



**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**

<b>Application No:</b>	<b>P/19/086/FUL</b>	<b>Date Application Registered:</b>	<b>11<sup>th</sup> December 2019</b>
<b>Applicant:</b>	<b>Ms Mary Lowth 85 Swain's Lane Highgate London N66JP</b>	<b>Agent:</b>	<b>Mr R Flynn Dualchas Architects Fas Building Sabhal Mor Ostaig Sleat Isles Of Skye IV44 8RQ</b>

**Site address:** Bank Cottage South'ard Bryher Isles of Scilly TR23 0PR  
**Proposal:** Alteration and extension of the main house to provide two bedroom house.  
Renovation and extension of the Cottage to improve ancillary accommodation.  
Create new workshop/studio to replace existing shed.

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 Location Plan, Drawing Number 805\_001\_revB dated 26/09/2018**
- **Plan 2 Proposed Site Layout Plan, Drawing Number 805\_101\_revC dated 26/09/2018**
- **Plan 3 Proposed House SW Elevation, Drawing Number 805\_403\_revA dated 28/01/2019**
- **Plan 4 Proposed Site Section, Drawing Number 805\_102\_revA dated 26/09/2018**
- **Plan 5 Proposed House, First Floor Plan, Drawing Number 805\_202\_revA dated 28/01/2019**
- **Plan 6 Proposed House, Ground Floor Plan, Drawing Number 805\_201\_revA dated 28/01/2019**
- **Plan 7 Proposed House, NE Elevation, Drawing Number 805\_405\_revA dated 26/09/2018**
- **Plan 8 Proposed House, NW Elevation, Drawing Number 805\_402\_revA dated**

28/01/2019

- Plan 9 Proposed House, Roof Plan, Drawing Number 805\_203\_revA dated 26/09/2018
- Plan 10 Proposed House, SE Elevation, Drawing Number 805\_404\_revA dated 26/09/2018
- Plan 11 Proposed House, Section AA, Drawing Number 805\_301\_revA dated 28/01/2019
- Plan 12 Proposed Annexe, Elevations, Drawing Number 805\_411\_revA dated 26/09/2018
- Proposed Annexe, Ground Floor Plan, Drawing Number 805\_211\_revA dated 21/12/2018
- Plan 14 Proposed Workshop, Elevations, Drawing Number 805\_421\_revA dated 26/09/2018
- Plan 15 Proposed Workshop, Ground Floor Plan, Drawing Number 805\_221\_revB dated 21/12/2018
- Plan 16 Proposed Workshop Section AA-BB, Drawing Number 805\_321\_revA dated 26/09/2018
- Plan 14 Design and Access Statement
- Plan 18 Bat Survey Report (Timing, Mitigation and Enhancement Measures)

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 Policy 1 of the Isles of Scilly Local Plan (2005) and Policy OE1 and OE7 of the submission Isles of Scilly Local Plan (2015-2030).

#### **PRE-COMMENCEMENT CONDITION: Submission of Sustainable Design Measures**

**C3** 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 agreed in writing with the Local Planning Authority and should include water conservation and harvesting measures and renewable energy generation including a water consumption standard of no more than 110 litres per person, per day. The sustainable design scheme shall be implemented in strict accordance with the details as agreed prior to the occupation of the development hereby permitted.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application but are required to in order to comply with Policy 2 of the Local Plan (2005) and Policies SS1(b) and SS2(k) of the Submission Draft Isles of Scilly Local Plan 2015-2030 and to minimise the impact of the development on the islands carbon footprint and reduce energy and water demands.

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

**C4** 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 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

**C5** 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 Bryher Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Submission Draft Isles of Scilly Local Plan 2015-2030.

**C6 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.

**C7 All works involving 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.

**C8 The alterations to the property known as Bank Cottage, hereby permitted, shall not result in any sub-division of this as a single dwelling and no element shall be occupied at any time as a separate self-contained dwelling. Any such change of use would need to be subject to a further application for planning permission.**

Reason: To ensure that the development hereby permitted is occupied only as a single dwelling as specified in the application. In accordance with Policy 3 of the adopted Isles of Scilly Local Plan (2005) and Policy LC9 of the Submission Draft Isles of Scilly Local Plan (2015-2030).

**C9 The extension to the Annexe at Bank Cottage, hereby permitted, and resulting enlarged unit of accommodation, marked blue on the attached plan, shall be occupied only as ancillary accommodation in connection with Bank Cottage and not occupied or rented as a separate dwelling.**

Reason: To ensure that the development hereby permitted is occupied only as a single dwelling as specified in the application. In accordance with Policy 3 of the adopted Isles of Scilly Local Plan (2005) and Policy LC9 of the Submission Draft Isles of Scilly Local Plan (2015-2030).

**C10 The workshop, hereby permitted, marked green on the attached plan, shall be retained for the purposes of ancillary workshop space only in connection with Bank Cottage, in accordance with the approved plans.**

Reason: To ensure that the development does not over intensify that could give rise to noise and disturbance. In accordance with Policy 1 of the adopted Isles of Scilly Local Plan (2005) and Policy WC2 of the Submission Draft Isles of Scilly Local Plan (2015-2030).

#### **PRE-COMMENCEMENT CONDITION: Bat Mitigation Measures**

**C11 Prior to the commencement of the development, hereby approved, details of a replacement roosting site should be submitted to and approved in writing by the Local Planning Authority. This should comprise a bat box using the Kent Bat Box design which would be sited the north gable end of the detached holiday cottage,**

approximately 35m south of the porch. The installation of the box should be supervised by a Licensed Bat Worker to ensure that the aspect and height replicate the character of the existing roost as closely as possible. Provision of this feature would ensure continuity of roosting habitat and should be permanently retained as approved thereafter.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application but are required in order to retain control over the development, to safeguard bats and their roosts which are specifically protected by law. In the interests of securing appropriate and proportionate biodiversity net gains at this site in accordance with Policy OE2, SS1(d) and SS2(g).

**C12 No development on the porch (or any part of the building where bats have been found) shall take place until a European Protected Species License (EPSL) has been obtained from Natural England. The applicant shall provide the Local Planning Authority with copies of all relevant documentation and the results of any required further survey work as applicable. Works to be completed in strict compliance with the terms of any license issued by Natural England. The Local Planning Authority shall be provided with a copy of all relevant bat mitigation provision and the results of any required post-development monitoring as applicable. All bat survey records arising from this project to be provided to the relevant Biological Recording Centre which for the Isles of Scilly is at Environmental Records Centre for Cornwall and the Isles of Scilly (ERCCIS).**

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application but are required in the interests of safeguarding protected species and to enhance biodiversity in accordance with Policy 1(e) of the adopted Isles of Scilly Local Plan 2005 and Policy OE2 of the Draft Isles of Scilly Local Plan 2015-2030.

#### **PRE-COMMENCEMENT CONDITION: Biodiversity Enhancement Measures**

**C13 Prior to the first use of the extended dwelling, hereby approved, details of additional biodiversity enhancement measures including bird nesting boxes, shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the enhancement measures shall be installed as approved and retained as such thereafter.**

Reason: In the interests of securing appropriate and proportionate biodiversity net gains at this site in accordance with Policy OE2, SS1(d) and SS2(g).

#### **PRE-COMMENCEMENT CONDITION: Historic Building Recording**

**C14 A) No demolition/development shall take place until a programme of historic building recording work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions, and:**

- 1. The programme and methodology of site investigation and recording;**
- 2. The programme for post investigation assessment;**
- 3. Provision to be made for analysis of the site investigation and recording;**
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;**
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation;**
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation**

**B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).**

**C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the**

**provision made for analysis, publication and dissemination of results and archive deposition has been secured.**

**D) The historic building recording condition will normally only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed.**

Reason: This is a pre-commencement condition to provide details that were not submitted as part of the application but are required in order to ensure that a programme and methodology of site investigation and recording of historic features, is undertaken before physical works commence on site. This is in accordance with the provisions of NPPF (2019) Chapter 16, paragraph 199, Policy 1(b) of the adopted Isles of Scilly Local Plan (2005) and Policy OE7(7) of the emerging Isles of Scilly Local Plan (2015-2030).

### **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 paragraph 38 the National Planning Policy Framework 2019.
2. 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 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.
3. 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. The fees are as follows: a) £34 for each request to discharge condition(s) where the planning permission relates to a householder development (domestic extension/alteration or outbuilding etc) b) £116 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.
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. Call The Bat Conservation Trust's National Bat Helpline on 0845 1300 228 or Natural England (01872 245045) for advice.

Signed: 

**Senior Officer, Planning and Development Management**

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

**DATE OF ISSUE: 19<sup>th</sup> October 2020**



# COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department  
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW

☎0300 1234 105

✉planning@scilly.gov.uk

Dear Mrs Mary Lowth,

## Please sign and complete this certificate.

This is to certify that decision notice: P19/086/FUL and the accompanying conditions have been read and understood by the applicant: Mrs Mary Lowth.

1. **Development of the approved plans:** Alteration and extension of the main house to provide two bedroom house. Renovation and extension of the Cottage to improve ancillary accommodation. Create new workshop/studio to replace existing shed **at:** Bank Cottage South'ard Bryher **on:** (insert date) .....
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.

**Print Name:**

**Signed:**

**Date:**

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 Conditions

- C3 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 agreed in writing with the Local Planning Authority and should include water conservation and harvesting measures and renewable energy generation including a water consumption standard of no more than 110 litres per person, per day. The sustainable design scheme shall be implemented in strict accordance with the details as agreed prior to the occupation of the development hereby permitted.
- C4 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 only.
- C11 Prior to the commencement of the development, hereby approved, details of a replacement roosting site should be submitted to and approved in writing by the Local Planning Authority. This should

comprise a bat box using the Kent Bat Box design which would be sited the north gable end of the detached holiday cottage, approximately 35m south of the porch. The installation of the box should be supervised by a Licensed Bat Worker to ensure that the aspect and height replicate the character of the existing roost as closely as possible. Provision of this feature would ensure continuity of roosting habitat and should be permanently retained as approved thereafter.

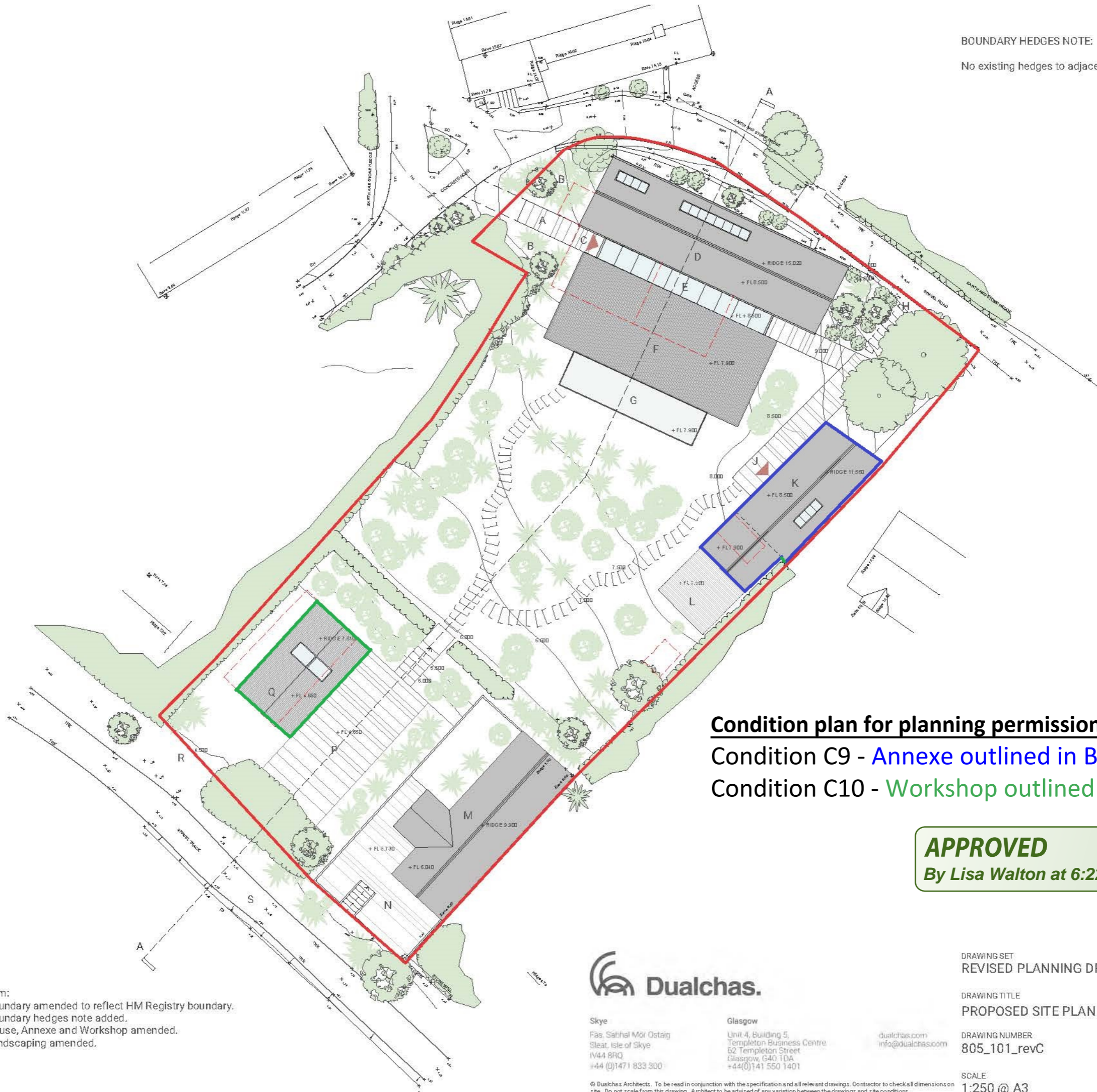
- C13 Prior to the first use of the extended dwelling, hereby approved, details of additional biodiversity enhancement measures including bird nesting boxes, shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the enhancement measures shall be installed as approved and retained as such thereafter.
- C14 A) No demolition/development shall take place until a programme of historic building recording work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions, and:
1. The programme and methodology of site investigation and recording;
  2. The programme for post investigation assessment;
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  6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
- B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- D) The historic building recording condition will normally only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed.

**SITE PLAN KEY:**

- A - Entrance paving + garden
- B - Screen planting
- C - Entrance to house
- D - Renovated house
- E - Glazed link
- F - Extension
- G - Terrace
- H - Private access to Annexe
- J - Entrance to Annexe
- K - Renovated and extended Annexe
- L - Terrace
- M - Moorings
- N - Terrace
- P - Sunken courtyard
- Q - Workshop and store
- R - Access to shore
- S - Shore track

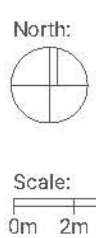
- Site Boundary
- Structures removed

**BOUNDARY HEDGES NOTE:**  
No existing hedges to adjacent properties to be altered.



**Condition plan for planning permission P/19/086/FUL**  
 Condition C9 - **Annexe outlined in BLUE**  
 Condition C10 - **Workshop outlined in GREEN**

**APPROVED**  
 By Lisa Walton at 6:22 pm, Oct 19, 2020



Revision:	Date:	Item:
A	06.11.18	Boundary amended to reflect HM Registry boundary. Boundary hedges note added.
B	14.05.19	House, Annexe and Workshop amended.
C	03.07.19	Landscaping amended.

