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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/12/096/LBC

Date Application Registered: 22nd August 2012

Applicant: Sir W R A Ross
Duchy of Cornwall
10 Buckingham Gate
London
SW1E 6LA

Agent: Mr Chris Wood
Ingenium Archial
13 Queens Terrace
Exeter
Devon
EX4 4HR

Site and particulars of works: The New Quay The Quay Hugh Town St Mary's Isles of Scilly - Proposed demolitions, alterations and extensions to existing buildings to provide enhanced passenger and freight facilities. Extension of main pier towards North East, widening of quay wall to South West to improve access to freight yard.

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 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 L(20)01 Rev G, L(20)02 Rev D, L(20)04 Rev C, L(20)05 Rev F, L(20)06 Rev D, L(20)07 Rev D, L(20)10, L(20)11, L(20)12, L(20)13, L(20)14, L(20)15, L(20)18, L(21)01 Rev B, L(21)02, L(21)03, L(21)10, L(21)11, L(21)12, L(22)01 Rev A and L(22)10, stamped and dated 17th December 2012.**

Reason: For the avoidance of doubt and in the interests of the character and appearance of the listed Quay 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 No works hereby permitted shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall include monitoring regimes and proposed mitigation measures and shall be adhered to throughout the construction period. The statement shall provide for:

- a) The parking of vehicles of site operatives and visitors**
- b) Loading and unloading of plant and materials**
- c) Storage of plant and materials used in constructing the development**
- d) The erection and maintenance of security fencing**
- e) Wheel washing facilities**
- f) Measures to control the emission of dust and dirt during construction**
- g) A site waste management plan conforming to the details and methodology set out in the Environmental Statement accompanying the HRO**
- h) Details of the construction lighting; and**
- i) A consultation/interpretation strategy informing residents and visitors of the key stages of the construction process and any mitigation measures to reduce the impact of the scheme.**

Reason: To ensure that the construction of the scheme is adequately controlled and to protect the Grade II Listed Building and amenities of the Conservation Area in accordance with Policies 1 of the Local Plan.

C 4 No works hereby permitted shall take place, including any works of demolition, until a scheme relating to the control of noise and vibration from the construction of the development that accords with British Standard BS5228 has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall specify the times of construction and incorporate the mitigation measures contained in the Environmental Statement accompanying the HRO and include the following:

- a) Construction and reporting processes for noise and vibration**
- b) The predicted noise levels for different phases of the construction programme**
- c) Noise and vibration monitoring procedures including recording measures and the location of measuring instruments for each phase of the development**
- d) The action to be taken in the event of non-compliance with (a) or (c) above**
- e) A record of the occasions when the breaking out of rock takes place**
- f) Complaint response procedures**
- g) The requirement to implement measures for the purpose of notifying the public when any percussive piling operations and the breaking out of rock are to take place; and**
- h) Any other measures required to alleviate and control noise and vibration, including the breaking out of rock.**

The approved scheme shall be implemented in strict accordance with the details as agreed. All external and internal works involving heavy machinery required in connection with the implementation of this permission shall be restricted to between 0800 to 1800 hours Monday to Saturdays unless otherwise agreed in writing with the Local Planning Authority. There shall be no works involving machinery on a Sunday, Bank or Public Holiday.

Reason: To ensure that any noise and vibration resulting from the construction of the development is adequately controlled and to protect the Grade II Listed Quay and the amenities of the Conservation Area and to protect nature conservation interests in accordance with Policy 1 of the Local Plan.

- C 5 No works hereby permitted shall take place, including any works of demolition, until a scheme for the clearance and reinstatement of the Quay, including the construction compounds and any temporary buildings or equipment required during the implementation of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. The reinstatement scheme shall be implemented in accordance with an agreed schedule of works and completed within 6 months of the notified completion and successful commissioning of the development hereby approved, or as otherwise agreed in writing with the Local Planning Authority.**

Reason: To safeguard the character and appearance of the Quay and in the interests of the character and appearance of the surrounding area in accordance with Policy 1 of the Local Plan.

