



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

COUNCIL OF THE ISLES OF SCILLY

Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD
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/24/028/FUL	Date Application Registered:	15 May 2024
Applicant:	Mr Simon Jones LiveWest 1 Wellington Way, Skypark, Exeter, Devon, EX5 2FZ	Agent:	Mr Paul Marino Dunn Marino Associates St Andrews, 35 Alphington Road, Exeter, Devon, EX2 8HP

Site address: Ex-Secondary School Site Carn Thomas Hugh Town St Mary's Isles of Scilly
Proposal: Construction of 27 new homes including landscaping, surface water management, renewable energy, on-site road access and footpaths, vehicle parking, refuse and cycle provision, provision of public open space and single point of vehicular access off Telegraph Road (Major Development)

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 as set out at the bottom of this decision notice. 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).

PRE-COMMENCEMENT CONDITION: Submission of Construction Environmental and Ecological Management Plan

- C3** No development shall take place, including any demolition or transportation of materials to the site until a Construction Environmental and Ecological Management Plan has been submitted to and approved in writing by the local planning authority. Thereafter the approved plan shall be implemented and adhered to in full throughout the entire construction period. The CEEMP shall incorporate:
- A programme and timetable for implementation of works;
 - The anticipated number, frequency and types of vehicles used during construction, including routing and parking;

- iii. The erection and maintenance of security hoarding;
- iv. The loading, unloading and storage of plant, materials and waste;
- v. A site set-up plan;
- vi. The storage of excavated spoil;
- vii. No burning of construction materials on site;
- viii. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway;
- ix. A pre-commencement survey for nesting birds;
- x. Measures to protect any retained habitats including boundaries and other onsite features;
- xi. Measures to protect nesting birds and other wildlife;
- xii. Measures to protect retained trees;
- xiii. Measures to minimise ecological impacts both onsite and offsite, given the proximity of internationally designated sites;
- xiv. An Invasive Plant Method Statement to address the risk of spreading invasive non-native species;
- xv. Persons responsible for implementing the works;
- xvi. Measures to manage flood risk and control/minimise the emission of dust, dirt vibration, light and air pollution and odour during demolition/construction;
- xvii. No construction plant and/or machinery shall be operated on the premises, as part of the implementation of this permission, 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.
- xviii. Details of public engagement both prior to and during the construction works.

The works shall be carried out in accordance with the approved details. On completion of the development any contractors' compound(s), 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: To protect amenity, highway safety, habitats and species identified in the ecological surveys from adverse impacts during construction in accordance with Policies SS2, SS7 and OE2 of the Isles of Scilly Local Plan 2015-2030 and to avoid an offence under the Wildlife and Countryside Act 1981, as amended and The Conservation of Habitats and Species Regulations 2017, as amended. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any works.

C4 Works shall be carried out in strict accordance with the mitigation measures set out at section 6.0 of the approved Ecological Impact Assessment (Plan for Ecology, Apr 2024.)

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction in accordance with policy OE2 of the Isles of Scilly Local Plan 2015-2030 and to avoid an offence under the Wildlife and Countryside Act 1981, as amended and The Conservation of Habitats and Species Regulations 2017, as amended.

PRE-COMMENCEMENT CONDITION: Submission of Ecological Design Strategy

C5 Prior to the commencement of the development hereby permitted, an Ecological Design Strategy (EDS) shall be submitted to and approved in writing by the local planning authority. The EDS shall include the protection of retained habitats, habitat creation and the enhancement measures set out at section 6.4 of the Ecological Impact Assessment (Plan for Ecology, Apr 2024) having regard to the completed Biodiversity Metric. These shall include but not be limited to the installation (within the fabric of the buildings where feasible) of:

