

**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](mailto: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/17/012/ROV

**Date Application Registered:** 15th February 2017

**Applicant:** Ms Marian Bennett  
The Boathouse  
Green Bay  
Bryher  
TR23 OPR

**Agent:** Mr Christian Simmons  
CASA Studio Ltd  
The Downes  
Penbeagle Way  
St Ives  
TR26 2JQ

**Site Address:** The Boathouse South'ard Bryher Isles of Scilly TR23 OPR

**Proposal:** Application to vary condition 2 (carry out development in accordance with approved details) of planning permission P/16/107/FUL to allow minor amendments to the design and materials of the scheme. (Amended Description)

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 permitted shall be carried out in accordance with the approved details only including:**

- **Location and Block Plans- 1621-D01**
- **Proposed Floor Plan- 1621- D03 REV D**
- **Proposed Elevations Plan- 1621- D04 REV D**

**These are stamped as Approved**

Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Conservation Areas, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policy 1 of the Isles of Scilly Local Plan 2005.

**PRE-COMMENCEMENT CONDITION – Submission of Site Waste Management Plan**

**C3 Prior to the commencement of the approved development, 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 Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.**

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 impact upon landscape and management of waste, to be submitted and agreed by the Local Planning Authority. This is to ensure those characteristics which contribute 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 the tipping of waste. In accordance with the requirements of Policy 1 of the Isles of Scilly Local Plan 2005

#### **PERMANENT RESIDENTIAL OCCUPATION CONDITION**

- C4**    **The conversion to a domestic extension to the boathouse, hereby approved, shall not be occupied otherwise than by a person as his or her only or principal home. The occupant shall supply to the local planning authority (within 14 days of the local planning authority's request to do so) such information as the local planning authority may reasonably require in order to determine compliance with this condition. For the avoidance of doubt the dwelling shall not be occupied as a second home or as a unit of holiday letting accommodation.**

Reason: In accordance with the Policy 3 of the Isles of Scilly Local Plan and the requirements paragraph 7 of the National Planning Policy Framework 2012 in relation to sustainable development.

#### **REMOVAL OF PERMITTED DEVELOPMENT RIGHTS**

- C5**    **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order) express planning permission shall be obtained for any development within Part 1 of Schedule 2 to the Order.**

Reason: In order to safeguard the historic character, appearance and setting of the building within the Conservation Area.

#### **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). 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**

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:** 24<sup>th</sup> March 2017



# 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 Ms Marian Bennett

## Please sign and complete this certificate.

This is to certify that decision notice: P/17/012/ROV and the accompanying conditions have been read and understood by the applicant: Ms Marian Bennett.

**I/we intent to commence the development as approved:** Application to vary condition 2 (carry out development in accordance with approved details) of planning permission P/16/107/FUL to allow minor amendments to the design and materials of the scheme (Amended Description) at: The Boathouse South'ard Bryher Isles Of Scilly TR23 0PR

**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)

#### **PRE-COMMENCEMENT CONDITION – Submission of Site Waste Management Plan**

**C3** Prior to the commencement of the approved development, 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 Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.