- C 6 A) No demolition or works shall commence until a programme of archaeological work, including an archaeological diving inspection, in accordance with a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:**

- 1. The programme and methodology of site investigation 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. Provision to be made for English Heritage Level 2-3 record of the Quay and its environs and archive standard scaled photographic recording of the Quay prior to any works commencing on site**
- 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

B) No demolition/works shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

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

Reason: The site comprises an area of known archaeological interest where it is the Local Planning Authority's policy to provide for the examination of archaeological remains and to ensure that there is an accurate recording of the Quay prior to the proposed alterations due to its historical importance.

- C 7 No works hereby permitted shall be commenced until details of the facing materials and colours to be used on the external quay walls, including samples where requested, have been submitted to and approved in writing by the Local Planning Authority. The quay walls shall be textured in order to facilitate the creation of habitats to the satisfaction of the Local Planning Authority. The external quay walls shall be constructed, laid out and maintained thereafter in accordance with the detailed works as approved.**

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 8 No works hereby permitted shall be commenced until details including layout drawings showing both foul and surface water drainage (including the provision of all oil and diesel interceptors) for that phase of the development have been submitted to and agreed in writing by the Local Planning Authority and thereafter any such works in relation to the development shall be undertaken in accordance with the approved drawings and retained thereafter and maintained so as to perform the function for which they are provided.**

Reason: To ensure that any satisfactory foul and surface water drainage that is provided within the proposal in accordance with Policy 6 of the Local Plan does not adversely impact on any features of special architectural or historic interest of the Grade II Listed Quay.

- C 9 No works hereby permitted shall take place until a detailed scheme indicating the potential re-use of existing granite material has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the amount of granite available for re-use and the identification of areas where the granite shall be re-used. The scheme shall be implemented in strict accordance with the details as agreed.**

Reason: To safeguard the character and appearance of the Grade II Listed Quay and the surrounding area in accordance with Policy 1 of the Local Plan.

- C 10 During the construction of the works hereby permitted, steps shall be taken to secure the safety and stability of those parts of the Quay and its buildings and architectural features which are to be retained. Such steps shall, where necessary, include measures to strengthen any wall or vertical surface; to support any floor, roof or horizontal surface; and to provide protection for the building against the weather during the progress of the works.**

Reason: To protect and safeguard the character and appearance of the Conservation Area and Grade II Listed Quay, including those buildings and architectural features which are to be retained.

- C 11 Any damage caused by or occurring during the course of carrying out the works hereby permitted shall be made good after the works are complete.**

Reason: To protect and safeguard the character and appearance of the Conservation Area and Grade II Listed Quay, including those buildings and architectural features which are to be retained.

- C 12 **No works hereby permitted shall be commenced until a detailed external lighting scheme has been 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.

- C 13 **Notwithstanding the information contained within the application, the pedestrian walkway shall be widened and the stone surface levelled to the satisfaction of the Local Planning Authority. Details of the stone surface shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site. The pedestrian walkway shall be constructed in accordance with the details as agreed.**

Reason: To safeguard the character and appearance of the Grade II Listed Quay and the surrounding area in accordance with Policy 1 of the Local Plan.

- C 14 **Notwithstanding the information contained within the application, the details of the design and siting of street furniture shall be submitted to and approved in writing by the Local Planning Authority. Such details as agreed in writing shall be undertaken as part of the development hereby permitted and thereafter maintained.**

Reason: To safeguard the character and appearance 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 is not considered to conflict with the duty under Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 to have special regard to the desirability of preserving the listed Quay or its settings or any features of special architectural or historic interest which it possesses, as the proposed works, including demolition, have been sensitively designed to minimise the impact on the character and appearance of the Quay and the inclusion of conditions to mitigate and compensate for any impact. Where the proposed works would lead to less than substantial harm to the significance of the Quay as a heritage asset, it is considered that such harm would be significantly out-weighted against the public benefits of the proposal, including securing its optimum viable use as a working quay and harbour.

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 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