



COUNCIL OF THE ISLES OF SCILLY

Planning Department

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My Ref: P/21/050/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: Porthmellon Beach, Telegraph Road

Proposal: Construction of a rock armour revetment in the south west corner of Porth Mellon Beach. Formalising pedestrian beach access track. (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: PM2000
 - Block Plan: Drawing number: UA008878-ARC-XX-XX-DR-CE-0300, Rev P3
 - Site Plan: Drawing number: UA008878-ARC-XX-XX-DR-CE-0300, Rev P3
 - Design Statement, Ref: UA008878-ARC-XX-XX-RP-CE-0363, Rev P1
 - Proposed Plans, UA008878-ARC-XX-XX-DR-CE-0302 Rev P2
 - Proposed Rock Armour Section A: UA008878-XX-XX-DR-CE-0320, Rev P3
 - Proposed Rock Armour Section B: UA008878-XX-XX-DR-CE-0302, Rev P3

- Beach Access Plan, UA008878-XX-XX-DR-CE-0322, Rev P2
- Trial Pits Plan, UA008878-XX-XX-DR-CE-0301, Rev P01
- H&S Design Hazard: UA008878-ARC-XX-XX-HS-CE-0362, Rev 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 planting along the vegetation section of the rock revetment, details of the native plant species and planting schedule, shall be submitted to and approved in writing by the Local Planning Authority. Native plant species should be used to provide valuable habitat and to ensure no biodiversity net loss. 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 before successful establishment, 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