- i. 1FR & 2FR Schwegler bat tubes, Green and Blue Bat Blocks or 1FF Schwegler bat boxes;
- ii. Installation of Green and Blue Ltd Bird Block, 1SP Schwegler sparrow terrace, WoodStone swift nest box, and 1MR Schwegler Avianex bird bricks and boxes;
- iii. Bee Bricks and bee posts;
- iv. Piles of deadwood and stones for invertebrates, amphibians, hedgehog and non-vascular plants.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that any adverse environmental impacts of development activities can be

mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, Policy OE2 of the Isles of Scilly Local Plan 2015-2030, and the NPPF. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

PRIOR TO SLAB LEVEL CONDITION: Details of materials and finishes

C6 Notwithstanding the approved materials plans, prior to any development above slab level a detailed schedule of materials and finishes and, where so required by the Local Planning Authority, samples and sample panels of such materials and finishes, (to include but not be limited to RAL render colours, doors, pipework, flues, roof tiles, hung slates and rainwater goods,) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be provided in full accordance with the approved details.

Reason: In the interests of conserving landscape character and preserving the character of the conservation area and heritage coast, in accordance with Policy OE1 of the Isles of Scilly Local Plan 2015-2030 and the Isles of Scilly Design Guide SPD (2007.)

PRIOR TO SLAB LEVEL CONDITION: Details of Green Roofs

C7 Prior to any development above slab level of the development hereby permitted, details of the green roofs shall be submitted to and approved in writing by the Local Planning Authority. The details shall include loading requirements and evidence as to how their contribution to on-site biodiversity net gain, as set out in the submitted Defra metric, will be achieved. Thereafter the roofs shall be constructed prior to first occupation in accordance with the approved details and shall be retained and maintained as agreed thereafter.

Reason: To ensure that the measures considered necessary to compensate for the loss of habitats and deliver appropriate amenity benefits, sustainable drainage solutions and habitat net gain in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, policy OE2 of the Isles of Scilly Local Plan 2015-2030, and the NPPF.

PRE-FIRST OCCUPATION CONDITION: Submission of Landscape Management Plan

C8 Prior to the first occupation of the development hereby permitted a Landscape Management Plan covering areas of shared public space, access roads, pathways landscaping, and green roofs shall be submitted to and approved in writing by the Local Planning Authority. The Landscape management plan shall include long term objectives for biodiversity and wildlife, management responsibilities and maintenance schedules for all landscape areas, other than small privately/part privately owned domestic gardens and areas specifically set aside for statutory Biodiversity Net Gain purposes (which may be managed separately.) The landscape management plan shall thereafter be implemented in full as approved.

Reason: To secure the long-term maintenance of the landscaping scheme, which will contribute to the setting of the development and the surrounding character and appearance of the area in accordance with Policy OE1 of the Isles of Scilly Local Plan (2015-2030) and the Isles of Scilly Design Guide SPD (2007.)

PRE-COMMENCEMENT CONDITION: Submission of site clearance and disposal plan

C9 No development shall take place, including any demolition or clearance works, other than the archaeological fieldwork specified at section 8.2 of the approved Written Scheme of Investigation (Jones, Feb 2023,) until a scheme for recycling/disposing of all waste resulting from demolition and construction works has submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme.

Reason: 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. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any works.

C10 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning

Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in accordance with Policy SS6 of the Isles of Scilly Local Plan 2015-2030 and the NPPF 2023.

PRE-COMMENCEMENT CONDITION: Submission of Archaeological Monitoring

- C11 A) No development shall take place until a programme of archaeological recording work including a Written Scheme of Investigation (WSI) has been submitted to and approved by the local planning authority in writing. The WSI shall include an assessment of significance and research questions, and:**
- i. The programme and methodology of site investigation and recording.**
 - ii. The programme for post investigation assessment.**
 - iii. Provision to be made for analysis of the site investigation and recording.**
 - iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation.**
 - v. Provision to be made for archive deposition of the analysis and records of the site investigation.**
 - vi. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation**
- B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).**
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.**
- D) The archaeological recording condition will only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed, and a final report has been submitted to, and approved by, the Local Planning Authority.**

Reason: To ensure that a programme and methodology of site investigation and recording of archaeological features is undertaken before physical works commence on site. This is in accordance with the provisions of the NPPF (2023) Chapter 16, paragraph 211 and Policy OE7 of the Isles of Scilly Local Plan 2015-2030.

