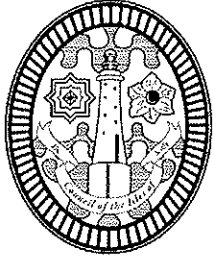


IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY



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/13/030/FUL **Date Application Registered:** 25th April 2013

Applicant: Mr & Mrs Dave McNeil
Coombe Orchard
Mapstone Hill
Lustleigh
Devon
TQ13 9SE

Agent: Mr Steve Bryan
Ashfield Gables
Ashfield Road
Torquay
Devon
TQ2 6HE

Site and particulars of development: Pine Trees The Town Bryher Isles Of Scilly TR23 0PR - Extension and alterations including creation of annexe for use as holiday accommodation.

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:

Condition 1

The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason1

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).

Condition 2

The development hereby permitted shall be carried out in complete accordance with the details shown on the approved submitted plans "CL237383", "Elevations as proposed", "Plan as proposed first floor" and "Plan as proposed ground floor" stamped and dated...^{4th June 2013}.

Reason 2

To define the nature and extent of the development in accordance with Circular 11/95 and for the avoidance of doubt.

Condition 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 3

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

Condition 4

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 any new openings, extensions or outbuildings, without the prior agreement in writing of the Local Planning Authority.

Reason 4

In the interests of the character and appearance of the development and the locality, 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.

Condition 5

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 agreed in writing with the Local Planning Authority and should include water conservation and harvesting measures. The sustainable design scheme shall be implemented in strict accordance with the details as agreed prior to the occupation of the building hereby permitted.

Reason 5

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.

Condition 6

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 excavations, shall be submitted to and agreed 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 6

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 and tipping of waste.

Condition 7

No development shall take place until full details, including samples where requested, of the roofing and external facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason 7

To ensure a satisfactory external appearance that would preserve the character of the conservation area in accordance with Policies 1 and 2 of the Local Plan.

Condition 8

All windows, doors, barge boards, fascias and soffits shall be in timber and painted in a colour to be agreed by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason 8

To ensure a satisfactory external appearance that would preserve the character of the conservation area in accordance with Policies 1 and 2 of the Local Plan.

Condition 9

Notwithstanding the information contained in the application the barge boards shall be constructed without boxes and the overhang shall not exceed 150mm. The barge boards shall be a maximum of 150mm.

Reason 9

To ensure a satisfactory external appearance that would preserve the character of the conservation area in accordance with Policies 1 and 2 of the Local Plan.

Condition 10

Notwithstanding the information contained in the application full details of the external decking area to the garden elevation shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason 10

To ensure a satisfactory external appearance that would preserve the character of the conservation area in accordance with Policies 1 and 2 of the Local Plan.

Condition 11

The annexe hereby permitted, as shown edged in green on the approved plans "Plan as proposed first floor" and "Plan as proposed ground floor" shall be restricted to short let holiday accommodation for visitors only unless otherwise agreed in writing with the Local Planning Authority and shall not be severed or sub divided as an independent and separate unit of accommodation from the dwelling known as Pine Trees.

Reason 11

For the avoidance of doubt and to ensure that the dwelling is not sub-divided and that the annexe is only occupied for short term letting as holiday accommodation and remains as an integral part of the existing dwelling house known as Pine Trees.

Further Information

Having had regard to all the planning considerations material to the determination of this application, including the alterations and extensions to the property that would make a positive contribution to the character and appearance of the dwelling and surrounding area, the provision of a self catering unit of accommodation as an annexe to a permanent residential dwelling, any impact on infrastructure or the amenities of neighbouring properties, and all consultations responses received, it is concluded that the proposal accords with the with the NPPF and presumption in favour of sustainable development and the provisions of the Development Plan as applicable to it, including Policies 1,2, 4 and 6 of the Local Plan. The proposal has been approved because it is considered that the development proposal subject to compliance with the conditions attached to this permission accords with the said policies and there are no other overriding material considerations which justify refusing planning permission. The proposal has also been approved as it is considered that the proposed development would not conflict with its duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act

1990 to pay special attention to the desirability of preserving or enhancing the appearance or character of the designated conservation area within which the site is located.

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, in accordance with paragraphs 186 and 187 of the NPPF.

Informative

Extra care should be taken during the work, especially when removing the tiles and in stripping off fascia boards as 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. Steggles 01720 424315, M. And A. Gurr 01720 422224) or Natural England (01872 245045). In the interests of bat conservation, it is recommended that the developer provides, where possible, 15mm wide by 20mm long gaps for bats to roost – for example under parts of the new fascia boards and hanging tiles.

Signed



Chief Planning and Development Officer

DATE OF ISSUE: 4th June 2013