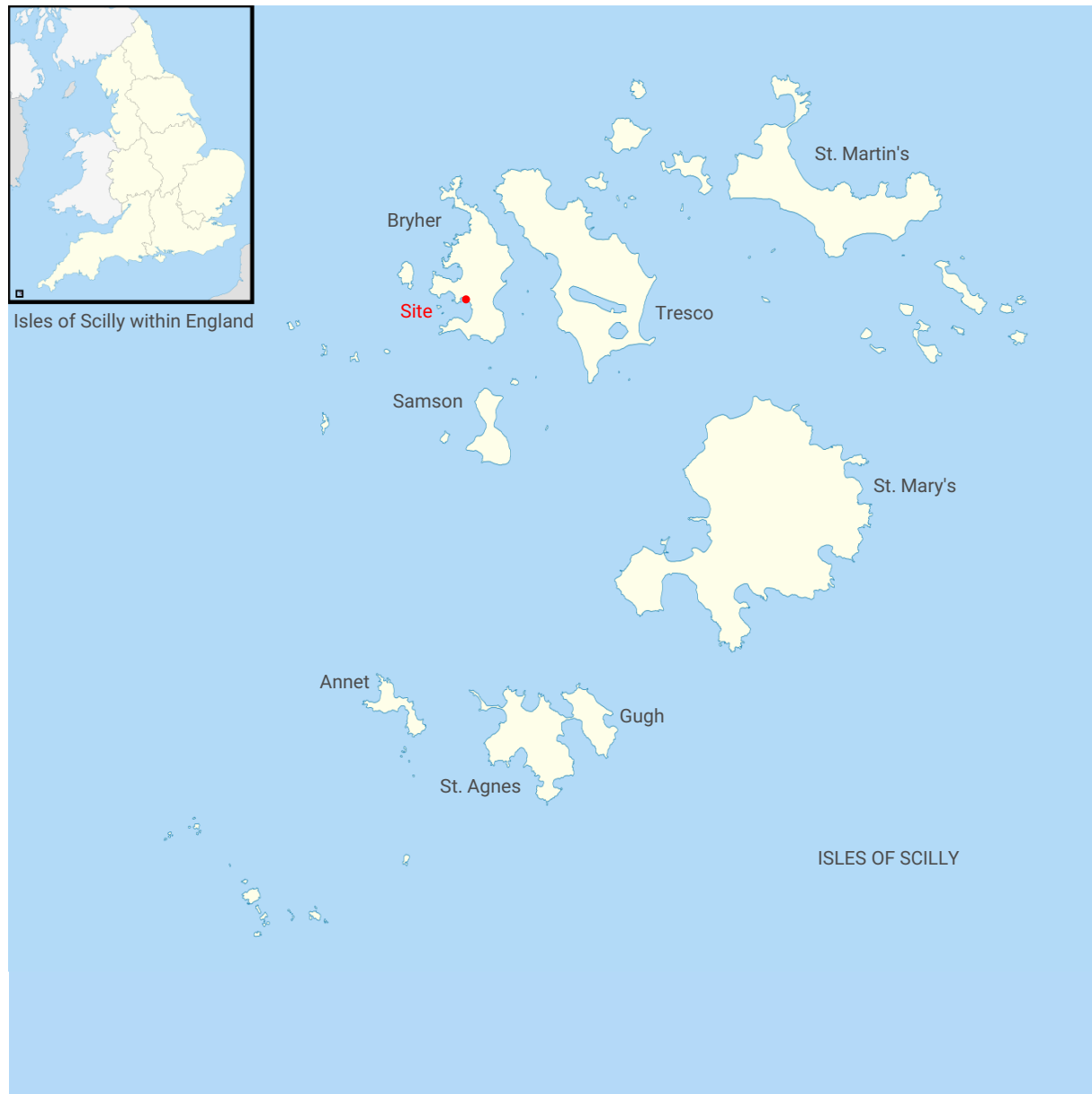


**Dualchas.**  
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 dualchas.com, info@dualchas.com

DRAWING SET	REVISED PLANNING DRAFT	CLIENT	805_LOWTH
DRAWING TITLE	PROPOSED SITE PLAN	DRAWING NUMBER	805_101_revC
DRAWN BY	RF	SCALE	1:250 @ A3
DATE	26/09/2018		

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BRYHER LOCATION PLAN:

Scale: Not to Scale (indicative)



LOCATION PLAN:

Scale 1:1250

KEY:

Indicates area of ownership/tenancy:



Indicates area affected by Planning application:



LOCATION:

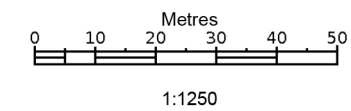
Bank Cottage,  
Bryher,  
Isles of Scilly,  
TR23 0PR

SITE AREA:

1,315 sqm.

Produced 22 Nov 2017 from the Ordnance Survey MasterMap (Topography) Database and incorporating surveyed revision available at this date.

The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.



Bank Cottage, Bryher, Isles Of Scilly  
TR23 0PR

Supplied by: **Stanfords 22 Nov 2017**  
Licence: © Crown Copyright and  
database rights 2017 OS100035409  
Order Licence Reference: OI1180635  
Centre coordinates: 87585 14733

**APPROVED**  
By Lisa Walton at 6:13 pm, Oct 19, 2020

North:



Scale:



Revision: Date: Item:

A 24.10.18 Ordnance Survey license information added.  
B 07.11.18 Boundary amended to reflect HM Registry boundary.



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DRAWING SET  
PLANNING

CLIENT  
805\_LOWTH

DRAWING TITLE  
LOCATION PLAN

DRAWING NUMBER  
805\_001\_revB

DRAWN BY  
RF

SCALE  
1:1250 @ A3

DATE  
26/09/2018

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SITE PLAN KEY:

- A - Entrance paving + garden
- B - Screen planting
- C - Entrance to house

- D - Renovated house
- E - Glazed link
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- G - Terrace

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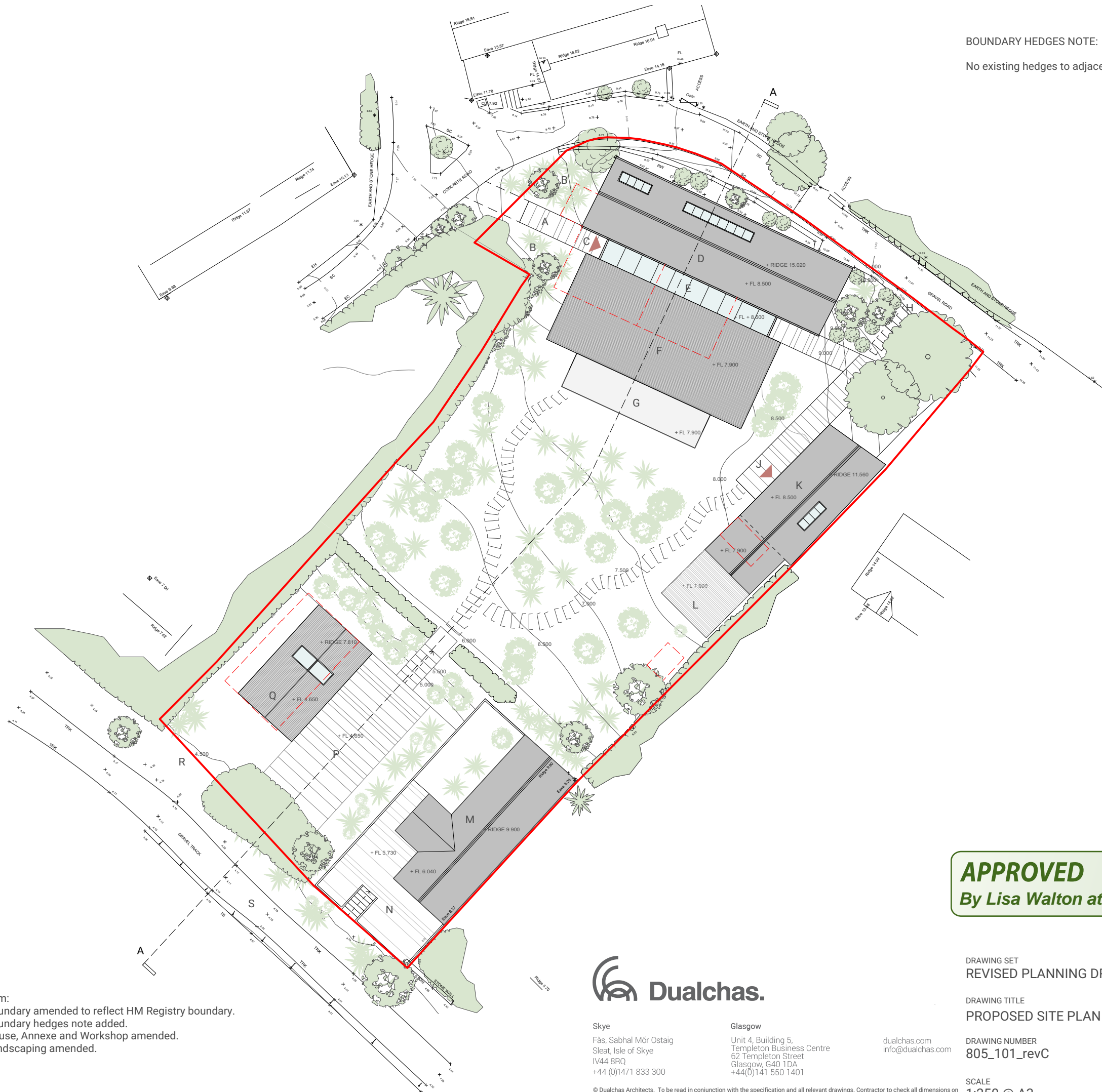
- P - Sunken courtyard
- Q - Workshop and store
- R - Access to shore
- S - Shore track

— Site Boundary

- - - Structures removed

BOUNDARY HEDGES NOTE:

No existing hedges to adjacent properties to be altered.



**APPROVED**  
By Lisa Walton at 6:14 pm, Oct 19, 2020



Scale:  
0m 2m 4m

Revision:	Date:	Item:
A	06.11.18	Boundary amended to reflect HM Registry boundary. Boundary hedges note added.
B	14.05.19	House, Annexe and Workshop amended.
C	03.07.19	Landscaping amended.



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DRAWING SET  
REVISED PLANNING DRAFT

DRAWING TITLE  
PROPOSED SITE PLAN

DRAWING NUMBER  
805\_101\_revC

SCALE  
1:250 @ A3

CLIENT  
805\_LOWTH

DRAWN BY  
RF

DATE  
26/09/2018

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MATERIALS:

House:  
Existing stonework restored and repointed to walls.  
New stonework to match existing.  
Slate roof.

Link:  
Glazed doors and glazed roof structure.  
Aluminium facing above doors.

Extension:  
Untreated horizontal timber cladding skin to walls and roof.

Windows + Doors:  
Metal-clad, timber framed, double-glazed.



**APPROVED**  
By Lisa Walton at 6:15 pm, Oct 19, 2020

Revision: Date: Item:  
A 14.05.19 Height of house alterations and extension reduced.  
Stonework and screens added to elevation

Scale:  
0m 1m 2m



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DRAWING SET  
REVISED PLANNING DRAFT

CLIENT  
805\_LOWTH

DRAWING TITLE  
HOUSE: SOUTH WEST ELEVATION

DRAWING NUMBER  
805\_403\_revA

DRAWN BY  
RF

SCALE  
1:100 @ A3

DATE  
28/01/2019

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MAIN HOUSE:

Ridge raised by 470mm.  
New stonework to match existing.

Red dashed line - Indicates position of existing buildings

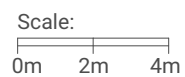
BOUNDARY HEDGES NOTE:

No existing hedges to adjacent properties to be altered.



**APPROVED**  
By Lisa Walton at 6:15 pm, Oct 19, 2020

Revision: Date: Item:  
A 14.05.19 Height of house alterations and extension reduced.  
Length of Annexe extension reduced. Scale of Workshop reduced.



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DRAWING SET  
REVISED PLANNING DRAFT

CLIENT  
805\_LOWTH

DRAWING TITLE  
PROPOSED SITE SECTION AA

DRAWING NUMBER  
805\_102\_revA

DRAWN BY  
RF

SCALE  
1:200 @ A3

DATE  
26/09/2018

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FIRST FLOOR KEY:

- A - Shower room
- B - Dressing room
- C - Stair from ground floor
- D - Void over hall (top lit)
- E - Hall
- F - Master bedroom
  
- G - Glazed link
- H - Timber-clad roof

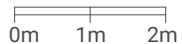


North:



Revision: Date: Item:  
A 14.05.19 Stonework between glazing added.  
Glazed link width reduced.

Scale:



Skye  
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**APPROVED**  
By Lisa Walton at 6:16 pm, Oct 19, 2020

DRAWING SET  
REVISED PLANNING DRAFT

CLIENT  
805\_LOWTH

DRAWING TITLE  
HOUSE: FIRST FLOOR PLAN

DRAWING NUMBER  
805\_202\_revA

DRAWN BY  
RF

SCALE  
1:100 @ A3

DATE  
28/01/2019

GROUND FLOOR KEY:

- A - Main entrance
- B - Lobby
- C - Hall (top lit)
- D - Rear entrance
  
- E - Utility
- F - Plant
- G - Stair to first floor
- H - Piano (top lit)
- J - Shower room
- K - Second bedroom / study
  
- L - Kitchen
- M - Dining
- N - Living
- P - Sliding timber screens



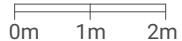
**APPROVED**  
By Lisa Walton at 6:16 pm, Oct 19, 2020

North:



Revision: Date: Item:  
A 14.05.19 Width of glazed link reduced. Sliding screens added.

Scale:



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DRAWING SET  
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CLIENT  
805\_LOWTH

DRAWING TITLE  
HOUSE: GROUND FLOOR PLAN

DRAWING NUMBER  
805\_201\_revA

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1:100 @ A3

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28/01/2019

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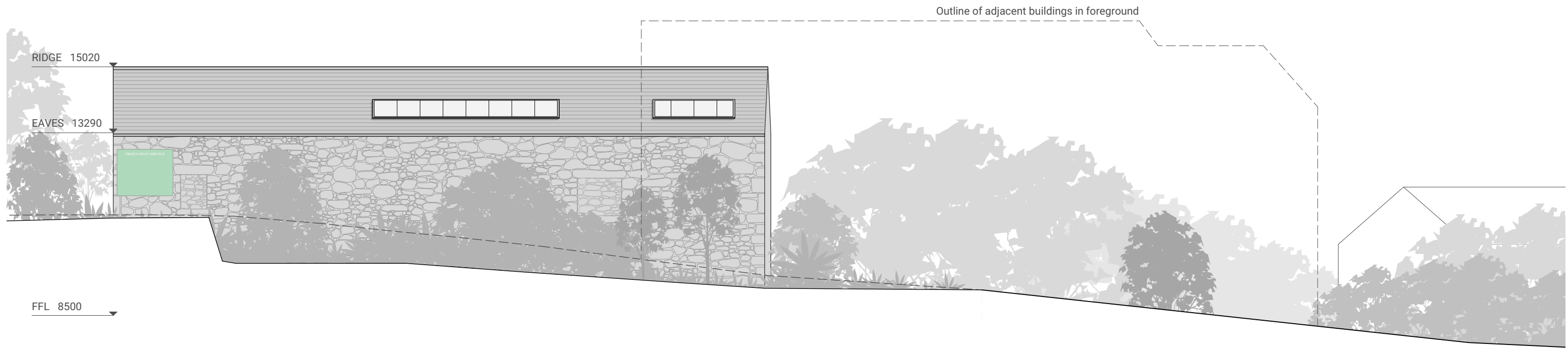
MATERIALS:

House:  
Existing stonework restored and repointed to walls.  
New stonework to match existing.  
Slate roof.

Link:  
Glazed doors and glazed roof structure.  
Aluminium facing above doors.

Extension:  
Untreated horizontal timber cladding skin to walls and roof.

Windows + Doors:  
Metal-clad, timber framed, double-glazed.



VIEW OF REAR FROM LANE

**APPROVED**  
By Lisa Walton at 6:16 pm, Oct 19, 2020

Revision: Date: Item:  
A 14.05.19 Height of house alterations and extension reduced.

Scale:  
0m 1m 2m



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DRAWING SET  
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CLIENT  
805\_LOWTH

DRAWING TITLE  
HOUSE: NORTH EAST ELEVATION

DRAWING NUMBER  
805\_405\_revA

DRAWN BY  
RF

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DATE  
26/09/2018

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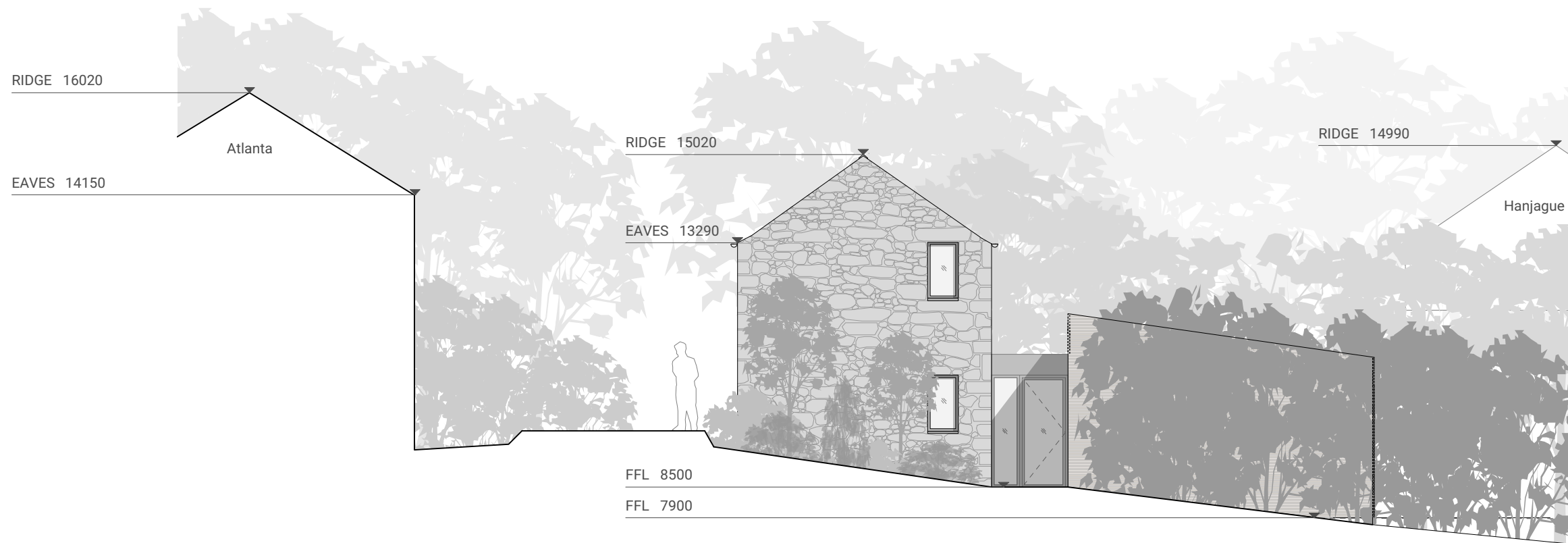
MATERIALS:

House:  
Existing stonework restored and repointed to walls.  
New stonework to match existing.  
Slate roof.

Link:  
Glazed doors and glazed roof structure.  
Aluminium facing above doors.

Extension:  
Untreated horizontal timber cladding skin to walls and roof.

Windows + Doors:  
Metal-clad, timber framed, double-glazed.



VIEW OF ENTRANCE FROM ROAD

**APPROVED**  
By Lisa Walton at 6:17 pm, Oct 19, 2020

Revision: Date: Item:  
A 14.05.19 Height of house alterations and extension reduced.  
Annotations added.

