



# COUNCIL OF THE ISLES OF SCILLY

Planning Department

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15 October 2020

Dear Rory,

**Location:** Bank Cottage, South'ard

**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.

**Applicant:** Ms Mary Lowth

## **Notice of intention to impose pre-commencement conditions under the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018.**

The Council is minded to approve the above application subject to the imposition of the following conditions. \*Please note those identified as pre-commencement:

**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: 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 minimise the impact of the development on the islands carbon footprint and reduce energy and water demands. In accordance 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).

#### **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 and Policy SS2(2) of the Submission Draft Isles of Scilly Local Plan (2015-2030).

**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 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 to 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: To ensure protected species, where they require to be 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.

**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).

**If you agree with the conditions** we can issue the grant of approval as soon as we receive your written agreement. If you do not send a written agreement we cannot issue the decision until the end of the notice period which is 10 working days after the day following the date of this notice.

**If you disagree with the conditions** any substantive response (disagreeing with the conditions or providing comments) must be received within 10 working days after the day following the date of this notice.

- If we receive a substantive response within this time frame we may then decide to either amend, remove or change the condition to post commencement or we may refuse the application.
- If we do not receive a response in this time period we will then issue the decision with the pre-commencement conditions as set out above.

Yours Sincerely,



**Lisa Walton**

**Senior Officer, Planning and Development Management**