



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

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

### **PERMISSION FOR VARIATION OF CONDITION**

<b>Application No:</b>	<b>P/24/036/ROV</b>	<b>Date Application Registered:</b>	<b>13th May 2024</b>
<b>Applicant:</b>	<b>Mr Noel Miles The Red House Isle Of Thorns Chelwood Gate RH17 1LA</b>	<b>Agent:</b>	<b>Mr Clive Sibley Salt Whistle Mcfarland's Down St Mary's Isles Of Scilly TR21 0NS</b>

**Site address:** Cootamundra Mcfarland's Down St Mary's Isles Of Scilly TR21 0NS  
**Proposal:** Application to vary condition C2 (Approved Plans) of planning permission P/23/033/FUL (Demolition of derelict house & replacement with fully accessible dwelling) to amend first floor surface finish to timber cladding, replace the sedum upper roof covering with zinc and revise fenestration.

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 **AMENDED** Conditions:

- C1** The development hereby permitted shall be begun before the expiration of three years from the date of permission P/23/033/FUL (04/08/2023).  
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 and Block Plan, drawing number: CSMen-P-01, dated 2 May 2023~~
  - ~~Plan 2 Proposed East and South East Elevations, drawing number: CSMen-P-08, dated 11 May 2023~~
  - ~~Plan 3 Proposed North and North East Elevations, drawing number: CSMen-P-07, dated 11 May 2023~~
  - ~~Plan 4 North West Elevation, drawing number: CSMen-P-06, dated 11 May 2023~~
  - ~~Plan 5 South Elevation, drawing number: CSMen-P-09, dated 11 May 2023~~
  - ~~Plan 6 Proposed South and South West Elevations, drawing number: CSMen-P10, dated 11 May 2023~~
  - **Plan 2A – Proposed Elevations, drawing number: KB0450.BR.2001 rev B, dated 25<sup>th</sup> April 2024**
  - **Plan 7 Site Plan (showing existing and proposed levels), drawing number: CSMen-P03, Rev B, dated 14 May 2023**
  - ~~Plan 8 Proposed First Floor and Roof Plan, drawing number: CSMen-P05, dated 11 May 2023~~
  - **Plan 8A Proposed First Floor Plan, drawing number: KB0450.BR.2 rev C, dated 10<sup>th</sup> May 2024**
  - **Plan 8A1 Proposed Roof Plan, drawing number: KB0450.BR.3 rev A, dated 16<sup>th</sup> April 2024**
  - ~~Plan 9 Proposed Ground Floor Plan, drawing number: CSMenP-04, dated 11 May 2023~~
  - **Plan 9A Proposed Ground Floor Plan. Drawing number: KB0450.BR.1 rev B, dated 25<sup>th</sup> April 2024**
  - ~~Plan 10 Proposed Site Sections (showing levels), drawing number: CSMenP-14, dated 27 June 2023~~
  - **Plan 10A Proposed Site Sections (showing levels), drawing number: CSMenP-14, Rev A, dated 27 June 2023**

- **Plan 11 Wheelchair Permeability Plan, drawing number: CSMenP-12, dated 1 June 2023**
- **Plan 12 Preliminary Roost Assessment (bat and bird mitigation and enhancement measures)**
- **Plan 13 Site Waste Management Plan**
- **Plan 14 Statement of Sustainable Design measures**

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

- C3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions or alterations (Class A, Part 1), alterations to the roof (Class B and C, Part 1), porches (Class D, Part 1), hard surfacing (Class F, Part 1), means of enclosure (Class A, Part 2) or curtilage buildings (Class E, Part 1) shall be erected or constructed without the prior permission, in writing, of the Local Planning Authority, through the submission of an application for planning permission.**  
Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality and in the interests of a balance of homes within the local housing stock. This has been approved as a category 3 dwelling and meets the highest accessibility standards. In accordance with Policy LC8 of the Isles of Scilly Local Plan (2015-2030).

#### **PRE-INSTALLATION: Details of external illumination**

- C4 Prior to installation, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. Any energy efficient light shall be down lit only with appropriate cowling and timers/sensors as necessary. 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).

#### **POST-COMPLETION: Installation of bat and bird boxes**

- C5 Within six months of the substantial completion of the dwelling, hereby approved, a minimum of one bat box on the eastern side of the dwelling (page 2 and page 5), and a range of bird nesting boxes, (page 6) as set out in the Preliminary Roost Assessment, Ref: 23-2-1 dated 4th February 2023, shall be installed as recommended and be retained as such thereafter.**  
Reason: In the interests of securing appropriate and proportionate biodiversity net gains at this site in accordance with Policy OE2, SS1(d) and SS2(g) of the Isles of Scilly Local Plan (2015-2030).
- C6 No tree or hedge on the site (other than those permitted to be felled or removed in accordance with the approved plans) shall be felled, lopped, topped, cut down or grubbed out without the prior written consent of the Local Planning Authority. Any tree or hedge removed without consent, as part of the implementation of this permission, shall be replaced on a like-for-like basis unless otherwise agreed in writing by the Local Planning Authority.**  
Reason: To safeguard the character and appearance of this part of the Islands, in accordance with policies OE1, OE2 and OE7 of the Isles of Scilly Local Plan (2015 – 2030).

#### **PRE-INSTALLATION: Details of balustrade**

- C7 Prior to their installation on site, details of materials and finish of the balustrade, hereby permitted, shall be submitted to and be approved in writing by the Local Planning Authority. Once agreed the works shall take place in accordance with the approved details.**  
Reason: To safeguard the visual amenity and landscape character of the Islands in accordance with Policy OE1 and OE7 of the Scilly Local Plan 2015 - 2030.
- C8 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.**  
Reason: In the interests of protecting the residential amenities of the islands.

#### **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. **SECTION 106 AGREEMENT:** The planning permission hereby approved is subject of a section 106 Unilateral Undertaking to rescind an earlier permission for accessible accommodation at Green Pastures (P/21/064/HH).
3. **DISCHARGING 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 £34 for each request to discharge condition(s) where the planning permission relates to 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)

4. **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)
5. **PROTECTED SPECIES:** 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.
6. **BUILDING REGULATIONS:** This decision is not a determination under the Building Regulations. Please ensure that all building works accord with the Building Regulations and that all appropriate approvals are in place for each stage of the build project. You can contact Building Control for further advice or to make a building control application: [buildingcontrol@cornwall.gov.uk](mailto:buildingcontrol@cornwall.gov.uk).
7. **COUNCIL TAX:** Registering for Council Tax or updating an existing record: 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:** 11 July 2024



# 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 Noel Miles

## Please sign and complete this certificate.

This is to certify that decision notice: P/24/036/ROV and the accompanying conditions have been read and understood by the applicant: Mr Noel Miles.

1. **I/we intend to commence the AMENDED development as approved:** Demolition of derelict house & replacement with fully accessible dwelling at: Cootamundra Mcfarland's Down St Mary's Isles Of Scilly TR21 0NS **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-INSTALLATION

C4 Prior to installation, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. Any energy efficient light shall be down lit only with appropriate cowling and timers/sensors

as necessary. The lighting shall thereafter be installed in accordance with the agreed details.

- C7 Prior to their installation on site, details of materials and finish of the balustrade, hereby permitted, shall be submitted to and be approved in writing by the Local Planning Authority. Once agreed the works shall take place in accordance with the approved details.

**POST-COMPLETION**

- C5 Within six months of the substantial completion of the dwelling, hereby approved, a minimum of one bat box on the eastern side of the dwelling (page 2 and page 5), and a range of bird nesting boxes, (page 6) as set out in the Preliminary Roost Assessment, Ref: 23-2-1 dated 4th February 2023, shall be installed as recommended and be retained as such thereafter.



# COUNCIL OF THE ISLES OF SCILLY

---

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**

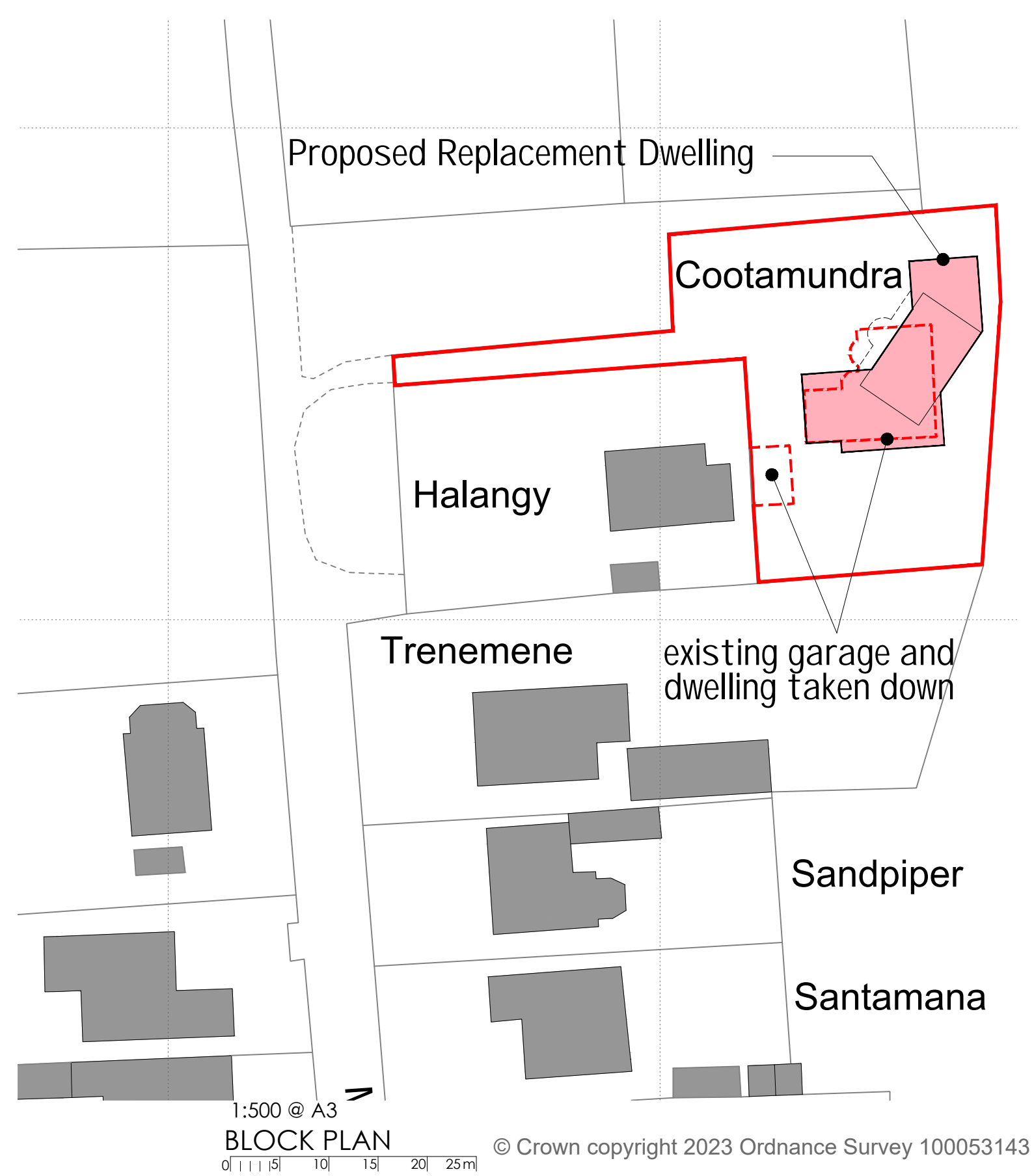
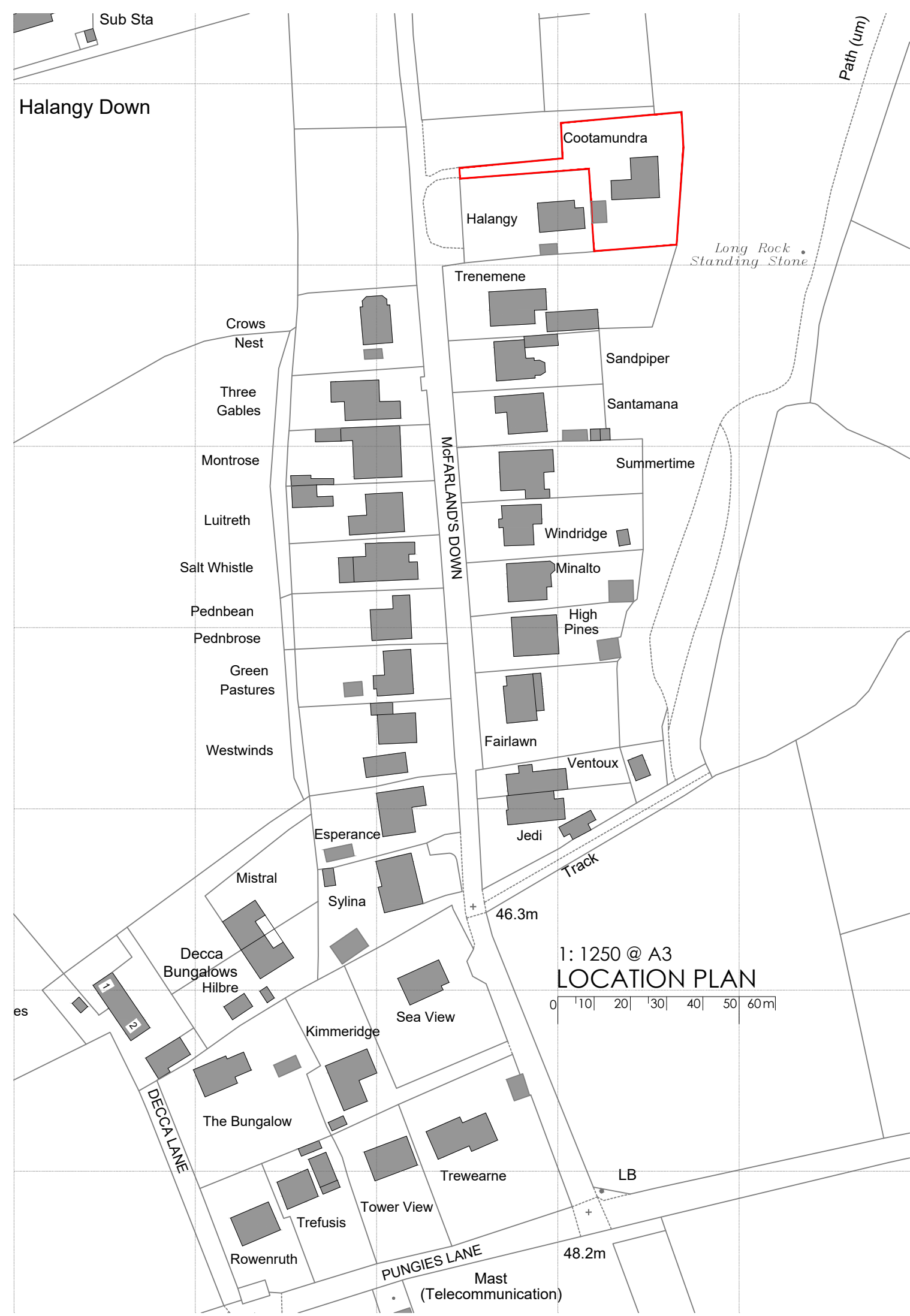
If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

