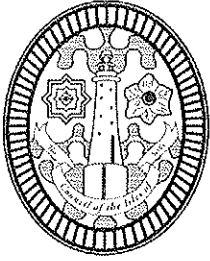


IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY



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

**PERMISSION FOR DEVELOPMENT**

**Application No:** P/14/026/FUL                      **Date Application Registered:** 30<sup>th</sup> May 2014

<b>Applicant:</b>	Mr Peter Moore Cornwall Rural Housing Association 1 Dreason Barn Bodmin Road Bodmin Cornwall PL30 4BG	<b>Agent:</b>	Trewin Design Architects 1 Stanhope Square Holsworthy Devon EX22 6DR
-------------------	---	---------------	--

**Site and particulars of development:** Well Cross Yard, Well Cross, St Mary's, Isles of Scilly  
Conversion of existing stores into 2 no dwellings.

In pursuance of their powers under the above act, the Council hereby PERMIT planning permission P/14/009 issued on 10<sup>th</sup> April 2014 to be carried out in accordance with the following Conditions subject to a Section 106 Planning Obligation restricting occupancy of the dwellings to those with a social housing need:

**C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: in accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

**C2 All external and internal works involving machinery required in connection with the implementation of this permission shall be restricted to between 0800 to 1800 hours Monday to Saturdays. There shall be no works involving machinery on a Sunday, Bank or Public Holiday.**

Reason: In the interests of protecting the residential amenities of neighbouring properties.

**C3 The development hereby permitted shall be carried out in complete accordance with the details shown on the approved plans submitted with application no. P/14/009 numbered 5484 S5c, 5484 S4K and 5484 S10g stamped approved and dated 10<sup>th</sup> April 2014.**

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.

- C4** The planning permission hereby granted shall supersede and rescind planning permission P/07/068 and dated 24<sup>th</sup> July 2013 to ensure that planning permission P/14/009 (and as amended by P/14/026) is not exercised in addition to or in combination with planning permission P/07/068.

Reason: For the avoidance of doubt and in recognition that the merits of the details design and siting of the development to which the two permissions relate are mutually exclusive and in interests of protecting the residential amenities of neighbouring properties and the character and appearance of the area, including the setting of the Grade II listed Lemon Hall.

- C5** Prior to the commencement of any works to any of the boundary walls of the application site with neighbouring properties details of such works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Authority.

Reason: For the avoidance of doubt and to protect and safeguard the boundary walls in the interests of preserving the character and appearance of the Listed building, and the Conservation Area.

- C6** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), there shall be no external alterations to the property, including new openings, extensions or outbuildings, without the prior agreement in writing of the Local Planning Authority.

Reason: In the interests of the character and appearance of the development and the locality, which is designated as a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policies 1 and 2 of the Local Plan.

- C7** Prior to the commencement of any of the approved works, a scheme including details of the sources of all building materials and the means/location of disposal of all demolition material and all waste arising from building works, including excess material from the excavations, shall be submitted and agree in writing with the Local Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that those characteristics which contribute, inter alia, to the status of the Isles of Scilly as a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast are not eroded by uncontrolled mineral extraction or tipping of waste.

- C8** A detailed scheme indicating the sustainable design measures to be incorporated into the proposal shall be agreed in writing with the Local Planning Authority and should include water conservation and renewable energy generation. The scheme shall include precise details of the solar panels, including their positioning so as to maximise their efficiency and effectiveness of their colour. The sustainable design scheme shall be implemented in strict accordance with the details as agreed prior to the occupation of the development hereby permitted. As soon as the solar panels hereby approved are no longer required for their intended purpose, they shall be removed from the building and the roof reinstated to its former condition to the satisfaction of the Local Planning Authority.

Reason: In accordance with Policy 2 of the Local Plan and to minimise the impact of the development on essential infrastructure in accordance with Policy 6 of the Local Plan and in the interests of the visual amenity of the area, which is designated as an Area of Outstanding Natural

Beauty and Conservation Area, and to protect the setting of the listed building, in accordance with Policy 1 of the Local Plan.

- C9** Prior to the installation of any of the rooflights hereby permitted, details of their proposed form, finishes, glazing and means/extent of opening shall be submitted to and approved in writing by the Local Planning Authority. The roof lights shall subsequently be installed in strict conformity with the approved details and shall thereafter be retained and not altered without the prior written permission of the Local Planning Authority.

Reason: To protect the character and appearance of the building and Conservation Area in accordance with Policies 1 and 2 of the Local Plan and to protect the residential amenities of neighbouring properties.

- C10** The roof covering for the development hereby permitted shall be natural slate, a sample of which shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved sample.

