



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 2015

PERMISSION FOR DEVELOPMENT

Application No: P/23/001/COU **Date Application Registered:** 30th January 2023

Applicant: Mr George Farrington
Distillery Flat,
Old Town Lane,
St Mary's,
Isles Of Scilly,
TR21 0NN

Site address: The Chandlery The Thorofare Hugh Town St Mary's Isles Of Scilly
Proposal: Change of use of first floor to create one bedroom flat including alterations to fenestration and replacement of existing timber windows and doors with UPVC/composite units (AMENDED PLANS)

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 and be occupied in accordance with the **Section 106 Legal Agreement**:

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 AMENDED, Date Stamped 27/06/2023
- Plan 2 Site Plan AMENDED, Date Stamped 27/06/2023
- Plan 3 Proposed East and West Elevations, Drawing Number C5, Date Stamped 12/01/2023
- Plan 4 Proposed North Elevation, Drawing Number C4b, Date Stamped 27/02/2023
- Plan 5 Proposed South Elevation, Drawing Number C7b, Date Stamped 27/02/2023
- Plan 6 Proposed First Floor Elevation, Drawing Number C8, Date Stamped 30/01/2023
- Plan 7 Proposed Ground Floor Plan, Drawing Number C2c, Date Stamped 23/03/2023
- Design and Access Statement (Revised)
- Heritage Impact Assessment
- Flood Risk Assessment, Date Stamped 08/03/2023 and Evacuation Plan, Date Stamped 27/04/2023

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** 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, Part 1), alterations to the roof (Class B and C, Part 1) or chimneys, curtilage buildings (Class E, Part 1), flues (Class G, Part 1) or any means of enclosure (Class A, Part 2) shall be erected or constructed on/within the curtilage of, the dwelling, hereby 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 in accordance with Policy LC3 of the Isles of Scilly Local Plan (2015-2030).
- C4** Prior to installation, details of external illumination 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 Garrison Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Isles of Scilly Local Plan 2015-2030.

PRE-OCCUPATION CONDITION: Biodiversity enhancement Measures

- C5** Prior to the first occupation of the dwelling, hereby approved, details of measures to promote biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority, this shall include details of any bat boxes and/or bird nesting opportunities appropriate to species found on the Isles of Scilly. Appropriate local guidance from the Isles of Scilly Wildlife Trust, for example, should be sought to inform the type, number and positioning of suitable bat and bird boxes. The measures approved shall be installed, prior to the first breeding/nesting season following completion of the development and shall be retained as such thereafter.
Reason: To promote measures to biodiversity and habitat opportunities on the Isles of Scilly and in accordance with the requirements of Policies SS1(d) and SS2(g) of the Isles of Scilly Local Plan (2015-2030).

PRE-COMMENCEMENT CONDITION: Site Waste Management Plan

- C6** 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 waste arising from building works, 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 to and agreed in writing by the Local Planning Authority. This is to ensure adequate consideration is given to the minimisation of unnecessary waste generation, and adherence to the waste hierarchy, in accordance with the requirements of Policy SS2 (2) and Policy OE5 of the Isles of Scilly Local Plan 2015-2030.

PRE-COMMENCEMENT CONDITION: Sustainable Design Measures

- C7** 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 to seek to ensure the development achieves a water consumption standard of 110 litres of water per person per day as well as energy generation/minimisation measures. The sustainable design scheme shall be implemented in strict accordance with the details as agreed prior to the occupation of the development hereby permitted and be 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 ensure the accommodation is as sustainable as possible. In accordance with the requirements of Policy SS2 (2) and Policy OE5 of the Isles of Scilly Local Plan 2015-2030.

PRE-INSTALLATION CONDITION: Details of Doors and Windows

- C8** Prior to their installation in the building, details of the design, materials and colour finish of replacement doors and windows (including the Juliet balcony), shall be submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed as approved and be retained as such thereafter.

Reason: To ensure the details of these features are in keeping with the character and appearance of the Conservation Area, in accordance with Policy OE7 of the Isles of Scilly Local Plan (2015-2030).

- C9** No construction plant and/or machinery shall be operated on the premises before 0800 hours on Mondays through to Saturdays nor after 1800 hours. There shall be no works involving construction plant and/or machinery on a Sunday or Public or Bank Holiday.

Reason: In the interests of protecting the residential amenities of neighbouring properties.

Further Information

- 1. CONVERSION ONLY:** This planning permission has been granted on the basis that the development relates strictly to the conversion of the building(s) as shown on the approved planning application drawings forming part of this permission. Any works of rebuild or new build other than as detailed on the approved planning application drawings and any departure from these drawings will require separate planning permission and the Local Planning Authority should be notified at once in the event in works being required or having taken place outside the scope of this planning permission as such works could have the effect of invalidating the planning permission. This planning permission does not grant or imply any form of building control approval for which separate notification will be required under the Building Regulations.
- 2. SECTION 106 AGREEMENT:** The planning permission hereby approved is subject of a section 106 agreement to control the occupancy of the dwelling to ensure it contributes towards the housing need of the local community.
- 3. Statement of Positive Engagement:** 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 of the National Planning Policy Framework 2021.
- 4. Fire Safety:** Access and Facilities for the Fire Service as detailed in B5 AD B Volume 2 will be required. You will be required to provide reasonable facilities for the Fire Service. In most circumstances this will mean providing vehicular access for fire appliances. It is important to remember that failure to do so may prevent the applicant from obtaining a completion certificate under the Building Regulations but more importantly, the lives of the occupiers will be put at risk.
- 5. Non-Material Amendments:** 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 (for which a fee of £234 would be required) 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. Please check with the fee regulations at the time of applying as any increase in the fees would be applied:
https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
- 6. Discharge of Conditions:** 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 fee is £116 for each request to discharge condition(s) and is payable for each individual request made to the Local Planning Authority. Please check with the fee regulations at the time of applying as any increase in the fees would be applied: https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
- 7. Registering for appropriate Business Rates/Council Tax:** To ensure appropriate contributions, are made to fund services provided by or on behalf of the Council on the Isles of Scilly please ensure you contact the Council's Revenues Department: revenues@scilly.gov.uk.
- 8. BATS:** 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.

9. **Building Regulations:** This decision is not a determination under the Building Regulations. 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. You can contact Building Control for further advice or to make a building control application: 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: 02 August 2023



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 Mr George Farrington

Please sign and complete this certificate.

This is to certify that decision notice: P/23/001/COU and the accompanying conditions have been read and understood by the applicant: Mr George Farrington.

1. **I/we intend to commence the development as approved:** Change of use of first floor to create one bedroom flat including alterations to fenestration and replacement of existing timber windows and doors with UPVC/composite units (AMENDED PLANS) at: The Chandlery The Thorofare 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.

For the avoidance of doubt you are reminded to address the following condition(s) as part of 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 CONDITION(S)

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