PRE-COMMENCEMENT CONDITION: Submission of Proposed Surface Water Drainage

- C12 No development shall take place until details of the proposed surface water drainage and means of disposal, including on and/or off-site works, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:**
- i. Detailed design drawings and updated hydraulic modelling of all components of the proposed drainage system;**
 - ii. Information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely during worst case storm and rainfall events, including details of volume and flow rates from the site via TP1.006, T2.001 and the outfall(s);**
 - iii. Infiltration testing in accordance with BRE 365 to demonstrate viability for the French drains;**
 - iv. All approvals and permissions from the landowners and Statutory Authorities to construct the outfall and additional gullies / works within Telegraph Road and off site as per the drawing 21185-200P3.pdf.**

No dwelling shall be occupied until the necessary on and off-site drainage works have been carried out in accordance with the submitted details.

The scheme shall subsequently be implemented in full accordance with the approved designs and retained thereafter.

Reason: To ensure satisfactory provision of surface water drainage and ensure surface water runoff from the development is managed safely whilst achieving maximum water quality, amenity and biodiversity benefits, in accordance with SS2 2) k) of the Isles of Scilly Local Plan (2015-2030) and the NPPF.

PRIOR TO SLAB LEVEL CONDITION: Submission of Surface Water Drainage Report

- C13 Prior to any development above slab level, a maintenance and management plan for the**

entire surface water drainage system shall be submitted to and approved in writing the Local Planning Authority to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall:

- i. Clearly state who will be responsible for managing all aspects of the surface water drainage system both on and off-site, including piped drains and gullies/outfalls, and evidence that the appropriate authority is satisfied with the submitted details;
- ii. Evidence that the responsibility arrangements will remain in place throughout the lifetime of the development.

All works shall be undertaken in full accordance with the agreed details and implemented throughout the lifetime of the development.

Reason: To ensure satisfactory provision of surface water drainage and ensure surface water runoff from the development is managed safely in accordance with SS2 2) k) of the Isles of Scilly Local Plan (2015-2030) and the NPPF.

PRIOR TO SLAB LEVEL CONDITION: Submission of Communal Refuse Store Management

C14 Prior to any development above slab level, an operational maintenance and management strategy for communal refuse stores and the management and collection of waste and recycling materials shall be submitted to and approved in writing the Local Planning Authority. The strategy shall clearly state who will be responsible for managing all aspects of the refuse storage areas, and how occupants should manage their household waste.

Reason: 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.

PRIOR TO SLAB LEVEL CONDITION: Submission of Sustainable Construction Report

C15 Prior to any development above slab level, a design stage Sustainable Construction Report shall be submitted to and agreed in writing by the local Planning Authority. The report shall include details of:

- i. Details of the Modern Method of Construction to be utilised and design stage SAP data;
- ii. A design stage BRE water calculator demonstrating a predicted mains water use below 110 litres per person per day;
- iii. Details (including specification and location) of air source heat pumps;
- iv. Extent and location of pv panels, including the ground based solar array, and details of how these will serve the development in terms of lowering operational carbon emissions.

Thereafter the development shall be carried out and operated in full accordance with the approved details.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change, in accordance with Policy SS1 of the Isles of Scilly Local Plan 2015-2030.

PRIOR TO SLAB LEVEL CONDITION: Details of External Lighting

C16 Prior to any development above slab level, a scheme of external lighting designed to reduce harmful light spill and minimise impacts on wildlife shall be submitted to and approved in writing by the Local Planning Authority. This shall include luminaire specification, mitigation of upwards light spill and details of timers or PIR sensors to avoid lighting being left on all night. The lighting shall thereafter be installed, maintained and operated in full accordance with the approved details.