## **Connections to Utilities**

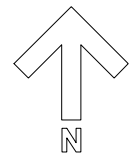
If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 08000831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

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.





drawing title	Location and Block Plans	
project	Cootamundra McFarland's Down St Mary's IOS TR21 ONS	
client	Noel and Emily Miles	
date	2 May 2023	
scale	1:100	sheet size A3
CSMen-P-01		



**NOTE:**  
 CONTRACTOR TO CHECK GROUND CONDITIONS FOR THE FOUNDATION DESIGN.  
 WHERE NECESSARY, ALL DRAWINGS TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DRAWINGS/ DETAILS & SPECIFICATIONS

ALL EXISTING STRUCTURAL ELEMENTS (WALLS, FLOORS & FOOTINGS) TO BE CHECKED BY STRUCTURAL ENGINEER PRIOR TO COMMENCING WORKS TO ENSURE SUITABILITY FOR ADDITIONAL LOADS WORK

NEW AND EXISTING DRAIN RUNS INDICATED ON THESE PLANS ARE ASSUMED RUNS ONLY SO THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LINE AND INVERT OF ALL NEW AND EXISTING DRAIN RUNS AND INSPECTION CHAMBERS

ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORK

**GENERAL NOTES**  
 THESE PLANS MUST BE READ IN CONJUNCTION WITH ALL DRAWINGS, DETAILS, CALCULATIONS & SPECIFICATIONS ISSUED FOR CONSTRUCTIONAL PURPOSES BY LIVING DESIGNS. THE STRUCTURAL ENGINEER AND ALL RELEVANT SUPPLIERS AND MANUFACTURERS.

THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL SITE LEVELS AND DIMENSIONS PRIOR TO THE COMMENCEMENT OF ANY WORKS AND THE SUBSEQUENT CORRECT SETTING OUT ON SITE. ONLY FIGURED DIMENSIONS ARE TO BE USED AND ANY DISCREPANCIES MUST BE REPORTED TO THE PROFESSIONAL ADVISORS PRIOR TO THE COMMENCEMENT OF ANY WORKS. DO NOT SCALE OFF THIS DRAWING.

ANY WORKS CARRIED OUT ON SITE BY THE CLIENT OR HIS MAIN/SUB CONTRACTORS PRIOR TO APPROVAL (OR THE SUBMISSION OF ANY ADDITIONAL INFORMATION OR DETAILS OR SAMPLES OR CALCULATIONS OR REPORTS REQUESTED BY BUILDING CONTROL IN ANY CONDITIONAL APPROVAL) IS CARRIED OUT ENTIRELY AT THEIR OWN RISK.

THE PRINCIPLE CONTRACTORS ARE TO OBTAIN COPIES OF BOTH THE BUILDING REGULATION AND PLANNING APPROVALS AND ENSURE THEY COMPLY AND IMPLEMENT ANY CONDITIONS CONTAINED THEREIN AND INCLUDE FOR SUCH WORKS IN THEIR QUOTATION.

MATERIALS AND WORKMANSHIP MUST COMPLY FULLY WITH ALL RELEVANT CURRENT BRITISH STANDARDS & CODES OF PRACTICE.

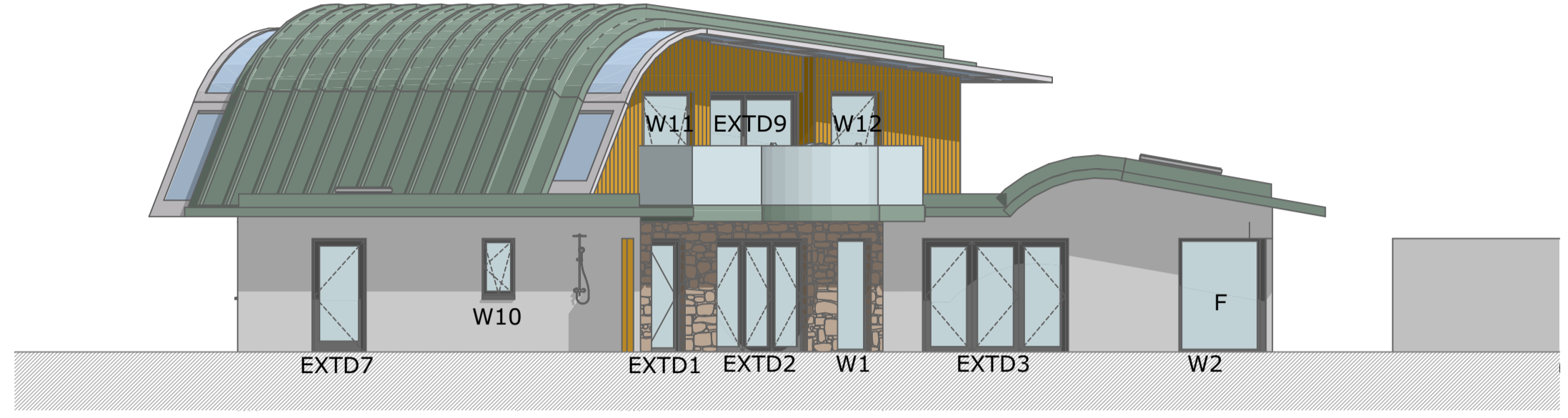
IF NECESSARY THE OWNER/CONTRACTOR MUST, PRIOR TO THE COMMENCEMENT OF ANY WORKS ON SITE, SATISFY THE REQUIREMENTS LAID DOWN WITHIN THE PARTY WALL ETC ACT - 1996 BY GIVING ANY NEIGHBOURS REQUISITE NOTICE OF THEIR INTENTIONS TO CARRY OUT WORKS AFFECTING THE BOUNDARY PARTY WALLS AND/OR THEIR ADJOINING PROPERTY.

IT SHALL BE BOTH THE CLIENTS AND PRINCIPLE CONTRACTORS RESPONSIBILITY TO ENSURE THE REQUIREMENTS OF THE CURRENT LEGISLATION COVERED BY THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015 & THE HEALTH AND SAFETY AT WORK ACT AS WELL AS THE MANAGEMENT OF HEALTH AND SAFETY AT WORK ACT ARE COMPLIED WITH BY ALL SITE STAFF/SUPPLIERS ETC DURING THE VARIOUS STAGES OF THE DESIGN AND CONSTRUCTION WORKS.

