



**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](mailto:planning@scilly.gov.uk)

Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) Order 2015

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### **PERMISSION FOR DEVELOPMENT**

**Application No:** P/23/004/FUL **Date Application Registered:** 11<sup>th</sup> January 2023

**Applicant:** Mr Ian Sibley  
Sibleys Fuel & Marine Services  
Porthcressa  
St Mary's  
Isles Of Scilly  
TR21 0JQ

**Site address:** Penold Church Road Hugh Town St Mary's Isles Of Scilly  
**Proposal:** Demolition of existing semi-detached house and replacement with a new dwelling (revised scheme for approved planning application P/21/038/HH for alterations, extension and improvements).

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, DATE STAMPED 11/01/2023
- Plan 2 AMENDED Block Plan, DATE STAMPED 11/01/2023
- Plan 3 Proposed Plans and Elevations, Drawing Number: 200/002A, Dated 10 January 2023, DATE STAMPED 11/01/2023
- Plan 4 Sustainable Design Measures, Drawing Number: 200/004A, Dated January 2023, DATE STAMPED 11/01/2023
- Plan 5 Site Waste Management Plan, Dated January 2023
- Plan 6 Preliminary Ecological Appraisal, Update 2023 Ref: 23-2-2, Dated 9th February 2023 (Avoidance, Mitigation)
- Plan 7 Design and Access Statement, Drawing Number: 200/003A, Dated January 2023, DATE STAMPED 11/01/2023

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

**C3 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.

- C4 Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended), (or any Order revoking and re-enacting that Order) no extensions (Part 1 Class A), dormer windows (Part 1 Class B), alterations to the roof (Part 1 Class C), curtilage buildings (Part 1 Class E), flues or chimneys (Part 1, Class G), means of enclosure (Part 2 Class A) shall be erected or constructed without first obtaining planning permission.**

Reason: In the interests of protecting and retaining a domestic scale and character in keeping with the wider Conservation Area and to accord with Policies SS2, OE1 and LC8 of the 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 those of neighbouring residential properties and to protect 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).

- C6 Following the completion of the development, hereby approved, the measures to promote biodiversity enhancements shall be installed. This should include the installation of one stand-alone bat box at the apex of the south-east gable of the property, as identified in the Preliminary Ecological Appraisal 2023 Update Report, dated 9th February 2023, Reference: 23-2-2. The enhancement 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 improve and awareness of the value of biodiversity on the Isles of Scilly and in accordance with the requirements of Policies OE2(1), SS1(d) and SS2(g) of the Isles of Scilly Local Plan (2015-2030).

- C7 The improvements, alterations and enlargements, hereby approved, shall not result in the property being occupied otherwise than as a single household and no separate self-containment of the improved property shall be created, unless approved following the submission of a planning application for a change of use.**

Reason: To ensure the larger home justified is retained for those purposes in accordance with Policy LC8 of the Isles of Scilly Local Plan (2015-2030).

- C8 Prior to installation, a detailed scheme indicating the water saving measures to be incorporated into the proposal, to achieve a water consumption standard of 110 litres of water per person per day, shall be submitted to and approved in writing by the Local Planning Authority. This should include water conservation and harvesting measures that will be incorporated as part of the development. The water saving measures shall be implemented in accordance with the details as agreed prior to the first occupation of the dwelling and shall be retained as such thereafter.**

Reason: This is a pre-installation condition that requires details that were not submitted as part of the application but are required in order to comply with part (K) iv) of Policy SS2(1) of the Local Plan to reduce pressure on water resources.

## 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 2021.
2. **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 current £116 for each request to

discharge condition(s) where the planning permission relates to any other type of development other than a householder application. The fee is payable for each individual request made to the Local Planning Authority. You are advised to check the latest fee schedule at the time of making an application as any adjustments including increases will be applied: [https://ecab.planningportal.co.uk/uploads/english\\_application\\_fees.pdf](https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf)

3. **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 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. There is a fee to apply for a non-material amendment and the most up to date fee will be charged which can be checked here: [https://ecab.planningportal.co.uk/uploads/english\\_application\\_fees.pdf](https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf)
4. **Discovery of 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.
5. **Building Control:** 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](mailto:buildingcontrol@cornwall.gov.uk).
6. **Party Wall Act:** As the proposed works affect the boundary with a neighbouring property, this decision does not convey any other form of consent or agreement that may be necessary in conjunction with these works and does not override or supersede any civil rights, which the neighbour may have. The attention of the applicant is drawn to the information contained in the Party Wall etc. Act 1996.
7. **Revenues/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](mailto:revenues@scilly.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:** 8<sup>th</sup> March 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 Ian Sibley

## Please sign and complete this certificate.

This is to certify that decision notice: P/23/004/FUL and the accompanying conditions have been read and understood by the applicant: Mr Ian Sibley.

1. **I/we intend to commence the development as approved:** Demolition of existing semi-detached house and replacement with a new dwelling (revised scheme for approved planning application P/21/038/HH for alterations, extension and improvements) at: Penold Church Road Hugh Town St Mary's Isles Of Scilly **on:**.....
2. I am/we are aware of any conditions that need to be addressed as part of or 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-INSTALLATION CONDITION(S)**

C8 Prior to installation, a detailed scheme indicating the water saving measures to be incorporated into the proposal, to achieve a water consumption standard of 110 litres of water per person per day, shall be submitted to and approved in writing by the Local Planning Authority. This should include water conservation and harvesting measures that will be incorporated as part of the development. The water saving measures shall be implemented in accordance with the details as agreed prior to the first occupation of the dwelling and shall be retained as such thereafter.