Reason: In the interests of amenity and to protect the Isles of Scilly Dark Skies and wildlife in accordance with OE4 and OE9 of the Isles of Scilly Local Plan 2015-2030.

PRE-FIRST OCCUPATION CONDITION: Details of EV Charge Points

C17 Prior to the first occupation of the development hereby permitted, details of EV charge points with minimum power rating output of 7kW and universal sockets for all car parking spaces shall be submitted to and approved in writing by the Local Planning Authority, which shall be installed within 6 months following approval. Thereafter the development shall be carried out in full accordance with the approved details.

Reason: To meet the objectives of sustainable development in accordance with Policy SS10 1) c) of the Isles of Scilly Local Plan 2015-2030.

PRE-FIRST OCCUPATION CONDITION: Implementation of cycle and car parking

C18 Prior to the first occupation of the development hereby permitted, the car and cycle parking shall be constructed in full accordance with the approved plans. The car parking (at least 2.5m x 4.8m), cycle parking and vehicle turning shall thereafter be retained at all times for their designated purpose and shall not be obstructed.

Reason: To provide adequate car-parking space for the use and ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

PRE-FIRST OCCUPATION CONDITION: Submission of Sustainable Travel Plan

C19 Prior to the first occupation of the development hereby permitted, a Sustainable Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall set out how the development will minimise the use of private vehicles by encouraging and/or incentivising sustainable transport measures (walking and cycling) in accordance with the requirements of Policy SS10 and the active travel aims of the Isle of Scilly Local Cycling & Walking Infrastructure Plan. The approved Travel Plan shall be implemented prior to first occupation of each of the 27 homes. The landowner shall thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority as required.

Reason: In order that the development should not prejudice highway safety and to meet the objectives of sustainable development in accordance with Policy SS10 1) c) of the Isles of Scilly Local Plan 2015-2030.

C20 The operational noise rating level (L_{Ar,Tr}) of plant and machinery within the build, including Air Source Heat Pumps, shall be at least 5dB below the background noise level (L_{A90,T}) at the nearest residential façade, outside the development boundary, when operating at its maximum setting.

Reason: To protect the amenity of the locality and occupants of the development.

STATUTORY CONDITION

C21 The Biodiversity Gain Plan shall be prepared in accordance with the approved Ecological Impact Assessment (Plan for Ecology, April 2024) Biodiversity Net Gain Design Stage Report (Plan for Ecology, April 2024) and submitted Biodiversity Net Gain Metric.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and Policy OE2 of the Isles of Scilly Local Plan 2015-2030.

PRE-COMMENCEMENT CONDITION: Submission of Habitat Management and Monitoring Plan

C22 Prior to the commencement of the development hereby permitted, and in addition to (or as part of) the statutory Biodiversity Gain Plan, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall accord with the Biodiversity Gain Plan and include:

- i. A non-technical summary
- ii. The roles and responsibilities of the people or organisations delivering the HMMP;
- iii. The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- iv. The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the first occupation of the development;
- v. The monitoring methodology in respect of the created or enhanced habitat at years 2, 5, 10, 15, 20, 25 and 30;
- vi. Provision for the identification, agreement and implementation of contingencies and/or remedial actions where the results from monitoring show that the conservation aims and objectives of the HMMP are not being met.

The created and/or enhanced habitat specified in the approved HMMP shall thereafter be managed and maintained in accordance with the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and Policy OE2 of the Isles of Scilly Local Plan 2015-2030.

STATUTORY CONDITION

C23 Prior to the first occupation of the development hereby permitted, a completion report, evidencing the completed habitat enhancements set out in the approved Habitat Management and Monitoring Plan, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and Policy OE2 of the Isles of Scilly Local Plan 2015-2030.

