



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

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2010

PERMISSION FOR DEVELOPMENT

Application No: P/21/083/FUL **Date Application Registered:** 28th September 2021

Applicant: Mrs N Cons
Busaverne
1 Buzza Street
Hugh Town
St Mary's
Isles of Scilly
TR21 0HX

Agent: Mr J Cons
4 Brassey Hill
Oxted
Surrey
RH8 0ES

Site address: Busaverne, 1 Buzza Street Hugh Town St Mary's Isles of Scilly
Proposal: Replacement of wet laid scantle slate roof covering on the west facing roof slope with dry laid natural slate to match the existing at 1 & 2 Buzza Street.

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 Location Plan
- Plan 2 Roof replacement Scope
- Plan 3 Site Waste Management Plan
- Plan 4 Preliminary Roost Assessment (precautionary method statement)

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 OE1 and Policy OE7(5) of the Isles of Scilly Local Plan (2015-2030).

C3 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.

C4 The roof shall be covered with natural slates, to the size approved, using corrosion resistant fixings and shall be retained as such thereafter.

Reason: So that the appearance of the reroofing is sympathetic to and compatible with the building traditions of the area. In accordance with Policy OE7(5) of the 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. 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.
3. Please ensure that all building works accord with the Building Regulations and that all appropriate approvals are in place for each stage of the build project: buildingcontrol@cornwall.gov.uk

Signed:



Chief Planning Officer

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

DATE OF ISSUE: 23rd November 2021



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

Dear Mrs N Cons,

Please sign and complete this certificate.

This is to certify that decision notice: P/21/083/FUL and the accompanying conditions have been read and understood by the applicant: Mrs N Cons.

1. **I/we intend to commence the development as approved:** Replacement of wet laid scantle slate roof covering on the west facing roof slope with dry laid natural slate to match the existing at 1 & 2 Buzza Street at: Busaverne 1 Buzza Street Hugh Town St Mary's Isles Of Scilly **on:**.....
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.

You are advised to note that Officers of the Local Planning Authority may inspect the project both during construction, on a spot-check basis, and once completed, to ensure that the proposal has complied with the approved plans and conditions. In the event that the site is found to be inaccessible then you are asked to provide contact details of the applicant/agent/contractor (delete as appropriate):

Name: **Contact Telephone Number:**
And/or Email:

Print Name:

Signed:

Date:

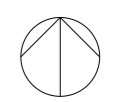
Please sign and return to the **above address** as soon as possible.

RECEIVED
By Emma Kingwell at 7:16 am, Sep 27, 2021

APPROVED
By Lisa Walton at 4:03 pm, Nov 23, 2021



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0 10m 20m 30m 40m 50m

Drawing Record				
Rev	Date	By	Comments	Checked

SIGNIFICANT HEALTH AND SAFETY RISKS (UNUSUAL AND DIFFICULT TO MANAGE ONLY)

It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement. In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following:

DO NOT SCALE OFF THIS DRAWING

This scheme is subject to town planning and all other necessary consents.

Dimensions, area and levels where given are only approximate and subject to site survey. All dimensions are to be checked on site. Any discrepancies or variations are to be reported to the architect before work commences. Figured dimensions only are to be taken from this drawing.

This drawing is to be read in conjunction with all relevant consultants and / or specialists drawings / documents and any discrepancies or variations are to be reported to the architect before the affected work commences.

Magnetic media does not constitute contract documentation and updates of this data will occur. These files are current as of the date of issue. Your use of the content of these files is at your own risk. Reference should always be made to the hard copy which is superior to the digital format. Any document produced by yourselves which contains part or all of this data remains your responsibility and attributed to yourselves. Whilst Leslie Jones make every effort to ensure that it is scanned for viruses, we cannot guarantee that it does not contain any.

Client
MRS N J CONS

Consultants

Job Title
**1 BUZZA STREET
ROOF REPLACEMENT**

PLANNING ISSUE			
Drawing Title			
LOCATION PLAN			
Scale @ A3	Date	Drawn	Checked
1:1250	SEPT 2021	MA	JC
Job No.	Drawing No.	Revision	
	AL(01)0010	P 0 1	

leslie jones
architecture

Suite 3.02, Grand Union Studios,
332 Ladbroke Grove,
London W10 5AD.