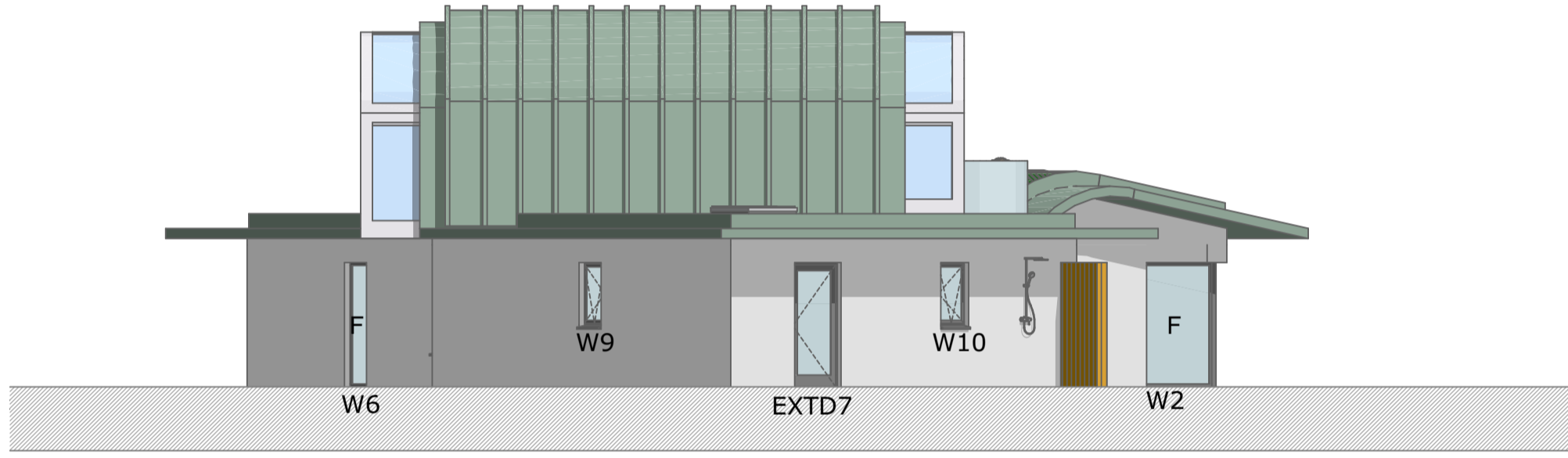
IF IN DOUBT ASK



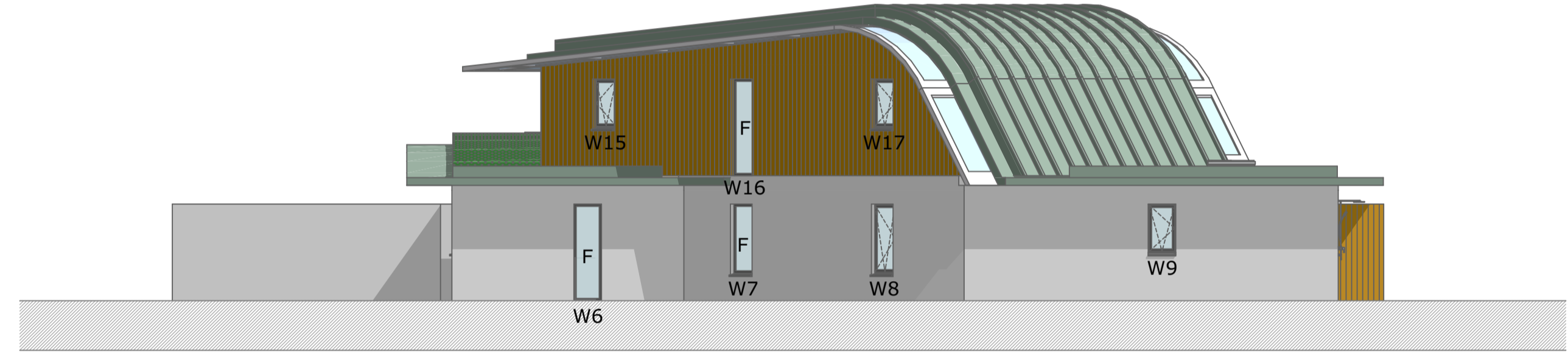
NORTH WEST ELEVATION 2 1:100



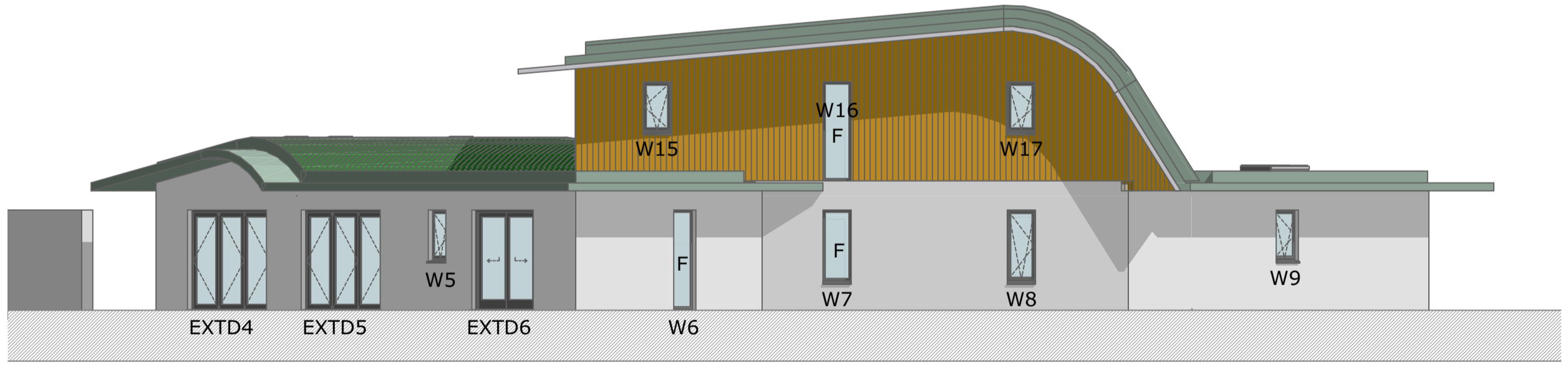
NORTH ELEVATION 1:100



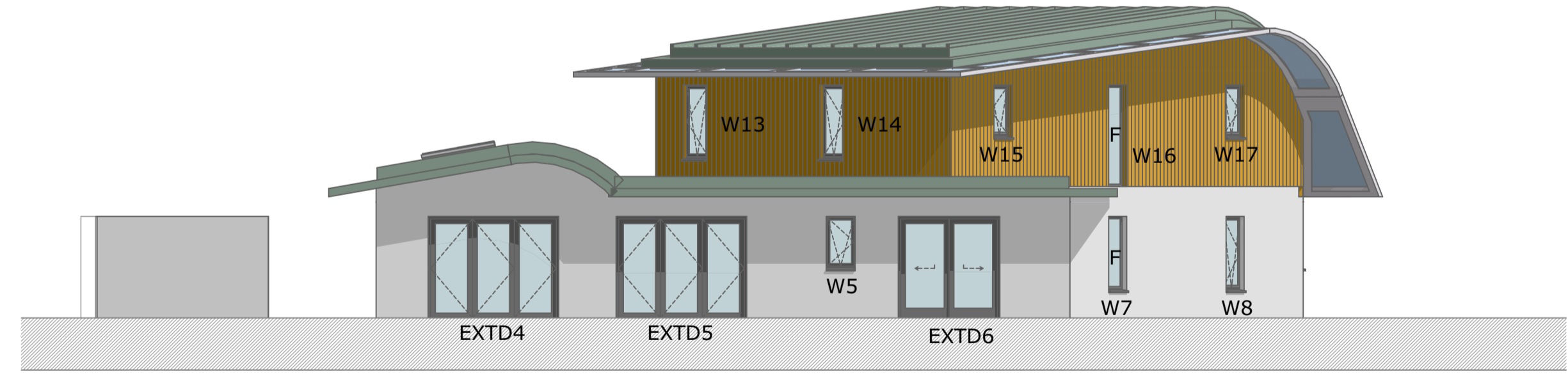
NORTH EAST ELEVATION 1:100



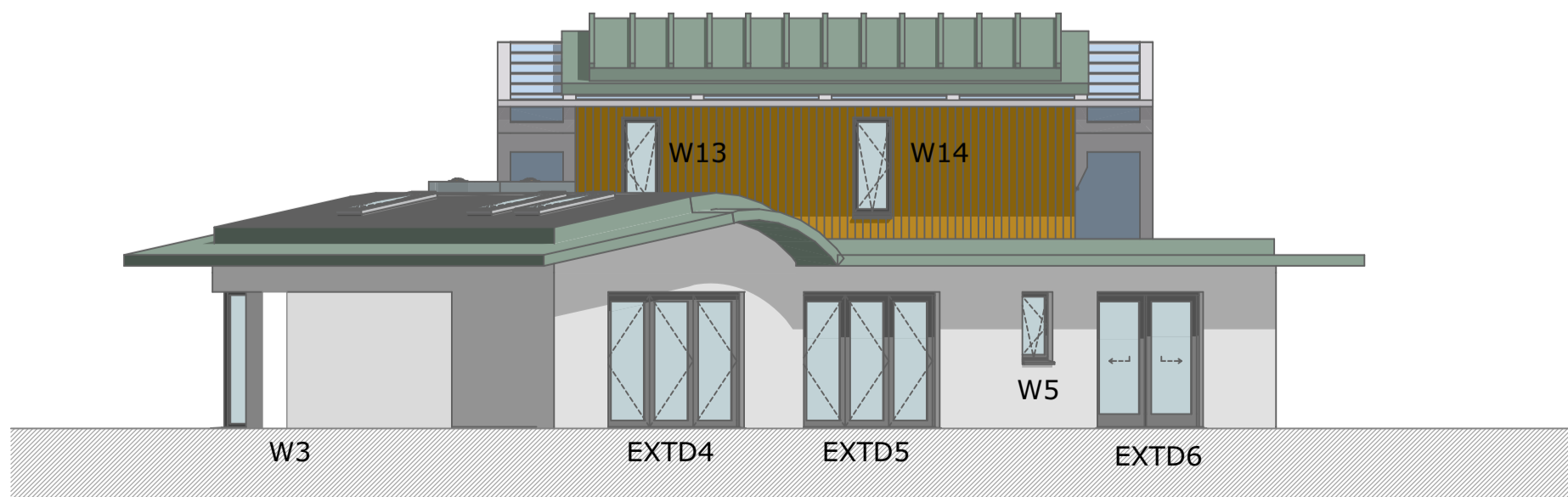
EAST ELEVATION 1:100



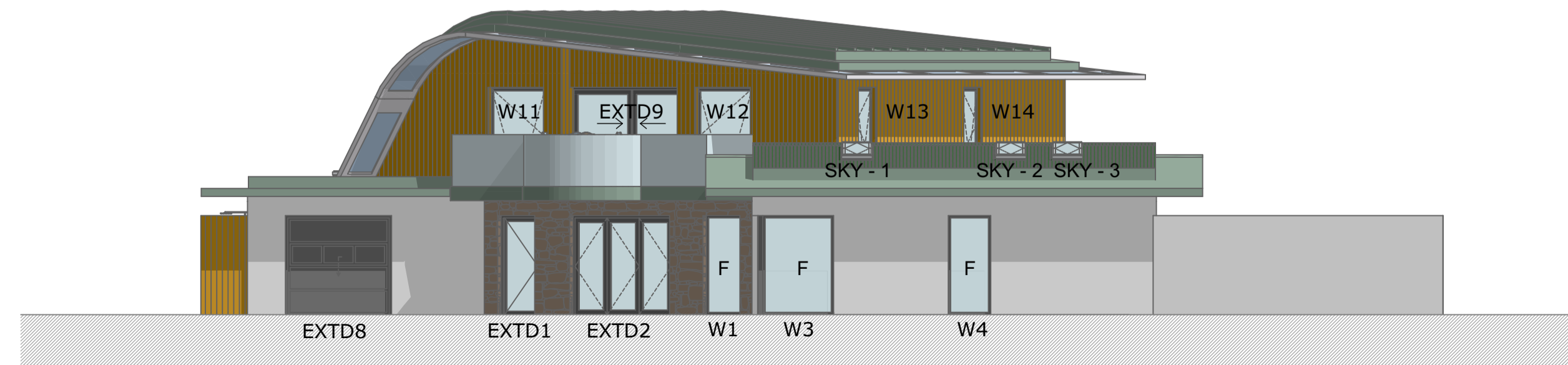
SOUTH EAST ELEVATION 1:100



EAST ELEVATION 1:100



SOUTH WEST ELEVATION 1:100



WEST ELEVATION 1:100

Notes

B	General amendments	25.4.24
A	Floor structure amended to B&B. Drainage layout amended Rainwater added General amendments	16.4.24

Revisions  
 Project:  
 Proposed New Dwelling

Site Address:  
 Cootamundra  
 McFarland's Down  
 St Mary's IOS

Client:  
 Noel and Emily Miles

Drawing:  
 Proposed Elevations

**BUILDING REGULATIONS**

Scale 1:100 @ A1	Drawn by KB	Date 25.04.24
Drawing no KB0450.BR.2001	Rev B	Purpose NOT APPROVAL

overgrowth cut back as shown and reduced in height to max 1.8 M

proposed biodisc sewage treatment plant to replace existing septic tank

existing dwelling demolished

Existing garage demolished, except for North and West walls to be retained and restored as privacy for Halangy

Halangy

This area of vegetation retained at existing height to retain privacy for the occupants of Halangy

for comprehensive levels data refer to Nuplan survey

North Terrace  
40.35

EXISTING GFL 40.50  
PROPOSED GFL 40.50

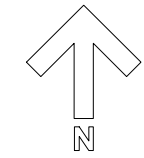
South Terrace  
existing levels retained

PROPOSED FFL 43.30  
(assumes 400mm Floor Zone)

Landscaping scheme to be prepared

Rev B: 27 June 2023  
Section line, design levels  
Rev A: 27 May 2023  
Red line added at LA request

drawing title	SITE PLAN
project	Cootamundra McFarland's Down St Mary's IOS
client	Noel and Emily Miles
date	14 May 2023
scale	1:200
sheet size	A3



LEVELS AS NUPLAN SURVEY  
dated 02/02/2023 and  
Nat.Grid (OSGB36)

SITE PLAN 1:200 @ A3  
0 2 4 6 8 10m

CSMen-P-03  
Rev B

**NOTE:**  
 CONTRACTOR TO CHECK GROUND CONDITIONS FOR THE FOUNDATION DESIGN.  
 WHERE NECESSARY, ALL DRAWINGS TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DRAWINGS/ DETAILS & SPECIFICATIONS

ALL EXISTING STRUCTURAL ELEMENTS (WALLS, FLOORS & FOOTINGS) TO BE CHECKED BY STRUCTURAL ENGINEER PRIOR TO COMMENCING WORKS TO ENSURE SUITABILITY FOR ADDITIONAL LOADS WORK

NEW AND EXISTING DRAIN RUNS INDICATED ON THESE PLANS ARE ASSUMED RUNS ONLY SO THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LINE AND INVERT OF ALL NEW AND EXISTING DRAIN RUNS AND INSPECTION CHAMBERS

ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORK

**GENERAL NOTES**

THESE PLANS MUST BE READ IN CONJUNCTION WITH ALL DRAWINGS, DETAILS, CALCULATIONS & SPECIFICATIONS ISSUED FOR CONSTRUCTIONAL PURPOSES BY LIVING DESIGNS. THE STRUCTURAL ENGINEER AND ALL RELEVANT SUPPLIERS AND MANUFACTURERS.

THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL SITE LEVELS AND DIMENSIONS PRIOR TO THE COMMENCEMENT OF ANY WORKS AND THE SUBSEQUENT CORRECT SETTING OUT ON SITE. ONLY FIGURED DIMENSIONS ARE TO BE USED AND ANY DISCREPANCIES MUST BE REPORTED TO THE PROFESSIONAL ADVISORS PRIOR TO THE COMMENCEMENT OF ANY WORKS. DO NOT SCALE OFF THIS DRAWING.