STATUTORY CONDITION

C24 Habitat monitoring reports shall be submitted to and approved in writing by the Local Planning Authority in accordance with the methodology and frequency specified in the approved Habitat Management and Monitoring Plan i.e. years 2, 5, 10, 15, 20, 25 and 30. The reports shall include (where the results from monitoring show that conservation aims and objectives of the HMMP are not being met) any contingencies and/or remedial action for agreement. Any agreed contingencies or remedial action shall thereafter be implemented in accordance with the approved details.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and Policy OE2 of the Isles of Scilly Local Plan 2015-2030.

Approved Plans and Documents

- Location Plan, Planning Portal Reference: PP-12901301v1 date Stamped 04/04/2024
- Site Layout Plan 21024/SP01 REV H
- Site Sections A-A & B-B 21024/SS01 REV B
- Site Sections C-C & D-D 21024/SS02 REV B
- Site Sections E-E & F-F 21024/SS02 REV A
- Bin Store, ASHP and Water Butt Locations, drawing number 21024/RP01, Dated April 2024
- Cycle Store Details 21024/CS01 REV B2
- Lower Ground Level Plans 21024/SP02 REV A
- Upper Ground Level Plans 21024/SP03 REV A
- First Floor Level Plans 21024/SP04 REV A
- Roof Level and First Floor Plans 21024/SP05 REV A
- Green Infrastructure Plan 21024/GI01 REV A
- Housing Typology Plan 21024/HTP01 REV H
- Material Plan - Lower Ground Floor 21024/MP01 REV A
- Material Plan - Upper Ground Floor 21024/MP02 REV A
- Material Plan - First Floor and Ground Floor 21024/MP05 REV A
- Material Plan - Roof Level and First Floor 21024/MP04 REV A
- Material Plan - Roof Level and First Floor 21024/MP05 REV A
- Material Plan - First Floor and Ground Floor 21024/MP03 REV A
- Building Storey Heights 21024/BSH01 REV A
- Building Typologies Plan 21024/BT01 REV A
- External Works 21024/EW01 REV H
- Type D Split Level House Plans 21024/HTD01 REV I
- Type D Split Level House Elevations 21024/HTD02 REV I
- Type E Flats Plans 21024/HTE01 REV I
- Type E Flats Elevations 21024/HTE02 REV I
- Type F Flats Plans 21024/HTF01 REV I
- Type F Flats Elevations 21024/HTF02 REV I
- Type A, B, C Internal Site (North) Elevation 21024/HTABC10 REV K
- Type A, B, C Parking Lot (East and West) Elevations 21024/HTABC11 REV K
- Type A, B, C Telegraph Road and Internal Site Elevations 21024/HTABC08 REV K
- Type A, B, C Type C V1&2 Upper Ground Floor Plans 21024/HTABC03 REV K
- Type A, B, C Type C V3 Upper Ground Floor Plan 21024/HTABC04 REV K
- Type A, B, C Type C V1&2 First Floor Plans 21024/HTABC05 REV K
- Type A, B, C Type C V3 First Floor and Roof Plan 21024/HTABC06 REV K
- Type A, B, C Type C V1&2 Roof Plans 21024/HTABC07 REV K
- Type A, B, C Type A V1 & B Lower Ground Floor Plans 21024/HTABC01 REV K
- Type A, B, C Type A V2 Lower Ground Floor Plan 21024/HTABC02 REV K
- Type A, B, C Telegraph Road (North) Elevation 21024/HTABC09 REV K
- Type A, B, C Internal Site (North) Elevation 21024/HTABC13 REV K
- Type A, B, C Telegraph Road (North) Elevation 21024/HTABC12 REV K
- Refuse Stores Plan 21024/RS01 REV A
- Refuse Store Details 21024/RS02 REV A
- Clothes Drying Areas Plans 21024/CSA01 REV A

- **Proposed Drainage Layout 21185 200 REV P3**
- **Landscape Strategy Plan 2225-01 REV P3**
- **Planting Plan 2225-01 REV P2**
- **External Lighting Plan 51893/PJ/B**
- **Fire Appliance Access Plan 21014/FAAP REV A**
- **Ecological Impact Assessment (Plan for Ecology, Apr 2024)**
- **Biodiversity Net Gain Design Stage Report (Plan for Ecology, April 2024)**
- **Noise Impact Assessment, Kirkham Board Ltd, Date Stamped 22/08/2024**

