



**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

## **COUNCIL OF THE ISLES OF SCILLY**

Town Hall, St Mary's TR21 0LW  
Telephone: 01720 424455 – 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/17/093/FUL      **Date Application Registered:** 3<sup>rd</sup> November 2017

**Applicant:** Mr Stephen Whormersley  
Beachfield House  
Porthloo  
St Mary's  
Isles of Scilly  
TR21 0NE

**Agent:** Mr Terence Hiron  
Clowdisley  
Porthloo  
St Mary's  
Isles of Scilly  
TR21 0NF

**Site Address:** Land adjacent to Beachfield House, Porthloo St Mary's Isles of Scilly  
**Proposal:** Erection of a 2 bedroom dwelling (Amended Plans).

In pursuance of their powers under the above act, the Council hereby **PERMIT** the above development to be carried out, **subject to a Section 106 planning obligation**, 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:**
- **Plan 1 AMENDED Location Plan, Drawing Number: TQRQM17305094616374. Date Stamped: 28 February 2019**
  - **Plan 2 AMENDED Proposed Site Plan and Rear and SE Elevations, Drawing number: SW-B-6b. Date Stamped: 28<sup>th</sup> February 2019**
  - **Plan 3 AMENEDED Proposed Floor Plans and Front and NW Elevations Plans - Drawing Number: SW-B-6A. Date Stamped 28 February 2019.**
  - **Design and Access Statement, Date Stamped 27 October 2017**

**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 Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policies OE1 and OE7 of the Isles of Scilly Local Plan (2015-2030).

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

- C3**    **Prior to the commencement of the development, hereby approved, 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 unless otherwise agreed in writing by the Planning Authority.**  
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 the Islands to ensure that the construction of the development is adequately controlled and to protect the amenities of the area and essential infrastructure in accordance with Policies SS2(2) of the Isles of Scilly Local Plan (2015-2030).

- C4 All 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 amenities of neighbouring properties.

#### **PRE-COMMENCEMENT CONDITION – Submission of Landscaping Scheme**

- C5 Prior to the commencement of the development, hereby approved, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall indicate the type and position of bat and bird boxes, the size and position of native plant species as well as an implementation schedule. The scheme shall be carried out and completed during the first planting season following the substantial completion of the development. Any shrub, hedge or tree, approved in the planting scheme which becomes damaged or seriously diseased within five years from the date in which the dwelling shall have been completed, shall be replaced with the same or a similar species.**

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required to enable the Local Planning Authority to consider measures to ensure the assimilation of the development into the landscape, to safeguard the appearance and character of this part of the Islands and to mitigate any adverse impact upon biodiversity in accordance with Policies OE1 and Policy OE2 of the Isles of Scilly Local Plan (2015-2030).

#### **PRE-INSTALLATION CONDITION – Samples of facing materials**

- C6 Prior to their installation on the development, hereby permitted, details including samples of the stone to be used on the elevations of the building, and the natural slate to be used for the roof covering, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To confirm details of the development not already clearly shown in the interests of the character and appearance of the building in accordance with Policies SS2 of the Isles of Scilly Local Plan (2015-2030).

- C7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions (Class A), alterations to the roof (Class B and C), porches (Class D), ancillary outbuildings (Class E), hard surfaces (Class F) or chimneys or flues (Class G) shall be erected or constructed on the dwelling, here by permitted, without the prior permission, in writing, of the Local Planning Authority through the submission of a further application.**

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality and in the interests of the affordability of the dwelling and the local housing stock in accordance with Policy LC3 of the Isles of Scilly Local Plan (2015-2030).

#### **PRE-FIRST OCCUPATION– Details of new sewage treatment system**

- C8 Prior to the first occupation of the development hereby permitted, the dwelling shall be connected to a new sewerage treatment system, the details of which shall be agreed in writing with the Local Planning Authority. The sewerage treatment system shall be implemented in strict accordance with the details as agreed and retained thereafter.**

Reason: To prevent the increased the risk of pollution of surface and ground water by ensuring the provision of a satisfactory means of foul water control and disposal.