# COUNCIL OF THE ISLES OF SCILLY

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Planning Department

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

☎01720 424455

✉[planning@scilly.gov.uk](mailto: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 un-authorised 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
- Planning Application – 6 months
- Listed Building Consent – 6 months
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Lawful Development Certificate – None (unless for LBC – 6 months)
- Other Types - 6 months

Note that these periods can change so you should check with the Planning Inspectorate for the most up to date list. You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

You find more information on appeal types including how to submit an appeal to the Planning Inspectorate by visiting <https://www.gov.uk/topic/planning-development/planning-permission-appeals> or you can obtain hard copy appeal forms by calling 0303 444 5000.

Current appeal handling times can be found at: [Appeals: How long they take page](#).

## **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 (Option 1), via email [buildingcontrol@cornwall.gov.uk](mailto:buildingcontrol@cornwall.gov.uk) or by post at:

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

Inspection Requests can also be made online: <https://www.cornwall.gov.uk/planning-and-building-control/building-control/book-an-inspection/>

## **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.



**RECEIVED**

By Liv Rickman at 11:03 am, Jan 11, 2023

**APPROVED**

By Lisa Walton at 5:33 pm, Mar 08, 2023

# Penold, Church Road, St Marys, Isles of Scilly



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Scale: 1:1250, paper size: A4

Location Plan



**emapsite**<sup>™</sup>  
**plans**

Prepared by: Ian Sibley, 28-04-2021

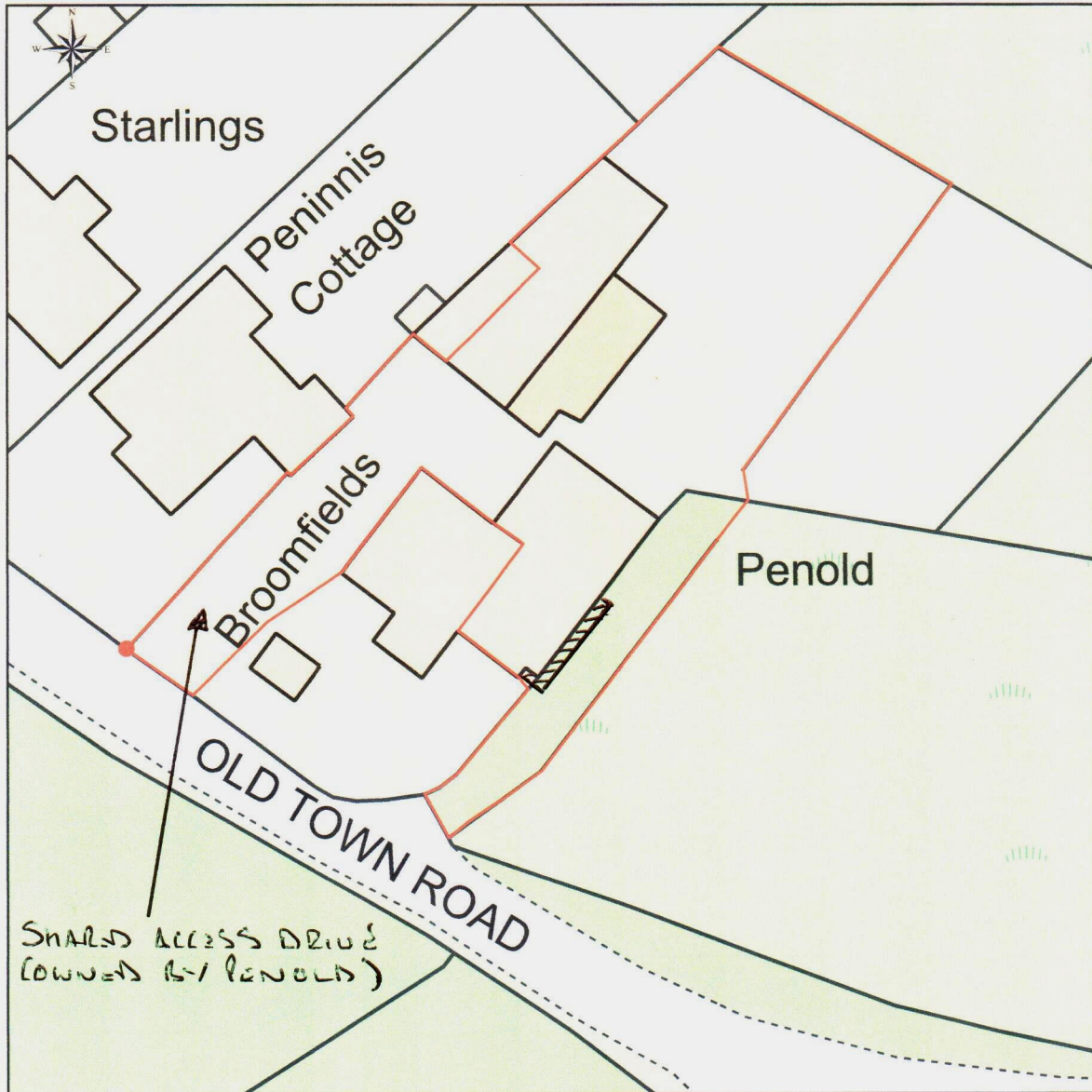
**APPROVED**

By Lisa Walton at 5:35 pm, Mar 08, 2023

**RECEIVED**

By Liv Rickman at 11:01 am, Jan 11, 2023

# Penold, Church Road, St Marys, Isles of Scilly TR21 0NA



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0m 5m 10m 15m 20m 25m 30m 35m 40m