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 creative way, in accordance with paragraph 39 of the National Planning Policy Framework 2024.
2. 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. 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
3. 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 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
4. It should be noted that some of the conditions attached to this consent are required to be complied with prior to the commencement of the development hereby approved, if those conditions are not fully adhered to, then the consent cannot lawfully be implemented, therefore a new application will be requested and consideration will be given to the expedience of enforcement action.
5. Connection to the sewerage system will be subject to the agreement of South West Water in respect of both the timing and point of connection: Developer Services Planning developerservicesplanning@southwestwater.co.uk
6. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
7. The applicant is advised that any dropped or tactile kerbs or pedestrian crossing points that may be required within the public highway would need to be progressed with the Council as the Highway Authority under a Section 278 or similar agreement. Please contact the Environment Team at environment@scilly.gov.uk
8. 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.
9. 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.
10. Based on the information available, this permission will require the approval of a Biodiversity Gain Plan by the local planning authority before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.
The effect of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission granted for the development is deemed to have been granted subject to the condition ("the biodiversity condition") that development may not begin unless: i) A Biodiversity Gain Plan has been submitted to the planning authority, and ii) The planning authority has approved the plan. The planning authority is the Council of the Isles of Scilly. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found in the legislation.
11. The Biodiversity Gain Plan must relate to development for which planning permission is granted, and specify the following matters:
 - i. Information about the steps taken or to be taken to minimise the adverse effect of the development on biodiversity,
 - ii. The pre-development biodiversity value of the onsite habitat,
 - iii. The post-development biodiversity value of the onsite habitat,
 - iv. Any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development,
 - v. Any biodiversity credits purchased for the development.
 Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

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: 25 March 2025



COUNCIL OF THE ISLES OF SCILLY

Planning Department
Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD
☎0300 1234 105
✉planning@scilly.gov.uk

Dear Mr Simon Jones

Please sign and complete this certificate.

This is to certify that decision notice: P/24/028/FUL and the accompanying conditions have been read and understood by the applicant: Mr Simon Jones.

1. **I/we intend to commence the development as approved:** Construction of 27 new homes including landscaping, surface water management, renewable energy, on-site road access and footpaths, vehicle parking, refuse and cycle provision, provision of public open space and single point of vehicular access off Telegraph Road (Major Development) at: Ex-Secondary School Site Carn Thomas 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)