ANY WORKS CARRIED OUT ON SITE BY THE CLIENT OR HIS MAIN/SUB CONTRACTORS PRIOR TO APPROVAL (OR THE SUBMISSION OF ANY ADDITIONAL INFORMATION OR DETAILS OR SAMPLES OR CALCULATIONS OR REPORTS REQUESTED BY BUILDING CONTROL IN ANY CONDITIONAL APPROVAL) IS CARRIED OUT ENTIRELY AT THEIR OWN RISK.

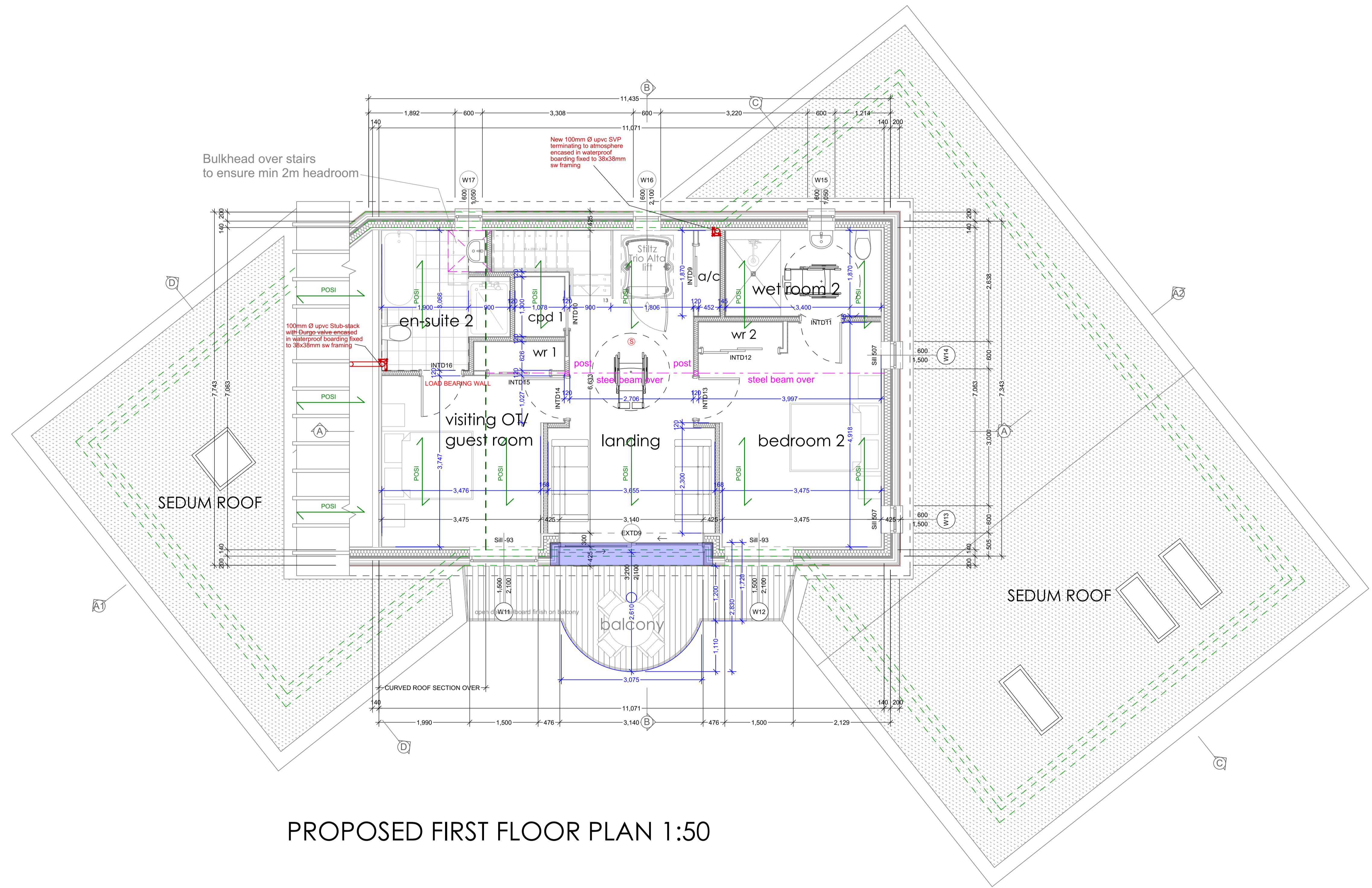
THE PRINCIPLE CONTRACTORS ARE TO OBTAIN COPIES OF BOTH THE BUILDING REGULATION AND PLANNING APPROVALS AND ENSURE THEY COMPLY AND IMPLEMENT ANY CONDITIONS CONTAINED THEREIN AND INCLUDE FOR SUCH WORKS IN THEIR QUOTATION.

MATERIALS AND WORKMANSHIP MUST COMPLY FULLY WITH ALL RELEVANT CURRENT BRITISH STANDARDS & CODES OF PRACTICE.

IF NECESSARY THE OWNER/CONTRACTOR MUST, PRIOR TO THE COMMENCEMENT OF ANY WORKS ON SITE, SATISFY THE REQUIREMENTS LAID DOWN WITHIN THE PARTY WALL ETC ACT - 1996 BY GIVING ANY NEIGHBOURS REQUISITE NOTICE OF THEIR INTENTIONS TO CARRY OUT WORKS AFFECTING THE BOUNDARY PARTY WALLS AND/OR THEIR ADJOINING PROPERTY.

IT SHALL BE BOTH THE CLIENTS AND PRINCIPLE CONTRACTORS RESPONSIBILITY TO ENSURE THE REQUIREMENTS OF THE CURRENT LEGISLATION COVERED BY THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015 & THE HEALTH AND SAFETY AT WORK ACT AS WELL AS THE MANAGEMENT OF HEALTH AND SAFETY AT WORK ACT ARE COMPLIED WITH BY ALL SITE STAFF/SUPPLIERS ETC DURING THE VARIOUS STAGES OF THE DESIGN AND CONSTRUCTION WORKS.

IF IN DOUBT ASK



PROPOSED FIRST FLOOR PLAN 1:50

Notes

C	Rooflights added	10.5.24
B	General amendments	16.4.24
A	Floor structure amended to B&B. Drainage layout amended Rainwater added General amendments	16.4.24

Revisions

Project:	Proposed New Dwelling
----------	-----------------------

Site Address:  
 Cootamundra  
 McFarland's Down  
 St Mary's IOS

Client:  
 Noel and Emily Miles

Drawing:  
 Proposed First Floor Plan

**BUILDING REGULATIONS**

Scale	1:50 @ A1	Drawn by	KB	Date	10.05.24
Drawing no	KB0450.BR.2	Rev	C	Purpose	NOT APPROVAL

**LIVING DESIGNS**  
 ARCHITECTURAL SERVICES  
 The HoHouse, Unit 2, Hope Yard, Newquay  
 Cornwall TR7 1NN  
 Tel: 07985 760464  
 Email: info@livingdesigns-architecturalservices.com

**NOTE:**  
 CONTRACTOR TO CHECK GROUND CONDITIONS FOR THE FOUNDATION DESIGN.  
 WHERE NECESSARY, ALL DRAWINGS TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DRAWINGS/ DETAILS & SPECIFICATIONS

ALL EXISTING STRUCTURAL ELEMENTS (WALLS, FLOORS & FOOTINGS) TO BE CHECKED BY STRUCTURAL ENGINEER PRIOR TO COMMENCING WORKS TO ENSURE SUITABILITY FOR ADDITIONAL LOADS WORK

NEW AND EXISTING DRAIN RUNS INDICATED ON THESE PLANS ARE ASSUMED RUNS ONLY SO THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LINE AND INVERT OF ALL NEW AND EXISTING DRAIN RUNS AND INSPECTION CHAMBERS

ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORK

**GENERAL NOTES**  
 THESE PLANS MUST BE READ IN CONJUNCTION WITH ALL DRAWINGS, DETAILS, CALCULATIONS & SPECIFICATIONS ISSUED FOR CONSTRUCTIONAL PURPOSES BY LIVING DESIGNS, THE STRUCTURAL ENGINEER AND ALL RELEVANT SUPPLIERS AND MANUFACTURERS.

THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL SITE LEVELS AND DIMENSIONS PRIOR TO THE COMMENCEMENT OF ANY WORKS AND THE SUBSEQUENT CORRECT SETTING OUT ON SITE. ONLY FIGURED DIMENSIONS ARE TO BE USED AND ANY DISCREPANCIES MUST BE REPORTED TO THE PROFESSIONAL ADVISORS PRIOR TO THE COMMENCEMENT OF ANY WORKS. DO NOT SCALE OFF THIS DRAWING.

ANY WORKS CARRIED OUT ON SITE BY THE CLIENT OR HIS MAIN/SUB CONTRACTORS PRIOR TO APPROVAL OR THE SUBMISSION OF ANY ADDITIONAL INFORMATION OR DETAILS OR SAMPLES OR CALCULATIONS OR REPORTS REQUESTED BY BUILDING CONTROL IN ANY CONDITIONAL APPROVAL IS CARRIED OUT ENTIRELY AT THEIR OWN RISK.

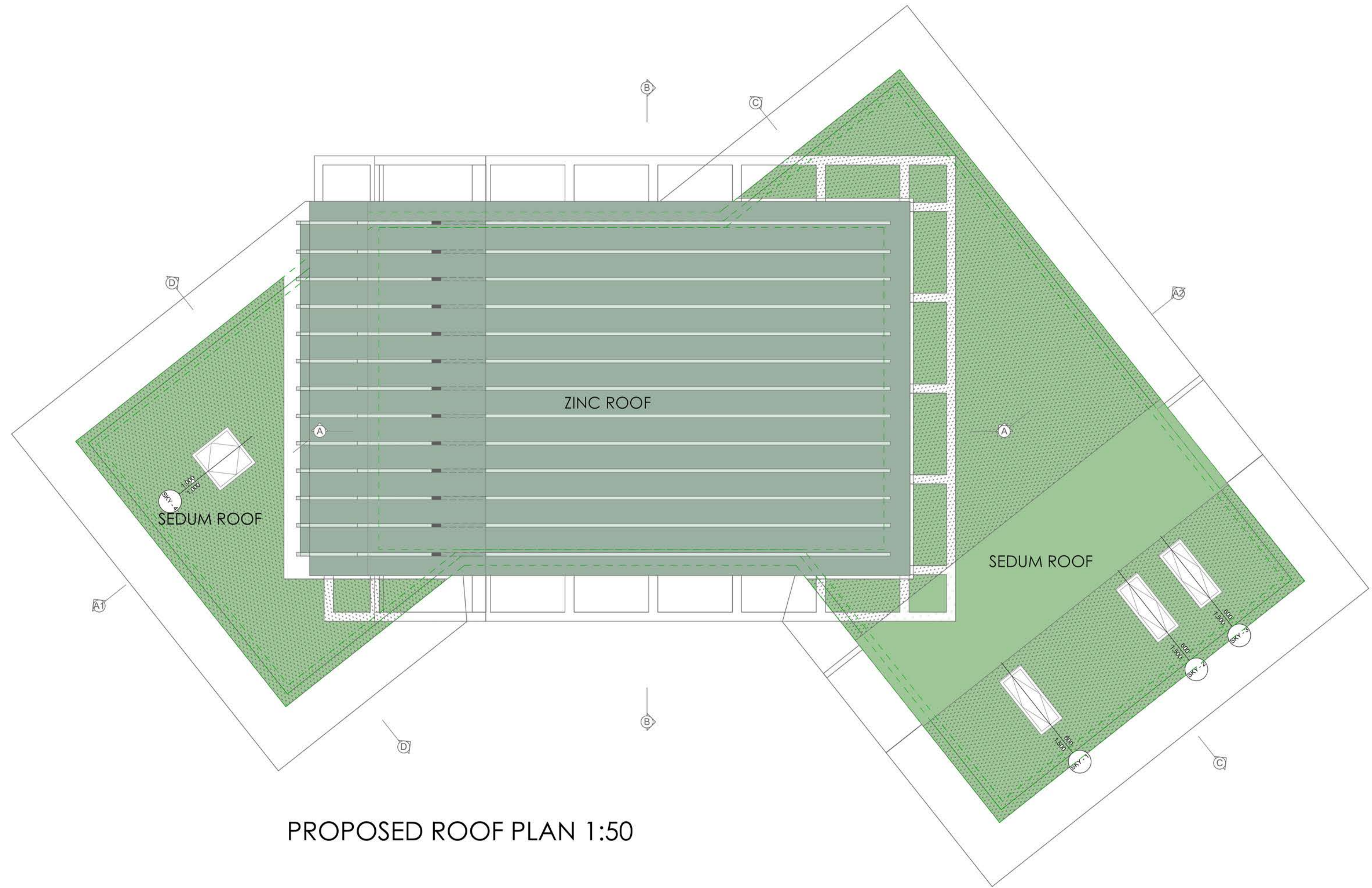
THE PRINCIPLE CONTRACTORS ARE TO OBTAIN COPIES OF BOTH THE BUILDING REGULATION AND PLANNING APPROVALS AND ENSURE THEY COMPLY AND IMPLEMENT ANY CONDITIONS CONTAINED THEREIN AND INCLUDE FOR SUCH WORKS IN THEIR QUOTATION.