- C9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended), (or any order revoking or re-enacting that Order) prior to installation, details of any external lighting shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the agreed details.**

Reason: To protect the amenities of the locality, including the amenities of neighbouring residential properties and to protect the amenities of this rural area and preserve the dark night skies of the Isles of Scilly and the Garrison Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

#### **Further Information**

- 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, in accordance with paragraph 38 the National Planning Policy Framework 2021.
- SECTION 106 AGREEMENT:** The planning permission hereby approved is subject of a section 106 agreement to control the occupancy of the dwelling to ensure it contributes towards the housing need of the local community.
- WATER SUPPLIES:** Compliance with Part B5 of Approved Document B, Fire Mains and Hydrants. Residential Sprinklers: Cornwall Fire and Rescue Service support the provision of domestic sprinklers into all new residential developments. These should be installed to BS9251 and will reduce the risk to life and significantly reduce the degree of damage caused by fire. This consideration if implemented will enhance the safety of the occupants and any attending firefighters whilst providing property protection and maintaining the buildings continuity.

4. **APPLICATION TO SOUTH WEST WATER:** Please ensure an application is made to South West Water for new connections. [developerservicesplanning@southwestwater.co.uk](mailto:developerservicesplanning@southwestwater.co.uk)
5. **BUILDING CONTROL:** Please ensure that all building works accord with the Building Regulations and that all appropriate approvals are in place for each stage of the build project: [buildingcontrol@cornwall.gov.uk](mailto:buildingcontrol@cornwall.gov.uk)
6. **DISCHARGE OF CONDITIONS:** In accordance with the Town and Country Planning (fees for Application and Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 a fee is payable to discharge any condition(s) on this planning permission. Currently, for a full application, the fee is £234 but any fee increase would need to be applied should the national fees increase). The fee is payable for each individual request to discharge condition(s). Please check the latest fee schedule before you apply here: [https://ecab.planningportal.co.uk/uploads/english\\_application\\_fees.pdf](https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf)
7. **NON-MATERIAL AMENDMENTS:** 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 (currently the fee is for this is £234 but any fee increase would need to be applied should the national fees increase) 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. Please check the latest fee schedule before you apply here: [https://ecab.planningportal.co.uk/uploads/english\\_application\\_fees.pdf](https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf)

Signed:



**Chief Planning Officer**

*Duly Authorised Officer of the Council to make and issue Planning Decisions on behalf of the Council of the Isles of Scilly.*

**DATE OF ISSUE: 13<sup>th</sup> January 2022**



# COUNCIL OF THE ISLES OF SCILLY

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

Dear Stephen Whormersley

## Please sign and complete this certificate.

This is to certify that decision notice: P/17/093/FUL and the accompanying conditions have been read and understood by the applicant: Stephen Whormersley.

1. **I/we intend to commence the development as approved:** Erection of a 2 bedroom dwelling at (Amended Plans): Land adjacent to Beachfield House Porthloo St Mary's Isles of Scilly **on:** .....
2. I am/we are aware of any conditions that need to be discharged before works commence.
3. I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.

You are advised to note that Officers of the Local Planning Authority may inspect the project both during construction, on a spot-check basis, and once completed, to ensure that the proposal has complied with the approved plans and conditions. In the event that the site is found to be inaccessible then you are asked to provide contact details of the applicant/agent/contractor (delete as appropriate):

**Name:** \_\_\_\_\_ **Contact Telephone Number:** \_\_\_\_\_  
**and/or Email:** \_\_\_\_\_

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)

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 unless otherwise agreed in writing by the Planning Authority.