Scale: 1:500, paper size: A4

Site / Block Plan

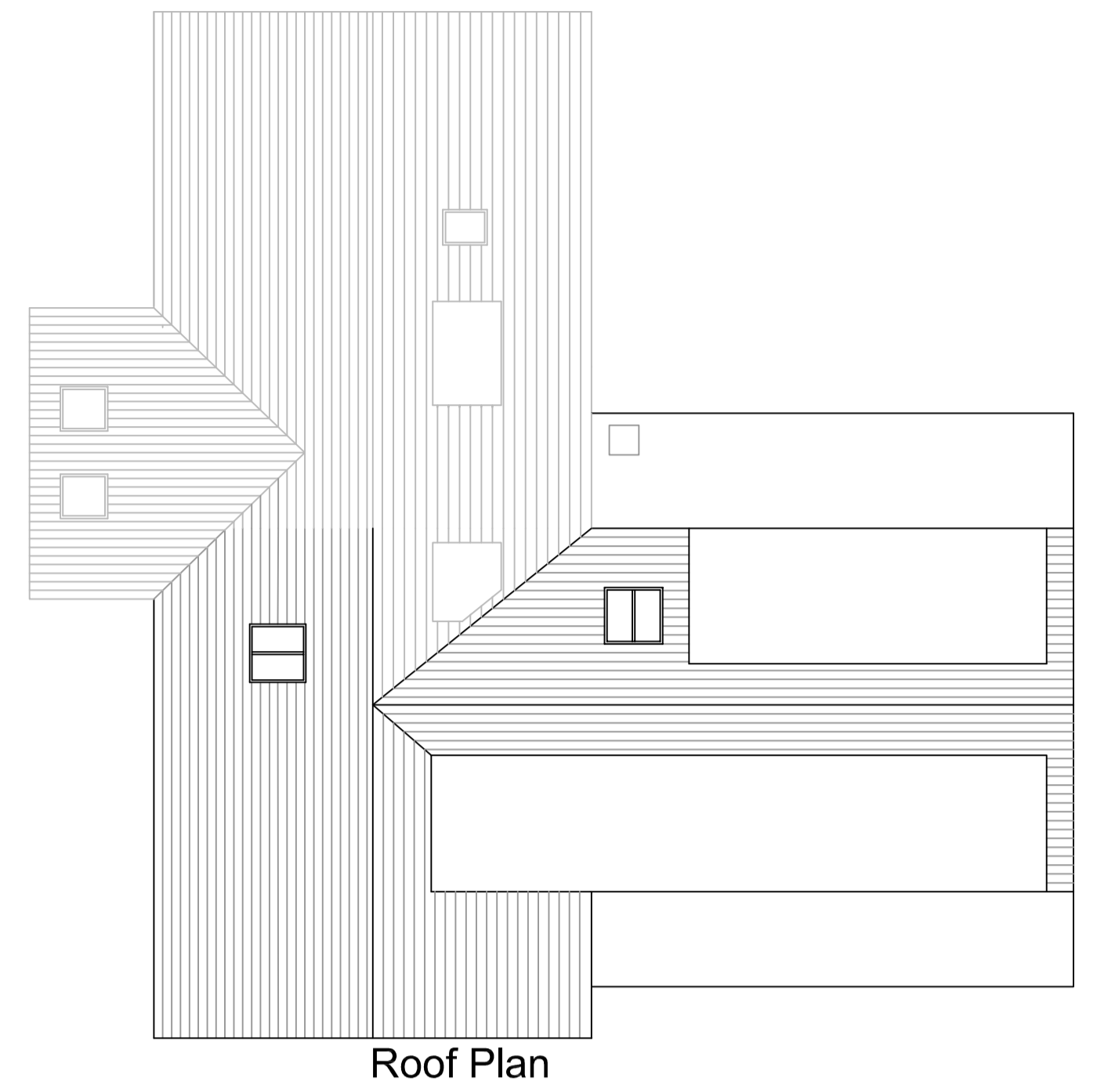


**RECEIVED**  
By Liv Rickman at 11:06 am, Jan 11, 2023

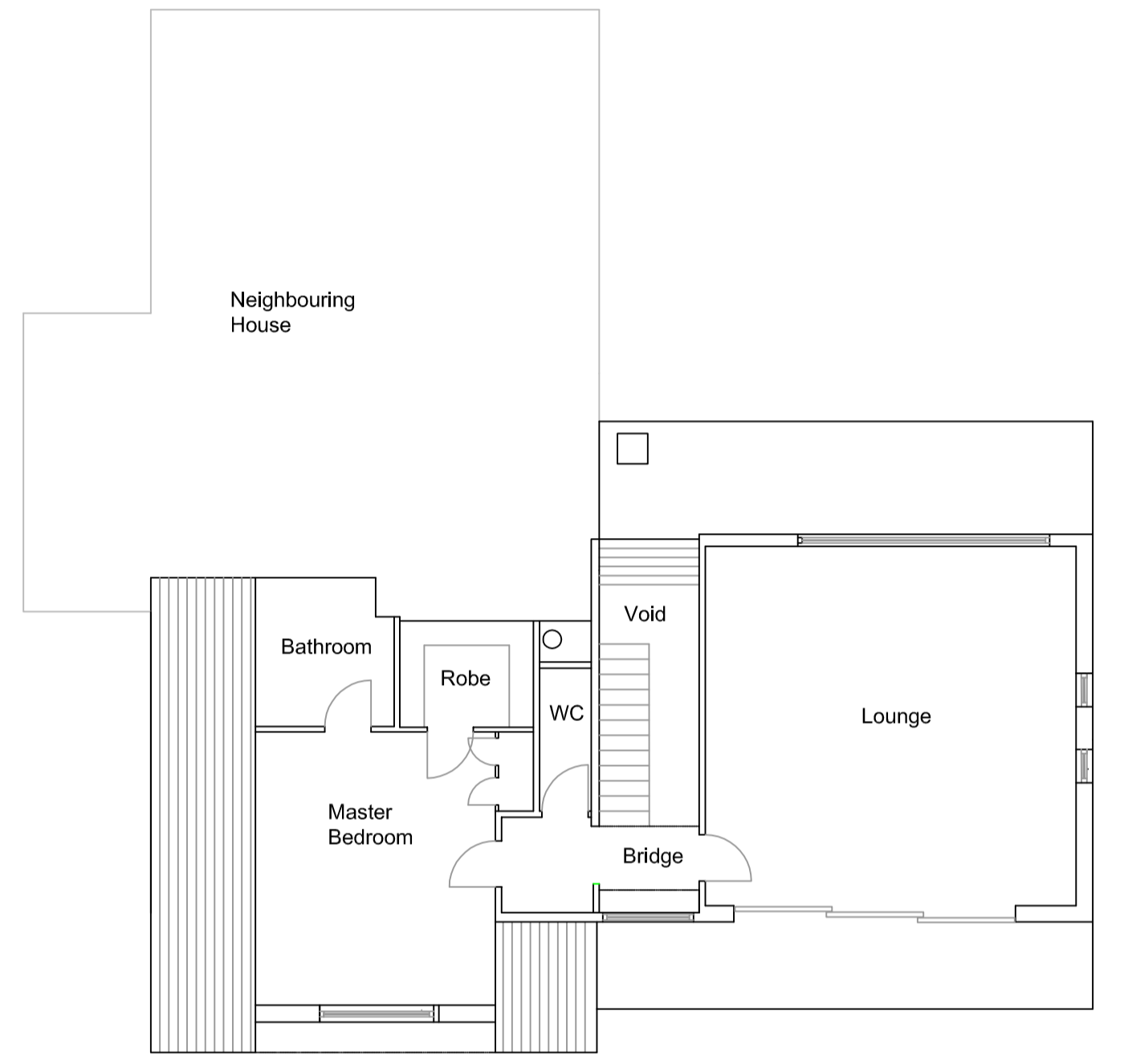