Scale:  
0m 1m 2m



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DRAWING SET  
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CLIENT  
805\_LOWTH

DRAWING TITLE  
HOUSE: NORTH WEST ELEVATION

DRAWING NUMBER  
805\_402\_revA

DRAWN BY  
RF

SCALE  
1:100 @ A3

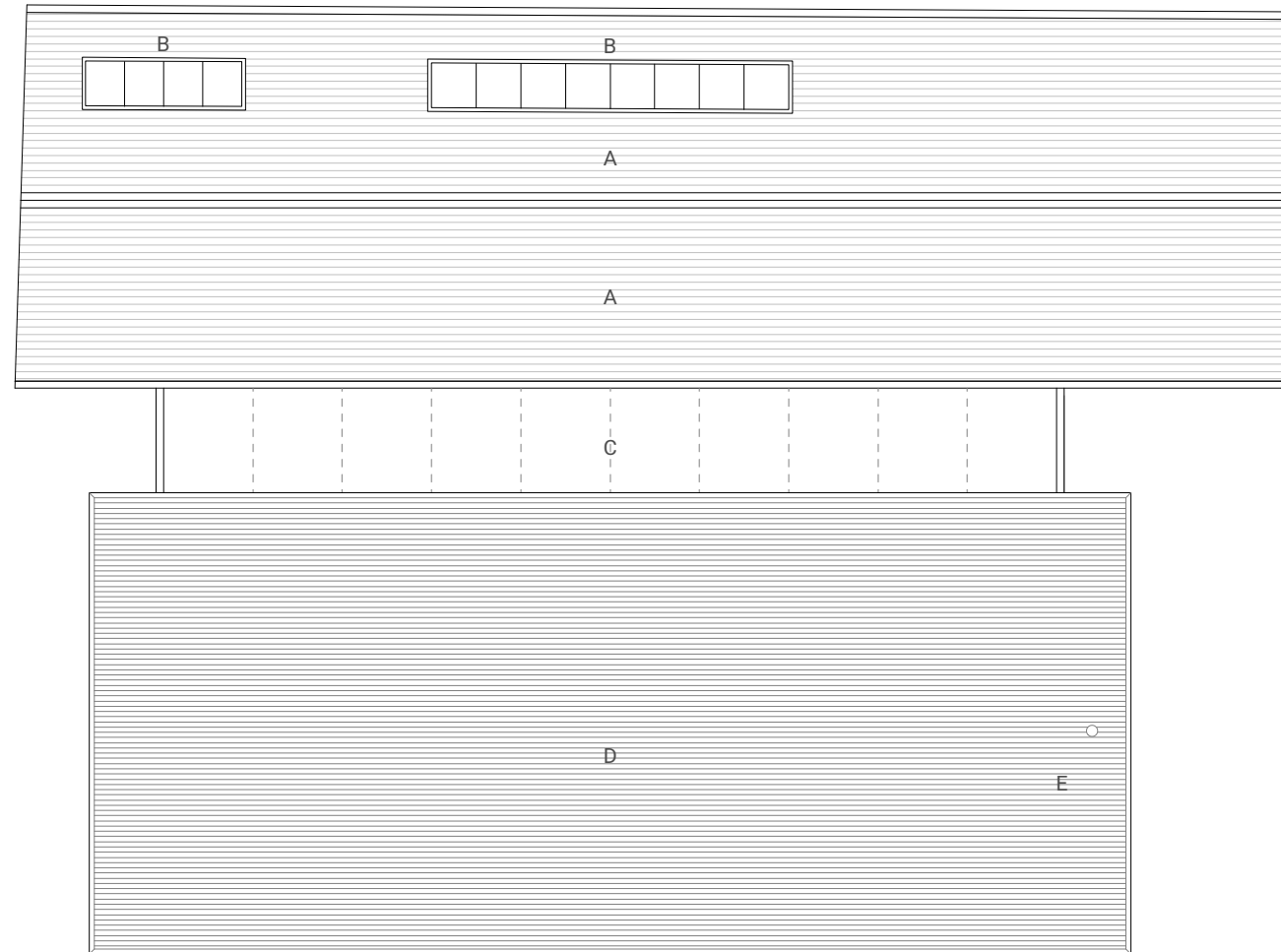
DATE  
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ROOF KEY:

- A - Slate roof
- B - Flush rooflight
- C - Glazed link roof
- D - Timber-clad roof
- E - Stove flue outlet
- F - Timber canopy



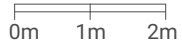
**APPROVED**  
By Lisa Walton at 6:17 pm, Oct 19, 2020

North:



Revision: Date: Item:  
A 14.05.19 Glazed link width reduced.

Scale:



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DRAWING SET  
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CLIENT  
805\_LOWTH

DRAWING TITLE  
HOUSE: ROOF PLAN

DRAWING NUMBER  
805\_203\_revA

DRAWN BY  
RF

SCALE  
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DATE  
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MATERIALS:

House:  
Existing stonework restored and repointed to walls.  
New stonework to match existing.  
Slate roof.

Link:  
Glazed doors and glazed roof structure.  
Aluminium facing above doors.

Extension:  
Untreated horizontal timber cladding skin to walls and roof.

Windows + Doors:  
Metal-clad, timber framed, double-glazed.



**APPROVED**  
By Lisa Walton at 6:18 pm, Oct 19, 2020

Revision: Date: Item:  
A 14.05.19 Height of house alterations and extension reduced.

Scale:  
0m 1m 2m



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DRAWING SET  
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CLIENT  
805\_LOWTH

DRAWING TITLE  
HOUSE: SOUTH EAST ELEVATION

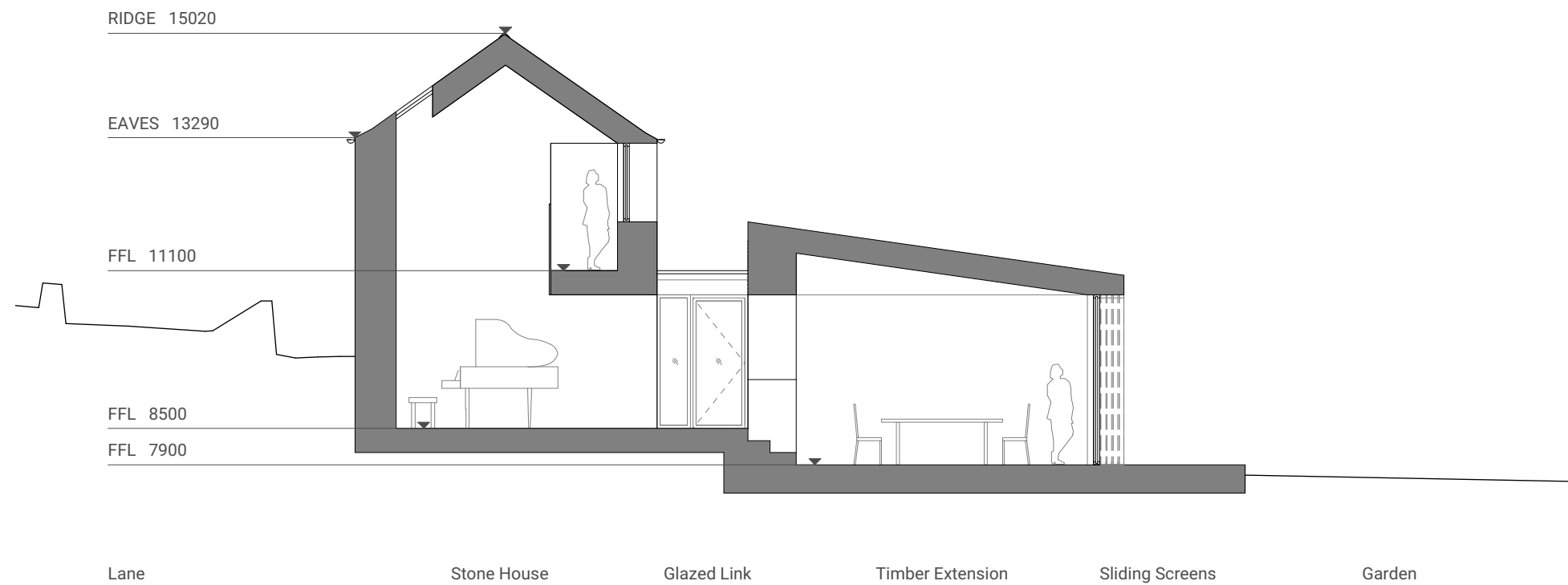
DRAWING NUMBER  
805\_404\_revA

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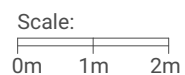
SCALE  
1:100 @ A3

DATE  
26/09/2018



**APPROVED**  
 By Lisa Walton at 6:18 pm, Oct 19, 2020

Revision: Date: Item:  
 A 14.05.19 Height of house alterations and extension reduced.  
 Width of link reduced



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DRAWING SET  
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DRAWING TITLE  
 HOUSE: SECTION AA

DRAWING NUMBER  
 805\_301\_revA

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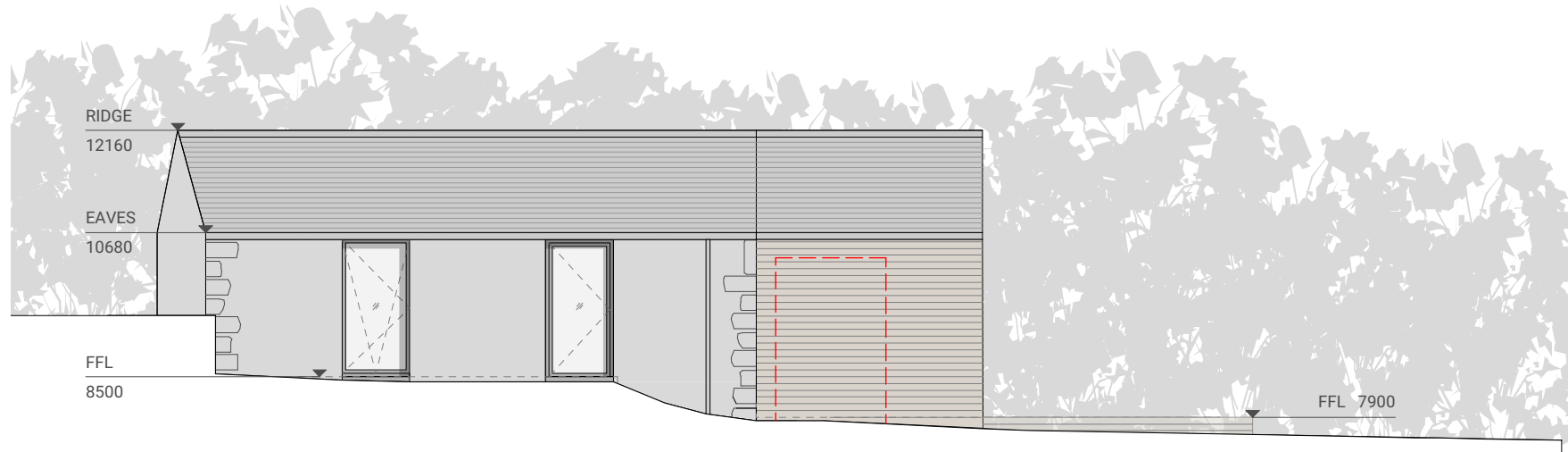
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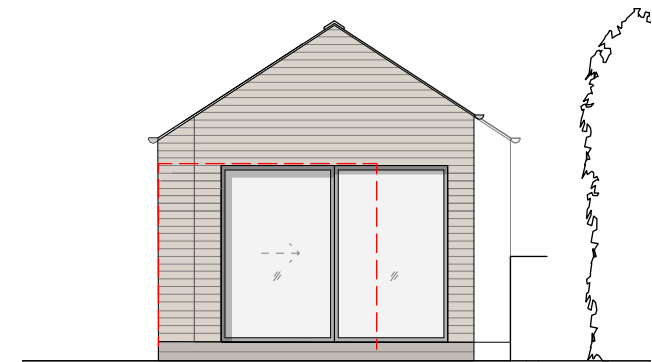
Cottage:  
 Stonework restored and repointed to existing walls.  
 Untreated horizontal timber cladding to new walls.  
 Slate roof.

Windows + Doors:  
 Metal-clad, timber framed, double-glazed.

**Red dashed line** - Indicates position of existing building



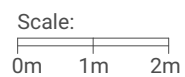
NORTH WEST ELEVATION



SOUTH WEST ELEVATION

**APPROVED**  
 By Lisa Walton at 6:19 pm, Oct 19, 2020

Revision: Date: Item:  
 A 14.05.19 Length and width of extension reduced.



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DRAWING SET  
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DRAWING TITLE  
 ANNEXE: ELEVATIONS

DRAWING NUMBER  
 805\_411\_revA

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ANNEXE PLAN KEY:

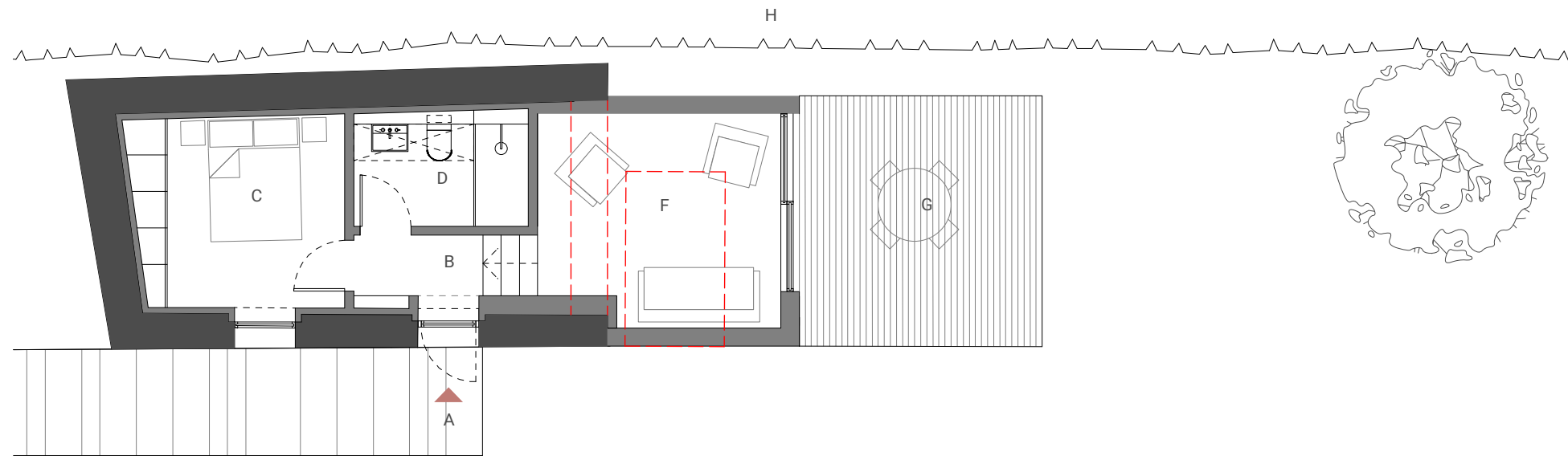
- A - Entrance
- B - Lobby
- C - Bedroom
- D - Shower room (top-lit)
- E - Storage
- F - Living

- G - Terrace
- H - Existing boundary hedge - no change

Red dashed line - Indicates position of existing building

BOUNDARY HEDGES NOTE:

No existing hedges to adjacent properties to be altered.



**APPROVED**  
 By Lisa Walton at 6:19 pm, Oct 19, 2020

North:



Revision: Date: Item:  
 A 14.05.19 Extension area reduced.

Scale:  
 0m 1m 2m



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DRAWING SET  
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DRAWING TITLE  
 ANNEXE: GROUND FLOOR PLAN

DRAWING NUMBER  
 805\_211\_revA

DRAWN BY  
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DATE  
 21/12/2018

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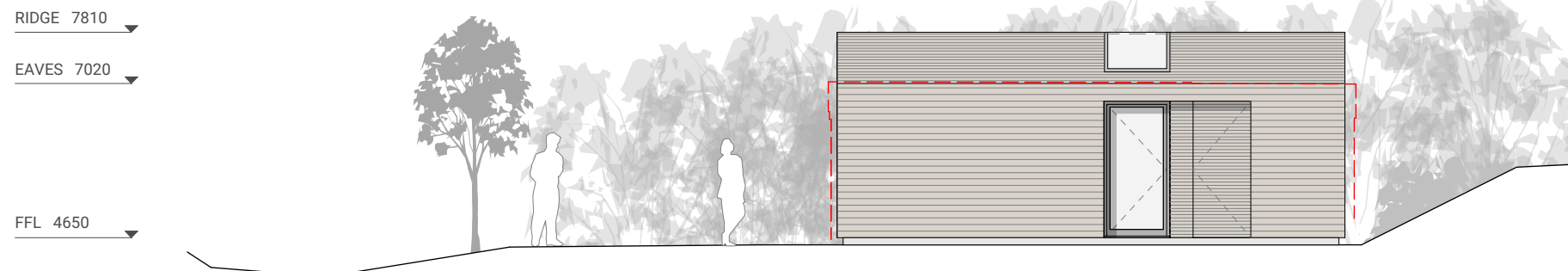
Workshop:  
 Untreated horizontal timber cladding skin to walls and roof.

Windows + Doors:  
 Metal-clad, timber framed, double-glazed.

Red dashed line - Indicates location of existing workshop



SOUTH WEST ELEVATION (facing shore)



SOUTH EAST ELEVATION (facing Moorings)

**APPROVED**  
 By Lisa Walton at 6:20 pm, Oct 19, 2020

Revision: Date: Item:  
 A 14.05.19 Height and area of Workshop reduced.  
 Outline of existing building shown.