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**PRE-INSTALLATION CONDITION**

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**PRE-FIRST OCCUPATION CONDITION**

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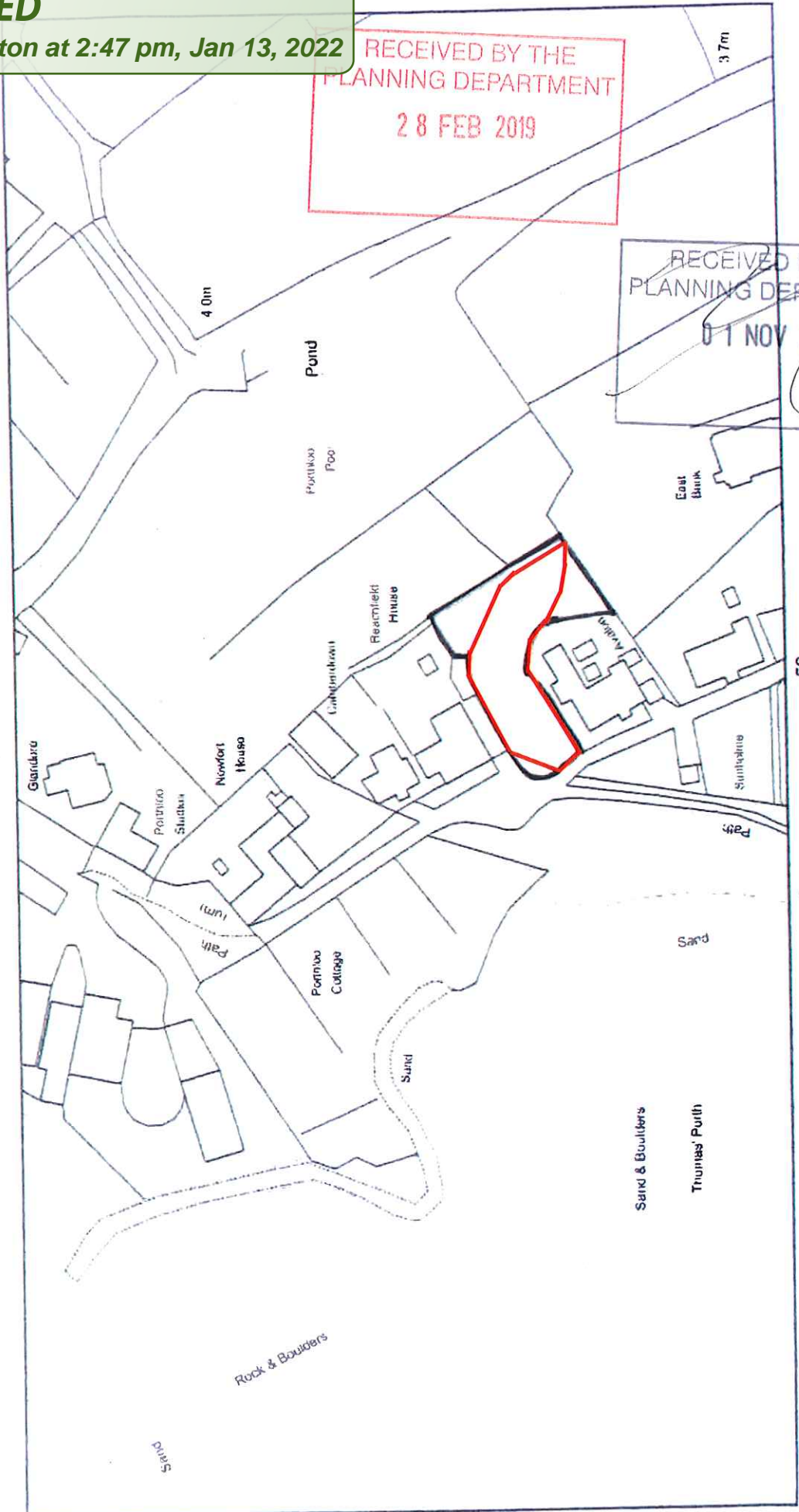
**APPROVED**  
By Lisa Walton at 2:47 pm, Jan 13, 2022

RECEIVED BY THE  
PLANNING DEPARTMENT  
28 FEB 2019

RECEIVED BY THE  
PLANNING DEPARTMENT  
01 NOV 2017



Land adj. Beachfield House



Plan Produced for: S Whormersley

Date Produced: 01 Nov 2017  
Plan Reference Number: TQRQM17305094818374  
Scale: 1:1250 @ A4