**APPROVED**  
By Lisa Walton at 5:36 pm, Mar 08, 2023

Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies are to be reported immediately.

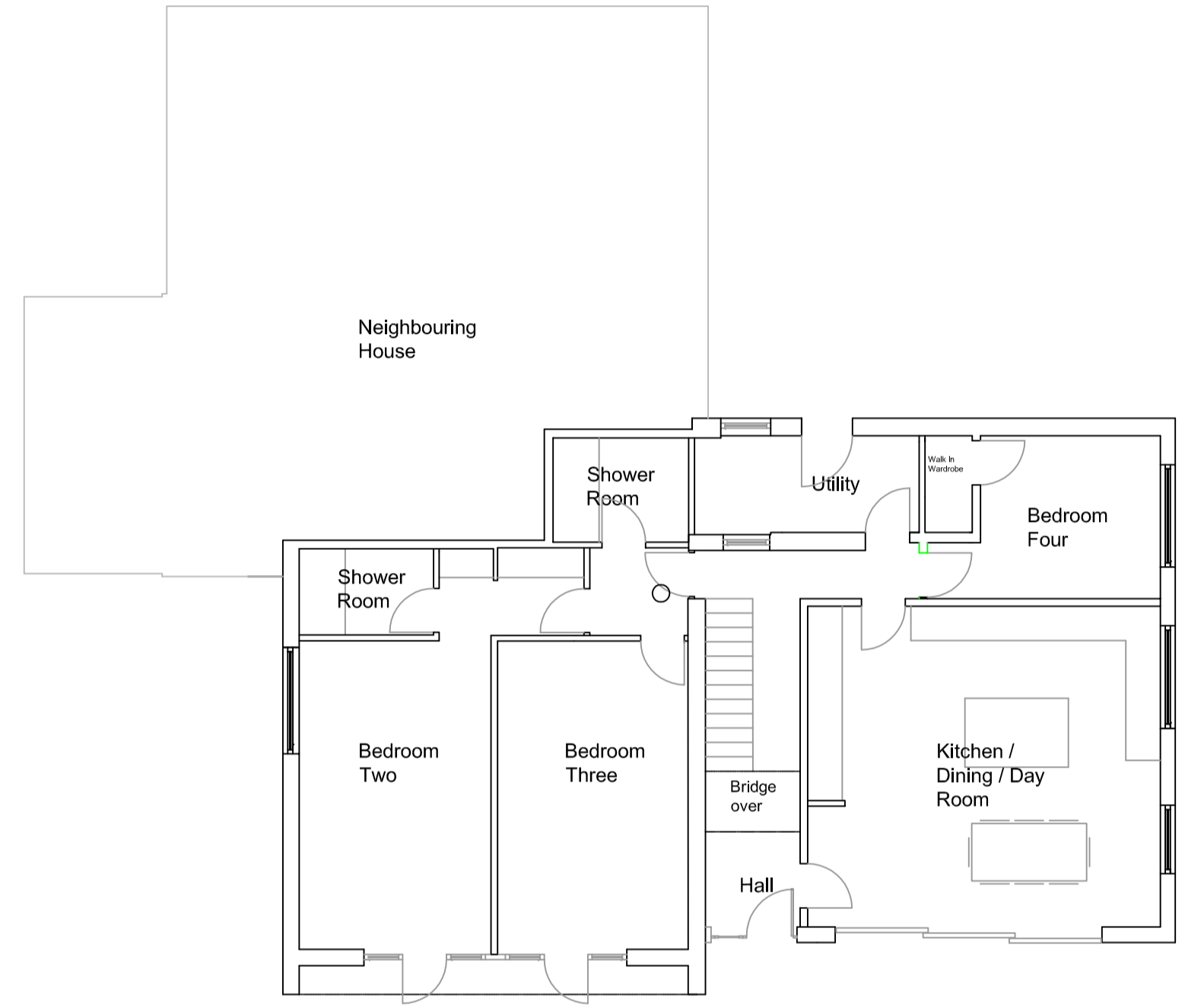
Notes:



Roof Plan



First Floor



Ground Floor



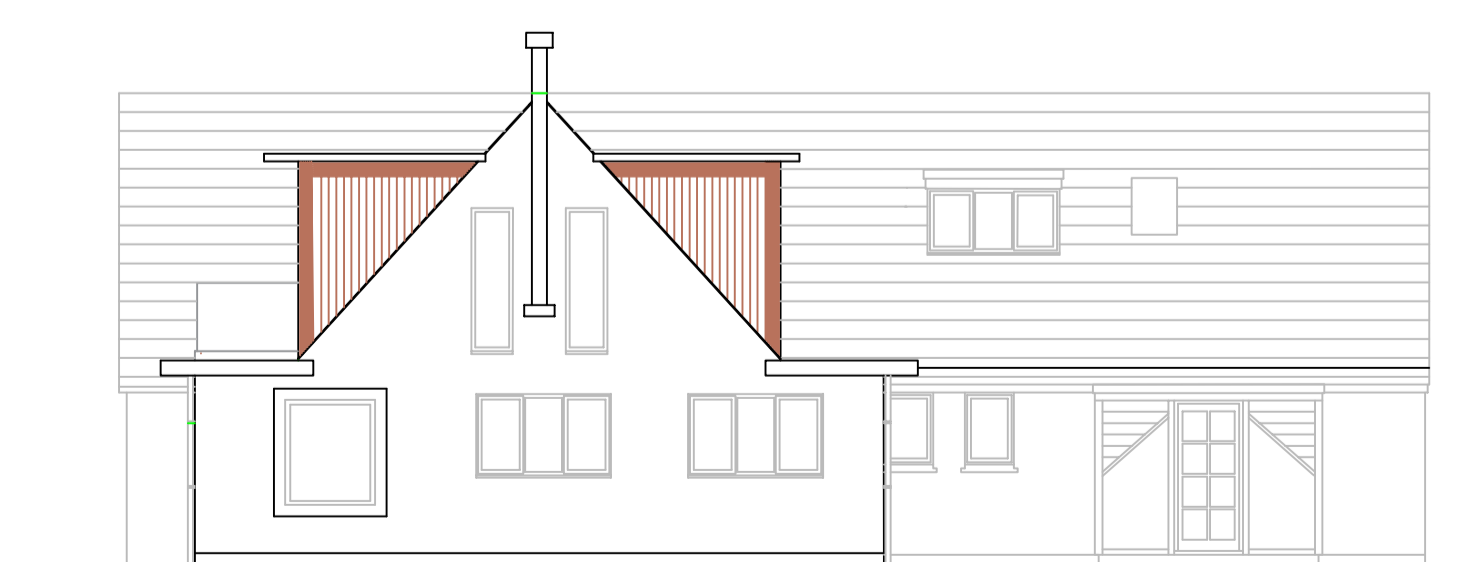
North Elevation



West Elevation



South Elevation



East Elevation

No.	Date	Revision

**Penold  
Church Road, St Marys  
Isles of Scilly**

DRAWING TITLE Demolition of existing house and construction of new dwelling Proposed Plans & Elevations

CLIENT **Mr and Mrs I. Sibley**

Dwg. No. **200/002A** File No. **1:100 @ A1**

Controlled by **IS** Designed by  
Drawn by **IS** Checked by .....

**10 Jan 2023** Office **ISLES OF SCILLY**

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island architects

**RECEIVED**

By Liv Rickman at 11:36 am, Jan 11, 2023

**APPROVED**

By Lisa Walton at 5:37 pm, Mar 08, 2023

## Sustainable Design Measures January 2023, 200/004/A

### Description of Project

Demolition and rebuilding of semi-detached two-storey dormer bungalow. The replacement dwelling will have a modest extension to the south, with re-modelled accommodation comprising: Ground Floor - Reception hall & stairwell, kitchen / day room, three bedrooms (one with en-suite shower room), separate shower room, utility room. First Floor - Lounge opening onto balcony, master bedroom with en-suite bathroom, separate wc. Overall, the finished building will be to the same design as that approved in P21/038/HH.

### Address of Property

Penold, Church Road, St Marys, Isles of Scilly TR21 0NA.

### Sustainable Design Measures Proposed

The following measures will be incorporated in the scheme:

#### Solar Thermal Water Heating

The scheme will incorporate an array of solar thermal panels on the West facing sloping roof, sized in accordance with the M&E contractor's calculations. Further details will be provided as the design progresses.

The scheme will include wet underfloor heating to allow lower flow temperatures and therefore improved efficiencies.