MATERIALS AND WORKMANSHIP MUST COMPLY FULLY WITH ALL RELEVANT CURRENT BRITISH STANDARDS & CODES OF PRACTICE.

IF NECESSARY THE OWNER/CONTRACTOR MUST, PRIOR TO THE COMMENCEMENT OF ANY WORKS ON SITE, SATISFY THE REQUIREMENTS LAID DOWN WITHIN THE PARTY WALL ETC ACT - 1996 BY GIVING ANY NEIGHBOURS REQUISITE NOTICE OF THEIR INTENTIONS TO CARRY OUT WORKS AFFECTING THE BOUNDARY PARTY WALLS AND/OR THEIR ADJOINING PROPERTY.

IT SHALL BE BOTH THE CLIENTS AND PRINCIPLE CONTRACTORS RESPONSIBILITY TO ENSURE THE REQUIREMENTS OF THE CURRENT LEGISLATION COVERED BY THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015 & THE HEALTH AND SAFETY AT WORK ACT AS WELL AS THE MANAGEMENT OF HEALTH AND SAFETY AT WORK ARE COMPLIED WITH BY ALL SITE STAFF/SUPPLIERS ETC DURING THE VARIOUS STAGES OF THE DESIGN AND CONSTRUCTION WORKS.

IF IN DOUBT ASK



PROPOSED ROOF PLAN 1:50

Notes		
A	Floor structure amended to B&B. Drainage layout amended. Rainwater added. General amendments.	16.4.24

Revisions  
 Project: Proposed New Dwelling

Site Address:  
 Cootamundra  
 McFarland's Down  
 St Mary's IOS

Client:  
 Noel and Emily Miles

Drawing:  
 Proposed Roof Plan

BUILDING REGULATIONS		
Scale 1:50 @ A1	Drawn by KB	Date 16.04.24
Drawing no KB0450.BR.3	Rev A	Purpose NOT APPROVAL

**LD**  
**LIVING DESIGNS**  
 ARCHITECTURAL SERVICES  
 The HoHouse, Unit 2, Hope Yard, Newquay  
 Cornwall TR7 1NN  
 Tel: 07985 760464  
 Email: info@livingdesigns-architecturalservices.com

**NOTE:**  
 CONTRACTOR TO CHECK GROUND CONDITIONS FOR THE FOUNDATION DESIGN.  
 WHERE NECESSARY, ALL DRAWINGS TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DRAWINGS/ DETAILS & SPECIFICATIONS

ALL EXISTING STRUCTURAL ELEMENTS (WALLS, FLOORS & FOOTINGS) TO BE CHECKED BY STRUCTURAL ENGINEER PRIOR TO COMMENCING WORKS TO ENSURE SUITABILITY FOR ADDITIONAL LOADS WORK

NEW AND EXISTING DRAIN RUNS INDICATED ON THESE PLANS ARE ASSUMED RUNS ONLY SO THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LINE AND INVERT OF ALL NEW AND EXISTING DRAIN RUNS AND INSPECTION CHAMBERS

ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORK

**GENERAL NOTES**

THESE PLANS MUST BE READ IN CONJUNCTION WITH ALL DRAWINGS, DETAILS, CALCULATIONS & SPECIFICATIONS ISSUED FOR CONSTRUCTIONAL PURPOSES BY LIVING DESIGNS. THE STRUCTURAL ENGINEER AND ALL RELEVANT SUPPLIERS AND MANUFACTURERS.

THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL SITE LEVELS AND DIMENSIONS PRIOR TO THE COMMENCEMENT OF ANY WORKS AND THE SUBSEQUENT CORRECT SETTING OUT ON SITE. ONLY FIGURED DIMENSIONS ARE TO BE USED AND ANY DISCREPANCIES MUST BE REPORTED TO THE PROFESSIONAL ADVISORS PRIOR TO THE COMMENCEMENT OF ANY WORKS. DO NOT SCALE OFF THIS DRAWING.

ANY WORKS CARRIED OUT ON SITE BY THE CLIENT OR HIS MAIN/SUB CONTRACTORS PRIOR TO APPROVAL (OR THE SUBMISSION OF ANY ADDITIONAL INFORMATION OR DETAILS OR SAMPLES OR CALCULATIONS OR REPORTS REQUESTED BY BUILDING CONTROL IN ANY CONDITIONAL APPROVAL) IS CARRIED OUT ENTIRELY AT THEIR OWN RISK.

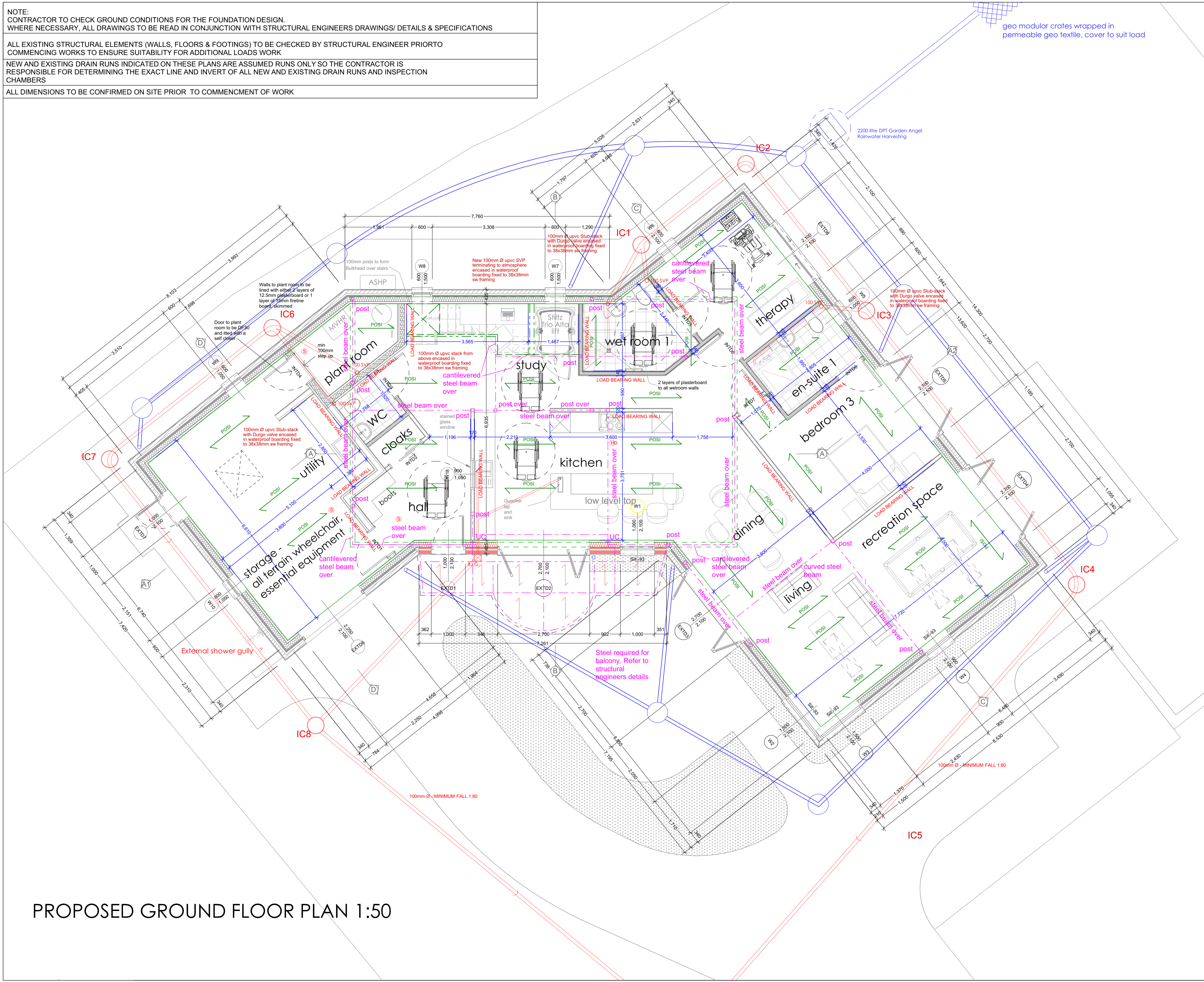
THE PRINCIPLE CONTRACTORS ARE TO OBTAIN COPIES OF BOTH THE BUILDING REGULATION AND PLANNING APPROVALS AND ENSURE THEY COMPLY AND IMPLEMENT ANY CONDITIONS CONTAINED THEREIN AND INCLUDE FOR SUCH WORKS IN THEIR QUOTATION.

MATERIALS AND WORKMANSHIP MUST COMPLY FULLY WITH ALL RELEVANT CURRENT BRITISH STANDARDS & CODES OF PRACTICE.

IF NECESSARY THE OWNER/CONTRACTOR MUST, PRIOR TO THE COMMENCEMENT OF ANY WORKS ON SITE, SATISFY THE REQUIREMENTS LAID DOWN WITHIN THE PARTY WALL ETC ACT - 1996 BY GIVING ANY NEIGHBOURS REQUISITE NOTICE OF THEIR INTENTIONS TO CARRY OUT WORKS AFFECTING THE BOUNDARY PARTY WALLS AND/OR THEIR ADJOINING PROPERTY.

IT SHALL BE BOTH THE CLIENTS AND PRINCIPLE CONTRACTORS RESPONSIBILITY TO ENSURE THE REQUIREMENTS OF THE CURRENT LEGISLATION COVERED BY THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015 & THE HEALTH AND SAFETY AT WORK ACT AS WELL AS THE MANAGEMENT OF HEALTH AND SAFETY AT WORK ACT ARE COMPLIED WITH BY ALL SITE STAFF/SUPPLIERS ETC DURING THE VARIOUS STAGES OF THE DESIGN AND CONSTRUCTION WORKS.

IF IN DOUBT ASK



Notes

B	General amendments	16.4.24
A	Floor structure amended to B&B. Drainage layout amended Rainwater added General amendments	16.4.24

Revisions  
 Project: Proposed New Dwelling

Site Address:  
 Cootamundra  
 McFarland's Down  
 St Mary's IOS

Client:  
 Noel and Emily Miles

Drawing:  
 Proposed Ground Floor Plan

**BUILDING REGULATIONS**

Scale 1:50 @ A1	Drawn by KB	Date 25.04.24
Drawing no KB0450.BR.1	Rev B	Purpose NOT APPROVAL

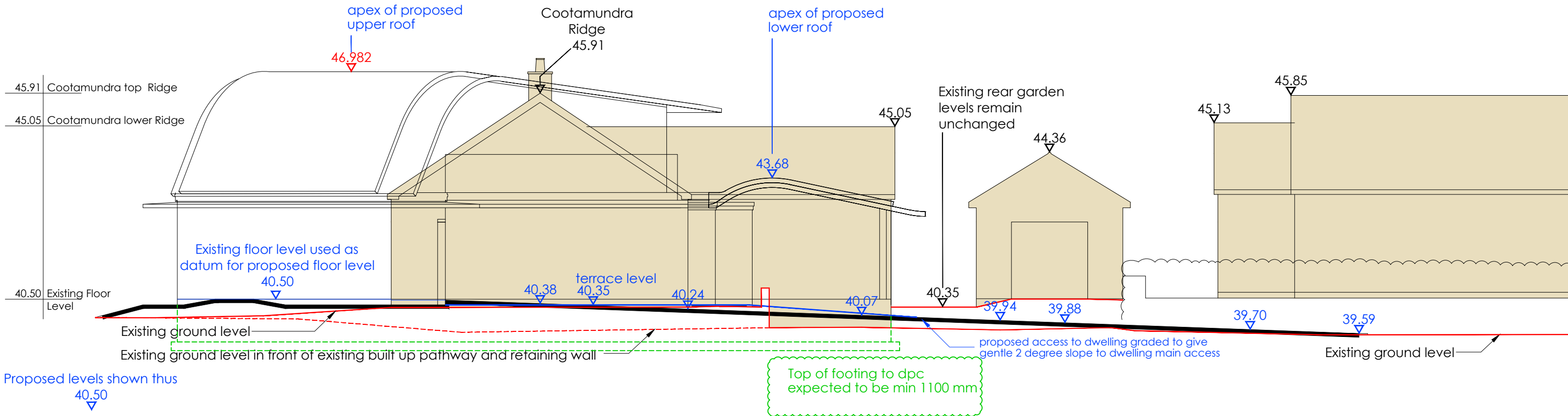
**LIVING DESIGNS**  
 ARCHITECTURAL SERVICES  
 The HoHouse, Unit 2, Hope Yard, Newquay  
 Cornwall TR7 1NN  
 Tel: 07985 760464  
 Email: info@livingdesigns-architecturalservices.com