... .. 00471 License number 0600040768



**APPROVED**

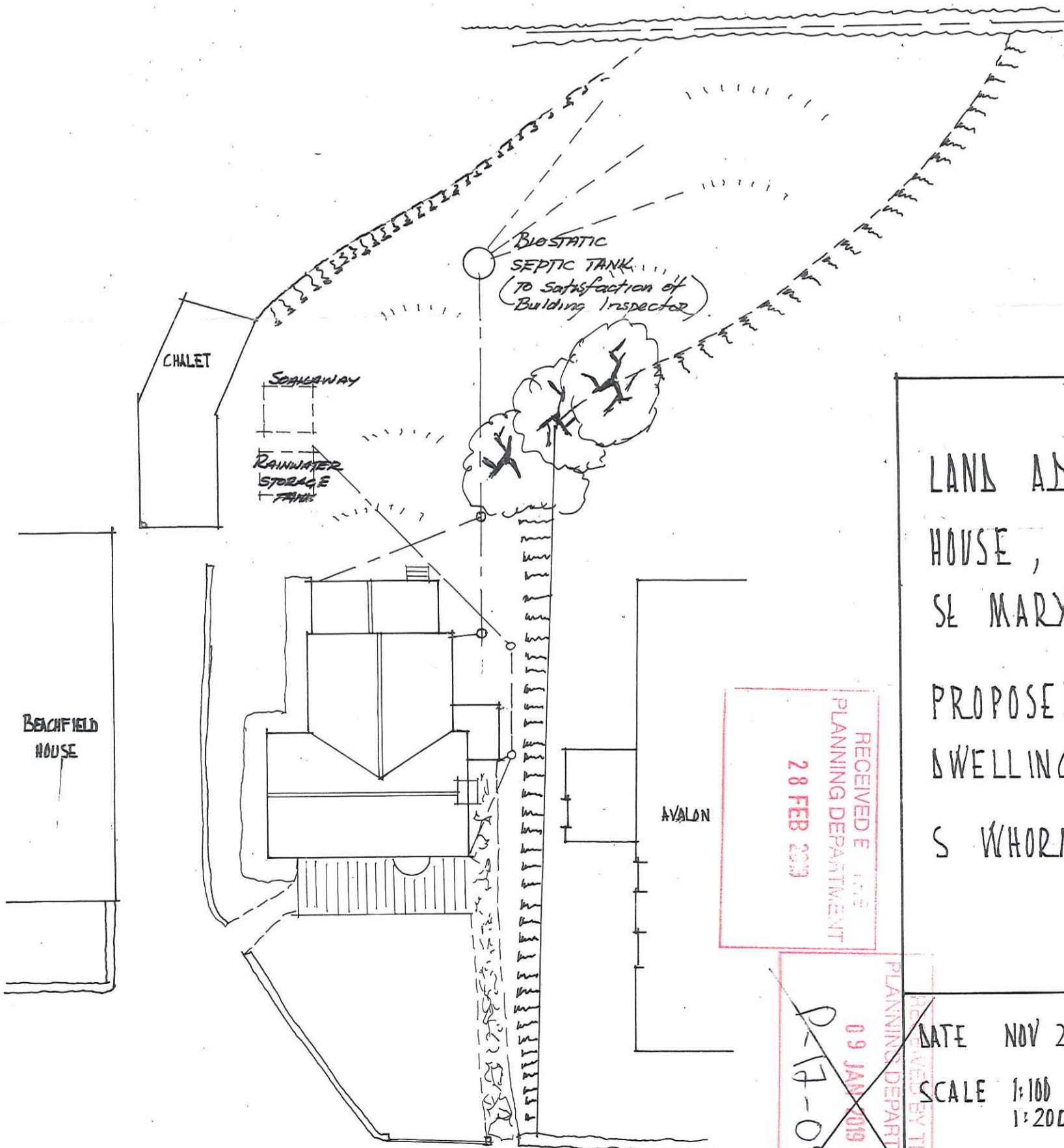
By Lisa Walton at 2:48 pm, Jan 13, 2022



REAR ELEVATION



S.E. ELEVATION



SITE PLAN

LAND ADJ. BEACHFIELD  
HOUSE, Porthlow.  
SE MARYS  
PROPOSED 2 BEDROOMED  
DWELLING for  
S WHORMERSLEY ESQ

RECEIVED BY THE  
PLANNING DEPARTMENT  
28 FEB 2019

~~RECEIVED BY THE  
PLANNING DEPARTMENT  
09 JAN 2019~~  
P-17-043

DATE NOV 2018  
SCALE 1:100  
1:200

T. J. HIRON  
CLOWDISLEY  
SE MARYS  
ISLES of SCILLY  
terry.hiron@gmail.com

SW-B-6B





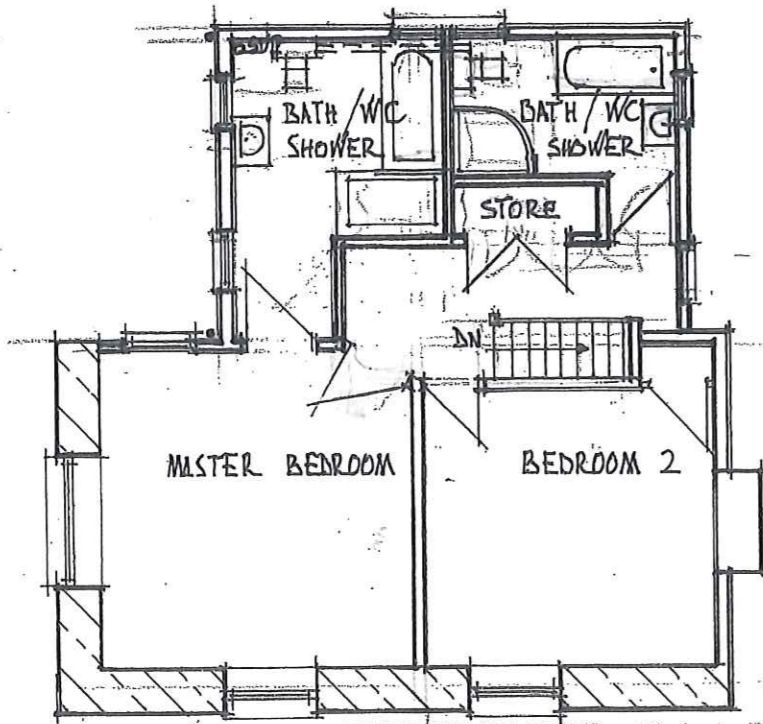
N.W. ELEVATION



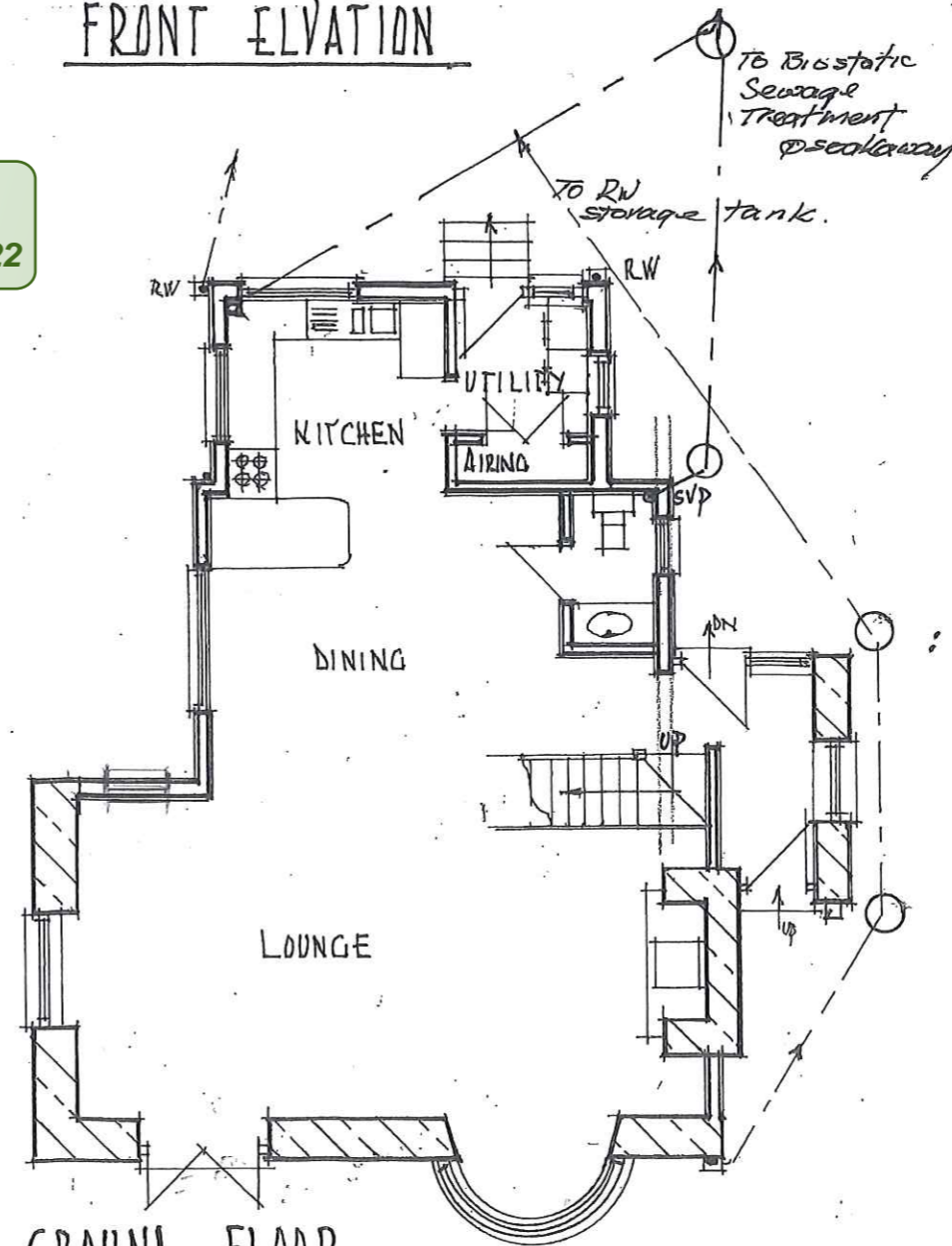
FRONT ELEVATION

**APPROVED**

By Lisa Walton at 2:49 pm, Jan 13, 2022



FIRST FLOOR



GROUND FLOOR

PROPOSED DWELLING  
ON LAND ADJACENT TO  
