

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY



COUNCIL OF THE ISLES OF SCILLY

**Town Hall, The Parade, St Mary's TR21 0LW
Telephone: 01720 424350 – Email: planning@scilly.gov.uk**

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

PERMISSION FOR DEVELOPMENT

Application No:	P/16/055/FUL	Date Application Registered:	13th June 2016
Applicant:	Mr Nigel Wolstenholme Tregarthen's Hotel Ltd Garrison Hill St Mary's Isles of Scilly TR21 0PP	Agent:	Mrs Lisa Jackson Jackson Planning Ltd Fox Barn Hatchet Hill Lower Chute Andover SP11 9DU

Site Address: Tregarthen's Hotel Garrison Hill Hugh Town St Mary's Isles of Scilly

Proposal: Demolition of 3 number lower ground floor hotel bedrooms, and replacement with 6 number C3 use class dwelling units for restricted holiday letting. Change of use of staff accommodation block to 2 number C3 use class dwelling units for restricted holiday letting and formation of pitched roof with stone clad chimney, to replace flat roof. Alterations to external facade of staff block including new windows, doors and cladding, demolition of chimney to former boiler. New pitched roof above dining room over existing flat roof. Partial demolition of flat roofed hotel lobby area and replacement with new entrance to hotel. Installation of green roof over flat roof to hotel lounge. Landscaping works to form outdoor dining terraces on former hotel garden and re-profiling of garden. Installation of ground source heat pump/loop, solar panels on flat roof, break tank for foul sewage. Partial demolition of wall to car park and rebuilding at cill height. Demolition of garage and store and replacement with gas bottle store. (Re-submission) (Amended Plans)

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:

Standard 3 year time limit

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).

In accordance with the approved plans only

C2 The development hereby permitted shall be carried out in complete accordance with the details shown on the approved submitted plans including:

- Proposed terraced garden layout, drawing number: 622-A3_03 dated Jun 16
- Demolition Plan, drawing number: 1156/PL02 date stamped 09 Jun 2016
- Proposed site plan, drawing number: 1156/PL03 rev B date stamped 13 Jul 2016
- Proposed lower level, drawing number: 1156/PL04 rev A date stamped 02 Aug 2016
- Proposed ground level, drawing number: 1156/PL05 rev A date stamped 02 Aug 2016

- Proposed upper level, drawing number: 1156/PL06 rev A date stamped 02 Aug 2016
- Proposed roof plan, drawing number: 1156/PL07 rev B date stamped 02 Aug 2016
- Proposed sections 1&2, drawing number: 1156/PL10 rev A date stamped 02 Aug 2016
- Proposed sections 3, 4 & 5, drawing number: 1156/PL11 rev B date stamped 13 Jul 2016
- Proposed elevations 1 of 2, drawing number: 1156/PL12 rev B date stamped 13 Jul 2016
- Proposed elevations 2 of 2, drawing number: 1156/PL13 rev B date stamped 13 Jul 2016

These are signed and stamped as APPROVED

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.

Restriction of use of the C3 Dwellings

C3 Notwithstanding the provisions of Part C, Class C3 "Dwelling House" to the Schedule of the Town and Country Planning (Use Classes) Order 2007, (or any Order revoking or re-enacting that Order), the premises shall be used for the purpose of holiday accommodation only in connection with Tregarthen's Hotel and for no other purpose, including any other purpose within Class C3 of the Order. The self-catering holiday-lets, hereby approved, shall be retained in the freehold ownership of the Hotel and shall not be occupied by any persons for a total period exceeding 42 days in any calendar year. The owner shall maintain a register of occupiers for each calendar year including names, addresses and length of stay, and a copy of the register shall be supplied to the Local Planning Authority on request

Reason: The occupation of the holiday lets as a permanent residential property would require further assessment and may not be suitable for permanent residential occupation in accordance with Policies 1, 2 and 3 of the Isles of Scilly Local Plan 2015.

Restriction of daily construction noise

C4 All works involving construction machinery required in connection with the implementation of this permission shall be restricted to between 0800 and 1800 hours Monday to Saturdays. There shall be no works involving machinery on a Sunday or Public or Bank Holiday.