Telephone: 020 7255 1150
E-mail: admin@leslie-jones.co.uk
Web: www.lesliejones.co.uk

Plan 2

APPROVED

By Lisa Walton at 4:03 pm, Nov 23, 2021



Natural Slate
40.6cm x 20.3cm

Extent of Roof Replacement – Scope
AL (01)0012 P01



RECEIVED
By A King at 9:03 am, Oct 18, 2021

APPROVED
By Lisa Walton at 4:03 pm, Nov 23, 2021

Waste Management Strategy

Planning Application Ref: P/21/083/FUL

Following removal of the existing roof finish all slate will be taken away to be crushed locally and used again for building , all battens , felt with be taken to local waste site and recycled where possible.

APPROVED

By Lisa Walton at 4:04 pm, Nov 23, 2021

PRELIMINARY ROOST ASSESSMENT (PRA)

1 BUZZA STREET
HUGH TOWN, ST MARY'S, ISLES OF SCILLY



Client: James Cons

Our reference: 2021/03

Planning reference: Produced in advance of submission

Report date: 17th September 2021

Author: James Faulconbridge BSc (Hons), MRes, MCIEEM

Contact: ios.ecology@gmail.com

Executive Summary

Bats - Results and Findings

The preliminary roost assessment (PRA) survey concluded that there was **negligible potential** for use of the western pitched roofs of 1 and 2 Buzza Street by bats. This assessment relates solely to the western pitch of the roof. It does not provide a comprehensive assessment of the buildings in question.

It is noted that one adjacent feature, the hanging tiles on the dormer of 2 Buzza Street, provides **low potential** roosting features for individual bats. This feature would not be directly impacted by the proposed replacement works but is included in this assessment as measures would be required to ensure there is no disturbance or accidental damage during roof replacement.

This judgement was reached in accordance with the survey methodologies and evaluation criteria outlined in the Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd edition¹

Bats - Further Survey Requirements

No further surveys are recommended – the PRA conclusion does not require further survey information with regards to bats in order to inform a planning application.

Bats - Recommendations

It is not recommended that any Planning Conditions are required with regards to bats in relation to the proposed roof replacement works assessed in this report.

Standard good practice and vigilance should be observed by the contractors undertaking the replacement works in acknowledgement that bats are transient in their use of roosting opportunities and may explore potential locations. This includes measures to avoid disturbance or accidental damage to the hanging tiles of the dormer of 2 Buzza Street. Recommendations to ensure legislative compliance are provided in Appendix 2.

Nesting Birds - Results and Findings

The survey did not identify any suitable nesting habitat for breeding birds associated with the western pitch of the roof or adjacent structural features.

Nesting Birds - Recommendations

There is no requirement to replace nesting habitat for breeding birds as no suitable features are identified in the western pitch of the roof or adjacent structural features.

Other Ecological Receptors

No further ecological impacts relevant to planning are identified.

¹ Collins, J. (ed.) 2016 Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

APPENDIX 1 – PRELIMINARY ROOST ASSESSMENT (PRA)

Planning Authority: Isles of Scilly	Location: 90500(E) 10472 (N)	Planning Application ref: Report produced in support of application
Planning application address: 1 Buzza Street, Hugh Town, St Mary's, Isles of Scilly		
Proposed development: The proposed works were identified by the client and accord with the documentation submitted in support of the application. These involve: 1) The removal and replacement of the western pitch of the roof including the entire span of 1 Buzza Street and the northernmost portion of 2 Buzza Street terminating at the dormer.		
Building references: The roof section in question is identified in the plans provided in Appendix 3.		
Name and licence number of bat-workers carrying out survey: James Faulconbridge (2015-12724-CLS-CLS)		
Preliminary Roost Assessment date: The visual inspection was undertaken on 14 th September 2021 in accordance with relevant Best Practice methodology ² .		
Local and Landscape Setting: The property is situated within the residential area of Hugh Town in St Mary's in the Isles of Scilly. The land use immediately surrounding the property comprises dense residential development with small gardens. The shoreline of Porthcressa Beach lies close to the south of the property with the green space of the allotments, playground and setting of Buzza Tower close by to the east. Three records of common pipistrelle roosts are identified in relatively close proximity to the property – these relate to individual bats utilising features such as hanging slates around dormer windows.		
Building Description(s): The property of 1 Buzza Street is an end-of terrace cottage of granite construction with a hipped, slate-tiled roof. The property has single-story flat-roof extensions to the north and east – due to the nature of the proposed works, these were not considered further as part of the current assessment. This assessment also includes consideration of the adjacent property 2 Buzza Street which is attached on the southern aspect and represents one of several mid-row terrace properties.		