BEACHFIELD HOUSE  
PORTHLDD  
ST MARY'S

S. WHORMERSLEY ESQ

RECEIVED BY THE  
PLANNING DEPARTMENT  
28 FEB 2019

~~RECEIVED BY THE  
PLANNING DEPARTMENT  
09 JAN 2019  
P/171093~~

DATE NOV '18  
SCALE - 1:100

T. J. HIRON  
CLOWDISLEY  
ST MARYS  
ISLES OF SCILLY

SW B 6A



**APPROVED**

By Lisa Walton at 2:49 pm, Jan 13, 2022

P-17-093



# Beachfield House

Portl

21 ONE

RECEIVED BY THE  
PLANNING DEPARTMENT  
27 OCT 2017

## Design and Access Statement

### **Proposed Two Bed roomed Cottage for S. Whomersley on land Adjacent to Beachfield House, Porthloo, St. Marys**

#### Proposal

The proposal is to erect a two bed roomed cottage on a vacant plot of land between Beachfield House and the Bungalow known as Avalon.

( Photo No. 1)

The plot was not originally any part of the property known as Beachfield House but was purchased as a separate plot from the Duchy of Cornwall in December 1988.

The plot was recognized as a suitable site for development as far back as 1963 when the Council of the Isles of Scilly granted full planning permission for the erection of a three bed roomed detached house. ( P.D.R. 398)

#### Plot Size & Present Use

This is a large plot of land with Beachfield House on the North side and Avalon on an elevated plot to the South. The plot has a large frontage and extends around the rear of Avalon. With the exception of Sunholme no other building in the immediate area is set on a larger plot of land. Site plan enclosed.

This area has been used as boat storage in Winter and as extra garden space in Summer but is generally under used.