PROPOSED GROUND FLOOR PLAN 1:50

Cootamundra

Garage

Halangy



Proposed levels shown thus

40.50

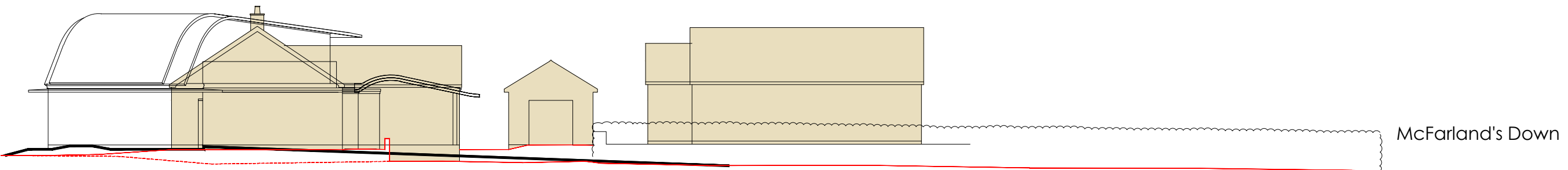
DETAIL SECTION A-A 1:100 @ A3



Cootamundra

Garage

Halangy



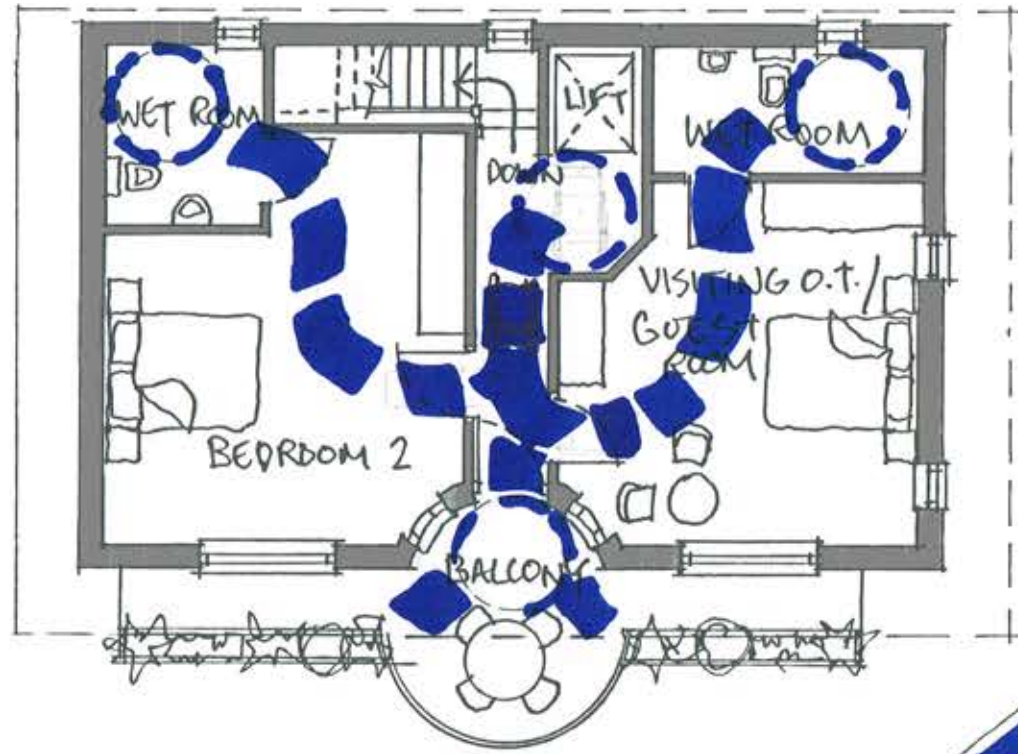
SECTION A-A 1:200 @ A3



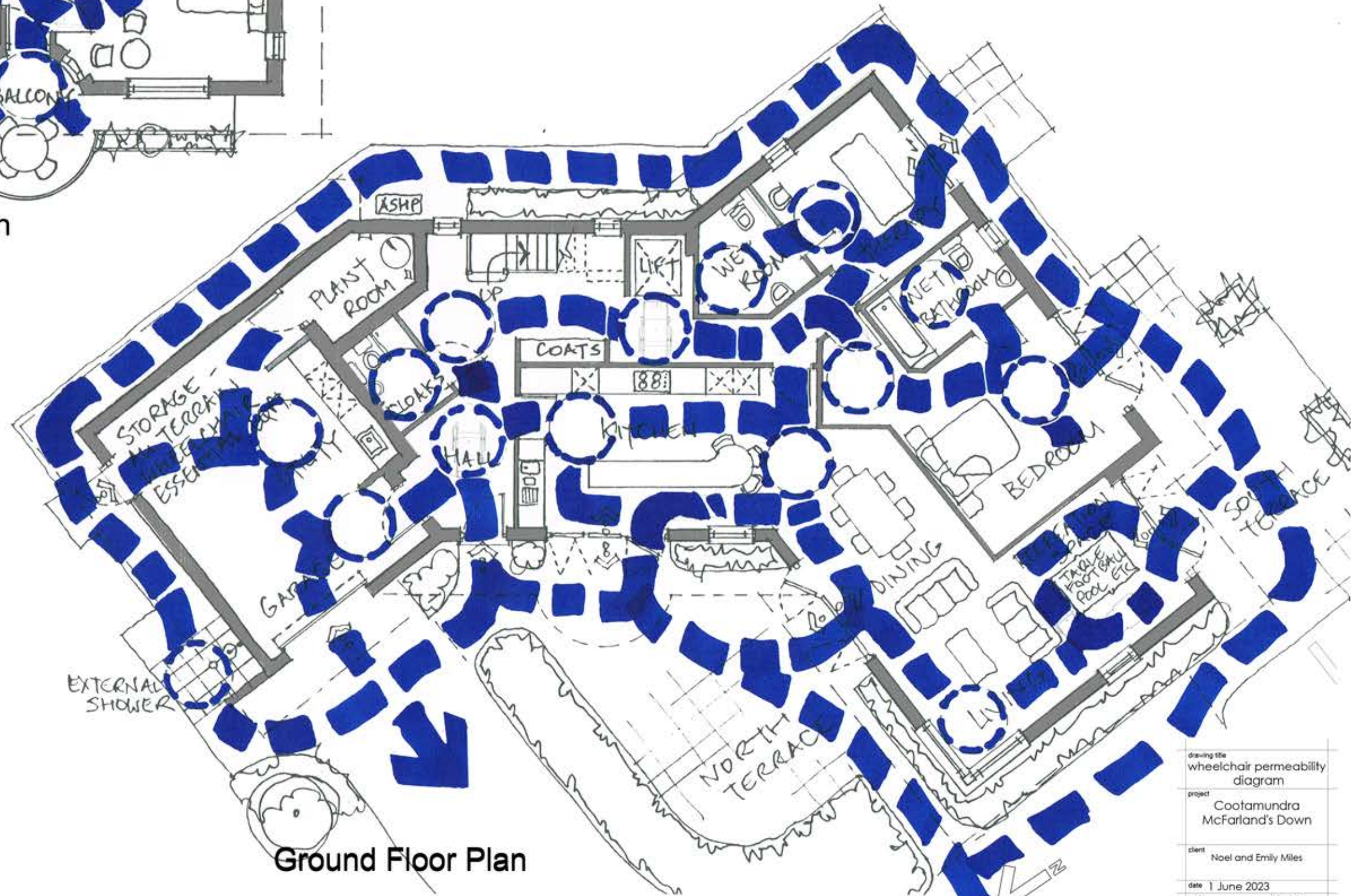
McFarland's Down

Rev A: 10 July 2024 Apex roof height amended	
drawing title	SECTION A-A
project	Cootamundra McFarland's Down St Mary's IOS
client	Noel and Emily Miles
date	27 June 2023
scale	1:200 & 1:100   A3
CSMen-P-14 Rev A	

LEVELS AS NUPLAN SURVEY dated 02/02/2023 and Nat.Grid (OSGB36)



First Floor Plan



Ground Floor Plan

# Permeability for Wheelchair use

Cootamundra, McFarland's Down, St Marys, Isles of Scilly

1:100 @ A3

0 1 2 3 4 5m

drawing title	wheelchair permeability diagram
project	Cootamundra McFarland's Down
client	Noel and Emily Miles
date	1 June 2023
scale	1:100
sheet size	A3
CSMen-P-12	



# DESIGN AND ACCESS STATEMENT

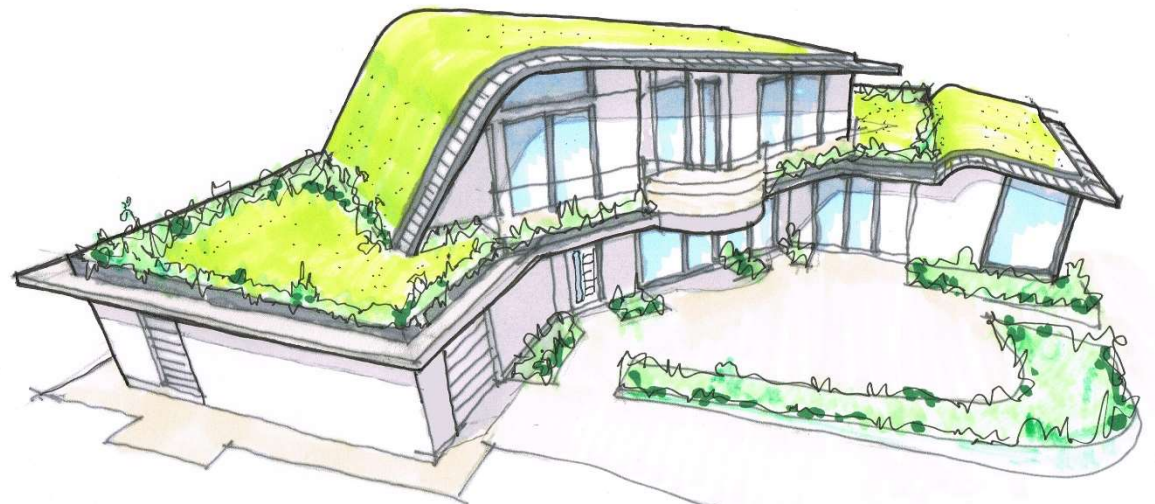
REVISED

## PROPOSED REPLACEMENT DWELLING

### COOTAMUNDRA

McFarland's Down

St Mary's, IOS



ISLAND  
CONSTRUCTION  
[www.islandconstruction.co.uk](http://www.islandconstruction.co.uk)

1. Introduction, client brief and outline
2. Location, Site Setting and Context
3. Design development
4. Final development proposals
5. Public Consultation
6. Access, Highways and Refuse
7. Drainage
8. Materials
9. Sustainability
10. Lifetime Homes standards
11. Summary



## 1. Introduction, client brief and outline

This Design and Access statement has been produced in support of a full planning application for the demolition of the existing derelict house and the construction of a fully accessible, Lifetime Homes Standard, sustainable replacement dwelling at Cootamundra, McFarland's Down, St Marys, Isles of Scilly.

Cootamundra is currently owned by Noel and Emily Miles.

Mr Miles was, through no fault of his own, involved in a serious Road Traffic Accident on the 17<sup>th</sup> September 2019, suffering life changing injuries. As a direct result of the accident, he is now an above knee amputee and is paralysed in his lower body, necessitating the full-time use of a wheelchair or mobility aid. In addition, Mr Miles now has to engage in an intense daily rehabilitation regime to ensure the best outcome from the massive injuries that he has sustained.