#### Upgraded Insulation

The replacement dwelling will be designed, subject to the constraints of the adjoining dwelling, in accordance with Part L of the Building Regulations (Conservation of fuel and power).

**RECEIVED**

By Liv Rickman at 11:37 am, Jan 11, 2023

**APPROVED**

By Lisa Walton at 5:39 pm, Mar 08, 2023

island architects

architects + surveyors

## Site Waste Management Plan January 2023

### Description of Project

Demolition and rebuilding of semi-detached two-storey dormer bungalow. The replacement dwelling will have a modest extension to the south, with re-modelled accommodation comprising: Ground Floor - Reception hall & stairwell, kitchen / day room, three bedrooms (one with en-suite shower room), separate shower room, utility room. First Floor - Lounge opening onto balcony, master bedroom with en-suite bathroom, separate wc. Overall, the finished building will be to the same design as that approved in P.....

### Address of Property

Penold, Church Road, St Marys, Isles of Scilly TR21 0NA.

### Details of where this plan will be kept on site

The latest edition of the SWMP will be stored on site and online to allow immediate access.

### Date Plan originally prepared

10<sup>th</sup> January 2023.

### Project Start Date

1<sup>st</sup> April 2023

### Anticipated Project End Date

31<sup>st</sup> December 2023

### Estimated Duration

39 weeks

### Clients

Mr Ian Sibley and Mrs Gail Sibley, Penold, Church Road, St Marys, Isles of Scilly TR21 0NA.

**Principal Contractor**

Mr Ian Sibley and Mrs Gail Sibley, Penold, Church Road, St Marys, Isles of Scilly TR21 0NA.

**Originator**

Ian Sibley MRICS, Island Architects, Porthcressa, St Marys, Isles of Scilly TR21 0JQ.

**Person responsible for delivery of the Site Waste Management Plan**

Mr Ian Sibley.

**Waste Minimisation**

The following measures have been identified to minimise the quantity of waste produced during this project:

- The site area is adequate for all arisings to be segregated on site.
- Re-useable materials will be identified on site and removed for storage, and sold to other construction projects on the islands.
- Bulk waste (concrete block etc) to be recycled at Pendrethen Quarry.
- Other materials will be removed from site for processing at either the local licenced refuse site at Moorwell, or if this facility is not available will be shipped to the mainland for onward processing at a licenced facility.

**Waste Estimates**

Estimates for waste produced will depend upon the result of a Structural Engineer's report into the suitability of the existing structure for redevelopment.

Excavation waste, if required, will comprise:

- Topsoil
- "Ram" (degraded granite)
- Granite rubble

Arisings from excavation will be re-used, where possible, within the site for landscaping.

Concrete / building block / glass waste will be removed for crushing and recycling into aggregates, and re-used as much as possible on site. Any surplus will be sold to other construction projects.

Excess building timber, where not recoverable, reuseable or recyclable, will be removed to the nearest licensed waste site for disposal.

The existing roof slates have been identified as "notifiable asbestos material". They will be removed by competent contractors and sent to the mainland for disposal at the nearest licensed site.



**APPROVED**

*By Lisa Walton at 5:42 pm, Mar 08, 2023*

**RECEIVED**

*By A King at 1:43 pm, Feb 10, 2023*

**PRELIMINARY ECOLOGICAL ASSESSMENT (PEA)  
2023 UPDATE of 2021 REPORT BS44-2021**

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**PENOLD, CHURCH STREET,  
HUGH TOWN, ST MARY'S, ISLES OF SCILLY**



*Client: Ian Sibley*

*Our reference: 23-2-2*

*Planning reference: P/23/004/FUL*

*Report date: 9<sup>th</sup> February 2023*

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

*Contact: ios.ecology@gmail.com*

# Executive Summary

## Scope of Report

A Preliminary Ecological Assessment (PEA) was produced for the property in 2021 – this document is reference BS44-2021 and should be read alongside this update report. This survey concluded that the dwelling had negligible potential for use by bats; however the proposals under consideration at the time were restricted to re-roofing works, and the report recommended an update be commissioned if works had not been completed by December 2021.

This update survey was completed on 9<sup>th</sup> February 2023 assessed the current condition of the buildings and the overall site to confirm whether the existing PEA – which included a Preliminary Roost Assessment (PRA) – is appropriate to inform the current Planning Application (P/23/004/FUL). The surveyor was Licenced Bat Worker James Faulconbridge, MRes, MCIEEM.

## Bats – Results and Findings

This updated 2023 PRA survey supports the overall conclusion of the 2021 PRA that there is **negligible potential** for use of the existing dwelling by bats.

Discreet features were identified which have the potential to support individual roosting bats on a transient basis; however these were considered low potential. The features were fully inspected with a video endoscope and no evidence of current or historic evidence was identified; therefore the residual risk of exploratory or opportunistic use by bats at the time of works can be controlled through an appropriate Precautionary Method of Works (PMW).

This judgement was reached in accordance with the survey methodologies outlined in the Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd edition.<sup>1</sup>

## Bats – Recommendations

Good practice and vigilance should be observed by the contractors undertaking the works in acknowledgement that bats are transient in their use of roosting opportunities and may explore potential locations, especially if the condition of structural features were to change. A specific PMW methodology is provided in Appendix 1.

**It should be emphasized that the 2023 PMW provided in Appendix 1 supersedes the PMW within the 2021 report.** The original, superseded 2021 PMW is not sufficient to comprehensively address residual risks identified in the updated survey.

