

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 FOR DEVELOPMENT

Application No: P/14/045/FUL **Date Application Registered:** 8th October 2014

Applicant: Dr Randolph Hessing
Jedi
McFarlands Down
Telegraph
St Marys
Isles of Scilly
TR21 0NS

Agent: Paul Osborne
Kavorna
Hugh Street
St Mary's
Isles of Scilly
TR21 OPT

Site Address: Jedi McFarland's Down St Mary's Isles of Scilly TR21 0NS

Proposal: Conversion of garage to holiday accommodation with an extension to the east and a porch and kitchenette extension on the south elevation

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

- C 1 The development hereby permitted shall be begun before the expiration of 3 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).
- C 2 The development hereby permitted shall be carried out in complete accordance with the details shown on the approved submitted plan Drawing Number: JI-GA-2a stamped 'approved plans' dated 25th November 2014.**
Reason: To define the nature and extent of the development in accordance with Circular 11/95 and for the avoidance of doubt.
- C 3 All 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.
- C 4 Prior to any work commencing on site, a detailed Protected Species Mitigation Statement, prepared by a competent and qualified ecologist [including a schedule and programme of works and/or, if required, a European Protected Species Licence] shall be submitted to and approved in writing by the Local Planning Authority. Work on the holiday let conversion hereby approved shall be in accordance only with the approved plans and the mitigation measures contained**

within this statement.

Reason: The garage contains a known bat roost and the Mitigation Statement is required in order to protect both roosting bats and nesting birds from any harm during development and to ensure appropriate mitigation and compensation measures are provided. In accordance with Policy 1 of the Isles of Scilly Local Plan 2005, the Conservation of Habitats and Species Regulations 2010 and the Biodiversity duty of public authorities.

- C 5 Prior to any development commencing on site details of the external paint finish of the building shall be submitted to and approved in writing by the Local Planning Authority. The conversion shall be implemented in accordance with the approved plans and these details and be retained as such thereafter.**

Reason: In the interests of protecting the character and appearance of the area in accordance with Policy 1 of the Isles of Scilly Local Plan 2005.

- C 6 The residential garage conversion hereby approved shall be used for the purposes of self-catering holiday let only in association with the residential dwelling known as Jedi, McFarlands Down only and not as a separate independent dwelling. The owner shall maintain a register of occupants for each calendar year. This register shall be made available on request for inspection by any duly authorised officer of the Local Planning Authority.**

Reason: To safeguard the privacy of the neighbouring properties and In the interests of the character and appearance of the dwelling and the locality, which is designated a Conservation Area and AONB in accordance with Policy 1 of the Local Plan.

- C 7 No development shall take place within the area indicated on the approved plan until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist which has been submitted to and approved by the planning authority.**

Reason: The site lies close to an area of known archaeological interest where it is the Local Planning Authority's policy to provide for the examination of archaeological remains.

Further Information

- 1 The Applicant is reminded to read the letter attached to this decision notice for further information including how to appeal against a decision.
- 2 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.
- 3 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 for each request to discharge condition(s) and the fee is payable for each individual request made to the Local Planning Authority.
- 4 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.
- 5 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.

- 6 The Local Planning Authority wishes to ensure that adequate arrangements are made to allow an archaeological watching brief to take place during all new foundations, below ground works and excavation phases of the development. The purpose of the watching brief is to ensure that any agreed design measures to preserve the archaeological remains in situ are correctly implemented on site and to allow investigation and recording of any archaeological evidence that might be revealed in areas not covered by preservation measures.

Signed

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Senior Manager: Infrastructure and Planning

DATE OF ISSUE: 25th November 2014