Noel and Emily have enjoyed a long relationship with the islands and have parents' resident on St Mary's. They have both spent considerable time on St Mary's over many years, and have participated in many events on the islands, including the Tresco marathon and triathlon. Following the accident Noel, Emily and their young son Murray decided to establish a home and rehabilitation base on Scilly where they can focus on the tough road ahead, in a place they love and are comfortable, and where they can access support from the family.

To this end, they had been looking for a property that could be adapted to be fully accessible, and purchased Cootamundra early in 2023.

This Statement illustrates the considered assessment and evaluation of the site and its context, and outlines the processes leading to the sensitive design for a high-quality sustainable home that respects its location, and meets the additional exceptional requirements outlined above.

## 2. Location, Site Setting and Context

Cootamundra is situated at the Northern end of McFarland's Down, a residential road within the 'Telegraph' settlement, to the North of St Mary's, Isles of Scilly, and is approximately 1.7 Miles from the centre of Hugh Town.

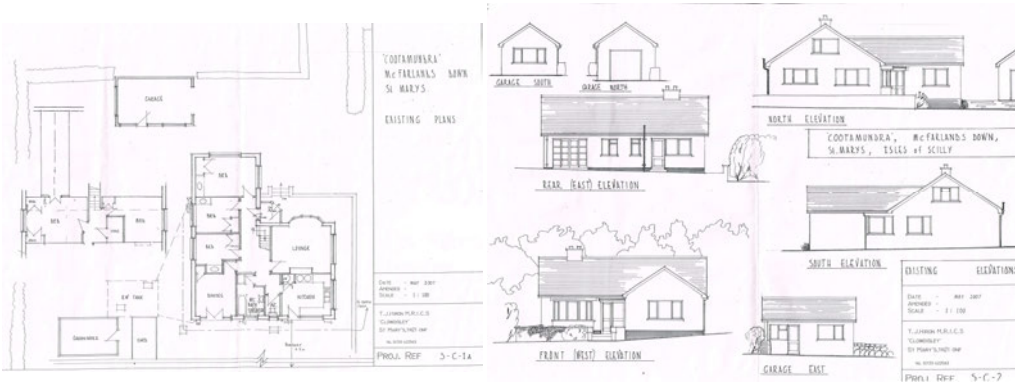


The site is roughly rectangular, with a grass driveway emerging from the Western boundary and joining on to the end of McFarland's Down.

It is 0.112 Ha (0.28 Acres) in area, and slopes gently from South to North ( approx. 1.78m) and East to West (approx. 0.52m). The grass driveway is nearly flat, falling approximately 0.38m from the dwelling to McFarland's Down.

The existing dwelling is a 5-bedroom Bungalow, with two of the bedrooms being attic rooms. The house, which has not been occupied for a number of years, is in extremely poor and dangerous condition.

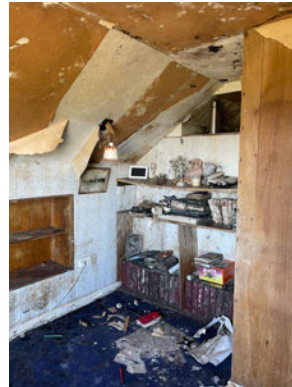
There is also a large single garage, also in poor repair.



Plans and elevations as existing



View from McFarland's Down



Interior views of ground and first floors

The site was completely overgrown, but a large proportion of the overgrowth was cut back to enable the topographical survey to be carried out.

It was decided not to survey the house itself. With floors that had rotted and were collapsing it was too dangerous to commission a survey of the interior, and it was clear that any development would involve its demolition.

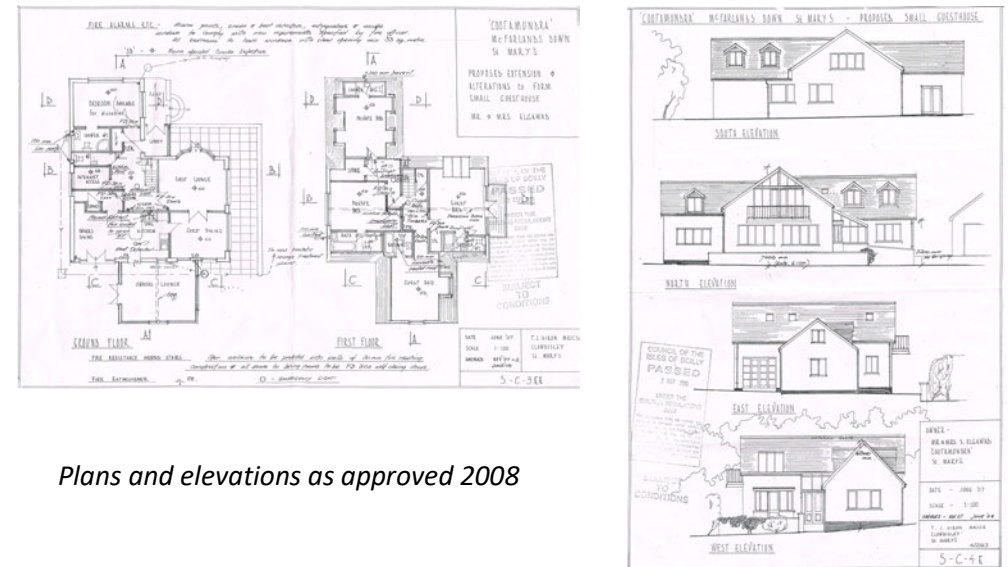
The access drive is bounded by 1.5 – 1.8 m high hedges.

To the East of the site is Long Rock, which is wooded with many mature trees

Cootamundra sits behind (to the East) of its nearest neighbour, Halangy, and backs on to the garden of Trenemene to the South.

There are very few direct public vantage points of the site, and at any of these points it would be necessary for the public to be actively looking for the property. It will not easily be visible from anywhere at a glance. There will be no, or limited, impact on the visual environment in the area.

Cootamundra also has benefit of a valid 2008 planning consent for fairly substantial alterations to form a small guesthouse.

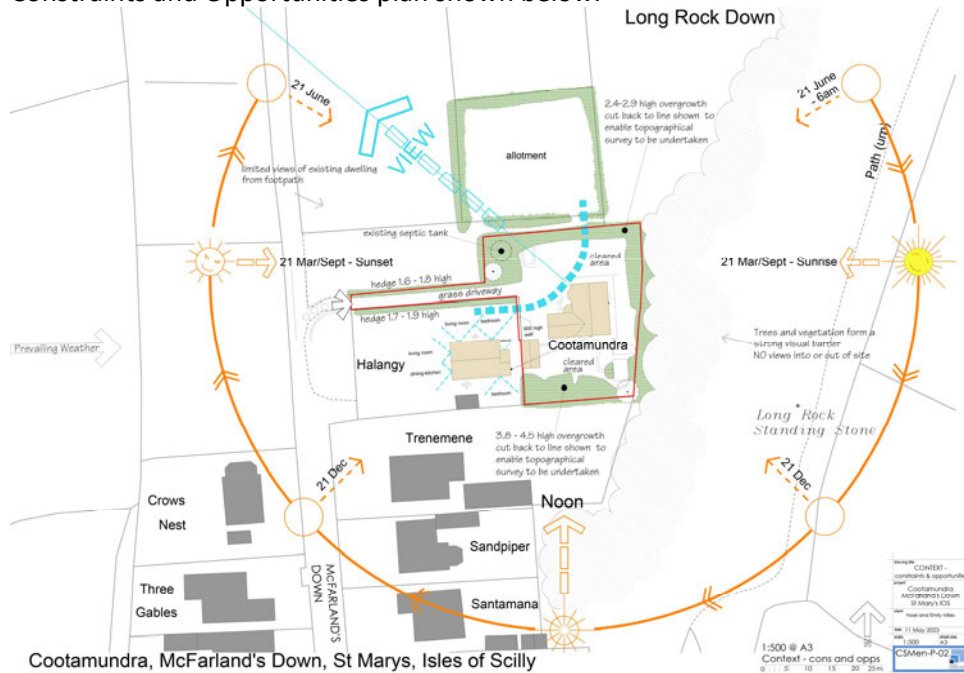


Plans and elevations as approved 2008



Prior to embarking on the design of the proposed dwelling a full appraisal of the character of the site and its context was undertaken, and all issues associated with site layout, scale proportion and massing have been carefully considered.

The primary context and design considerations are highlighted on the Context - Constraints and Opportunities plan shown below.



Context – constraints and opportunities

### 3. Design development

From the outset it was clear that the existing house was in a particularly poor state and could not practically and economically be renovated, and more particularly, could not be brought up to modern sustainable and accessible standards.

The brief from Mr Miles for a new home was of necessity very specific, the main points of which are shown below –

- In terms of must haves and some guiding principles:*
- Eco house as much as possible

- Just to state the obvious: everything is accessible and no areas out of bounds for me.
- Open plan layout and ease of journey throughout the house
- Minimum of 3 bathrooms, including one with a bath as well as a shower
- Outside garage / storage as I have a lot of gubbins.....
- Outside shower area
- sheltered sun spot for a bbq

Other requirements are encompassed in an Occupational Therapists report, the majority of which, apart from turning circles and door widths which form a part of the planning drawings, will be dealt with at the detail stage.

The design therefore must evolve from the overriding statement from the client, which is ‘.. everything is accessible and no areas out of bounds...’

This translates into a level access home suitable for a disabled person to be able to live comfortably and independently, with all of the primary requirements met by single level living on the ground floor. Whilst Part M of the building regulations adequately covers access to, and use of, the building, in order to better future proof the proposed home it was decided to design to the recommendations embodied in the Lifetimes Homes Standard supplemented with details from the Occupational Therapist’s report.

Where possible the Lifetime Homes good practice recommendations that exceed or are in addition to the standard requirements will be incorporated.

The design principles and the starting point for the design to meet client needs must be from the ‘inside - out’ and in terms of layout was therefore quite straightforward – level access to a home that could be used in a practical way on a single floor.

Looking to both current and future requirements, the home needed to be not only suitable for Noel Miles, his family and guests, but with the ability to accommodate visiting trainers and occupational therapists. It also made sense to future-proof the accommodation in anticipation of potential future needs for live-in carers.

Whilst the obvious starting point was a single storey dwelling (bungalow), it soon became apparent that to meet all of the needs of the client on one level the footprint would probably be larger than would be appropriate for the plot.

As a result, the room for a visiting OT / long term carer or guest bedroom, together with the second bedroom and associated wet room/bathrooms were put on the first floor.

Additionally, with Mr Miles's wheelchair requirement, the views from the ground floor are very limiting and it soon became clear that to be able to take benefit of the views, access to the first floor would be essential.

Ties in with '.. nowhere to be out of bounds..' meant that a lift would be installed to reach the upper floor in any event

The first sketch was presented to the clients without any elevations having been considered – as stated earlier the whole design is about the accessibility requirements for Mr Miles.

The footprint shape was derived from key points in the context plan – the primary 'grain' of Mcfarland's Down, and therefore the site, which is North-South and the best view from the site which is to the North West.



Sketch 01

The first sketch was well received in principle, particularly the welcoming 'open arms' shape of the dwelling as it is approached, giving the feeling of being 'hugged' on arrival.

Assessment of the initial proposals with the clients resulted in the following :  
 a garage as such is not necessary, but a store/garage for hand bikes, all terrain special wheelchair and possibly in the future a small electric buggy is essential.