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

Restriction of Construction works outside of the main tourism season

C5 The construction period of the development hereby permitted shall be scheduled to avoid the main tourist season and be carried out between October and March only.

Reason: To minimise the impact on tourism related businesses in the vicinity of the proposed scheme.

PRE-COMMENCEMENT CONDITION - Samples of external finishes

C6 Prior to the commencement of the development, hereby approved, precise specifications (including the manufacturer, range and colour details where applicable) or samples of the walling and roofing materials to be used, shall be made available on site for inspection, and subsequent written approval, by the Local Planning Authority . The development shall then be carried out in accordance with the approved details only and be retained as such thereafter.

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

PRE-COMMENCEMENT CONDITION – Sewage and Water Break Tank details

C7 Prior to the commencement of the development, hereby approved, precise details of make/model and capacity of a foul drainage break tank and a potable water break tank including details and specification of grease traps, the position and finished levels and the control mechanisms (for foul discharge timings) shall be submitted to and approved in writing by the

Local Planning Authority. The grease traps and sewage/water break tank solutions shall be installed and connected to the building and the water supply and sewer network as appropriate, prior to the first use of the self-catering dwellings or completion of the development, whichever is the sooner. The water and sewage connection shall be maintained as approved thereafter.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the original application but are required to ensure the proposal has a satisfactory water solution and that the break tank does not give rise to any visual harm to the site and its surroundings, which is designated a Conservation Area and AONB in accordance with Policies 1 and 6 of the Local Plan.

PRE-COMMENCEMENT CONDITION – Surface Water Management

C8 Prior to the commencement of the development, hereby approved, details of a scheme for the provision of surface water management shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) details of the drainage during the construction phase;**
- b) details of the final drainage scheme;**
- c) provision for exceedance pathways and overland flow routes;**
- d) a timetable of construction;**
- e) a construction quality control procedure;**
- f) a plan for the future maintenance and management of the system and overland flow routes.**

Prior to the first occupation of the self-catering holiday lets it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details

Reason: To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development.

PRE-COMMENCEMENT CONDITION – Sustainable Design Measures

C9 Prior to the commencement of the development, hereby approved, a detailed scheme indicating the sustainable design measures to be incorporated into the proposal shall be submitted to and agreed in writing with the Local Planning Authority, and shall include water conservation and harvesting measures and energy reduction and/or generation measures. The scheme shall include the precise details and location of the proposed ground source heat pumps as well as low flow fixtures and fittings to reduce water usage together with an implementation schedule of all sustainable design measures. The sustainable design scheme shall be implemented in strict accordance with the details as agreed including the implementation schedule.

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.

PRE-COMMENCEMENT CONDITION – landscaping scheme

C10 Prior to the commencement of the development, hereby approved, the following shall be submitted to and approved in writing by the Local Planning Authority:

- a) a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land,**
- b) the details of any trees and hedgerows to be retained, together with measures for their protection during development,**
- c) a schedule of proposed plant species, size and density and planting locations,**
- d) details of the height and position of protective fencing to be used to protect lichen species on the garrison wall;**
- e) details of the precise native plant species and substrate for the green roofs including**

- maintenance regime;**
- f) details of the methods for removing and preventing the spreading of non-native invasive species; and**
- g) an implementation programme.**

Reason: To ensure plant species are appropriate and to prevent the spread of non-native invasive species. In the interests of the appearance of the area and in accordance with Policy 1 and 2 of the Isles of Scilly Local Plan 2005.

Implementation of the approved landscaping

C11 All planting, seeding or turfing including the green roofs, in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the self-catering holiday lets or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

PRE-COMMENCEMENT CONDITION - Archaeological Watching Brief

C12 Prior to the commencement of the development, hereby approved, a Written Scheme of Investigation to secure the implementation of an archaeological watching brief, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details.

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.