#### Existing Built Environment

The properties in this area, which runs along the bank of what is known as Sharks Pit are mainly residential with only two commercial units, Beachfield Guest House and Mount Flagon Holiday Flats.

The three cottages to the north of Beachfield House are of a traditional design, see photo's 1, 2 &3.

The properties to the South of Beachfield, which is photo' No. 4 are;  
Avalon, a much altered and extended 1950/ 60s bungalow photo 5,  
A large new house presently under construction photo No.6  
Grenofen which is a mixture of styles photo No.7 and  
Mount Flagon, again a mixture of styles

## **Topography and Orientation**

As these properties follow the coastline of Shark's Pit they are generally on level ground, which is not too far above sea level, but not liable to flooding. Mount Flagon and Grenofen are on higher rising ground which culminates with the remains of the old stone fort known as Harry's Walls. The majority of the properties face over Shark's Pit towards St. Marys harbour to the Southwest. It is proposed that this in fill cottage will face in the same direction.

## **Constraints**

The site is constrained by the topography of the surrounding land and the height and design of the existing buildings.

There is a desire to retain the existing hedges, walls and shrubs and also a need to ensure that any building is lower and subservient to the imposing Beachfield House.

As the other dwellings at this end of the terrace are cottage style there is also a desire to build something that will compliment these traditional looking buildings without simulation.

## **Appearance**

The building form is intended to reflect traditional Scillonian cottage design with some modern innovation. It is now possible to take advantage of modern double glazing while retaining traditional window styles and materials. This means windows can be of a reasonable size without suffering great heat loss and allow the occupants to better enjoy the stunning views towards the harbour. It will also allow in sufficient natural light saving use of artificial light.

The eaves have been kept low to lessen the impact of the building and the dimensions of the main front section mirror typical, traditional Scillonian cottages.

The intention is to reference, but not copy, Camberdown at the north side of Beachfield. So that the two cottages will balance the much larger Beachfield in the center. See pic. 9

## **Materials**

The materials for finishing are highly appropriate to the Scillonian setting being a natural slate roof, granite front elevation and vertical emphasis style timber windows. The roof will be small size natural slate 16 x 8 (400 x 200 ) on timber frame.

Rainwater goods will be black set upon white facias. All timber windows and doors are to be stained or painted white.

The rendered areas will be white or off white including the chimney which will again be traditional cottage style.

Generally variations of this design have been successfully used in the past and the original concept was constructed with the Duchy of Cornwall's Architects and our Planning Officer.

The materials will be sourced locally where possible using local labour for the construction.

## **Impact on Neighbours**

There will be no impact on properties to the North. There are no windows in the side of Beachfield. The building frontage has been shown well behind the building line of both Beachfield to the north and Avalon to the South. This means that views from windows on the north side of Avalon will not be obstructed.

## **Visibility**

The cottage will be entirely shielded from view from the North by the much larger Beachfield House. As the cottage will be set well back on the plot it will only be visible for a short distance along the path to the South. The next public point, on land, from which the cottage can be viewed will be the end of Town beach, behind the Co Op. The Atlantic slipway and then the Quay. All just over half a mile away. (Photo's enclosed)

The cottage will be visible from boats within the harbour.

Also enclosed is a photograph of the area showing the cottage in situ, to correct scale which demonstrates it's relationship to the landscape and adjacent buildings.

## **Access Statement**

It is intended to comply with all current Regulations and Good Practice and make the property accessible to all, including the disabled.

### **Pedestrian**

Pedestrian access will be through the existing gateway in the wall.

### **Vehicular**

There is vehicular access to the area at present and this will remain.

There will be room for a car, motor cycle or invalid vehicle to park off the highway.

This is an almost level site and there is easy access for vehicles and wheelchairs.