Scale:  
 0m 1m 2m



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DRAWING SET  
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CLIENT  
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DRAWING TITLE  
 WORKSHOP: ELEVATIONS

DRAWING NUMBER  
 805\_421\_revA

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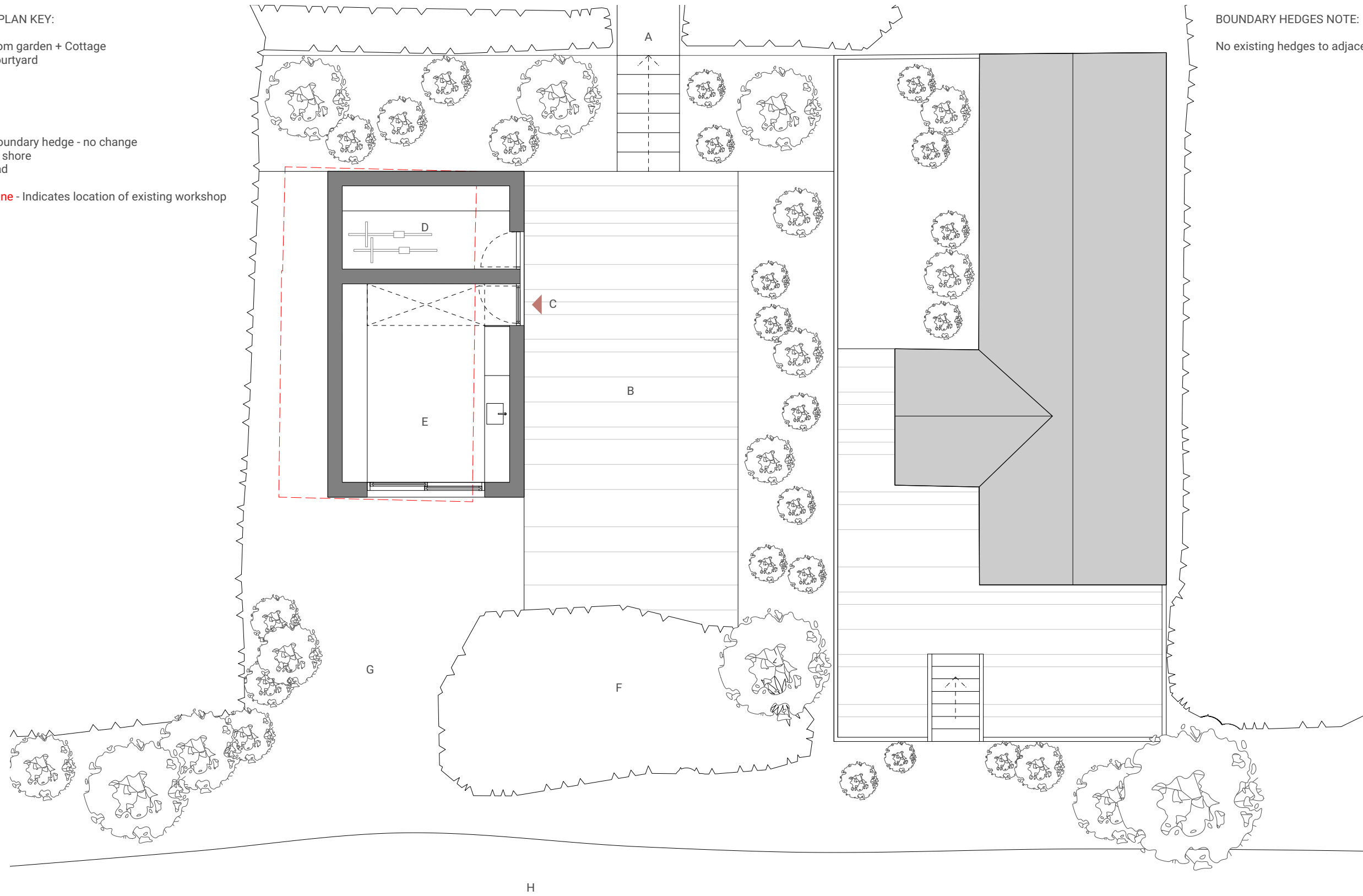
WORKSHOP PLAN KEY:

- A - Access from garden + Cottage
- B - Sunken courtyard
- C - Entrance
- D - Store
- E - Workshop
- F - Existing boundary hedge - no change
- G - Access to shore
- H - Shore Road

Red dashed line - Indicates location of existing workshop

BOUNDARY HEDGES NOTE:

No existing hedges to adjacent properties to be altered.



**APPROVED**  
By Lisa Walton at 6:20 pm, Oct 19, 2020

North:



Scale:  
0m 1m 2m

Revision:	Date:	Item:
A	14.05.19	Workshop building area reduced and ostion amended.
B	03.07.19	Landscaping amended.



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DRAWING TITLE  
WORKSHOP: GROUND FLOOR PLAN

DRAWING NUMBER  
805\_221\_revB

DRAWN BY  
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SCALE  
1:100 @ A3

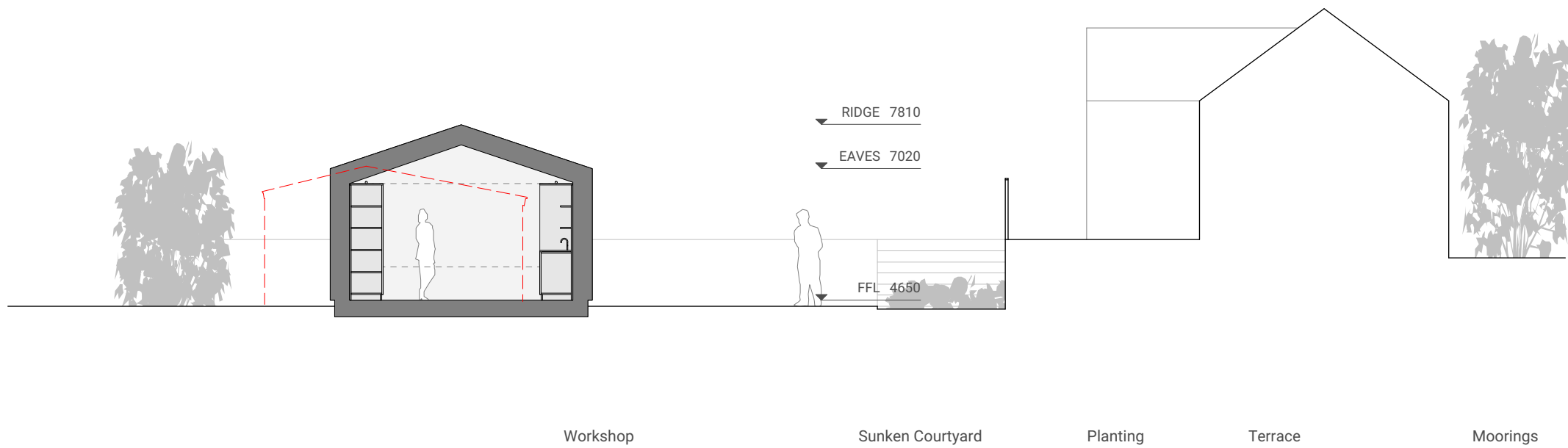
DATE  
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Red dashed line - Indicates location of existing workshop

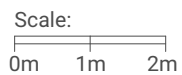


LONG SECTION AA (through workshop)



CROSS SECTION BB (through workshop)

**APPROVED**  
By Lisa Walton at 6:21 pm, Oct 19, 2020



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DRAWING SET  
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CLIENT  
805\_LOWTH

DRAWING TITLE  
WORKSHOP: SECTIONS AA + BB

DRAWING NUMBER  
805\_321\_revA

DRAWN BY  
RF

SCALE  
1:100 @ A3

DATE  
26/09/2018

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# ALTERATIONS AND EXTENSION TO BANK COTTAGE, BRYHER, ISLES OF SCILLY

Planning Design Statement

December 2019 - Revision E

**APPROVED**

*By Lisa Walton at 6:21 pm, Oct 19, 2020*





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# INTRODUCTION

## Bank Cottage, Bryher

Mary and Simon Lowth approached Dualchas Architects in Summer 2017 to make proposals for the alteration, renovation and extension of an existing set of buildings within a garden site, at Bank Cottage on the Isle of Bryher.

Our brief includes the refurbishment and extension of the dwelling house and the adjacent annexe, in conjunction with the addition of a new-build workshop, on the site of an existing outbuilding.

In working in such a sensitive location as Bryher, our priority is firstly to understand the unique character of the place. Through our design proposals, we seek to maintain and where possible improve, our site's contribution to its location.

This application was previously submitted in October 2018, but following consultation with the Planning Officer it was withdrawn to allow some design amendments to be made.



- 1 The rear of Bank Cottage to the left, within the lanes setting of Bryher
- 2 Location of site within the Isles of Scilly archipelago



# CONTEXT

## Isle of Bryher

As the most northwesterly of the Isles of Scilly, Bryher is only 2 kilometres long and 1 kilometre wide and has a permanent population of around 80 people.

There are two small settlements: The Town, on the east coast, where the quay is located, facing across the Tresco Channel to Tresco Island; and at South'ard, Great Par, on the west coast, where the Hell Bay Hotel is located, facing out to the Atlantic.

It is a low-lying island with gently rolling hills, some arable land, some typically hedged fields and a number of white sandy beaches.

Access to Bryher is by boat directly onto the beach or quay, depending on the tide. Use of the few vehicles on the island is restricted to residents only. Roads are narrow and form a casual path network for pedestrian movement, mapping out the movement and pace of daily life that is reflected in the soft edges and sheltered lanes.

The settlement at South'ard, Great Par on the west coast of Bryher, where Bank Cottage is located, is the most westerly settlement in England.

Several traditional granite buildings with hedge-rowed gardens line a network of small lanes and face west out over Great Par to outlying rock formations and the Atlantic.

Bank Cottage sits amongst a cluster of stone buildings on the lane running through the settlement. Its garden is surrounded by a tall hedge and gently slopes down towards Great Par beach.

In keeping with the rest of the island's architecture, the surrounding buildings display tall, thin gables and parallel roof pitches. Materiality is kept to a simple palette of stone, slate, render and timber outbuildings.



- 1 Location of the site adjacent to Great Par beach
- 2 Bank Cottage (left), within the settlement at Great Par
- 3 The beach at Great Par
- 4 Bryher lanes and hedges

## Existing Buildings

Bank Cottage sits on the edge of a lane at South'ard, Great Par. It has an extensive garden ground with a number of smaller buildings within it.

### The House:

The main dwelling house was, until 2016, used as a guesthouse. At the core of the building is a simple, original, long granite structure with a parallel further structure on the South West side, certainly present by 1908, whose structure is unknown. There have been numerous additions during the course of the twentieth century. These include a porch to the lane, a two-storey gabled extension, dormer windows and a flat-roofed extension with roof terrace.

Evidence of the numerous alterations to the original stone building can be seen in the in-filled openings and in the rear elevation, facing the lane behind.

The additions to the front and side of the house have all been finished in a cream coloured render that conceals the original stonework. From the entrance and garden side it is difficult to discern the original building, but the simple stone elevation facing the lane maintains some continuity with the adjacent buildings.

The existing fabric including the UPVC windows requires upgrading and there are numerous locations of severe water ingress - including water flowing down internal walls. Internally the head height on the ground floor is very low and not adequate for modern living.

Tresco Boat Services provide the only frequent boat transport onto the Isle of Bryher. On the north-east elevation of Bank Cottage, facing the lane, there is a public timetable display board for this service. It is intended to keep this in place following completion.



- 1 Existing house gable, extensions and porch
- 2 Stone rear elevation / stone work retains evidence of previous openings / boat service timetable board displayed on stone wall at the end
- 3 Existing house form within the garden



**The Annexe:**

This small stone outbuilding sits on the eastern boundary wall and can be accessed from within the garden only. It was converted in the 1990s to form an annexe to the main house to provide additional space. It currently contains a compact one-bedroom suite comprising a bedroom, living room, and a small shower room, although all of minimal internal size.



**Workshop and Storage Shed:**

At the foot of the garden facing on the path that runs along the edge of the beach, the workshop is a timber-framed, timber-clad structure. It was built originally to house a boat, for direct access to the beach, but there have been numerous ad-hoc additions including garden storage, and a lean-to greenhouse.

Currently it is only suitable for storage and is not insulated or heated. It is in a poor condition and needs significant work to make it watertight and stable, for example the electrical supply is faulty due to water ingress.



**The Moorings:**

This is a granite cottage, independently accessed from the beach path. It sits at half-a-storey above the path level, with steps rising up to a south-west facing terrace.

No changes are proposed to this building and it is currently being used as holiday accommodation.



1 Stone Annexe to the right of the house, viewed from the garden  
2 Timber workshop at the foot of the garden  
3 The Moorings, accessed from the beach path

1



# PROPOSALS

## Approach

The intention of the proposals is accommodate the client's brief within sensitive alterations to the existing buildings, maintaining the character of the property and settlement.

Our overall approach is three-fold:

- to reinforce the Urban Edge of the lanes by clarifying the original stone building at the heart of Bank Cottage;
- to work within the existing Garden enclosure to make a single storey extension that sits very low compared to the current building and relates to the natural materials and scale of the new landscaped garden.
- To improve the existing house to make it suitable for modern living, and to rebuild the workshop to make it tidy and weatherproof.

### Urban Edge:

The identity of the original stone building is currently diluted and almost lost by the numerous additions that have been added to Bank Cottage over the years.

Other adjacent buildings have clear gables facing on to the junction of lanes at the entrance to the Bank Cottage.

Clarifying a well-proportioned stone gable will help form the idea of a distinct place at this junction formed between gables, within the network of lanes.

### Garden Enclosure:

One of the most distinct elements of the Scilly landscape is the high hedges that surround fields and gardens. These allow each space to obtain shelter and privacy.

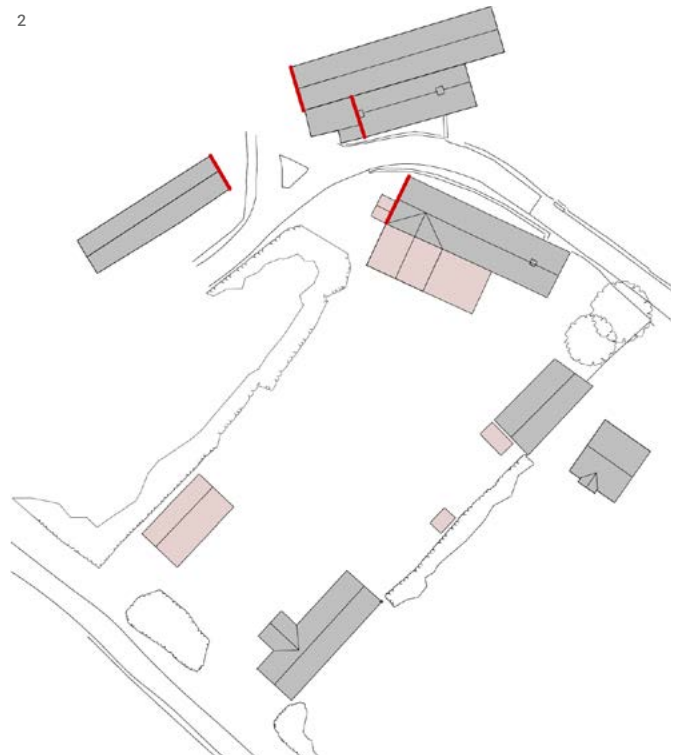
Reinforcing the planted edge of the site, to form a frame for the garden is the most important element of the landscape strategy for Bank Cottage.

Any new structures will seek to sit low and unobtrusively in the garden, at or below the height of the boundary.

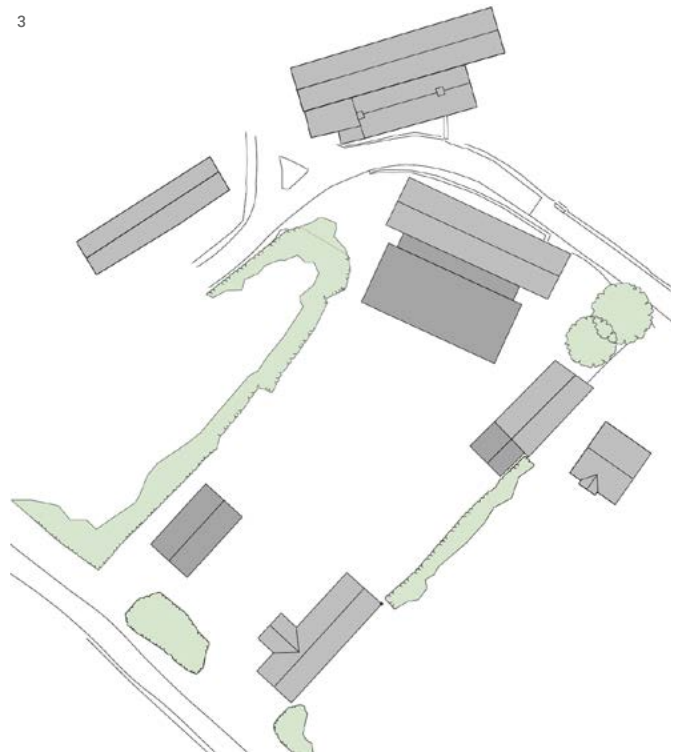
### Building Improvements:

In maintaining the character of the site the existing house will be altered and slightly enlarged to improve its functionality. These improvements and additions will respect the scale and context.

2



3



- 1 View southwest from the garden, with the Moorings cottage to the left
- 2 Reinforcing the Urban Edge: Gables facing the junction of lanes and structures removed
- 3 Reinforcing the Garden Enclosure: Buildings and hedges forming a frame for the site

## Phasing

There are four distinct parts to the project which are planned to be completed in four phases:

### Annexe:

Renovate and extend the Annexe to improve this ancillary accommodation to the house. A small extension will improve the functionality of the third bedroom to the house.