A Planning Condition requiring compliance with the **2023 PMW outlined in Appendix 1** could be attached to a Decision Notice. If so, it is recommended that this should be compliance only – no further information would be required as the methodology outlined in the PMW is comprehensive.

The recommendation within the 2021 report to install a bat box on the new dwelling is supported and should form part of any Planning Condition related to bats.

## Other Ecological Receptors

The assessment of the Ecological Value of other aspects of the site outlined in the 2021 PEA report, including habitats and species, is confirmed without modification.

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



# APPENDIX 1

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## PRECAUTIONARY METHOD OF WORKS (PMW) WITH REGARDS TO BATS

The purpose of this Method Statement is to ensure that demolition 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 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 building and how works should proceed in these locations**. Please refer to the illustrated guide on the following pages to identify locations under discussion:

#### **Feature A (Page 6)**

##### **Gap behind fascia on south-eastern corner**

There is a gap where the uPVC fascias meet on the south-eastern corner of the flat-roof component of the property. This could potentially provide access for bats to roosting opportunities behind the fascia which runs along the southern aspect towards the main dwelling at this location.

These fascias should be unscrewed and removed carefully by hand to expose the location behind. Any void present should be carefully inspected for the potential presence of bats. The reverse of the fascia should also be checked carefully after removal before it is disposed of.

It is critical that this feature is exposed carefully such that if any bats were present, they would not be crushed or otherwise injured by the operation. Contractors should satisfy themselves that no bats are present before proceeding with works in these areas.

#### **Features B, C and D (Pages 6 & 7)**

##### **Gaps behind fascia on dormer windows and east-facing gable**

There are minor gaps where the uPVC fascias meet the wall in the on dormer windows and east-facing gable. Bats such as common pipistrelle can often be found in small crevices between the wall and fascia features. In this instance, the dimensions and depth are not considered to be optimal for roosting but a precautionary approach is essential to ensure legislative compliance.

The majority of these gaps behind fascias are sufficiently open and shallow that they can be inspected prior to the commencement of works to check for the presence of bats. A torch can be used to aid this inspection. Once contractors have completed this non-destructive visual check for bats, and confirmed absence, the features should then be carefully removed.

The fascias should be unscrewed and removed carefully by hand to expose the location behind. Any void present should be carefully inspected for the potential presence of bats. The reverse of the fascias should also be checked carefully after removal before it is disposed of.

It is critical that these features are exposed carefully such that if any bats were present, they would not be crushed or otherwise injured by the operation. Contractors should satisfy themselves that no bats are present before proceeding with works in these areas.

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.

Photograph showing the eastern aspect of the property.



**Feature A** - Gaps behind fascia on south-eastern corner of flat roof section



**Feature B** - Minor gap behind fascia on east-facing gable.



**Feature C** - Minor gap behind fascia above hanging tiles on dormer (north and south aspects)





Photograph showing the western aspect of the property.

No other potential features were noted which would require consideration under the MPW - including on the northern gable (not pictured).

**Feature D** - Minor gap behind fascia above hanging tiles on dormer (north and south aspects)



**APPROVED**

*By Lisa Walton at 5:43 pm, Mar 08, 2023*

**RECEIVED**

*By Liv Rickman at 11:01 am, Jan 11, 2023*



**Penold, Church Road, St Marys, Isles of Scilly TR21 0NA**  
**Design & Access Statement**  
**Document Number: 200/003A**

**January 2023**

**Existing Dwelling**

Penold forms part of a detached dwelling, originally built in the 1960s and later extended & sub-divided in the 1970s. The adjoining property, Broomfields, is in separate ownership. There is a section of flying freehold above part of Penold.

The existing property has little architectural merit, with poor quality finishes externally; budget uPVC fenestration, plastic shiplap cladding, asbestos slate roof and poorly formed fibreglass flat roof sections.

In previous ownership, until approximately five years ago, the property was occupied by two separate family groups, and was sub-divided internally into quasi-separate living spaces, sharing some common areas. As a consequence, the layout is incoherent, poorly planned and incompatible with occupation by a single family.

The unusual configuration of the property results in an exceptionally inefficient use of space, so whilst the total floor area is reasonable, the useable floor area is heavily restricted. There are thirteen internal doors at ground floor level alone! Approximately one third of the floor area is circulation space.

The design of the property, in particular the steep main roof with flat-roofed additions at ground floor level, creates a challenge for coherently linking the two ends of the house. The existing staircase is non-compliant under current Building Regulations, owing to insufficient head height and insufficient platform width at landing level.

Finally, the existing property is extremely poor for energy use. It rates Band "G" for Energy Performance, and is extremely draughty with poor fitting windows and doors. It has also been cavity-filled in the past to a poor standard; there are numerous areas of cold bridging and areas of extreme condensation / mould internally on the exposed East-facing gable.

Penold is, however, well located on the limits of Hugh Town, enjoying a main South-facing elevation with views across Old Town Bay, and side /rear views to Tresco, Bryher and Telegraph Hill.

**Proposals**

The guiding principles of our proposals are:

1. To enhance the appearance of the property by:
  - (a) re-defining architectural forms, and;
  - (b) utilising high quality materials.

2. To improve the energy performance of the property by:
  - (a) Increasing insulation throughout to high modern standards;
  - (b) Installing an energy-efficient heating system, with the use of solar thermal and PV panels, and;
  - (c) To carry out works to the highest standards to create an air-tight property.
3. To unlock the house's potential internally to create coherent and thoughtfully designed accommodation, maximising the enjoyment of the views and excellent natural light, whilst minimising any privacy issues with neighbouring properties.