Further Information

1. 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, in accordance with paragraphs 186 and 187 of the NPPF.
2. 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) where the planning permission relates to any other type of development other than a householder application.
The fee is payable for each individual request made to the Local Planning Authority.
3. 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.
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, the Habitat and Species Regulations 2012 and our Natural and Environment and Rural Communities biodiversity duty. 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. Care should be taken during the work and if bats are discovered, they should not be handled, work must stop immediately and a bat warden contacted.
Extra care should be taken during the work, especially when alterations are carried out to buildings if fascia boards are removed as roosting bats could be found in these areas. If bats are found to be present during work, they must not be handled. Work must stop immediately and advice sought from licensed bat wardens in the first instance (R. Williams 01720 424315, M. And A. Gurr 01720 422224) or Natural England (01872 245045). Or, if none is available, The Bat Conservation Trust's National Bat Helpline on 0845 1300 228.

Signed



Senior Manager: Infrastructure and Planning

DATE OF ISSUE: 12/08/2016



COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW
☎01720 424350
✉planning@scilly.gov.uk

Dear Mr Nigel Wolstenholme

Please sign and complete this certificate.

This is to certify that decision notice: P/16/055/FUL and the accompanying conditions have been read and understood by the applicant: Mr Nigel Wolstenholme.

I/we intent to commence the development as approved: Demolition of 3 number lower ground floor hotel bedrooms, and replacement with 6 number C3 use class dwelling units for restricted holiday letting. Change of use of staff accommodation block to 2 number C3 use class dwelling units for restricted holiday letting and formation of pitched roof with stone clad chimney, to replace flat roof. Alterations to external facade of staff block including new windows, doors and cladding, demolition of chimney to former boiler. New pitched roof above dining room over existing flat roof. Partial demolition of flat roofed hotel lobby area and replacement with new entrance to hotel. Installation of green roof over flat roof to hotel lounge. Landscaping works to form outdoor dining terraces on former hotel garden and re-profiling of garden. Installation of ground source heat pump/loop, solar panels on flat roof, break tank for foul sewage. Partial demolition of wall to car park and rebuilding at cill height. Demolition of garage and store and replacement with gas bottle store (Re-submission) (Amended Plans) at: Tregarthen's Hotel Garrison Hill Hugh Town St Mary's Isles of Scilly

on:..... and I am/we are aware of any conditions that need to be discharged before works commence. I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.

Print Name:.....

Signed:.....

Date:.....

Please sign and return to the **above address** as soon as possible.

For the avoidance of doubt you are reminded to address the following condition(s) before you commence the implementation of this permission. Although we will aim to deal with any application to discharge conditions as expeditiously as possible, you are reminded to allow up **to 8 weeks** for the discharge of conditions process.

PRE-COMMENCEMENT CONDITION(S)

- C6** Prior to the commencement of the development, hereby approved, precise specifications (including the manufacturer, range and colour details where applicable) or samples of the walling and roofing materials to be used, shall be made available on site for inspection, and subsequent written approval, by the Local Planning Authority . The development shall then be carried out in accordance with the approved details only and be retained as such thereafter.

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 - c) provision for exceedance pathways and overland flow routes;
 - d) a timetable of construction;
 - e) a construction quality control procedure;
 - f) a plan for the future maintenance and management of the system and overland flow routes.
- Prior to the first occupation of the self-catering holiday lets it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details.
- C9** Prior to the commencement of the development, hereby approved, a detailed scheme indicating the sustainable design measures to be incorporated into the proposal shall be submitted to and agreed in writing with the Local Planning Authority, and shall include water conservation and harvesting measures and energy reduction and/or generation measures. The scheme shall include the precise details and location of the proposed ground source heat pumps as well as low flow fixtures and fittings to reduce water usage together with an implementation schedule of all sustainable design measures. The sustainable design scheme shall be implemented in strict accordance with the details as agreed including the implementation schedule.
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 - c) a schedule of proposed plant species, size and density and planting locations,
 - d) details of the height and position of protective fencing to be used to protect lichen species on the garrison wall;
 - e) details of the precise native plant species and substrate for the green roofs including maintenance regime;
 - f) details of the methods for removing and preventing the spreading of non-native invasive species; and
 - g) an implementation programme.
- C12** Prior to the commencement of the development, hereby approved, a Written Scheme of Investigation to secure the implementation of an archaeological watching brief, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details.