² Collins, J. (ed.) 2016 Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

The exterior facades of both properties are in good condition – 1 Buzza Street has exposed granite blocks with well-maintained pointing; 2 Buzza Street is rendered with the covering in good condition.

The boxed eaves on the western aspect of both properties are in good condition and tightly sealed. Guttering runs below the eaves of the tiled roof.

The tiled roof was evidently tightly sealed prior to the slippage which necessitated the current roof replacement works. Small, well-fitted slate tiles with gaps sealed by cement pointing comprise the western pitch offering no opportunities for access by bats aside from the location of the slippage itself. The tiles on the ridge and hip are well fitted and sealed, as are the chimneys. Prior to the slippage, it is considered highly unlikely that bats would be able to gain access beneath tiles or into the roof.

The upper roof space of both properties has been converted to residential use with no loft space present. In each property, the lower pitches of the roof are boxed for cupboard storage – these are fully boarded out in the case of 1 Buzza Street whilst the underside of the tiles are directly visible from the cupboard in 2 Buzza Street. This latter location allowed for an inspection of the tiles from beneath, confirming that the only light visible from within is associated with the slipped tiles identifying this as the only potential access location.

The only potential access points or roosting opportunities for bats are associated with the location where the tiles have slipped. These remain tight and, though not water-resistant, they are still in good enough condition that they offer very little scope for access by roosting bats. Whilst it cannot be ruled out, it is considered unlikely that this low-suitability feature which arose during Storm Evert in July 2021 would be occupied by roosting bats in the short term.

The roof replacement works would extend as far as the dormer window of 2 Buzza Street – this structure was inspected from the dormer itself. The vertical hanging tiles associated with this dormer are well-fitted though minor gaps do occur in places and roosting bats have been identified associated with similar features in the vicinity of the property. Like-for-like roof replacement works running up to this feature should not impact upon these potential features either at the time of replacement or post-completion, however care would be required to ensure that the hanging tiles are not impacted during roof replacement works.

No evidence of current or historic use by bats or nesting birds was identified during the survey.

Survey Limitations

It was not possible to inspect the underside of the roof tiles within either property as the roof space was converted to residential use with no loft spaces or other voids; however this is taken into account in the assessment and does not affect the conclusions which are based primarily on the lack of potential access points for bats as identified by external inspection.

Assessment of Potential for use by Roosting Bats

It is considered that the western pitch of the roof provides **negligible potential** for use by roosting bats.

The dormer of 2 Buzza Street – an adjacent structure – could potentially support individual common pipistrelle bats though this is considered to be **low potential**.

Recommendations and Justification (Bats):

No further surveys are recommended – the conclusion of **negligible potential** does not require any further information with regards to bats in order to inform a planning application.

It is not recommended that any Planning Conditions are required with regards to bats in relation to the proposed roof replacement works.

Standard good practice and vigilance should be observed by the contractors undertaking the replacement works in acknowledgement that bats are transient in their use of roosting opportunities and may explore potential locations. The potential for individual common pipistrelle bats to make use of minor features in the adjacent dormer of 2 Buzza Street means that this feature must not be impacted during works. This would require due care to avoid disturbance or accidental damage. Recommendations to ensure legislative compliance are provided in Appendix 2.

Assessment of Potential for use by Nesting Birds

It is considered that the western pitch of the roof and adjacent structural features provide **negligible potential** for use by nesting birds.

Recommendations and Justification (Birds):

There is no requirement to mitigate for loss of nesting habitat for breeding birds.

