

# Cornwall Council

Chy Trevail Beacon Technology Park Bodmin Cornwall PL31 2FR

Email: [planninghouseholder@cornwall.gov.uk](mailto:planninghouseholder@cornwall.gov.uk)

Tel: 0300 1234151

Web: [www.cornwall.gov.uk](http://www.cornwall.gov.uk)



**Application number:** PA17/05141

**Agent:**

Mr Brett Garrett

Aviva Insurance

Aviva Claims Service

Pitheavlis

Perth

Scotland

PH2 0NH

**Applicant:** Mrs Susan Longhurst

Semersdon Manor

North Tamerton

Holsworthy

Cornwall

EX22 6RL

## Planning (Listed Building and Conservation Areas) Act 1990

### Grant of Listed Building Consent

**CORNWALL COUNCIL**, being the Local Planning Authority, **HEREBY GRANTS CONDITIONAL PERMISSION**, subject to the conditions set out on the attached schedule, for the development proposed in the following application received on 25 May 2017 and accompanying plan(s):

**Description of Development:** Listed Building consent for the dismantling and re-build of partially collapsed chimney stack and re-build internal chimney breast

**Location of Development:** Semersdon Manor  
North Tamerton  
Holsworthy  
Cornwall  
EX22 6RL

**Parish:** North Tamerton

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**

**Phil Mason**  
**Service Director Planning and**  
**Sustainable Development**

**DATED: 18 August 2017**

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/05141**

**CONDITIONS:**

- 1 The works/demolition 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).

- 2 The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development shall be undertaken in accordance with the conclusions, recommendations and mitigation methods set out in the 'Bat emergence surveys' document, by Western Ecology, dated July/August 2017 and received 16/08/2017.

Reason: To enable the local planning authority to retain control over development, in order to safeguard bats and birds as protected by law, and in accordance with section 11 of the National Planning Policy Framework 2012.



**Phil Mason**  
**Service Director Planning and**  
**Sustainable Development**

**DATED: 18 August 2017**

**PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:**

Site/location Plan received 25/05/17

Existing PHOTO received 25/05/17

Proposed SCHEDULE OF WORKS received 28/06/17

Proposed INDICATION OF BAT MITIGATION MEA received 16/08/17

**ANY ADDITIONAL INFORMATION:**

- 'As a consequence of changes to licensing arrangements where development (as defined in Section 55(1) of the Town and Country Planning Act 1990) may affect a European protected species (those species listed on Schedule 2 of the , The Conservation of Habitats and Species Regulations 2010 which includes all bats), a license for works affecting bats will be required. These licenses are administered by Natural England and information is found at [www.gov.uk/government/organisations/natural-england](http://www.gov.uk/government/organisations/natural-england)



**Phil Mason**  
**Service Director Planning and**  
**Sustainable Development**

**DATED: 18 August 2017**

## LISTED BUILDING NOTES

Attention is drawn to Section 8 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the Local Planning Authority) until notice of the proposals has been given to the Royal Commission on the Historical Monuments of England, National Monuments Record Centre, Kemble Drive, Swindon, Wiltshire, SN2 2GZ, and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it.

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building consent for the proposed works, or to grant consent subject to conditions, he may by notice served within six months of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. **(Appeals must be made on a form which is obtainable from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Telephone: 0303 444 5000 or download from web site [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)).**

If listed building consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out any works which have been or would be permitted, he may serve on the council of the county borough, county district, or London borough in which the land is situated (or, where appropriate, on the Common Council of the City of London) a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

Your attention is drawn to Sections 7 and 9 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, the effect of which is that it is a criminal offence to execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest without listed building consent. Further it is a criminal offence to fail to comply with any conditions attached to the consent.

**PLEASE NOTE PERMISSION IS NOT LAWFUL UNTIL THE CONDITIONS ON YOUR DECISION NOTICE HAVE BEEN SUBMITTED TO AND APPROVED (COMPLIED WITH) IN WRITING BY THE LOCAL PLANNING AUTHORITY.**

The decision notice is important but you must read it together with the application and any approved drawings or documents.

It is your responsibility to comply. Failure to comply with the items of an approval could mean that the work you carry out is unauthorised and at risk of enforcement action, which could have serious consequences.

Please read the decision notice carefully and ensure that you understand and comply with the requirement of any conditions. Also, you must comply precisely with any approved drawings or documents.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice.



Mr Brett Garrett  
Aviva Claims Service  
Pitheavlis  
Perth  
Scotland  
PH2 0NH

**Your ref:**

**My ref:** PA17/05141

**Date:** 18 August 2017

Dear Sir/Madam

**Listed Building consent for the dismantling and re-build of partially collapsed chimney stack and re-build internal chimney breast  
Semersdon Manor North Tamerton Holsworthy Cornwall EX22 6RL**

With reference to this planning application, I enclose the Council's decision letter concerning the above.

If conditions have been included that must be complied with before the commencement of the development, e.g. "No development shall commence before ...", and this is not done, the development cannot be validly commenced even if it is within the time limit set by Condition.

If details are required I look forward to receiving them. Application forms can be found on [http://www.planningportal.co.uk/uploads/appPDF/P0810Form027\\_england\\_en.pdf](http://www.planningportal.co.uk/uploads/appPDF/P0810Form027_england_en.pdf). Your attention is drawn to the recent change of fees to discharge planning conditions under The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012:

**£97 (per request)** for applications not falling within fee categories 6 or 7 (non-householder applications)

**£28 (per request)** where the request relates to an application for works to an existing dwelling, or within the curtilage of such, falling within fee categories 6 or 7 (householder applications only)

**No fee** – for applications to discharge conditions relating to a Listed Building Consent.

You may wish to take the opportunity to submit details to discharge more than one condition per request.

Yours faithfully

**Lorraine Lehan**

**Development Officer  
Planning and Sustainable Development Service  
Tel: 01208 265710**