# COUNCIL OF THE ISLES OF SCILLY

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Planning Department

Town Hall, St Mary's, Isles of Scilly, TR21 0LW

☎01720 424455

✉[planning@scilly.gov.uk](mailto:planning@scilly.gov.uk)

**THIS LETTER CONTAINS IMPORTANT INFORMATION  
REGARDING YOUR PERMISSION – PLEASE READ  
IF YOU ARE AN AGENT DEALING WITH IS ON BEHALF OF THE  
APPLICANT IT IS IMPORTANT TO LET THE APPLICANT KNOW  
OF ANY PRE-COMMENCEMENT CONDITIONS**

Dear Applicant,

This letter is intended to help you advance your project through the development process. Now that you have been granted permission, there may be further tasks you need to complete. Some aspects may not apply to your development; however, your attention is drawn to the following paragraphs, which provide advice on a range of matters including how to carry out your development and how to appeal against the decision made by the Local Planning Authority (LPA).

**Carrying out the Development in Accordance with the Approved Plans**

You must carry out your development in accordance with the stamped plans enclosed with this letter. Failure to do so may result in enforcement action being taken by the LPA and any unauthorised work carried out may have to be amended or removed from the site.

**Discharging Conditions**

Some conditions on the attached decision notice will need to be formally discharged by the LPA. In particular, any condition that needs to be carried out prior to development taking place, such as a 'source and disposal of materials' condition, an 'archaeological' condition or 'landscaping' condition must be formally discharged prior to the implementation of the planning permission. In the case of an archaeological condition, please contact the Planning Department for advice on the steps required. Whilst you do not need to formally discharge every condition on the decision notice, it is important you inform the Planning Department when the condition advises you to do so 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.

**Please inform the Planning Department when your development or works will be commencing. This will enable the Council to monitor the discharge and compliance with conditions and provide guidance as necessary. We will not be able to provide you with any written confirmation on the discharge of pre-commencement conditions if you do not formally apply to discharge the conditions before you start works.**

As with the rest of the planning application fees, central Government sets a fee within the same set of regulations for the formal discharge of conditions attached to planning permissions. Conditions are necessary to control approved works and development. Requests for confirmation that one or more planning conditions have been complied with are as follows (VAT is not payable on fees set by central government). More information can be found on the Council's website:

- Householder permissions - £34 per application
- Other permissions - £116 per application

### **Amendments**

If you require a change to the development, contact the LPA to see if you can make a 'non material amendment' (NMA). NMA can only be made to planning permissions and not a listed building consent. They were introduced by the Government to reflect the fact that some schemes may need to change during the construction phase. The process involves a short application form and a 14 day consultation period. There is a fee of £34 for householder type applications and £234 in all other cases. The NMA should be determined within 28 days. If the change to your proposal is not considered to be non-material or minor, then you would need to submit a new planning application to reflect those changes. Please contact the Planning Department for more information on what level of amendment would be considered non material if necessary.

### **Appealing Against the Decision**

If you are aggrieved by any of the planning conditions attached to your decision notice, you can appeal to have specific conditions lifted or modified by the Secretary of State. All appeal decisions are considered by the Planning Inspectorate – a government department aimed at providing an unbiased judgement on a planning application. From the date of the decision notice attached you must lodge an appeal within the following time periods:

- Householder Application - 12 weeks
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Other Types - 6 months

You can obtain the appeal forms by calling 0303 444 5000 or submit an appeal through the Planning Portal <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

### **Building Regulations**

With all building work, the owner of the property is responsible for meeting the relevant Planning and Building Regulations. Building Regulations apply to most building work so it is important to find out if you need permission. This consent is to ensure the safety of people

in and around buildings in relation to structure, access, fire safety, infrastructure and appropriate insulation.

The Building Control function is carried out on behalf of the Council of the Isles of Scilly by Cornwall Council. All enquiries and Building Control applications should be made direct to Cornwall Council, via the following link [Cornwall Council](#). This link also contains comprehensive information to assist you with all of your Building Control needs.

Building Control can be contacted via telephone by calling 01872 224792, via email [buildingcontrol@cornwall.gov.uk](mailto:buildingcontrol@cornwall.gov.uk) or by post at:

Building Control  
Cornwall Council  
Pydar House  
Pydar Street  
Truro  
Cornwall  
TR1 1XU

#### **Registering/Altering Addresses**

If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

#### **Connections to Utilities**

If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 08000831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.