### House:

Alter and extend the main house to provide a two-bedroom house and to create a new kitchen/dining/living space that opens out to the views and garden.

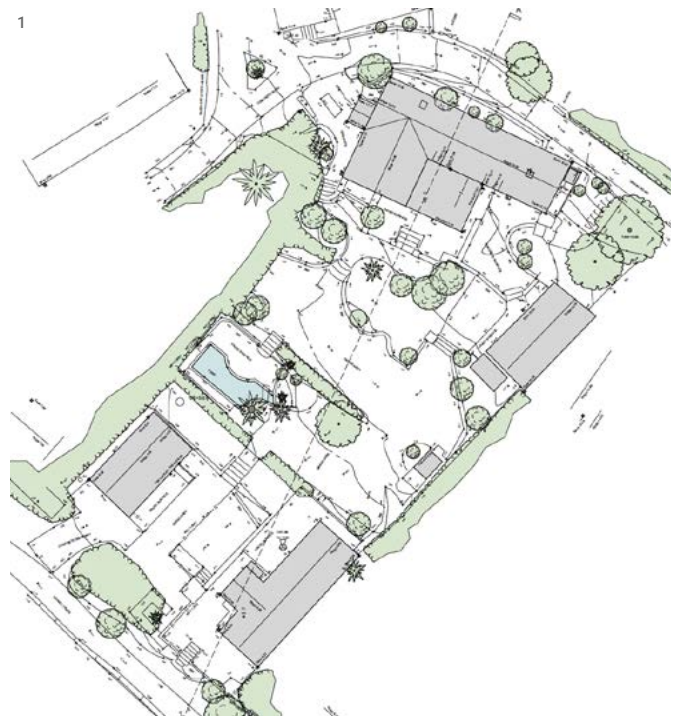
The head height of the house will be increased to make it suitable for current standards and the roof and walls will be re-insulated to provide a better thermal performance.

### Workshop:

The replacement of the existing workshop with a new one with a footprint of the same shape and size will improve insulation and weatherproofing and ensure longevity.

### Garden:

A new, naturalistic landscaped garden using plant species found throughout the Scilly Isles. This will create both privacy and a way to circulate between the various structures.



1 Existing site plan  
2 Proposed site plan

# 1. Annexe

Tucked into the east perimeter of the site is the existing annexe to the main house.

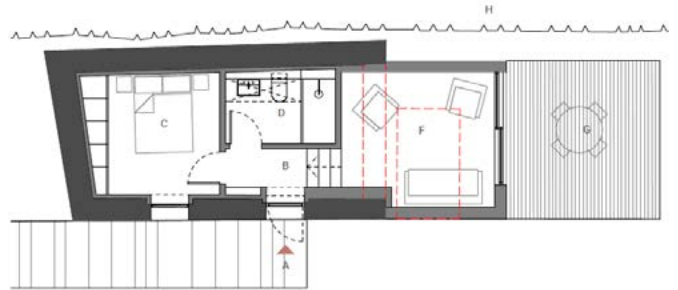
The refurbished and slightly extended Annexe will sit alongside the main house and garden and improve ancillary accommodation for the main house. Its proximity to the main house means that it is considered integral to the design of the house and a crucial element of the whole design, providing the third bedroom and its bathroom. The small extension sits largely on the footprint of the existing water butt (as dashed in red on the adjacent drawings).

The design proposal is to renovate the existing building and stonework, leaving a single bedroom and bathroom, before adding a low timber extension, elongating the existing form of the ground floor to slightly add to living space..

The use of the Annexe will remain as it is currently – forming ancillary accommodation to the main dwelling. It will contain only the same facilities as the current building, albeit slightly enlarged to compensate for the loss of bedroom space in the main part of the house.

Rather than joining the building to the existing house, it is considered a more contextually sensitive approach to keep the buildings separated.

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- 1 Plan of Annexe with extension
- 2 Elevation to garden: original granite building and simple timber extension
- 3 Elevation to terrace: timber extension with large opening

## 2. House

The main house has been extended several times in previous years, resulting in an eclectic building that does not reflect the simple forms of the surrounding architecture. Our approach prioritises the restoration of the existing building back to a form that is more respectful of its surroundings:

### i. Remove

The extensions that detract from the original form are to be removed, including the twentieth-century gabled garden extension and the dormer windows. The render is to be removed from the original stonework and the building will be sensitively protected from water ingress. Dotted in red is the footprint as in the earliest available plans, 1908, showing a parallel structure along the south-western edge and a further addition to the north-west gable, both since removed.

### ii. Repair/Amend Stonework

The original stonework will be retained, re-pointed and raised by 47cm in height, so that its proportion will match those of other adjacent buildings and so the interior spaces can have suitable head height. New gable openings will be carefully positioned and proportioned to reflect the local vernacular.

### iii. Insert New Interior

The building will be re-lined to provide the required accommodation, with new openings on the first floor for light, ventilation and view. These openings will provide the new interventions with a rhythm and structure that respect the solidity of the granite walls and slate roof.

### iv. New Link and Extension

A glazed link will separate and define the existing from the new, creating a balance of respect for and contrast to the original structure.

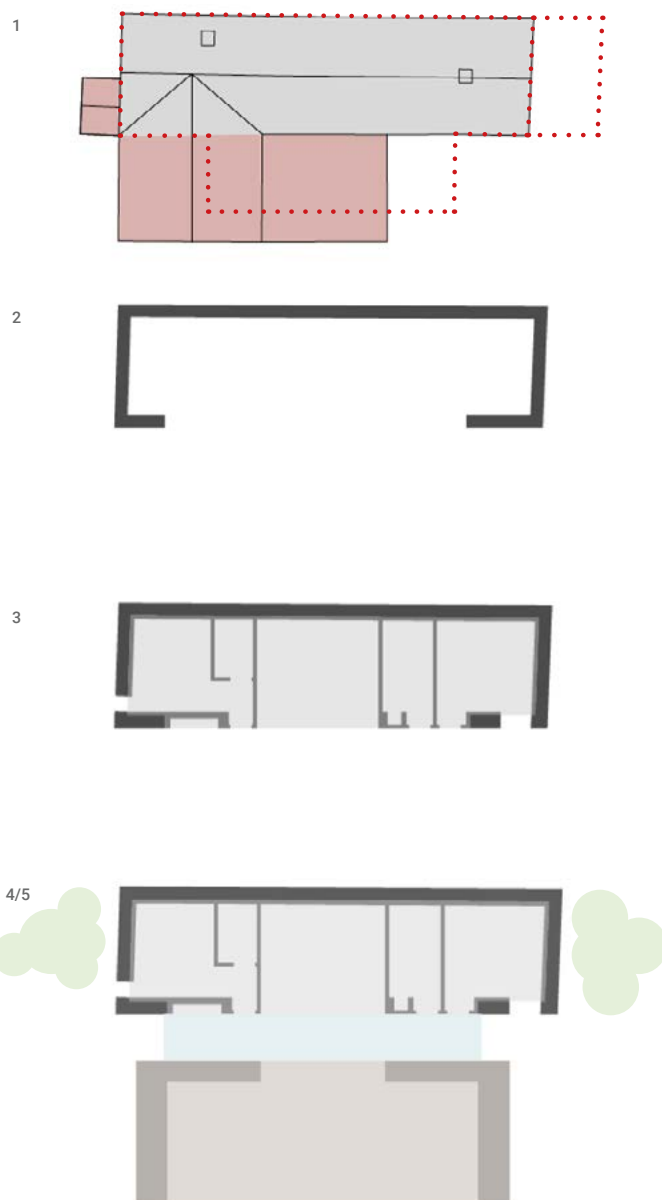
The proposed open-plan kitchen/dining/living space to the front of the existing building, will take the form of simple mono-pitch, timber-clad structure. Anchored low into the sloping garden, this single-storey addition will sit within the frame of the boundary hedges.

It's height and materials will relate closely to the garden, shielded from view by the surrounding hedges.

### v. Plant Screening

The granite end wall facing the crossroads will be screened with mature planting in order to soften the appearance of the grey stone from this side.

It has not weathered well in recent times, evidenced by its current poor condition and obvious signs of wind and water ingress. In addition the electrical and water services need to be replaced and the interior needs to be properly insulated.



### 3. Workshop

The bottom perimeter of the site runs parallel to the coastal path with a gap in the hedge providing direct access to the beach. The existing lightweight workshop structure is to be removed and replaced by a new workshop close to the same footprint, with a similar form but slightly increased height to allow for insulation and to improve light and function as an artist’s workshop.

The replacement building, with integrated storage, also takes the weathered timber exterior of the existing structure as inspiration.

The building will continue to be used as garden storage and a workshop. It will not be used as a sales outlet of any kind, and it will not be converted into living accommodation.

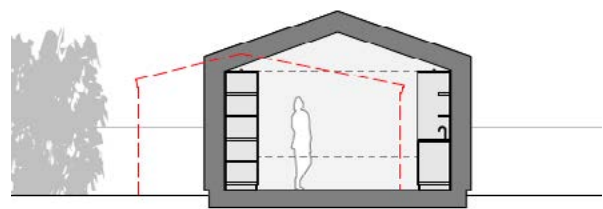
The design of the Workshop has evolved since the previous submission in October 2018. The previous proposed design was considerably larger, as it included a large area for storing kayaks, which will now be kept outside. The revised design has been reduced to the minimum required to house a workshop with good natural lighting, whilst sitting in roughly the same location and orientation as the current building.

The new design therefore aims to be as simple as the existing, whilst providing suitable conditions for storing tools and canvases and a safe electrical supply.

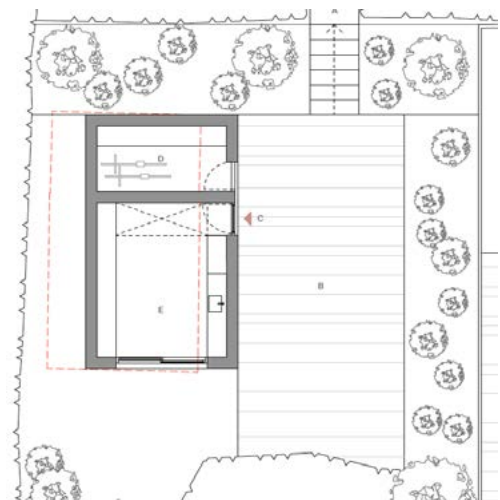
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- 1 New Workshop from the beach path
- 2 Section through Workshop
- 3 Proposed Workshop plan





# PLANNING CONSIDERATIONS

## Consultation

During the design of this project we have made several consultations. These have helped refine the brief and design of the proposals to ensure they respect and enhance the character of the existing context.

We feel that our design response has clearly addressed the issues raised during our numerous consultations and the advice received.

### Planning:

A Pre-application enquiry was made to the Council of the Isles of Scilly Planning Department in Summer 2017. The Planning Officer engaged with the proposals and submitted a detailed response in September 2017. This highlighted guidance in relation to: the existing and proposed use classes of the buildings; the design of new additions and alterations requiring to be sympathetic to their setting; reference to be made to The Isles of Scilly Design Guide.

A Planning Application for previous proposals was submitted in October 2018. Comments submitted by the Planning Officer highlighted numerous design considerations to be addressed. It was withdrawn in November 2018. It is now resubmitted following further consultation with Planning.

### Duchy of Cornwall Architectural Advisor:

The Duchy is the major landowner of the Isles of Scilly. In late 2017 discussions were held with Dominic Roberts of Frances Roberts Architects, Architectural Advisors to the Duchy.

This continued in early 2018 and the design has been modified to accommodate comments, advice and further appropriate design references. This was further reinforced by a design review in early 2019.

### Isles of Scilly Design Guide:

This guide has been referenced throughout the design process to help define the response to the distinct local character of the buildings and both the man-made and natural landscape elements. Critically, the document highlights sustainability on Scilly as being the balance between the natural and the man-made.



- 1 The most westerly houses in England, at Great Par, Bryher
- 2 The Town in the lee of Watch Hill on the east side of Bryher
- 3 Path to the north side of Watch Hill, Bryher, looking west
- 4 Lane and hedges on Bryher

## Use

The most recent use of Bank Cottage, prior to the purchase by the current owners, was as a guest house in the summer months and as a private house in the winter months. The Annexe has formed additional sleeping accommodation for the main house for many years. The workshop at the foot of the garden has been used as a store and workshop for many years.

### House:

The house and annexe is and will be permanently occupied by the family, which includes the owner, her husband and her sister. The adjacent Moorings will remain as a self-catering rental managed (as it is currently) by the owner's sister.

Although previously used as a B and B in the summer it was registered as a private dwelling, so there will be no class-use change.

### Annexe:

This is an ancillary building, supporting the use of the main house. This will help reduce the spatial demand on the main building, as with the loss of the bulky modern upper storey, the total number of bedrooms in the main building will drop from 5 to 2.

### Workshop:

The creation of a replacement weatherproofed workshop on the footprint of the existing workshop will be primarily for use by the owner's sister, who lives at the house and is an artist and illustrator. It will also still house a storage area for garden equipment.



- 1 Existing house and entrance porch on approach
- 2 Existing annexe in the foreground, within the mature garden
- 3 Existing workshop in the foreground, at the foot of the garden, facing the beach lane.

## Design

The buildings of Scilly have a distinct and sensitive historic character. This can be defined as simple, gabled stone buildings with timber extensions, infill structures and outbuildings. These are grouped along largely pedestrian lanes, enclosed by tall hedges, fields and gardens.

### Character:

The Isles of Scilly Design Guide highlights historic characteristics to develop in new designs and alterations:

- Simplicity of form
- Robust, durable materials
- Well proportioned, well balanced facades
- Substance to what is built – a sense of weight and strength
- Absence of frills
- Buildings well anchored on their site and integrated in their landscape surroundings

The proposals respect each of these principals in working with the existing house and forming a new extension.

### Fenestration:

A key requirement of the brief for the proposals is to create glazing elements that take advantage of both the westerly views from the site and to give direct access to the garden from the living spaces.

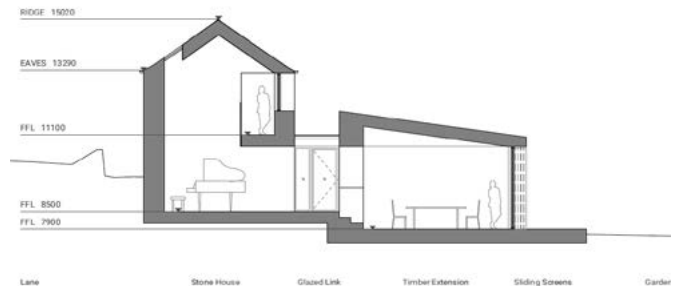
Careful treatment of fenestration is required to allow the altered buildings to sit harmoniously within their context. Larger areas of glazing have been limited to the southwest elevation, facing the garden. These areas of glazing have been broken up into elements with vertical emphasis, avoiding large planar expanses. There are many recent examples in Scilly of glazing of this arrangement working successfully.

### Extension Form:

The extension will sit unobtrusively within the hedged garden boundary, alongside the existing taller stone building. This will be achieved both by dropping the floor level considerably and by extending by only one storey, not two. As a result the visible bulk of the house when approaching from the crossroads will be much similar to its original form.

The roof of the extension is a low and mono-pitch roof form, reflecting the pitched silhouette of the roofscape on the island. This reinforces the parallels with other house/outbuilding/shed relationships on the isles.

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- 1 Section through House and proposed extension.
- 2 Southwest elevation showing new glazing screens with vertical elements
- 3 Pine Trees, Town Lane, Bryher, recent example of glazed screen with vertical elements

## Footprint

The adjacent map extract illustrates the settlement at Great Par, Bryher in 1908.

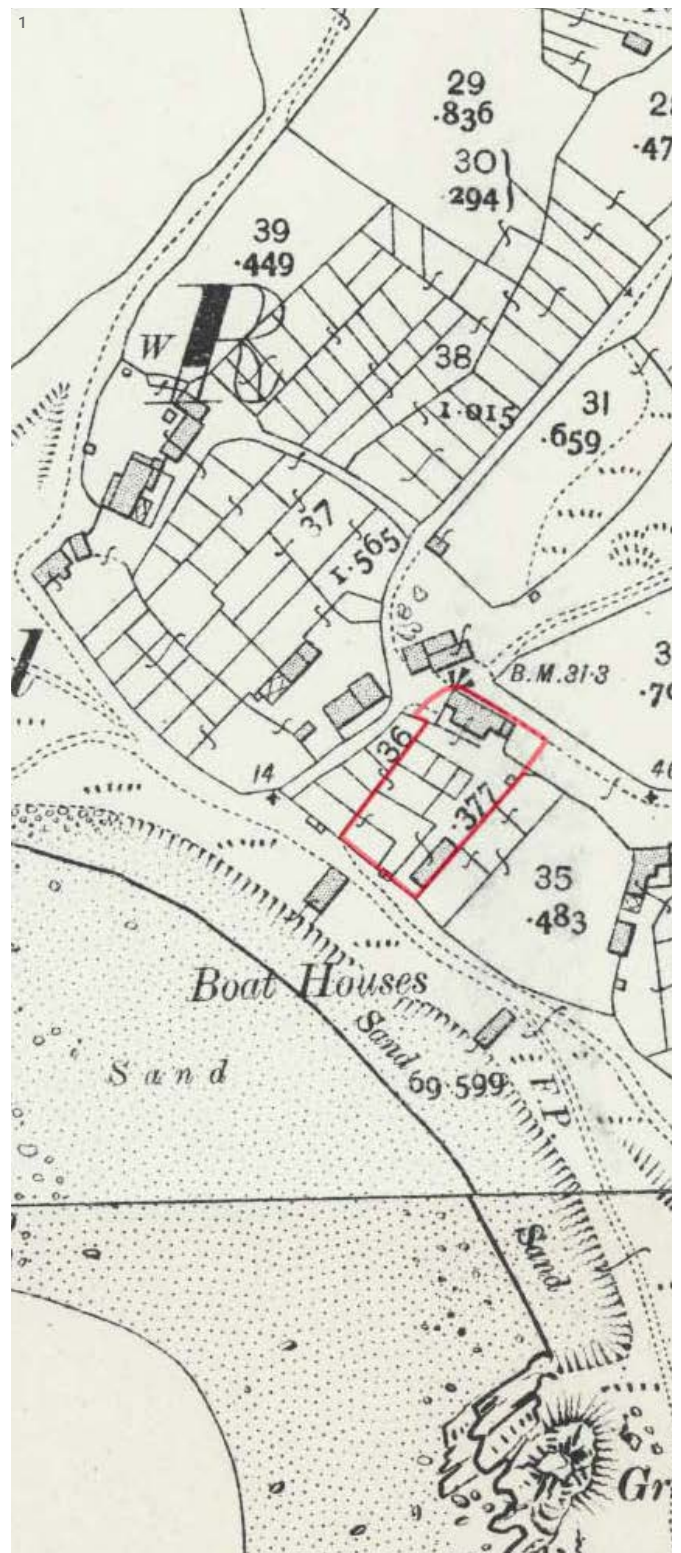
It shows the landscape divided into small allotments/ fields with small groups of buildings clustered together around path junctions. A number of boat houses can be seen along the edge of the beach.