Signed by bat worker(s):

Date: 17th September 2021



APPENDIX 2

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PRECAUTIONARY METHOD STATEMENT WITH REGARDS TO BATS

The purpose of this Method Statement is to ensure that roof replacement works can proceed where presence of bats has been determined to be unlikely, but a precautionary approach is still advisable. It has been determined that direct harm to roosting bats during the proposed replacement works would be highly unlikely.

Contractors should, however, be aware of **their own legal responsibility with respect to bats**:

Relevant Legislation regarding Bats

The Conservation of Habitats and Species Regulations 2017, or the 'Habitat Regulations 2017', transposes European Directives into English and Welsh legislation. Under these regulations, bats are classed as a European Protected Species and it is, therefore, an offence to:

- *Deliberately kill, injure or capture bats;*
- *Deliberately damage or destroy bat roosts.*

A bat roost is commonly defined as being any structure or place that is used as a breeding site or resting place, and since it may be in use only occasionally or at specific times of year, a roost retains such a designation even if bats are not present.

Bats are also protected from disturbance under Regulation 43. Disturbance of bats includes in particular any disturbance which is likely:

- (a) *To impair their ability -*
- *to survive, to breed or reproduce, or to rear or nurture their young; or*
 - *in the case of animals of a hibernating or migratory species, to hibernate or migrate; or*
- (b) *To affect significantly the local distribution or abundance of the species to which they belong.*

Bats also have limited protection under the Wildlife and Countryside Act 1981 (as amended) and the Countryside Rights of Way Act 2000 (as amended). It is, therefore, an offence to:

- *Intentionally or recklessly destroy, damage or obstruct any structure or place which a bat uses for shelter or protection.*
- *Intentionally or recklessly disturb bats whilst occupying any structure or place used for shelter or protection.*

Contractors should be aware of **where bats are most likely to be found in respect to the roof to be replaced:**

There is a negligible risk of bats making transient use of minor cavities created by the slippage of the tiles which have necessitated the replacement works.

The tiles around the area where the slippage occurred should be removed carefully in such a way that in the highly unlikely event of a bat being present beneath, they are not crushed by the removal of the tile.

Contractors should be aware of **where bats could occur in structures adjacent to the works site.**

There is low potential for individual bats to use transient roosting opportunities beneath minor gaps in tiles around the dormer of 2 Buzza Street.

The roof replacement works can approach, but must not impact upon, this feature in order for the assessment and working methodology outlined in this report to be valid.

Care should be taken during works to ensure that this structure is not disturbed or damaged. This may include a contractor briefing to ensure that those working on the roof understand the requirement, or other measures such as a temporary sign, tape or physical barrier if deemed necessary.

Contractors should be aware of **the process to follow in the highly unlikely event of finding bats** or evidence indicating that bats are likely to be present:

If bats are identified, works should cease and the named ecologist contacted immediately for advice.

If the bat is in a safe situation, or a situation which can be made safe, they should remain undisturbed.

Only if the bat is in immediate risk of harm can the bat be moved with care and using a gloved hand. This is a last resort and should only be undertaken for humane reasons if the bat is at immediate risk of harm **and** if the ecologist cannot be contacted for advice.

APPENDIX 3

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LOCATION PLAN AND PHOTOGRAPHS



Map 01 – Illustrating location of property within the local environs (red circle). Reproduced in accordance with Google’s Fair Use Policy.



Map 02 – Showing the roof to be replaced (blue) which includes the western pitch of 1 Buzza Street and a portion of the neighbouring terraced property to the south – 2 Buzza Street. The footprint of the property 1 Buzza Street is indicated with the red line for reference.



Photograph 1: Showing the western aspect of 1 and 2 Buzza Street. The granite blockwork of 1 Buzza Street and the rendered façade of 2 Buzza Street distinguish the two properties.



Photograph 2: Showing the underside of the boxed eaves illustrating the tight fitting and lack of access. The guttering attached to a fascia board can be seen to the left.



Photograph 3: Showing the area of the roof where the tiles have slipped.



Photograph 4: Showing the interior of the roof space at 1 Buzza Street where the residential conversion has occurred. The built-in storage close to eaves level can also be seen.



Photograph 5: Showing the tight cement pointing between slate tiles which characterises the roof



Photograph 6: Showing generally well-fitted hanging tiles of the dormer at 2 Buzza Street – minor cavities have low potential to support individual bats.



