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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/15/045/FUL **Date Application Registered:** 15th June 2015

Applicant: Mr And Mrs Robert
Dorrien-Smith
Tresco
Isles Of Scilly
TR24 0QQ

Agent: Mr Martin Llewellyn
Home Farm
East Pennard
Shepton Mallet
BA4 6TT

Site Address: Borough Chalets Borough Tresco Isles of Scilly

Proposal: Application for the demolition of two existing holiday chalets and replacement with one dwelling (as approved under P/07/124/FUL)

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:

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 The development hereby approved shall be carried out in accordance with the approved plans only including those identified:

- a) Block Plan, Drawing Number: 3375/1
- b) Floor Plans, Drawing Number: 3375/2
- c) Elevations 1 of 2, Drawing Number: 3375/3
- d) Elevations 2 of 2, Drawing Number: 3375/4
- e) Bat Access Slate detail drawing
- f) Roofplan Bat Mitigation, Drawing Number: 3375/6

All stamped Approved and dated 28th July 2015

Reason: To define the nature and extent of the development and for the avoidance of doubt.

C4 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 Saturday. There shall be no works involving machinery on a Sunday, Bank or Public Holiday.

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

C5 Prior to the commencement of the development, hereby permitted, a detailed scheme indicating the sustainable design measures to be incorporated into the proposal shall be approved in writing by the Local Planning Authority. This shall include water conservation and harvesting

measures and renewable energy generation. The sustainable design scheme shall be implemented in accordance with the details as agreed prior to the first occupation of the dwelling, hereby permitted and shall be retained as such thereafter.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required to fully understand the possible sustainability measures that could be incorporated into the development. In accordance with Policy 2 of the Isles of Scilly Local Plan and to minimise the impact of the development on essential infrastructure in accordance with Policy 6 of the Isles of Scilly Local Plan.

C6 Other than the door and window openings shown on the approved plans and notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order), there shall be no external alterations to the dwelling including any new openings or extensions.

Reason: To maintain the character and appearance of the surrounding area in area, in accordance with Policy 1 of the Isles of Scilly Local Plan 2005.

C7 A) No development shall commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- a) The programme and methodology of site investigation and recording**
- b) The programme for post investigation assessment**
- c) Provision to be made for analysis of the site investigation and recording**
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- e) Provision to be made for archive deposition of the analysis and records of the site investigation, and**
- f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

B) No 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: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required to fully understand the potential impact upon important archaeological remains which may be present at this site. The site comprises an area of known archaeological interest where there is a requirement to assess the impact of any harm or loss to non-designated heritage assets and in the interests of protecting/recording features of archaeological importance. In accordance with Policy 1 of the Isles of Scilly Local Plan 2005.

C8 The occupation of the dwelling hereby permitted shall be limited to the following:

- a) Persons solely or mainly employed by the Tresco Estate, or retired employees of the Tresco Estate, including a widow or widower of such a person or any resident dependents;**
or
- b) Persons occupying the dwelling as holiday accommodation for periods not exceeding 28 days in any period of 12 weeks.**

Reason: An unrestricted open market dwelling is contrary to Policy 3 of the Isles of Scilly Local Plan and the application has been assessed only having regard to the particular circumstances of the applicant in accordance with Policies 3 and 4 of the Isles of Scilly Local Plan.

C8 No development shall commence until full details, including samples, where requested, of the roof and external facing materials. Development shall be carried out in accordance with the approved materials only and be retained as such thereafter.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required to fully understand the potential visual impact of the dwelling. In the interests of the character and appearance of the development and the locality which is a Conservation Area and Area of Outstanding Natural Beauty in accordance with Policies 1 and 2 of the Isles of Scilly Local Plan 2005.

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 fee is £97 for each request to discharge condition(s)** and the fee is payable for each individual request made to the Local Planning Authority.
- 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 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.
- 5 Care should be taken during the work, in case bats might be present. If any bats should be discovered during the work, they must not be handled: work must stop immediately and advice sought from local bat wardens in the first instance (Mike & Anne Gurr, 422224 or Rebecca Williams, 424315) or, if none is available, The Bat Conservation Trust's National Bat Helpline on 0845 1300 228. The BCT's adviser for the South West Region is David Jackson. In Britain all bat species and their roosts are legally protected, by both domestic and international legislation. **This means you will be committing a criminal offence if you:**
 1. Deliberately capture, injure or kill a bat
 2. Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats
 3. Damage or destroy a bat roosting place (even if bats are not occupying the roost at the time)
- 6 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.

Signed



Senior Manager: Infrastructure and Planning

DATE OF ISSUE: 28th July 2015