The building now known as Bank Cottage can be seen running alongside the path on its north-eastern boundary. It appears to have a parallel structure joined to it along its south-western edge in similar orientation to the proposed extension.

Recent development has seen the addition of Hell Bay Hotel, houses on adjacent sites to Bank Cottage and the relocation of boat houses onto the landward side of the beach path.

The historic plan illustrates that there has been significant development in the settlement over the last 111 years, but the pattern of roads and field divisions has remained largely intact.

Whilst there are no plans further detailing the shape of Bank Cottage in 1908, it is clear that the central granite structure that is still present within the current house already included an additional parallel structure with similar orientation to the planned extension. It is not known whether this additional portion was built at the same time as the original house, and it was presumably removed prior to the addition of the current 1980s extension.



1 Extract from 1908 OS plan. Site highlighted in red.

## Massing

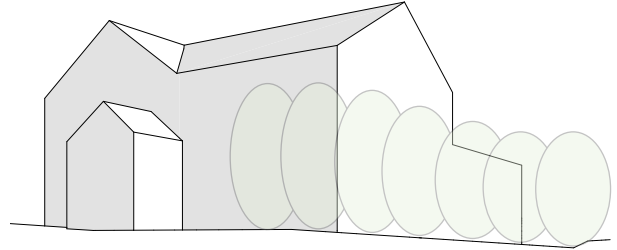
The new proposals seek to improve the massing of the house at Bank Cottage.

The alterations over the last 30 years have resulted in a building form that appears large to the lane to the north-west, where its entrance is located [image 1]

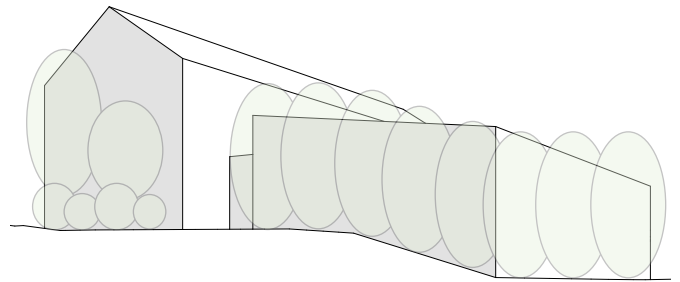
The proposed alterations seek to express the original gable clearly once again and arranges the new extension as low as possible within the garden landscape [image 2]. Through the screening of the existing hedges and new complimentary planting, the extension will appear to be located within the garden with the main mass focussed on the original stone building.

The comparison of massing studies [image 3] illustrates that despite a minor increase in gable height, the removal of the gabled, sea-facing extension, reduces the massing experienced from the key view from the adjacent lane to the north-west. Proposed mature plant screening to the elevation will further soften its appearance from this side.

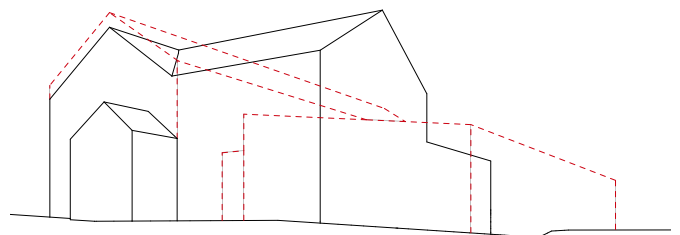
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- 1 Existing massing study from the lane adjacent to the North-west
- 2 Proposed massing study from same location
- 3 Comparison of massing study with proposed overlaid in red.

## Extension Area

As advised by the Planning Officer in correspondence in March 2019, the recently revised pre-submission draft of the Local Plan, Policy LC9 Residential Extension, now contains a requirement that:

1) *The total size of the dwelling as extended (including conservatories) shall not exceed the original habitable floor space by more than 37 m2.*

The attached diagrams illustrate that the overall gross internal floor area of the proposals (including house and extension) increases the area of the house by 26.6sqm.

The small extension to the annexe has therefore been limited to 10sqm, although the visual impact will be less than this as the 10sqm includes the area of an existing adjoining granite-walled enclosure around a water butt that is to be removed.

These are illustrated to scale on the attached drawing no. 805\_PL\_204. See below table for overall area comparison.

Please note that there is no proposed increase in area for the workshop. Refer to drawing 205 for workshop area comparison diagram.

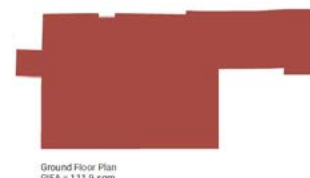
### OVERALL AREA COMPARISON TABLE

Building	Existing GIFA	Proposed GIFA	Change in GIFA	Existing Bedrooms	Proposed Bedrooms
House	186.8 sqm	213.4 sqm	+ 26.6 sqm	4	2
Annexe	24.9 sqm	34.9 sqm	+ 10.0 sqm	1	1
Workshop	33.6 sqm	28.6 sqm	- 5.0 sqm	0	0
Moorings (outwith application)	No Change	No Change	No Change	1	1

1

Existing 211.7 sqm

GFL



FFL



Annexe



2

Proposed 248.3sqm

GFL



FFL



Annexe



- 1 Gross internal floor area of existing House and Annexe
- 2 Gross Internal floor area of proposed House and Annexe

## Proposals in Section

The ceiling heights in the existing house are exceptionally low – especially on the ground floor.

Currently the building contains a number of dormer windows facing the shore. Dormers are not a common part of the character of the Bryher built landscape. Generally, all two-storey slate-roofed buildings have windows below the eaves, including the recently constructed Hell Bay Hotel adjacent. It is felt that the appearance of the building will sit more unobtrusively with a continuous, low, unbroken roofline. This approach has also been supported in discussions with the Duchy of Cornwall Architectural Advisors.

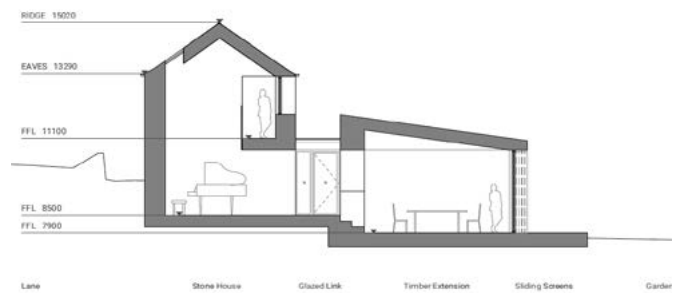
With the refurbishment of the building, the first floor will be reconstructed to meet modern acoustic and structural requirements, the ground floor will be damp-proofed and insulated and there will be a significant increase in the insulation in the roof. All these factors create a requirement to adjust the levels to accommodate a suitable head height. To achieve this it is proposed to excavate the floor level and raise (by 47cm) the roof level of the existing building.

Overall the impact of the mass of the upper floor is greatly reduced when the small eaves height increase is compared to the loss of the gabled extension and dormers.

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- 1 Existing section through House
- 2 Proposed section through House and proposed Extension.
- 3 Proposed Entrance elevation to lane, showing outline of existing House

1





## Proposals in Context

The adjacent images illustrate the proposals within the context of the wider settlement. The intention is to show the minimal impact that the proposals have on the character of the buildings and place:

- The new house extension, workshop and alterations to the Annexe, sit unobtrusively within the garden of the property.

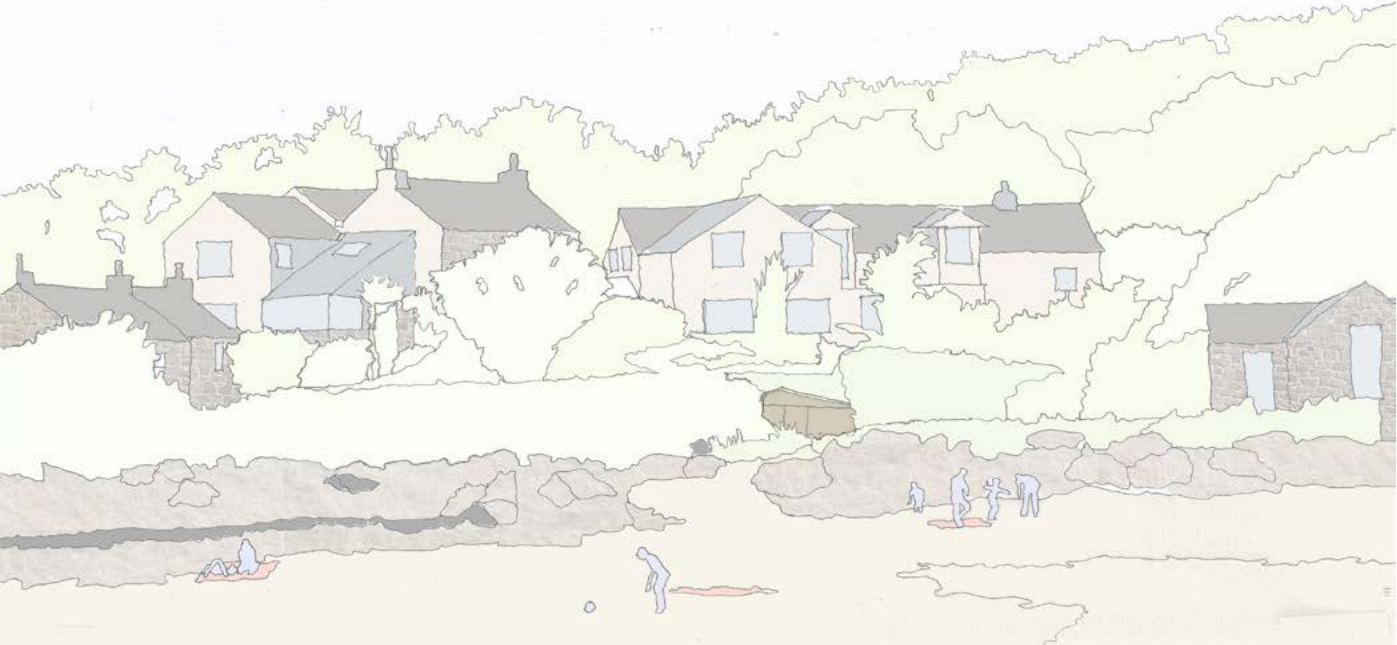
- The view from the lane to the rear is maintained. The character of the existing building to the lane is maintained, with the modest height rise, being achieved with new stonework to match the existing.

- The view from the junction of lanes at the entrance is improved with a stone gable with well-proportioned windows and a low extension to the garden, in place of the large gabled extension.

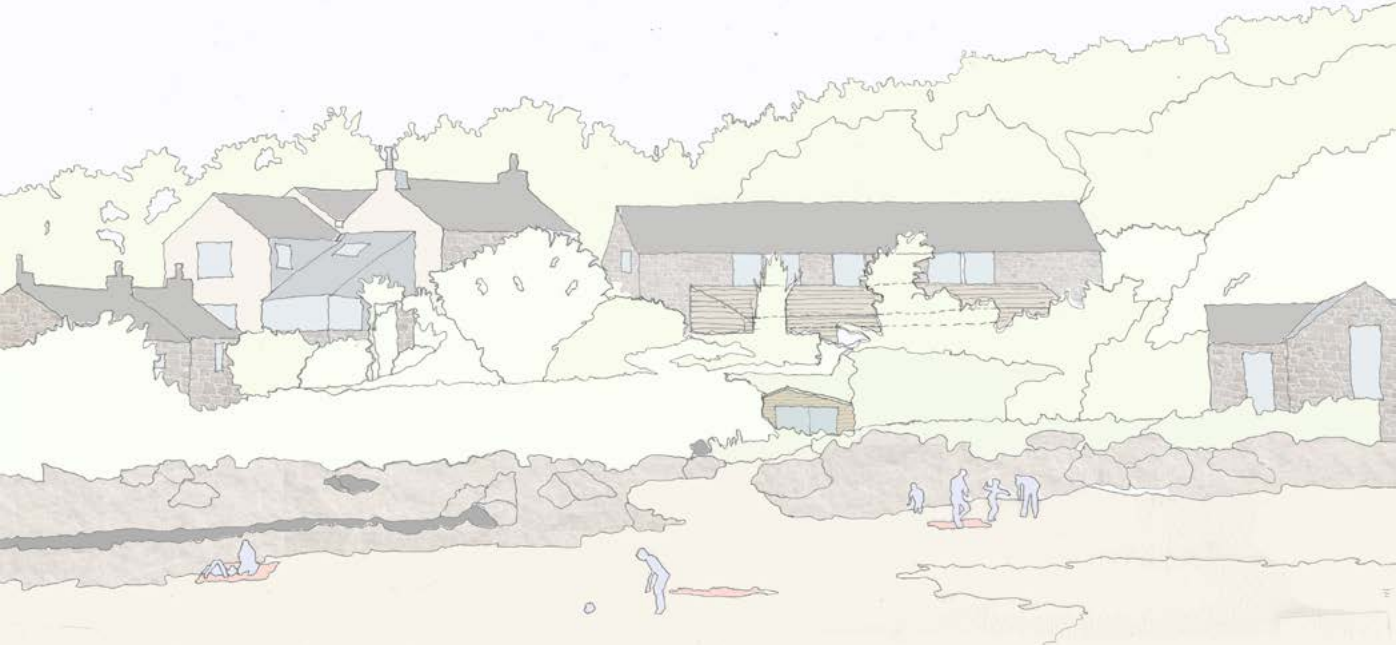


- 1 View across Great Par beach to proposed House, within the context of the settlement
- 2 Lane to the north, with Bank Cottage to the left and Atlanta to the right
- 3 Existing mass of Bank Cottage with increase in height shaded dark - shown to scale
- 4 Proposed rear elevation of Bank Cottage with new stonework and rooflight

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3



4



- 1 Existing House from across the shore
- 2 Proposed House from across the shore
- 3 Existing House from the lane entrance
- 4 Proposed House from the lane entrance

1



# PALLETTE

## Materials

It is proposed to use a minimal palette of materials to limit the impact of the new additions. All material choices have been carefully considered to reflect the character of the existing landscape.

Restoring the existing granite stonework of the main house and annexe will help to preserve the character and sense of place that has been lost through the more recent modifications.

Careful use of glazing and structure will provide lightness and visual relief from the stone, helping to define the old from the new without detracting from the original building.

There are a number of small buildings both on and adjacent to the site that utilise weathered timber cladding.

For the extensions and the workshop, the aspiration is to achieve simple detailing, avoiding unnecessary complexity. They are to be clad in delicately detailed horizontal timber. This will be untreated and allowed to weather naturally. There will be no overhangs and projections, allowing the timber to weather evenly.

Windows in the new extension will be consistent, floor to ceiling and timber framed with external aluminium facings for durability.



- 1 Slate roofing, timber cladding and mono-pitch outbuildings on adjacent site
- 2 Nearby restored granite building with tall gable, small windows and a timber outbuilding
- 3 Existing workshop with weathered timber
- 4 Granite wall, weathered timber gate and native planting, in the lanes of Bryher

## Landscaping

It is intended that there will be a naturalistic approach to the landscaping of the garden.

The new and altered buildings are designed to sit within the garden and to form an intimate relationship with it.

A planting scheme will be developed to reflect the rich variety of Scilly plants, whilst characteristics such as existing stone steps, embedded within the existing garden landscape, will be also be retained

Planting to the small area of land adjacent to the north-west gable will provide a softly-landscaped entrance at the lane junction.; tall light bushes will be planted and maintained to soften and partially obscure the the restored granite gable.



- 1 Naturalistic planting against the back-drop of simply detailed, untreated timber cladding
- 2 Existing stone steps embedded into the garden landscape

## Precedent

For over 20 years Dualchas Architects have been responsible for creating private houses, affordable housing, community buildings, small workshops and tourism developments throughout rural Scotland.

Our buildings seek to address the specifics of brief, location and budget to produce site-specific, sustainable, intelligent architecture.

The designs seek to create a modern interpretation of traditional and vernacular buildings of rural and island settings, with imaginative use of materials, technologies and glazing, within recognisable forms.

Material, form and layout are always site-specific and relate to the unique orientation and conditions of the location.

