

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY



COUNCIL OF THE ISLES OF SCILLY

Town Hall, The Parade, St Mary's TR21 0LW
Telephone: 01720 424350 – Fax: 01720 424317

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

PERMISSION IS PART APPROVED AND PART REFUSED

Application No: P/15/005/FUL

Date Application Registered: 23rd January 2015

Applicant: Mr Andrew Combes
2 The Street
West Monkton
Somerset
TA2 8NP

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

Site Address: Buzza Tower Buzza Hill Hugh Town St Mary's Isles Of Scilly

Proposal: Amended scheme of works approved under P/12/054/FUL: Alterations to camera obscura and storage box, addition of safety rail and new ground floor window.

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

C 1 The development hereby authorised 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).

C 2 The permission hereby approved does not include the proposed demountable hand rail which is expressly refused. No aspect of this handrail shall be constructed on Buzza Tower.

Reason: The construction of the handrail is an unnecessary addition required for limited short periods whilst the camera equipment is set up and put away. Alternative means of providing security for staff should be explored that have less of an obtrusive presence on the top of Buzza Tower. The proposed hand rail is therefore considered to amount to harm to the appearance of the listed building which is not outweighed by any wider public benefit. The proposal is contrary to the requirements of Policy 1 of the 2005 Isles of Scilly Local Plan and Paragraph 132 of the National Planning Policy Framework.

C 3 The works hereby permitted, with the exception of the demountable hand rail which is refused by condition 2, shall be carried out in accordance with the following approved drawings: BT-AC-PAW, BT-AC-PW1, BT-AC-1/15 stamped as APPROVED and dated 5th March 2015.

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 4** Once no longer required for the use hereby approved, the external removable structures comprising the camera obscura and the watertight housing shall be permanently removed from the site and the roof secured by a scheme that shall be submitted to and agreed in writing the Local Planning Authority. The roof shall be secured in accordance with the agreed details and retained as such thereafter.

Reason: In the interests of the architectural interest of the Listed Building and the visual amenity of the area which is designated as an Area of Outstanding Natural Beauty and Conservation Area in accordance with Policy 1 of the Local Plan.

- C5** The building shall be used solely for the housing of the proposed camera obscura and purposes directly associated with and incidental to that use. Use of the roof area shall be limited solely to the maintenance purposes, as inferred on drawing number BT-AC-1/15

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 6** The baffles shall be permanently fixed to the camera obscura in the positions as previously agreed by the Local Planning Authority when discharging conditions on P/12/054/FUL. The camera obscura shall not be operated other than in accordance with these details.

Reason: For the avoidance of doubt and in the interests of the protecting the privacy and amenity of neighbouring residential amenity.

- C 7** The camera obscura mechanism shall be installed as shown on the approved drawings and shall be collapsed whenever the building is not open to the public.

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.

Further Information

1. 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 fees is £97 would be required for each individual request to discharge condition(s)
2. 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.
3. 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, in accordance with paragraphs 186 and 187 of the NPPF.
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. 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.

Signed

A handwritten signature in black ink, consisting of several fluid, connected strokes.

Senior Manager: Infrastructure and Planning

DATE OF ISSUE: 5th March 2015