

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/16/034/FUL **Date Application Registered:** 21st April 2016

Applicant: Messers Colin Jenkins,
Amy Hiron & Suzanna
Hiron
Longstone Centre
Longstone
St Mary's
Isles Of Scilly
TR21 0NW

Agent: T J Hiron
Clowdisley
Golf Club Lane
St Mary's
Isles Of Scilly
TR21 0NF

Site Address: Longstone Heritage Centre Longstone St Mary's Isles of Scilly TR21 0NW

Proposal: Change of use from mixed use of café/restaurant (use Class A3) and exhibition centre (D1) to mixed use of café/restaurant (A3), hostel (Sui Generis) and managers flat (C3) including the erection of 2 no. poly tunnels, summerhouse, play equipment and insulated break tanks (Amended Plans/Title).

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:

- **Plan 1: Proposed Plans and Elevations. Drawing Number: LC-2 Dated April 2016**
- **Plan 2: Proposed Octagonal Summer House. Prima Grand Four Diameter 400cm**
- **Plan 3: Proposed Klargester, Bioficient 6 Unit, Date Stamped 04/05/2016**
- **Plan 4: Proposed Play Equipment Layout**
- **Plan 5: Proposed 7500 litre Category 5 GRP insulated Break Tank and location, date stamped 13th June 2016**

These are signed and stamped as APPROVED

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

C3 All works involving machinery required in connection with the implementation of this permission shall take place only outside the main bird/bat breeding season (breeding season is between 1st

May to the 1st September) and 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 wildlife interests of this site and in interest of residential amenity of the neighbouring properties.

RESTRICTIONS ON STAFF ACCOMMODATION

C4 The occupation of the flat and staff accommodation edged blue on the approved plans shall be limited to the owners or managers of the property and shall be permanently occupied as an integral part of the approved use of the site and that the owners/managers accommodation and the hostel accommodation shall not be sold, sublet or otherwise disposed of separately as individual units of accommodation.

Reason: The site is in an area where housing other than for staff accommodation purposes would be contrary to planning Policy 3 of the Isles of Scilly Local Plan 2005.

RESTRICTIONS ON HOSTEL USE

C5 The hostel accommodation hereby permitted and edged in green on the approved plans shall not be used otherwise than for the purpose of short let holiday accommodation. The hostel accommodation shall not be occupied as permanent accommodation and shall not be occupied by any one person for a period exceeding 28 days in any calendar year. The owner or operator shall maintain a register of occupants for each calendar year. This register shall be made available on request for inspection by any duly authorised officer of the Local Planning Authority.

Reason: To ensure that the property is retained for holiday purposes in accordance with Policy 4 of the Local Plan and to minimise any pressure on local infrastructure in accordance with Policy 6 of the Local Plan.

PRE-COMMENCEMENT CONDITION – BAT MITIGATION

C6 Prior to the commencement of the development, hereby permitted, details of the provisions made for bats shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and be retained as such thereafter.

Reason: This is a pre-commencement condition that requires details, which were not submitted as part of the original application, but are required in the interests of protecting wildlife and in accordance with the NPPF and the Isles of Scilly Biodiversity and Geological Conservation Good Practice Guide.

PRE-COMMENCEMENT CONDITION – SITE WASTE MANAGEMENT PLAN

C7 Prior to the commencement of the development, hereby permitted, 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 by 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 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

PRE-COMMENCEMENT CONDITION – SUSTAINABLE DESIGN MEASURES

C8 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 submitted to and agreed in writing by the local planning authority. This shall include water conservation and water harvesting measures. The sustainable design scheme shall be implemented in strict accordance with the details as agreed prior to the first use of the site hereby permitted.

Reason: This is a pre-commencement condition that requires details on measures to reduce energy and water consumption that were not submitted as part of the original application. In accordance with Policy 2 of the Isles of Scilly Local Plan 2005 and to minimise the impact of the development on essential infrastructure in accordance with Policy 6 of the Isles of Scilly Local Plan 2005.

PRE-COMMENCEMENT CONDITION – FACING MATERIALS

C9 Prior to the commencement of the development, hereby permitted, details of the facing materials including colour finish of all buildings on site shall be submitted to and agreed in writing by the local planning authority. The buildings shall be finished as agreed and maintained as such 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 understand the final appearance of the buildings, in the interests of the character and appearance of the surrounding area, which is designated a Conservation Area and AONB in accordance with Policy 1 of the Local Plan.

PRE-COMMENCEMENT CONDITION – POLY TUNNELS

C10 Prior to the commencement of the development, hereby approved, details including size, materials and colour of the X2 poly tunnels, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved only. The poly tunnels shall be removed from the site once no longer required for growing crops.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the original application but are required to understand the final appearance of all structures, in the interests of the character and appearance of the surrounding area, which is designated a Conservation Area and AONB in accordance with Policy 1 of the Local Plan.

PRE-COMMENCEMENT CONDITION – PARKING AND TURNING

C11 Prior to the commencement of the development, hereby approved, a plan showing vehicle parking and manoeuvring areas and their surfacing shall be submitted to and approved in writing by the Local Planning Authority. Before the site is first brought into use the approved scheme shall be implemented in full and retained as approved thereafter. The parking and manoeuvring areas shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the original application but are required to understand the car parking and turning space arrangements, in the interests of highway safety.

PRE-COMMENCEMENT CONDITION - LANDSCAPING

C12 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 shall indicate the species and size of shrubs and the positions in which they will be planted or retained. The scheme shall be carried out and completed during the first planting season following the substantial completion of the development hereby approved or during such later planting season as may be agreed in writing with the Local Planning Authority. Any shrub damaged or becoming seriously diseased within five years from the date in which the scheme shall have been completed, shall be replaced with the same or a similar species of shrub. No new or existing hedges around the site shall not be topped or removed in whole or in part without the written consent of the local planning authority.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the original application but are required to understand how the development can assimilate into the landscape and to safeguard the appearance and character of the area.

PRE-COMMENCEMENT and PRE-USE CONDITION – BREAK TANK LEVELS DETAILS

C13 Prior to its installation, precise details of the position and finished levels of the concrete pad of the break tank shall be submitted to and approved in writing by the Local Planning Authority. The Break Tank water solution shall be installed and connected to the building and the water supply, prior to the first use of this site. The water 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-USE CONDITION

C14 Prior to first use of the development, hereby approved, the Klargester, Bioficient 6 Unit package treatment plant shall be fully installed as approved and connected to the development and be maintained as such thereafter.

Reason: To ensure the proposal has a satisfactory foul water solution in accordance with Policy 6 of the Isles of Scilly Local Plan 2005.

PRE-USE CONDITION

C15 Prior to first use of the development, hereby approved, details of the positioning and times of operation of all external lighting shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of neighbouring occupants and to minimise the impact of the lighting on the character and setting of the surrounding area including the quality of the night sky in accordance with Policy 1 of the Isles of Scilly Local Plan 2005.

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)** which 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:

15th June 2016