We have built many buildings on the varied British Isles, including a number in weathered timber and stone.

We also work to sensitively restore and adapt existing buildings that have been neglected, within the settlements of the Highlands and Islands. These buildings are often important to the fabric of a place and their re-use can be seen as an investment in the tradition, culture and future of that place.

Our work is equally applicable to the environmentally sensitive Isle of Bryher. Our established approach and principles can be applied to an understanding of the local building types and forms, to alter and extend the existing structures to create a sustainable new use for the site.



- 1 Stone restoration: Kirk House, Garve, Easter Ross, 2012, Dualchas
- 2 Weathered cladding: The Shed, Tokavaig, Isle of Skye, 2016, Dualchas
- 3 Stone refurbishment: Rinour Steading, Moray, 2010, Dualchas





# SUMMARY

## Bank Cottage, Bryher

The proposed design seeks to address the unique character of Bryher, uncovering the original building at the core of the Bank Cottage and extending and adapting it for use as a modern family home.

By choosing forms and materials that are familiar in this context, and by providing a simple, neutral link between the two main building elements - one old, one new - the proposal addresses the distinctive urban and garden qualities of the site.

By sitting the new structures within the frame of the garden hedges, they will appear quiet and private.

By keeping the extension modest in scale and form, using materials that reflect the existing context and by considering a suitable minimal landscaping strategy, the extension and outbuildings will sit subtly in their setting, providing the owners with an intimate connection to the historic building fabric, surrounding garden and the wider landscape.

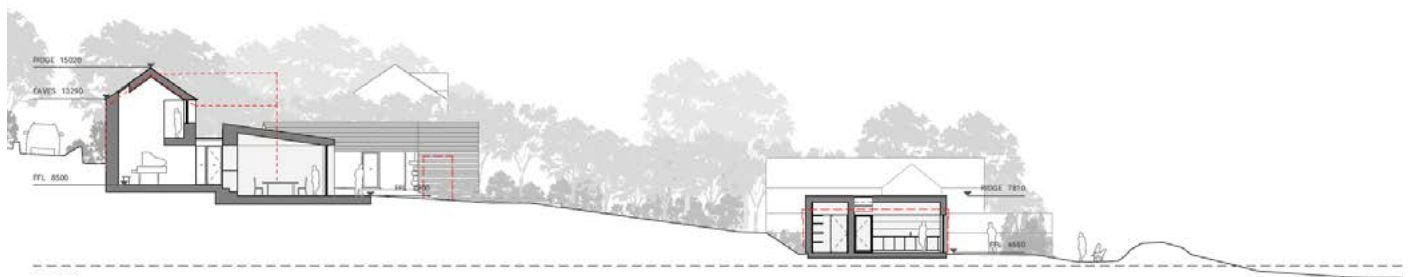
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- 1 Entrance elevation to lane: with altered stone gable, neutral link and garden extension
- 2 Existing house from the garden
- 3 New low-lying extension in front of restored and altered original stone house
- 4 Long section, with new additions stepping down, staying below eaves and hedge line

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Project: 805\_Lowth\_Bryher  
Date: December 2019\_Revision E  
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**APPROVED**

*By Lisa Walton at 6:21 pm, Oct 19, 2020*

# BAT PRESENCE/ABSENCE SURVEYS OF:

---

BANK COTTAGE

SOUTH'ARD

BRYHER

ISLES OF SCILLY

TR23 OPR

---

*Client: Ms Mary Lowth*

*Our reference: BS10-2020PAS*

*Report date: 17<sup>th</sup> September 2020*

*Author: Darren Mason BSc (Hons)*

*Report peer reviewed: Sarah Mason.*

*Report signed off: Sarah Mason.*

***REPORT ISSUED IN ELECTRONIC FORMAT ONLY***

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## Non-Technical Summary

- On 13<sup>th</sup> November 2018, the Isles of Scilly Wildlife Trust (IoSWT) conducted a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) of Bank Cottage, South'ard, Bryher, Isles of Scilly, TR23 0PR (BS10-2018), for which there is a proposal to remove an existing porch and south-facing extension and raise the existing roof of the main house; renovation and extension of the detached cottage to the east of the main house and the removal of a small, standalone outbuilding to create a terrace. The survey concluded that the building had moderate potential to support roosting bats. Two presence/absence surveys were recommended and the results of these surveys are outlined in this Presence/Absence (PAS) report.
- A first dusk survey conducted on 14<sup>th</sup> July 2020 did not identify any bats emerging from roosting sites associated with the building but did identify bats commuting and foraging along the northern boundary of the property, within the garden and along the western elevation of the detached cottage.
- A dawn re-entry survey conducted on 11<sup>th</sup> August identified 3 Common Pipistrelle returning to roost at the north-west eaves of the porch on the western elevation of the building.
- A further dusk emergence, followed immediately by a dawn re-entry survey confirmed further commuting and feeding behaviour along the northern and eastern boundary of the property
- The results from these surveys confirm the presence of a non-breeding summer roost of a common and widespread species (Common Pipistrelle) within the porch at Bank Cottage
- An impact assessment identifies that the proposed works would result in the destruction of this roost and the potential to kill/injure Common Pipistrelle bat(s) if appropriate measures are not taken to protect this species.
- It is considered that appropriate mitigation measures can be put in place to ensure that the proposed works can proceed without negatively impacting the Favourable Conservation Status (FCS) of common pipistrelle bats on Bryher in the long term. If minded to approve permission, it is recommended that the Decision Notice includes a compliance condition that works should proceed in accordance with the mitigation measures outlined.
- To ensure legislative compliance, it would be necessary for the works to be undertaken under a European Protected Species Mitigation License (EPSML).
- Mitigation measures recommended include appropriate timing of works, provision of a replacement roost and ecological oversight of works.

## **1.0 Introduction**

### **1.1 Background**

A Preliminary Roost Assessment report (BS10-2018) dated 13<sup>th</sup> November 2018 identified that the building under consideration provided moderate roosting potential for bats. Additional presence/absence surveys were recommended to meet best practice guidance to support a future planning application. This report outlines the results of these additional surveys.

### **1.2 Survey Objectives**

The objectives of this Presence and Absence Survey (PAS) report, is to provide further ecological information to support the planning proposal by:

- Ascertaining if roosting bats are present at the application site
- To identify the location of these bat roosts (including exit/entry points)
- Subjecting this information (and the information from the PEA and PRA) to evaluation and impact assessment
- To provide advice on the potential for contravention of legislation/policy
- To provide recommendations on any further actions needed (i.e. further surveys, licensing, mitigation or enhancement)

### **1.3 Surveyor details**

The survey was undertaken by Darren Mason BSc (Hons) of the Isles of Scilly Wildlife Trust and with the assistance of Rob Carrier, Darren Hart and Rhianna Pearce. Darren Mason has undertaken professional Bat Licence Training and holds a Natural England WML-A34-Level 2 (Class 2 License); registration number: 2020-46277-CLS-CLS which permits him to survey bats using artificial light, endoscopes, hand, and hand-held static nets.



## 2.0 Methodology

### 2.1 Dusk emergence and dawn re-entry surveys

The objective of a dusk emergence survey was to detect active bat use of the site and identify any exit locations being used around the building. Survey effort was concentrated on areas of the site where suitable features or bat field signs were noted from the PRA. The survey involved:

- Starting the survey 15 minutes before sunset and continuing for approximately 1.5-2 hours after<sup>1</sup>:
- Identification of bat species primarily using ultrasound characteristics. To aid identification flight and habitat characteristics were also noted (where possible) to determine the species.
- Identifying exit locations of bats by standing at different vantage points around the building that offered visual contact with any potential exit point previously recorded. Surveyors stood no more than 50m apart, or away from the building (see Fig 1 for location of surveyors).

The objective of a dawn re-entry survey was to detect bats returning to possible roost sites. As bats tend to swarm around a roost entrance for a period of time before entering dawn, these surveys are more effective at identifying species and numbers of bats that may have emerged later, when no visual contact was possible to identify an exit location or, when the roosts are only small. The survey involved:

- Starting the survey 1.5 – 2 hours before sunrise and continuing up until approximately 15 minutes after<sup>1</sup>
- Identification of bat species primarily using ultrasound characteristics (as above)
- Identifying entry/exit locations of bat roosts by visual methods described above
- Identification of the species of bat and the number of bats returning to the roost.

### 2.2 Equipment

The following equipment was used for the dusk emergence survey at the site:

- Anabat Express (Frequency Division) static bat recorder
- Elekon Batscanner Stereo Heterodyne
- Elekon Batscanner Heterodyne
- Magenta Bat 4 Bat Detector
- Bestguarder WG-50 Night vision camera

Sound recordings were analysed using Anabat Insight software to confirm surveyors' identification of species.

### 2.3 Survey Limitations

Surveys carried out during a specific season can only provide information on bat presence at that particular time, as bats are highly mobile in nature and may only use buildings at certain times of the year that favour a particular part of their roosting, maternity and hibernating requirements.

## 3.0 Results

### 3.1 Weather conditions, temperatures and timings

Survey Information:	Start and End Times:	Conditions (Start):	Conditions (End):
<b>Dusk emergence:</b> 14/7/20	Start: 21:14 Sunset: 21:29 End: 22:59	Temp: 15.5°C Humidity: 80.5% Wind speed: 18mph Cloud cover: % Rain: none	Temp: 15°C Humidity: 82.5% Wind speed: 19mph Cloud cover: 0% Rain: none
	<b>Surveyors</b> 1. Darren Mason 2. Rhianna Pearce 3. Rob Carrier 4. NV Camera	<b>Notes:</b> Light level at Lux 2:	

Table 1. Site conditions for 1<sup>st</sup> dusk emergence survey 14-7-20



Surveyor location for dusk emergence survey 14-7-20

Survey Information:	Start and End Times:	Conditions (Start):	Conditions (End):
<b>Dawn re-entry:</b> 11/8/20	Start: 04:32 Sunrise: 06:08 End: 06:23	Temp: °C Humidity: % Wind speed: 14 mph N Cloud cover: 100% Rain: none	Temp: °C Humidity: % Wind speed: 12mph N Cloud cover: 100% Rain: none
	<b>Surveyors</b>		
	1. Darren Mason 2. Rob Carrier 3. NV Camera	Notes:	

Table 2. Site conditions for dawn re-entry survey 11-8-20

Survey Information:	Start and End Times:	Conditions (Start):	Conditions (End):
<b>Dusk emergence/ Dawn re-entry:</b> 16/9/20 & 17/9/20	Start: 19:24 and 04:50 Sunset: 19:39 Sunrise: 07:01 End: 21:20 and 05:39	Temp: 18.5°C/16°C Humidity: 81%/96% Wind speed: 13mph ENE/23mph Cloud cover: 100%/none Rain: mist/none	Temp: 16.5°C/16.5°C Humidity: 88.5%/89% Wind speed: 13mph ENE/25mph Cloud cover: 100%/100% Rain: mist/none
	<b>Surveyors</b>		
	1. Darren Hart 2. Rob Carrier 3. NV Camera	Notes:	

Table 3. Site conditions for dusk emergence/dawn re-entry survey 16<sup>th</sup> and 17<sup>th</sup> September

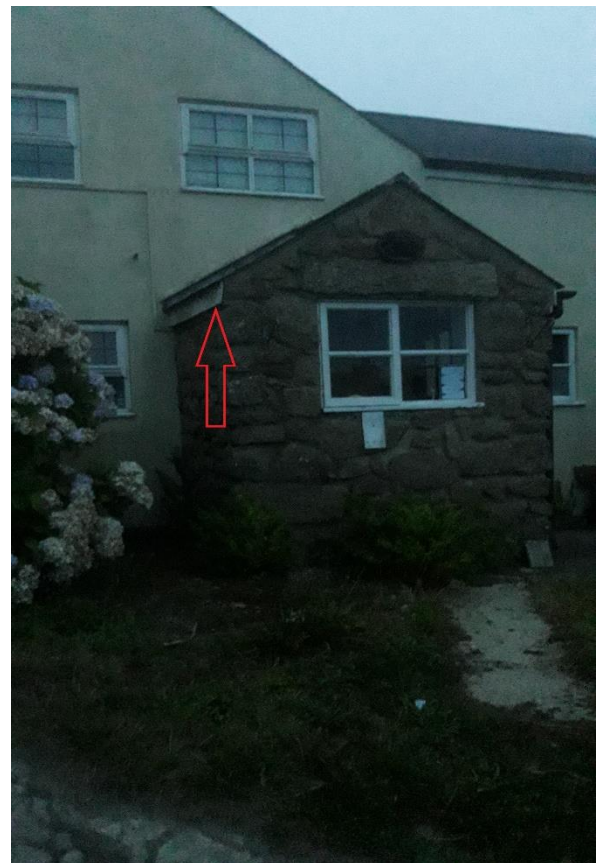


Surveyor locations for dusk and dawn surveys on 11-8-20, 16-9-20 and 17-9-20

### 3.2 Presence and absence survey results

The species confirmed during the 3 presence and absence surveys were Common pipistrelle (*Pipistrellus pipistrellus*) and Soprano pipistrelle (*Pipistrellus pygmaeus*) along with several *pipistrellus* calls that could not be assigned to either species (due to the frequency overlaps of their calls). Activity during the first dusk emergence survey was dominated by commuting behaviour, particularly along the northern aspect of the development, with feeding behaviour recorded along the southern and eastern aspect of the main building, with occasional foraging behaviour and feeding along the western aspect of the detached cottage (to the east of the main house) and within the garden to the south (see Appendix A). In total 23 bat passes were recorded during the survey, with no bats seen leaving or entering the main house and porch or the detached cottage and outbuilding. During this survey House Sparrow (*Passer domesticus*) were confirmed to be nesting in the porch behind the fascia of the porch on the north-west elevation (at the junction with the main house), presumably above the wall plate.

In contrast, feeding behaviour was more apparent during the dawn re-entry survey, along the northern aspect of the building, particularly where the buildings opposite and their gardens ran parallel with Bank Cottage. Feeding behaviour was recorded again along the southern aspect of the main building and within the garden. In total 41 bat contacts were recorded during the survey. Towards the end of the first dawn re-entry survey (11-8-20) 'swarming' behaviour was noted by surveyor 1 beginning at 05:44am with two pipistrelle bats making repeated circles in and around the area of the north-west elevation of the porch on the western aspect of the main building. At 05:45am the first bat landed below the fascia on the granite block work and crawled behind the fascia at the north-west eaves of the porch immediately followed by the second bat. At 05:47 a single pipistrelle bat flew directly from the east to the same



Location of bat roost at Bank Cottage

location also entering the roost. The species confirmed at this location was Common Pipistrelle. Examination of the floor and surrounding vegetation immediately below the roost entrance revealed very few droppings.

The final combined dusk emergence/dawn re-entry survey revealed no bats leaving or entering the building, with most activity focused on commuting behaviour to the north of the building and some early foraging behaviour along the eastern boundary between the main building and the single-storey cottage. Most commuting behaviour was recorded travelling east to west/west to east along the main track between Bank Cottage and the surrounding buildings. In total 39 contacts were made, the first was recorded at 19:54 by both surveyors, with the last noted at 21:06 by surveyor 1.

The dawn re-entry survey the following morning revealed very little activity, with no contacts recorded by surveyor 2 and only 2 contacts recorded by surveyor 1 at 05:59 and 06:33. This may have been as a result of a change in the weather conditions overnight, forcing an early return to roost. Inspection at the end of the survey below the confirmed roost revealed no droppings. For contacts made during the presence and absence surveys please see Appendix A.

### **3.3 Summary**

The combined survey results have shown the porch on the western aspect of Bank Cottage supports a roost for at least 3 Common Pipistrelle bats, most likely as a summer non-breeding roost.

## **4. Evaluation of Results**

To identify which ecological features are important and which could potentially be affected by the proposed project, an evaluation of their importance for example, in a geographical context, degree of scarcity or level of protected status needs to be undertaken<sup>2</sup>. The table below outlines those features identified as important, the nature conservation legislation relevant to those features and an assessment of the level of impact from the proposed development on those features.

Ecological Feature	Relevant Legislation	Evaluation (of importance)	Mitigation Hierarchy	Impact Level
Bats	CHSR, W&CA & NPPF	Local	A, M, E	Low/Medium
<p><b>Status</b> – Common Pipistrelle have seen an increase in their population size since 1999<sup>3</sup> and are deemed to be <i>common</i> and widespread.</p> <p><b>Value</b> – Taking the small number of non-breeding bats and their status, the value of the building for roosting bats is determined to be of ‘Local’ importance<sup>4</sup>.</p> <p><b>Impact to roost sites:</b> The proposed works would lead to the permanent destruction of the roost site through the removal of the features which constitute it. The raising of the roof as part of the proposed works could restore an equivalent feature if the appropriate size gaps could be designed into the construction. However, Continued Ecological Functionality (CEF) cannot be argued as there would be a delay of 12 months minimum between destruction and restoration of the roost.</p> <p><b>Impacts to bats:</b> The proposed works could result in the injuring or killing of the small number (3) Common Pipistrelle bats if they were present in the roost at the time the works were undertaken. Due to the small and isolated population of Common Pipistrelle bats on the Isles of Scilly, these impacts may negatively affect the Favourable Conservation Status (FCS), therefore these impacts should be considered significant.</p> <p><b>Other impacts:</b> No other impacts to habitat availability or connectivity have been identified as a result of the proposed works. However, positive impact can be achieved<sup>5</sup> by creating additional roosting features within the areas of the proposed works beyond the replacement roost required as part of mitigation</p> <p>Please note a summary of criminal offences with respect to bats and their roosts (see Appendix C regarding legislation)</p>				
Key to Legislation and Mitigation Hierarchy				
<p>CHSR – Conservation of Habitats and Species Regulations 2017<sup>6</sup> - <a href="http://www.legislation.gov.uk/uksi/2017/1012/made">http://www.legislation.gov.uk/uksi/2017/1012/made</a></p> <p>W&amp;CA – Wildlife &amp; Countryside Act 1981 (as amended)<sup>7</sup> - <a href="http://www.legislation.gov.uk/ukpga/1981/69/contents">http://www.legislation.gov.uk/ukpga/1981/69/contents</a></p> <p>NPPF – National Planning Policy Framework 2019<sup>8</sup> - <a href="https://www.gov.uk/government/publications/national-planning-policy-framework-2">https://www.gov.uk/government/publications/national-planning-policy-framework-2</a></p> <p><b>A</b> – Avoid, <b>M</b> – Mitigate, <b>E</b> – Enhancement</p>				

## 5. Recommendations and Mitigation (excluding bats)

The recommendations in this section are provided as information only and specialist legal advice may be required. If works are delayed for more than one year, then re-assessment may be required.