Reason: To protect the character and appearance of the building and Conservation Area in accordance with Policies 1 and 2 of the Local Plan.

- C11** All mortar and render constituents required in connection with the works hereby permitted shall be lime based to match the existing.

Reason: To protect the character and appearance of the building and Conservation Area in accordance with Policies 1 and 2 of the Local Plan.

- C12** Notwithstanding the information contained within the application, all windows and doors shown on the plans hereby approved shall be of timber construction and painted in a colour to be agreed in writing by the Local Planning Authority and shall thereafter be maintained as such.

Reason: To protect the character and appearance of the building and Conservation Area in accordance with Policies 1 and 2 of the Local Plan.

- C13** No works shall be carried out on site, until a detailed photographic record of the existing buildings to be converted, both interior and exterior is undertaken and a brief report (to an English Heritage Level 2-3 record) produced. A copy of the photographic record and a report shall be deposited with the Local Planning Authority and with the Historic Environment Service of Cornwall Council.

Reason: To ensure the recording of matters of archaeological interest.

- C14** A) A programme of archaeological work based on the approved Written Scheme of Investigation shall be submitted to and approved by the Local Planning Authority in writing. 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. **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation**
- B) **No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A)**
- C) **The development 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 provision 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.

- C15 No development shall take place until full details, including a sample where requested, of the external paving material has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details.**

Reason: To protect the character and appearance of the building and Conservation Area accordance with Policies 1 and 2 of the Local Plan.

- C16 The rainwater goods to be used on the development hereby approved shall be black half round cast iron effect.**

Reason: To protect the character and appearance of the building and Conservation Area accordance with Policies 1 and 2 of the Local Plan.

- C17 Prior to the first use of the development hereby permitted, screen walling/fencing/planting shall be erected on the southern boundary of the site in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved boundary walling/fencing/planting shall be retained and shall not be altered without the prior written permission of the Local Planning Authority.**

Reason: To protect the residential amenities of neighbouring occupants.

- C18 If mechanical ventilation is required in connection with the approved dwellings, prior to its installation, the details including the precise location, shall be submitted to and approved in writing with the Local Planning Authority. The installation of the mechanical ventilation shall be carried out in strict accordance with the approved details.**

Reason: To protect the residential amenities of neighbouring occupants.

## **Further Information**

### **Statement of Positive Engagement**

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 manner by providing pre-application advice and negotiated improvements to the design of the proposal, in accordance with paragraphs 186 and 187 of the NPPF.

### **Informatives**

1. The details to be submitted in furtherance of condition no. 9 above shall provide for the proposed rooflights to be of a conservation style and sit flush to the roof covering. The details shall also identify the type/specification of obscure glazing to be used in each rooflight, and the precise nature of the means of opening of any roof lights (other than 5 of the 6 roof lights on the southern boundary that shall be fixed paned and non-opening).
2. 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 licenses required, as described in part IV B of Circular 06/2005.

Extra care should be taken during the work, especially when removing the roofs. Particular care ought to be given to the gable end of the storage barn (B) as identified in the Bat Survey Report dated 2<sup>nd</sup> July 2013, as roosting bats could be found in this area. Please remove any roof materials and structure slowly and carefully to avoid disturbance to roosting bats should they be present. Care also should be given to any works to the granite blocks of all three storage barns. Gaps must be checked for bats before filling them in. If granite blocks are to be removed entirely, please ensure that this carried out slowly and carefully where there are existing gaps/crevices, as roosting bats could be found within these areas.

In the interests of bat conservation, it is recommended, where possible, that 15mm wide by 20mm long gaps are left between roof tiles of the proposed development to allow for roosting bats. It is also recommended, where possible, that 20mm long gaps are left between the soffits of the proposed development to allow for roosting bats. Building regulations specify that roofs must have adequate ventilation around the soffit, so access for bats can be easily incorporated.

If bats are found to be present during the work, they must not be handled; work must stop immediately and advice sought from licensed bat wardens in the first instance (R. Steggles 01720 424315, M. And A. Gurr 01720 422224, or Natural England 01872 245045). If none are available, The Bat Conservation Trust's National Bat Helpline on 0845 1300 228. The BCT's adviser for the South West Region is Kathrin Stoetzel.

3. As the proposed works affect the boundary with a neighbouring property, this decision does not convey any other form of consent or agreement that may be necessary in conjunction with these works and does not override or supersede any civil rights, which the neighbour may have. The applicant should have regard to the Party Wall Act etc. 1996.

Signed



Senior Manager for Infrastructure and Planning

DATE OF ISSUE:

8th August 2014

