 2 Lemon Villas  
Lemon Street  
Truro  
Cornwall  
TR21 2NU

**Site and particulars of works:** The Harbourside Hotel The Quay Hugh Town St Mary's Isles of Scilly - External and internal alterations and change of use to Harbourside Hotel which is part of the listed pier at St. Mary's.

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

- C 1 The works to which this condition relates shall be begun not later than three years from the date of this consent.**

Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to ensure that the Local Planning Authority retains the right to review unimplemented consents.

- C 2 The works hereby permitted shall be carried out in complete accordance with the details shown on the approved submitted plans 1033268/00 Rev D, 1033268.01 Rev A, 1033268/15, 1033268/16 Rev B, 1033268/20, 1033268/21, 1033268/23, 1033268/24 Rev A and 1033268/25 Rev C, stamped and dated 17<sup>th</sup> December 2012.**

Reason: For the avoidance of doubt and in the interests of the character and appearance of the building and the surrounding area, which is designated a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policies 1 and 2 of the Local Plan.

- C 3 Prior to the commencement of any works to the Harbourside building and freight buildings hereby permitted, samples of the facing materials to be used on the external walls and roofs of these buildings shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To safeguard the character and appearance of the Grade II Listed Quay and to ensure that the visual amenity of the area is not adversely affected by reason of the appearance of the type and colour of the materials to be used in the proposed development and to compensate for any habitat losses resulting from the development hereby permitted in accordance with Policy 1 of the Local Plan.

- C 4 Prior to the completion of the works hereby permitted, details of the provision of roost sites for bats, including the location of bat boxes and bat bricks on the Eastern elevation of the Harbourside building, shall be submitted and approved in writing by the Local Planning Authority and shall be implemented in strict accordance with the details as agreed.**

Reason: To enhance nature conservation interests in accordance with the NPPF, Policy 1 of the Local Plan and the Isles of Scilly Biodiversity and Geological Conservation Good Practice Guide.

- C 5 Prior to the commencement of any works hereby permitted, a detailed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of the design of the external light fittings in terms of their type, finish, location upon the building, method of fixing, hours of illumination and lighting levels. The approved scheme shall be implemented in strict accordance with the agreed details.**

Reason: To minimise the impact of the lighting on the character and setting of the Grade II Listed Quay and the surrounding area in accordance with Policy 1 of the Local Plan.

## **Further Information**

### **1 Reasons for Approval for Listed Building Consent**

Listed building consent should be granted as permitting the proposed works to the Grade is not considered to conflict with the duty under Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 to have regard to the desirability of preserving the listed structure or its setting or any features of special architectural or historic interest which it possesses.

### **2 Informative(s)**

The Applicant is reminded to read the letter attached to this decision notice for further information including how to appeal against a decision.

- 3** 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 2010 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.

4 **Statement of Positive Engagement**

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The agent was informed of any representations and negotiations were made to amend the proposals. The proposed works are in accordance with the relevant prevailing policies. For the reasons given, and expanded upon in the related case officer's report, a positive view of the submitted proposals was taken and permission was granted.

Signed



Chief Planning and Development Officer

**DATE OF ISSUE:** 17th December 2012