### 5.1. Nesting birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). Section 5 of this Act makes it an offence to kill, injure or take any wild bird, or intentionally to take damage or destroy the nest of any wild bird while that nest is in use or being built.

During the first dusk emergence survey, evidence of nesting House Sparrow was identified behind the fascia and presumably on the wall plate of the north-west elevation of the porch. If works were to commence between the months of March and August inclusive, then the site would need to be checked first for nesting birds. If any evidence of breeding activity was found, or nests are identified, then works that would disturb the adults, the nest or young must be postponed until all young have fledged the nest and it is no longer in use. Following the proposed works, no suitable nesting habitat for these species will remain associated with the porch. Therefore, it is recommended that mitigation measures to replace lost nesting features are incorporated into the design.

House sparrows nest communally, and nest boxes should accommodate this, either through the installation of a single purpose-built nest box comprising several individual chambers with separate entrances, or the installation of 3+ nest boxes in close proximity. These should be mounted on the wall of the house if possible, at a height of at least 3m above the ground with an entrance clear of vegetation/other features which may put them at risk of predation from cats. Boxes can be sourced online, or can be constructed on site using methodology and specifications provided by the RSPB (<https://www.rspb.org.uk/get-involved/activities/give-nature-a-home-in-your-garden/garden-activities/createasparrowstreet/>)

## **6. Recommendations and Mitigation (bats)**

### **6.1 Further survey requirements**

No further surveys are recommended for the proposed development. It is considered that this report, alongside the PRA produced separately, constitute a comprehensive ecological baseline from which to assess the impacts of the application.

### **6.2 EPS License requirement**

It is identified that a European Protected Species Mitigation License (EPSML) would be required to legally undertake the proposed works as it would result in the destruction of a confirmed bat roost.

The EPSML would be issued by Natural England and cannot be applied for until planning permission is granted. The mitigation proposals outlined in Section 6.4 of this report would form the basis for this EPSML application.

### **6.3 Planning recommendation(s)**

The information gathered here is sufficient to support a planning application taking into account protected species and in accordance with relevant best practice guidelines

It is considered that the impacts of the proposed works on protected species can be mitigated sufficiently to ensure that the FCS of Common Pipistrelle on Bryher is not negatively impacted upon. The mitigation outlined in Section 5.4 would represent appropriate measures to allow Natural England to grant the EPSML.

If minded to do so, it is recommended that Planning Permission can be granted provided that compliance with the recommendations in Section 6.4 of this document is conditioned. This should be a compliance rather than a pre-commencement condition and should not be required to be discharged. This is because Natural England require all Conditions related to Protected Species to be discharged before they will issue a licence for that application which results in a Catch-22 situation if an EPSML is conditioned.



## 6.4 Mitigation Proposals (Outline)

### Roost Replacement

Prior to the commencement of any works affecting the porch, a replacement roosting site should be created. This should comprise a free-standing bat box (for example a Kent Bat Box design) which would be sited on the north gable end of the detached holiday cottage approximately 35m south of the porch. This location has been identified through discussion between the Licenced Bat Worker and the applicants' architect and has been confirmed that this would represent a roost site in perpetuity. The installation of the box should be supervised by a Licenced Bat Worker to ensure that the aspect and height replicate the character of the existing roost as closely as possible. Provision of this feature would ensure continuity of roosting habitat.

### Timing of Works

No significant constraints on timing of works are considered necessary due to the status of the roost as a non-breeding summer roost used by a small number of bats; however the months of **November – February should be avoided** where possible as this is when bats enter a time of reduced activity or torpor which makes disturbance impacts more significant.

### Ecological Oversight

The controlled part-demolition would require the removal and exposure of potential roosting sites which may be used by bats on the identified building under the supervision and direction of a licensed bat worker. Structures would need to be removed by hand and with care.

Structures on the identified building which would potentially need to be removed under supervision of a licensed bat worker would include:

- All roof tiles on the porch
- All soffits, barge boards, fascia and flashing where not exposed from the removal of tiles
- The removal of any other structural features as determined by the licensed bat worker.

Scaffolding, or another suitable structure would be provided to allow the licensed bat worker full view of the works. Once the above structural features have been removed, and the licensed bat worker is satisfied that all potential roosting sites have been exposed, then works can proceed under distance supervision.

If a bat(s) were found to be present during works, it would be captured by the licenced bat worker in a gloved hand and placed in the bat box or allowed to disperse of its own accord.

The full scope of the supervision works would be agreed with all relevant parties to ensure the above objectives are met and that all areas of roof structures are accessible.

### **Ecological Enhancement**

Opportunities for the provision of additional roosting features would be discussed with the applicants' architect and incorporated into the structure of the new building where practicable – for example the inclusion of an in-line 'integrated' bat box at the apex of the north-west gable end or the spacing off of the fascia boards on the north-west gable elevation by 25mm to create a gap behind for bats to roost within.

### **Monitoring**

Due to the scale of impact identified, it is unlikely that Natural England would expect post-completion monitoring of the mitigation measures.

## 7. Bibliography

1. Collins, J. (ed.) (2016). *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3<sup>rd</sup> edition). The Bat Conservation Trust
2. CIEEM. (2016). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal* (2<sup>nd</sup> edition). Chartered Institute of Ecology and Environmental Management, Winchester.
3. BCT. (2020). *National Bat Monitoring Programme Annual Report 2019*. Bat Conservation Trust, London
4. Wray, S., Wells, D., Long, E. and Mitchell-Jones, T. (2010). *Valuing Bats in Ecological Impact Assessment*. In Practice 70: pp23-25. Chartered Institute for Ecology and Environmental Managers (CIEEM).
5. Mitchell-Jones, A.J. (2004). *Bat mitigation guidelines*. English Nature.
6. H.M.S.O. (2017). *The Conservation of Habitats and Species Regulations*. London.
7. H.M.S.O. (1981). *The Wildlife and Countryside Act 1981* (as amended). London.
8. Ministry of Housing, Communities & Local Government. (2019). *National Planning Policy Framework*. OGL
9. H.M.S.O. (2006). *The Natural Environment and Rural Communities Act 2006*. London

## APPENDIX A – BAT CONTACTS SURVEY TABLE

Date:	14/7/20 – Dusk emergence survey			
Survey Type:	Surveyor 1	Surveyor 2	Surveyor 3	Night vision camera
Location:	Unseen, W to E, unseen, E to W, W to E, unseen, N to S, unseen, unseen, unseen, unseen, unseen, unseen and unseen	Unseen, unseen, unseen, S to N, S to N, unseen, unseen, unseen, unseen, unseen and unseen	Unseen, unseen, N to S, N to S, N to S, unseen and unseen	No contacts recorded
Exit/Entry point:	None recorded	None recorded	None recorded	None
Time(s):	<b>21:42</b> ; 21:44; 21:45; 21:57; 22:03; 22:09; <b>22:10</b> ; 22:18; <b>22:27</b> ; 22:29; <b>22:31</b> ; 22:32; <b>22:36</b> and 22:39	21:44; 21:54; 22:04; 22:03; 22:09; <b>22:10</b> ; <b>22:13</b> ; <b>22:15</b> ; 22:29; <b>22:31</b> ; 22:34; <b>22:36</b> and 22:40	21:42; 21:54; 22:04; <b>22:10</b> ; 22:13; 22:15 and 22:28	No contacts recorded
Species of bat:	Common pipistrelle and Soprano pipistrelle	Common pipistrelle	Common pipistrelle	None recorded
Roost present:	None confirmed	None confirmed	None confirmed	None confirmed

*(fb) – feeding buzz*

Date:	11-8-20 - Dawn re-entry Survey		
Survey Type:	Surveyor 1	Surveyor 2	Night vision camera
Location:	Unseen; E to W; unseen; unseen; unseen; unseen (fb); unseen; unseen; W to N; unseen; unseen; unseen; unseen (fb); unseen (fb); unseen; unseen (fb); S (fb); N (fb); unseen (fb); E; SE; unseen (fb); S to N and E to W; W to N; W to E; W to E to N; W to N (fb); swarming, swarming; entering building and entering building; unseen	Unseen; unseen; unseen; unseen; unseen; E-W in front of house; in front of house; in front of house; in garden; S of house; S of house; E-W in front of house	No contacts recorded
Exit/Entry point:	North-west eave of porch between fascia and granite blockwork	None recorded	None
Time(s):	04:36; 04:41; 04:49; 04:52; 04:56; 05:01; <b>05:02</b> ; 05:03; 05:04; 05:07; 05:10; 05:11; <b>05:13</b> ; 05:14; 05:16; <b>05:17</b> ; 05:18; 05:19; 05:20; 05:24; 05:25; 05:31; 05:32; <b>05:34</b> ; 05:36; 05:38; 05:42; 05:44 (fbz); 05:44; 05:45; 05:46; 05:47 and 05:53	04:50; 04:56; <b>05:02</b> ; 05:08; <b>05:13</b> ; <b>05:17</b> ; 05:21; 05:22; 05:24; 05:30; <b>05:34</b> ; 05:40	
Species of bat:	Common pipistrelle and Soprano pipistrelle	Common pipistrelle	None
Roost present:	confirmed	None confirmed	None confirmed

(fb) – feeding buzz

Date:	16-9-20 – Dusk emergence survey		
Survey Type:	Surveyor 1	Surveyor 2	Night vision camera
Location:	Unseen; Unseen; Unseen; W-E; E-W; Unseen; Unseen; W-E; Unseen; E-W; W-E; Unseen; E-W; Unseen; Unseen; E-W; Unseen; E-N; W-N; N-E; Unseen; E-W; E-W; E-N; W-E; Unseen; W-E; Unseen; W-E; E-N; W-E; W-E; Unseen; Unseen; W-E; Unseen; Unseen; Unseen; Unseen; Unseen; Unseen and Unseen	All records feeding around trees north of the single storey cottage and east of the main building.	No contacts recorded
Exit/Entry point:	None recorded	None recorded	None recorded
Time(s):	19:54; 19:57; 19:58; 19:59; 20:00; 20:01; 20:02; 20:03; 20:04; 20:05; 20:06; 20:08; 20:09; 20:10; 20:11; 20:12; 20:14; 20:16(fb); 20:18(fb); 20:19; 20:21(fb); 20:22; 20:23; 20:24; 20:25 (fb); 20:29; 20:33; 20:34(fb); 20:35; 20:47; 20:48; 20:49; 20:50; 21:04; 21:05(fb) and 21:06	<b>19:54;</b> 19:56; <b>20:00;</b> <b>20:09;</b> <b>20:21;</b> 20:30; <b>20:47</b> and 20:56	
Species of bat:	Common Pipistrelle	Common Pipistrelle	None
Roost present:	None confirmed	None confirmed	None confirmed

(fb) – feeding buzz

<b>Date:</b>	<b>17-9-20 – Dawn re-entry survey</b>		
<b>Survey Type:</b>	<b>Surveyor 1</b>	<b>Surveyor 2</b>	<b>Night vision camera</b>
<b>Location:</b>	Unseen; Unseen	No contacts recorded	No contacts recorded
<b>Exit/Entry point:</b>	None recorded	None recorded	None recorded
<b>Time(s):</b>	05:59; 06:33	No records	No records
<b>Species of bat:</b>	Common Pipistrelle	None recorded	None recorded
<b>Roost present:</b>	None confirmed	None confirmed	None confirmed

## APPENDIX B – LEGISLATION AND LICENSING

### a) Legislation

All species of bats receive special protection under UK law making it a criminal offence under Schedule 5 section 9 (4) (b) and (c) of the Wildlife and Countryside Act 1981 (as amended) to *"intentionally or recklessly disturb a bat at a roost"* or *"intentionally or recklessly obstruct access to a roost"* and under Regulations 43 (1) and (2) of the Conservation of Habitats and Species Regulations 2017 (The Habitat Regulations) to *"deliberately disturb a bat in a way that would affect its ability to survive, breed or rear young or, affect the local distribution or abundance of the species; or to "damage or destroy a roost"* without first having obtained the relevant licence for derogation from The Habitat Regulations from the Statutory Nature Conservation Organisation (the SNCO – Natural England in England).

The word 'roost' is not used in the legislation but is used here for simplicity. The actual wording in law is 'any structure or place which any wild animal...uses for shelter or protection' or 'breeding site or resting place'. Because bats tend to re-use the same roosts after periods of vacancy, legal opinion is that the roost is protected whether, or not the bats are present at the time.

**Penalties on conviction of a bat-related crime - the maximum fine is £5,000 per incident or per bat, up to six months in prison, and forfeiture of items used to commit the offence, e.g. vehicles, plant, machinery.**

### b) Licensing

In order to obtain such a licence (as set out above) the SNCO must apply the requirements of the Regulations and, in particular, the three tests set out in sub-paragraphs 55(2)(e), (9)(a) and (9)(b). These are as follows:

(1) Regulation 55 (2)(e) states that a licence can be granted for the purposes of *"preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"*.

(2) Regulation 55 (9)(a) states that the appropriate authority (the SNCO) shall not grant a licence unless they are satisfied *"that there is no satisfactory alternative"*.



(3) Regulation 55 (9)(b) states that the appropriate authority (the SNCO) shall not grant a licence unless they are satisfied "*that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.*"

The licence would permit an otherwise unlawful activity to take place, and it requires of the licensee measures to ensure that negative impacts are prevented, reduced or offset, and that the favourable conservation status of the bats is maintained. **Once a licence is granted, failure to comply with its contents, including its attached Method Statement is a Criminal Offence with fines of a maximum of £5,000 per infringement.** A licensed bat consultant must be appointed to assist in the preparation and the delivery of the mitigation proposals that ensure the species protection requirements (Favourable Conservation Status 'FCS' test) can be met.

Additional information on the tests is available from the Natural England website.

<http://publications.naturalengland.org.uk/publication/4727870517673984?category=12002>

The ecologist is responsible for providing evidence to meet Test 3. The evidence to satisfy tests 2 and 3 is submitted on a part of the license application called the Reasoned Statement. The Reasoned Statement must be filled in by the client or their agent. Applicants often approach planning consultants, architects or similar for advice regarding completion of the Reasoned Statement.

- **Permissions**

The development must have **full permission** before the licence application will be registered including any ecology-related conditions or reserved matters that can be discharged before the date of application.

- **Further bat surveys**

If a full active bat season is going to pass between the granting of planning permission and the licence application period, Natural England may require **update survey(s)** (March-Aug) prior to application submission. The number of surveys required will vary by site depending on the size and complexity of the site as well as the species and roost types present.

- **Land ownership**

If mitigation, compensation or monitoring is anticipated to be on land not owned by the applicant, then written consent from the landowner will be required by Natural England. Responsibility for management and maintenance must also be agreed.

- **Commitments**

Applications should not give any commitments to undertake licensed works (or actions relating to the licence) that cannot be delivered.

- **Multi-phased projects**

If a plan is phased, Natural England will require a Master Plan with all mitigation and timetables included on it.

### c) Licence timescales:

- **Licensing decision**

The licence application pack can take anywhere from **2 to 3 weeks** to produce and Natural England allow themselves **30 working days** from the date of receipt to respond to applications, a window which can be extended if further information is requested by themselves. It is important that clients, developers, contractors, agents, etc. keep this in mind when designing work timetables. Occasionally, further information will be requested by NE, which can result in additional delays; therefore application as soon as possible is advised.

- **Timing of works**

In most cases, the works most likely to affect bats (bat exclusion work, soft strip, re-roofing, ecologist-advised timber treatment, etc.) will normally be timed to avoid the hibernation and maternity periods. Thus, these works tend to be timed for either the **September-October period** or the **March-April period**. This means licence application is normally completed 3 months prior to these periods and cannot be submitted any earlier.

- **Other Timing**

All timescales are weather-dependent (e.g. 5 days post-exclusion period extended due to inclement weather) and also may be impacted by other aspects of the project not related to ecology. In some situations licence periods can be extended, but this involves more work and is not guaranteed as they must ensure that Test 3 is still met.

#### d) Scale of work involved:

- **Mitigation** Production and submission of the license application pack as well as the completion of the licensed works themselves are time intensive and involve inspections, exclusions, site induction and other works requiring onsite supervision such as bat roost creation, soft strip and other necessary checks under the terms of the license. Costs for materials and equipment including bat boxes, exclusion materials, lifts/scaffolding to carry out soft strips, roost construction materials, etc. needs to be considered. Costs can vary considerably by project, but the applicant should ensure provision for all aspects of the licensed works is well-budgeted.
- **Monitoring** Most mitigation schemes require some sort of post-development monitoring, the type and extent of which would be confirmed in the license method statement. A contract with the ecologist for all survey, mitigation and post-development monitoring surveys needs to be agreed for this at the application stage.

