



COUNCIL OF THE ISLES OF SCILLY

Planning Department

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

☎0300 1234 105

✉planning@scilly.gov.uk

Please Ask For: Lisa Walton

Tel: Direct Line: 07871 982 537

Email: lisa.walton@scilly.gov.uk

My Ref: P/21/049/FUL

Dr S. Swabey
Council Of The Isles Of Scilly
Town Hall
St Marys
Isles Of Scilly
TR21 0LW

Email only: Stephen.swabey@scilly.gov.uk

11th October 2021

Dear Stephen,

Location: Porthloo Beach, Porthloo St Mary's, Isles of Scilly

Proposal: Construction of concrete retaining wall faced with greenheart wood to continue the existing wooden retaining wall and placement of granite rock armour revetment on the beach side of the retaining wall. (EIA Development) (Major Development).

Applicant: Dr Stephen Swabey

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 pre-commencement conditions:

- C1** The development hereby permitted shall be begun before the expiration of 3 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:
- Site Location Plan, Drawing Number: PL2000
 - Block Plan: Drawing number: UA008878-ARC-XX-XX-DR-CE-0200, Rev P1
 - Site Plan: Drawing number: UA008878-ARC-XX-XX-DR-CE-0200, Rev P1
 - Design Statement, Ref: UA008878-ARC-XX-XX-RP-CE-0260, Rev P4
 - Proposed Revetment Specification, UA008878-ARC-XX-XX-SP-CE-0831
 - Proposed Revetment Plan, UA008878-ARC-XX-XX-DR-CE-0220, Rev P4

- **Porthloo Site Information: UA008878-ARC-XX-XX-SP-CE-0801**
- **H&S Design Hazard: UA008878-ARC-XX-XX-HS-CE-0261-P2**

These are stamped as APPROVED

Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policies OE1 and OE7 of the Isles of Scilly Local Plan (2015-2030).

C3 No development shall take place, including any works of transporting materials to the site, until a Construction Environmental Management Plan (CEMP) in addition to the indicative method statement, has been submitted to and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The CEMP shall incorporate:

- **The timing of intended implementation, to avoid conflicting with breeding birds or harm to biodiversity features;**
- **The times during construction when specialist ecologists need to be present on site to oversee works, if required;**
- **Responsible persons and lines of communication;**
- **Monitoring, reporting and emergency responses;**
- **The role and responsibilities on site of an ecological clerk of works (ECow) or similarly competent person;**
- **industry standard, best-practice measures to control site run-off, manage soils and waste, manage fuel and other materials to prevent spillages and also emergency procedures in the event of a pollution incident;**
- **standard best practice construction measures to avoid significant disturbance of adjacent features (human neighbours and, consequently, nesting and wintering bird populations within the nearby Lower Moors SSSI, interest features of the SAC and SPA) arising from vibration, artificial lighting and noise effects;**
- **An archaeological Watching Brief during delivery of construction materials to monitor the potential for any impacts on buried remains in the inter-tidal area (in case of unforeseen ground conditions occurring), details of the use and management of materials, waste management, a plan for Verification Control Documents;**
- **risk assessments and method statements in light of revealed conditions (relating to Health and Safety and buried services) as well as to take account the recommendations of Foundation Works Risk Assessment (if required);**
- **area(s) for the parking of vehicles of site operatives;**
- **space for the loading and unloading of plant and materials;**
- **storage of plant and materials used in constructing the development;**
- **construction vehicles wheel washing facilities, if required;**
- **measures to control the emission of dust and dirt during construction;**
- **a detailed scheme for reducing/re-using/recycling/disposing of waste resulting from the works.**
- **Details of any signage and protective barriers in relation to notifying users of the area, of the timescales of the works, including signs to re-direct or safeguard footpath users from avoiding the site works.**

On completion of the development any contractors compound, temporary access and all plant, machinery, fencing, lighting and any other equipment or structures used as part of the construction process shall be removed from the site and, where appropriate, the land reinstated to its former condition within three months.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required to fully understand the impact upon the Islands natural environment designation and to ensure that the construction of the development is adequately controlled and to protect the amenities of the area and essential infrastructure in accordance with Policies SS2, OE2 and SS7 of the Isles of Scilly Local Plan (2015-2030).

C4 Before commencing any dune planting, details of the native plant species and planting schedule, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Natural England. Native dune species, such as Marram Grass *Ammophila arenaria* or Creeping Willow *Salix repens* should be used to provide flood defence and stabilise the dune system, whilst supporting this valuable habitat. The planting shall be carried out in accordance

with the approved details and any plants which, within a period of 5 years of completion of the project, die or are washed away before successful establishment to the dune, shall be replaced with new plants.

Reason: To ensure the works safeguard the wealth of biodiversity present on the Isles of Scilly and safeguards existing habitats and features in a bio-secure manner in accordance with Policies OE1 and OE2 of the 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 and following the outcome of Full Council's decision on the 19th October 2021. 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
Chief Planning Officer