COUNCIL OF THE ISLES OF SCILLY

Planning Department

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

☎01720 424455

✉planning@scilly.gov.uk

**THIS LETTER CONTAINS IMPORTANT INFORMATION
REGARDING YOUR PERMISSION – PLEASE READ
IF YOU ARE AN AGENT DEALING WITH IS ON BEHALF OF THE
APPLICANT IT IS IMPORTANT TO LET THE APPLICANT KNOW
OF ANY PRE-COMMENCEMENT CONDITIONS**

Dear Applicant,

This letter is intended to help you advance your project through the development process. Now that you have been granted permission, there may be further tasks you need to complete. Some aspects may not apply to your development; however, your attention is drawn to the following paragraphs, which provide advice on a range of matters including how to carry out your development and how to appeal against the decision made by the Local Planning Authority (LPA).

Carrying out the Development in Accordance with the Approved Plans

You must carry out your development in accordance with the stamped plans enclosed with this letter. Failure to do so may result in enforcement action being taken by the LPA and any unauthorised work carried out may have to be amended or removed from the site.

Discharging Conditions

Some conditions on the attached decision notice will need to be formally discharged by the LPA. In particular, any condition that needs to be carried out prior to development taking place, such as a 'source and disposal of materials' condition, an 'archaeological' condition or 'landscaping' condition must be formally discharged prior to the implementation of the planning permission. In the case of an archaeological condition, please contact the Planning Department for advice on the steps required. Whilst you do not need to formally discharge every condition on the decision notice, it is important you inform the Planning Department when the condition advises you to do so 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.

Please inform the Planning Department when your development or works will be commencing. This will enable the Council to monitor the discharge and compliance with conditions and provide guidance as necessary. We will not be able to provide you with any written confirmation on the discharge of pre-commencement conditions if you do not formally apply to discharge the conditions before you start works.

As with the rest of the planning application fees, central Government sets a fee within the same set of regulations for the formal discharge of conditions attached to planning permissions. Conditions are necessary to control approved works and development. Requests for confirmation that one or more planning conditions have been complied with are as follows (VAT is not payable on fees set by central government). More information can be found on the Council's website:

- Householder permissions - £34 per application
- Other permissions - £116 per application

Amendments

If you require a change to the development, contact the LPA to see if you can make a 'non material amendment' (NMA). NMA can only be made to planning permissions and not a listed building consent. They were introduced by the Government to reflect the fact that some schemes may need to change during the construction phase. The process involves a short application form and a 14 day consultation period. There is a fee of £34 for householder type applications and £234 in all other cases. The NMA should be determined within 28 days. If the change to your proposal is not considered to be non-material or minor, then you would need to submit a new planning application to reflect those changes. Please contact the Planning Department for more information on what level of amendment would be considered non material if necessary.

Appealing Against the Decision

If you are aggrieved by any of the planning conditions attached to your decision notice, you can appeal to have specific conditions lifted or modified by the Secretary of State. All appeal decisions are considered by the Planning Inspectorate – a government department aimed at providing an unbiased judgement on a planning application. From the date of the decision notice attached you must lodge an appeal within the following time periods:

- Householder Application - 12 weeks
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Other Types - 6 months

You can obtain the appeal forms by calling 0303 444 5000 or submit an appeal through the Planning Portal <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

Building Regulations

With all building work, the owner of the property is responsible for meeting the relevant Planning and Building Regulations. Building Regulations apply to most building work so it is important to find out if you need permission. This consent is to ensure the safety of people

in and around buildings in relation to structure, access, fire safety, infrastructure and appropriate insulation.

The Building Control function is carried out on behalf of the Council of the Isles of Scilly by Cornwall Council. All enquiries and Building Control applications should be made direct to Cornwall Council, via the following link [Cornwall Council](#). This link also contains comprehensive information to assist you with all of your Building Control needs.

Building Control can be contacted via telephone by calling 01872 224792, via email buildingcontrol@cornwall.gov.uk or by post at:

Building Control
Cornwall Council
Pydar House
Pydar Street
Truro
Cornwall
TR1 1XU

Registering/Altering Addresses

If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

Connections to Utilities

If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 08000831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.