- C3 No development shall take place, including any demolition, clearance works or transportation of materials to the site until a Construction Environmental and Ecological Management Plan has been submitted to and approved in writing by the local planning authority. Thereafter the approved plan shall be implemented and adhered to in full throughout the entire construction period. The CEEMP shall incorporate:
- i. A programme and timetable for implementation of works;
 - ii. The anticipated number, frequency and types of vehicles used during construction, including routing and parking;
 - iii. The erection and maintenance of security hoarding;
 - iv. The loading, unloading and storage of plant, materials and waste;
 - v. A site set-up plan;
 - vi. The storage of excavated spoil;
 - vii. No burning of construction materials on site;
 - viii. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway;
 - ix. A pre-commencement survey for nesting birds;
 - x. Measures to protect any retained habitats including boundaries and other onsite features;
 - xi. Measures to protect nesting birds and other wildlife;
 - xii. Measures to protect retained trees;
 - xiii. Measures to minimise ecological impacts both onsite and offsite, given the proximity of internationally designated sites;
 - xiv. An Invasive Plant Method Statement to address the risk of spreading invasive non-native species;
 - xv. Persons responsible for implementing the works;
 - xvi. Measures to manage flood risk and control/minimise the emission of dust, dirt vibration, light and air pollution and odour during demolition/construction;
 - xvii. No construction plant and/or machinery shall be operated on the premises, as part of the implementation of this permission, 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.
 - xviii. Details of public engagement both prior to and during the construction works.
- The works shall be carried out in accordance with the approved details. On completion of the development any contractors' compound(s), 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.
- C5 Prior to the commencement of the development hereby permitted, an Ecological Design Strategy (EDS) shall be submitted to and approved in writing by the local planning authority. The EDS shall include the protection of retained habitats, habitat creation and the enhancement measures set out at section 6.4 of the Ecological Impact Assessment (Plan for Ecology, Apr 2024) having regard to the completed Biodiversity Metric. These shall include but not be limited to the installation (within the fabric of the buildings where feasible) of:
- i. 1FR & 2FR Schwegler bat tubes, Green and Blue Bat Blocks or 1FF Schwegler bat boxes;
 - ii. Installation of Green and Blue Ltd Bird Block, 1SP Schwegler sparrow terrace, WoodStone swift nest box, and 1MR Schwegler Avianex bird bricks and boxes;
 - iii. Bee Bricks and bee posts;
 - iv. Piles of deadwood and stones for invertebrates, amphibians, hedgehog and non-vascular plants.
- The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.
- C9 No development shall take place, including any demolition or clearance works, other than the archaeological fieldwork specified at section 8.2 of the approved Written Scheme of Investigation (Jones, Feb 2023,) until a scheme for recycling/disposing of all waste resulting from demolition and construction works has submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme.
- C11 A) No development shall take place until a programme of archaeological recording work including a Written Scheme of Investigation (WSI) has been submitted to and approved by the local planning authority in writing. The WSI shall include an assessment of significance and research questions, and:
- i. The programme and methodology of site investigation and recording.
 - ii. The programme for post investigation assessment.
 - iii. Provision to be made for analysis of the site investigation and recording.
 - iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - v. Provision to be made for archive deposition of the analysis and records of the site investigation.
 - vi. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

D) The archaeological recording condition will only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed, and a final report has been submitted to, and approved by, the Local Planning Authority.

- C12 No development shall take place until details of the proposed surface water drainage and means of disposal, including on and/or off-site works, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- i. Detailed design drawings and updated hydraulic modelling of all components of the proposed drainage system;
 - ii. Information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely during worst case storm and rainfall events, including details of volume and flow rates from the site via TP1.006, T2.001 and the outfall(s);
 - iii. Infiltration testing in accordance with BRE 365 to demonstrate viability for the French drains;
 - iv. All approvals and permissions from the landowners and Statutory Authorities to construct the outfall and additional gullies / works within Telegraph Road and off site as per the drawing 21185-200P3.pdf.

No dwelling shall be occupied until the necessary on and off-site drainage works have been carried out in accordance with the submitted details.

The scheme shall subsequently be implemented in full accordance with the approved designs and retained thereafter.

- C22 Prior to the commencement of the development hereby permitted, and in addition to (or as part of) the statutory Biodiversity Gain Plan, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall accord with the Biodiversity Gain Plan and include:
- i. A non-technical summary
 - ii. The roles and responsibilities of the people or organisations delivering the HMMP;
 - iii. The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - iv. The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the first occupation of the development;
 - v. The monitoring methodology in respect of the created or enhanced habitat at years 2, 5, 10, 15, 20, 25 and 30;
 - vi. Provision for the identification, agreement and implementation of contingencies and/or remedial actions where the results from monitoring show that the conservation aims and objectives of the HMMP are not being met.

The created and/or enhanced habitat specified in the approved HMMP shall thereafter be managed and maintained in accordance with the approved HMMP.