The property has a current gross internal floor area of approximately 184 sq m. The proposed accommodation has an approximate gross internal floor area of 201 sq m, a modest increase of 9%. We understand the new Local Plan requires justification for proposed accommodation that exceeds 30% over the National Minimum Space Standards, which for a four-bedroom, two storey, eight person property is 124 sq m plus 30% = 161 sq m. We make the following observations:

- The property already exceeds this floor area in existing form. However, much of this floor area is circulation space, awkwardly arranged and lacking in utility.
- The proposed increase is modest, and defined by a desire to improve the aesthetics and function of the property.
- The increase in footprint is minimal at just 2.6 sq m.
- The full height stairwell in the proposed dwelling accounts for 19 sq m of floor area – nearly 10% of the whole.
- The enlarged first floor accommodation is essential to “unlock” the problem of creating a Building Regulations-compliant staircase and landing, and coherent circulation.
- We would respectfully suggest that no purpose would be served by restricting the floor area increase proposed for this dwelling, if the intention of the policy is to retain properties for the “Local Market”. The applicants and occupiers are a local couple, self-employed and running an essential service business. They are active in the local community. This is their home; they are part of the “Local Market” quoted in the Local Plan. Approving the application will not remove the property from the Local Market. They wish to create a high quality home they can be proud of, and continue to enjoy living and working on the islands (as they have done for the past 28 years).
- The increase has already been accepted in Planning Permission P/21/038/HH dated 17<sup>th</sup> May 2021.

### **Design Points**

We draw your attention to the following design points:

#### **1. Revised Floor Layout**

The accommodation is partly reversed, retaining a ground floor kitchen / day room but moving the lounge upstairs to take advantage of the views across Old Town Bay. The existing kitchen and lounge will become bedrooms, having easy level access for elderly parents.

#### **2. Balcony**

A modest balcony is proposed on the remaining flat roof, accessed from the lounge through fine-sightline sliding doors.



### **3. Fenestration – South Elevation**

In common with the existing dwelling, this elevation will utilise larger glazed areas to maximise natural daylight and enjoyment of the views across Old Town Bay.

### **4. Projecting gable on South Elevation**

The original South-facing gable was lost when the single-storey flat roof extension was added in the 1970s. It is therefore proposed to demolish approximately half this extension (West section) and replace with a two-storey gable, thus reinstating the original building form. By projecting by 900mm this architectural form will be reinforced; however, the net gain in accommodation is modest, because 500mm of this projection will take the form of an overhanging roof to provide shade to the South-facing rooms within.

### **5. Fenestration – North Elevation**

Penold shares an access drive and parking area with the adjoining house, Broomfields. This is the only elevation where there are privacy issues, with an existing first floor bedroom looking down onto Broomfields' entrance porch and across into a bedroom. We therefore propose replacing this with a single high-level slot window, which will remove any overlooking (to the mutual benefit of both properties) whilst still allowing the late afternoon and evening light to illuminate the lounge.

### **6. Fenestration – East Elevation**

A projecting box window in the kitchen / day room will frame the view down the garden, and provide a window seat.

Two full height vertical slot windows either side of a multifuel stove in the lounge will replace the existing large window which is unsightly and out of proportion within the steep gable.

### **7. Enlarged Dormer Roofs**

Extending the South facing dormer roof West towards the gable “unlocks” the problem of a Building Regulations-compliant staircase and landing, and will feature a bridge linking the lounge and master bedroom, with views out across Old Town Bay.

The North facing dormer roof, whilst wider than existing, is shifted further away from the adjoining house, thus improving privacy.

Allowance has been made for sufficient ceiling depths to accommodate the insulation thicknesses necessary to ensure the completed dwelling is thermally highly efficient.

The enlarged dormer roofs will be used for the installation of PV panels, with a modest integral solar thermal array positioned on the West facing sloping roof.

### **8. Quality Materials**

The palette of materials used will be high quality and suitable for the environment, and will include:

Natural slate

Dressed lead

Canadian Red Cedar or Siberian Larch cladding

High “R” value wood / aluminium fenestration



## Demolition

Planning permission to substantially alter and extend the existing dwelling was approved on 17<sup>th</sup> May 2021 under Planning Permission P/21/038/HH dated 17<sup>th</sup> May 2021.

MBA Truro, Structural Engineers, have provided advice on structural matters, and it is apparent that to create the dwelling approved already approved the amount of the existing structure requiring demolition is substantial. This would involve:

- Removal of the existing roof structure (save that small section covering the “flying freehold” of the neighbouring property);
- Removal of half of the existing flat roof section at the front (South) of the property;
- Removal of all flat roofs
- Removal of the first floor joists and existing RSJs
- Removal of the south facing gable entirely
- Removal of the spine wall between bedrooms 1 & 2;
- Removal of the chimney
- Removal of the wall between the stairwell and kitchen / dining room
- Removal of the wall below window level in the kitchen / dining room to allow patio doors;
- Removal of several walls at the back of the kitchen dining room to create open-plan space;
- Removal of the first floor East-facing gable wall to allow new fenestration;
- Other alterations including new openings in existing walls, etc

We have therefore concluded that it would be beneficial to demolish those remaining elements to ground floor slab level, and rebuild a new dwelling to the same design as that already approved. The advantages are:

- Improved Health & Safety associated with the temporary propping of existing walls.
- Improved thermal efficiency of the finished dwelling (compared with the refurbished/extended option).
- Workplace / cost efficiencies associated with re-building walls compared with adapting them to the new design.
- Letter from MBA, dated 10<sup>th</sup> January 2023, is attached to the application.