PRIOR TO SLAB LEVEL CONDITION(S)

- C6 Notwithstanding the approved materials plans, prior to any development above slab level a detailed schedule of materials and finishes and, where so required by the Local Planning Authority, samples and sample panels of such materials and finishes, (to include but not be limited to RAL render colours, doors, pipework, flues, roof tiles, hung slates and rainwater goods,) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be provided in full accordance with the approved details.
- C7 Prior to any development above slab level of the development hereby permitted, details of the green roofs shall be submitted to and approved in writing by the Local Planning Authority. The details shall include loading requirements and evidence as to how their contribution to on-site biodiversity net gain, as set out in the submitted Defra metric, will be achieved. Thereafter the roofs shall be constructed prior to first occupation in accordance with the approved details and shall be retained and maintained as agreed thereafter.
- C13 Prior to any development above slab level, a maintenance and management plan for the entire surface water drainage system shall be submitted to and approved in writing the Local Planning Authority to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall:
- i. Clearly state who will be responsible for managing all aspects of the surface water drainage system both on and off-site, including piped drains and gullies/outfalls, and evidence that the appropriate authority is satisfied with the submitted details;
 - ii. Evidence that the responsibility arrangements will remain in place throughout the lifetime of the

development.

All works shall be undertaken in full accordance with the agreed details and implemented throughout the lifetime of the development.

- C14 Prior to any development above slab level, an operational maintenance and management strategy for communal refuse stores and the management and collection of waste and recycling materials shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall clearly state who will be responsible for managing all aspects of the refuse storage areas, and how occupants should manage their household waste.
- C15 Prior to any development above slab level, a design stage Sustainable Construction Report shall be submitted to and agreed in writing by the local Planning Authority. The report shall include details of:
- i. Details of the Modern Method of Construction to be utilised and design stage SAP data;
 - ii. A design stage BRE water calculator demonstrating a predicted mains water use below 110 litres per person per day;
 - iii. Details (including specification and location) of air source heat pumps;
 - iv. Extent and location of pv panels, including the ground based solar array, and details of how these will serve the development in terms of lowering operational carbon emissions.
- Thereafter the development shall be carried out and operated in full accordance with the approved details.
- C16 Prior to any development above slab level, a scheme of external lighting designed to reduce harmful light spill and minimise impacts on wildlife shall be submitted to and approved in writing by the Local Planning Authority. This shall include luminaire specification, mitigation of upwards light spill and details of timers or PIR sensors to avoid lighting being left on all night. The lighting shall thereafter be installed, maintained and operated in full accordance with the approved details.

PRE-FIRST OCCUPATION CONDITION(S)

- C8 Prior to the first occupation of the development hereby permitted a Landscape Management Plan covering areas of shared public space, access roads, pathways landscaping, and green roofs shall be submitted to and approved in writing by the Local Planning Authority. The Landscape management plan shall include long term objectives for biodiversity and wildlife, management responsibilities and maintenance schedules for all landscape areas, other than small privately/part privately owned domestic gardens and areas specifically set aside for statutory Biodiversity Net Gain purposes (which may be managed separately.) The landscape management plan shall thereafter be implemented in full as approved.
- C17 Prior to the first occupation of the development hereby permitted, details of EV charge points with minimum power rating output of 7kW and universal sockets for all car parking spaces shall be submitted to and approved in writing by the Local Planning Authority, which shall be installed within 6 months following approval. Thereafter the development shall be carried out in full accordance with the approved details.
- C18 Prior to the first occupation of the development hereby permitted, the car and cycle parking shall be constructed in full accordance with the approved plans. The car parking (at least 2.5m x 4.8m) cycle parking and vehicle turning shall thereafter be retained at all times for their designated purpose and shall not be obstructed.
- C19 Prior to the first occupation of the development hereby permitted, a Sustainable Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall set out how the development will minimise the use of private vehicles by encouraging and/or incentivising sustainable transport measures (walking and cycling) in accordance with the requirements of Policy SS10 and the active travel aims of the Isle of Scilly Local Cycling & Walking Infrastructure. The approved Travel Plan shall be implemented prior to first occupation of the development and for each and every subsequent occupation of the development. The landowner shall thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority as required.



COUNCIL OF THE ISLES OF SCILLY

Planning Department

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✉ 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-authorized 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 - £43per application
- Other permissions - £145 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 £43 for householder type applications and £293 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 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.