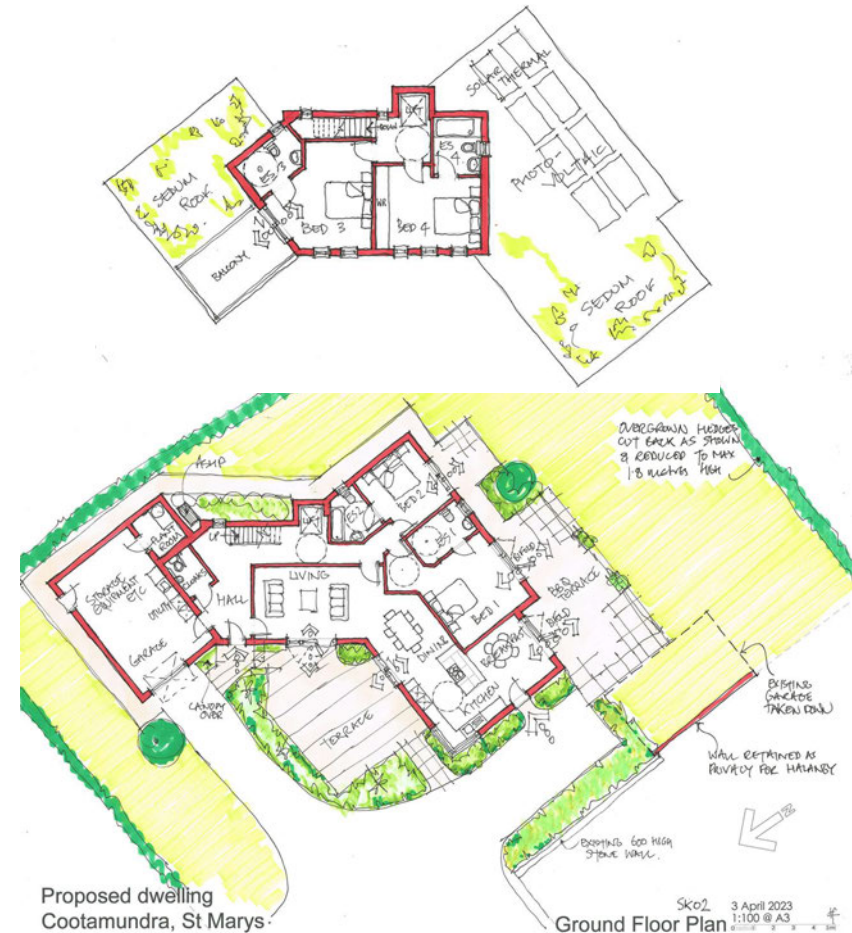
A preference for all of the living areas - kitchen, dining and living to be on the 'front' (north/North West) because this does get the late afternoon early evening sun, and the view.

A balcony to be accessible to all, not just from one of the bedrooms

A therapy room

A sedum roof was suggested

From this meeting, Sketch 02 was produced, which now includes a location for the Air Source Heat Pump and a suitably sized plant room for all of the essential associated equipment.



Sketch 02

Scheme 2 addressed the main items commented on in scheme 1, such as repositioning the Kitchen, dining and living spaces to the front and included other typical on-going design elements as part of the process

With the proposals now accepted in principle, further discussions with the clients elicited some small changes as follows:

Switch lounge and kitchen in order for the living area to benefit from the proposed corner window, and the kitchen to get a fuller more accessible view of the North terrace and the access.

Noted that the balcony was still not accessible to all.

### Sketch 3



Sketch 3 located the kitchen in the centre of the front elevation, giving the living area the corner window. Therapy room now included.

The balcony now located on the front of the house, with central access that can be reached directly from the stairs and the lift and is therefore accessible to all.



A plan was also included to demonstrate to Mr Miles the fully permeable and accessible layout of the house and the immediate external environment.

Scheme 3 was discussed in detail with Mr and Mrs Miles, and in principle satisfied the brief. It was agreed that this sketch would form the basis for the planning submission and that it was now time to turn to the 3D element and how their new home was going to look.

The first sketch was a cautious traditional looking two storey house, largely produced to get a feeling for the massing, but also to gauge reactions from the client, the neighbours and the planning officer.



There was a disappointed reaction from the clients, who had hoped for a modern green roofed sustainable building.

We were pointed towards the Tourist Information Centre on St Mary's



The request was for '*...an amazing house..*' that is not so far off the wall it cannot be approved or built on Scilly, but '*...we would like to dare to be different in some way, please*'.

At this point, with the plans acceptable to the clients, and the elevations under discussion we arranged an informal meeting on site with the Chief Planning Officer, Lisa Walton, on 20<sup>th</sup> April .

The dereliction of the existing property, its purchase by Mr and Mrs Miles, and the special requirements of accessibility etc were discussed.

Draft proposals (Sketch 03), a draft constraints and opportunities plan and the draft elevations were discussed.

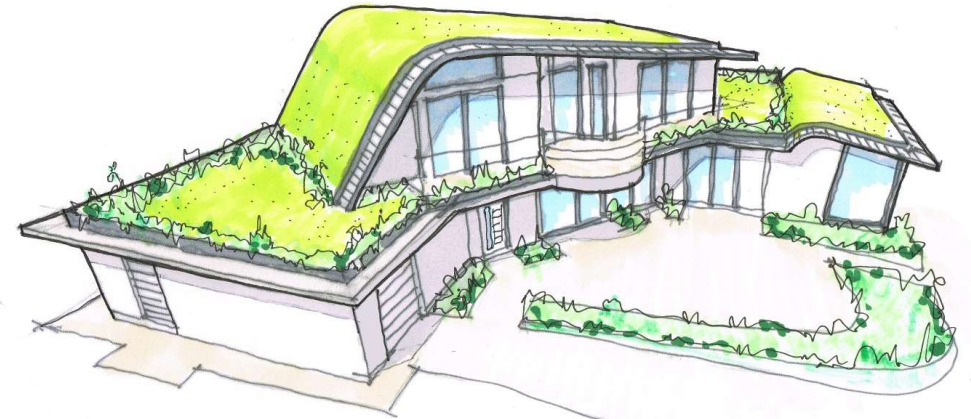
The scheme presented appeared to be acceptable in principle (subject, as usual to the submitted drawings) and the need for a slightly larger footprint and a small two storey element was noted. Some discussion centred around lowering the floor level, but the reasons for not doing so (wheelchair eyeline) were accepted.

The subject of the request from the clients for more interesting elevations than the 'standard' was debated.

We discussed the fact that Cootamundra is at the end of the run and there is less requirement to 'fit in' with any adjacent properties. We would hope that for these reasons a design could be considered that did not wholly reflect the immediate vernacular.

We followed up this meeting with the immediate neighbours at Halangy, showed the proposals, and agreed to make some changes requested.

The issue of interesting elevations was then addressed, and the perspective below was sent to the clients.



This design encompassed the clients desire for something modern and sustainable, with a contemporary roofline that reflects the undulating nature of the interior landscape of St Mary's.

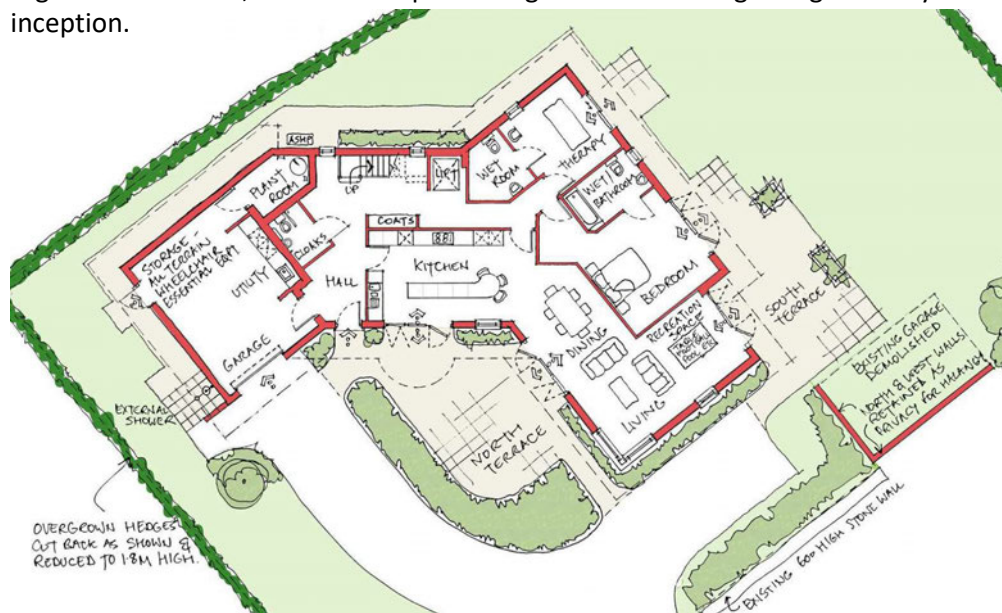
The low profile of the roof means that we have a two-storey building that is approximately the same height as the existing dwelling, minimising any visual impact.

Noel and Emily were extremely pleased with the appearance now being presented, and we were instructed to submit the scheme.

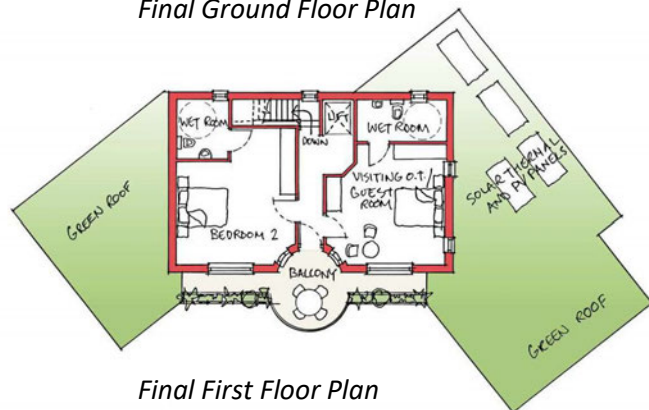


## 4. Final development proposals

With the client requirements and brief for the layout being very specific, and the regular discussions, the overall plan design has not changed significantly since inception.



Final Ground Floor Plan



Final First Floor Plan

### Areas

Existing Floor Area: 157.1 SqM Existing Footprint (inc. garage) 141.03 SqM  
 Proposed Floor Area: 209.08 SqM Proposed Footprint (inc. garage) 200.3 SqM  
 2008 Approval: Floor Area 237.5 SqM Footprint (inc. garage) 171.79 SqM

## 5. Public Consultation

Neighbours have been kept fully aware of the scheme since its inception, and generally have no objection with the proposals.

## 6. Access, Highways and Refuse

The proposed dwelling will be accessed via the existing track from McFarland's Down.

There will be adequate on-site parking and manoeuvring and it will be suitable for wheelchair access from a vehicle.

Whilst car parking is not a requirement for Mr and Mrs Miles, if vehicles do need to access the site, parking and turning has been considered.

Criterion 1 of Lifetime Homes Standards requires a minimum parking width of 3300mm. The good practice recommendations request 3600mm wide parking, which we have achieved. We will look at making it wider than this if necessary.

Approach to the dwelling from car parking meets Criterion 2

Refuse will be dealt with by the existing arrangements for McFarland's Down.

## 7. Drainage

### Foul Drainage

The existing septic tank will be replaced with a modern biodisc.

There appears to be an existing water storage tank to the rear of the existing property. If suitable, this will be re-used for surface water storage. If not suitable a new storage tank will be installed.

## 8. Materials

The materials and their colours respect the locality

Roof: Green roof

Walls: Through coloured render in Antique white, with a 'local stone' feature

Windows: Aluminium double or triple glazed in grey for optimum maintenance free performance

## 9. Sustainability

The object of the detail design will be to exceed minimum building regulation requirements, and look for all current thoughts on building-in climate change resilience. Various forms of heating are being considered, including air source and ground source heat pumps, with solar thermal panels supplementing the hot water. Insulation levels will exceed minimum requirements, with double or triple glazed windows and doors.

## 10. Lifetime Homes standards

The detail design of the dwelling will be based on all of the relevant lifetime Homes Criteria. These are mentioned where appropriate in this document, with the majority being dealt with as building regulation or construction details.

Whilst the fundamental accessibility elements of the original criteria can now largely be found in part M of the building regulations, particularly in the enhanced but not obligatory requirements of M4(2) and M4(3), subscribing fully to the Lifetime Homes criteria will ensure a much more inclusive and sustainable dwelling than currently required by either planning or building regulations.

Lifetime Homes concept is based on five overarching principles

- Inclusivity
- Accessibility
- Adaptability
- Sustainability
- Good value

It then sets out 16 criteria for accessibility and inclusive design

- Car parking width
- Moving from the parking space to the home
- Approach to the home
- Entrances
- Communal stairs and lifts
- Doorways & hallways
- Space to turn and move around
- Living room

- Convenient bed-space
- Accessible WC and potential shower
- Bathroom walls
- Getting upstairs - possibility for stair lift and future through floor lift
- Getting between bedroom and bathroom - potential hoist
- Bathroom layout
- Windows
- Sockets and controls

If not already noted on the drawings, all of these criteria can be incorporated in the scheme at the detail design stage, and it is intended to use the additional good practice recommendations wherever possible.

## 11. Summary

These proposals produce a sensitively designed home that respects its location, uses materials that reflect its setting and the adjacent buildings and is sympathetic to Scilly, with the AONB status informing many of the design decisions.

The proposals fully embrace advanced technology and contemporary lifestyles and meet the additional exceptional requirements required for its primary occupant.



View of Cootamundra and Halangy  
From McFarland's Down



View of proposed new dwelling and  
Halangy from McFarland's Down



**Cootamundra  
McFarland's Down  
St Mary's  
Isles of Scilly**

**Heritage Impact Assessment**



**Charlie Johns, Heritage Specialist**



## **Cootamundra**

### **McFarland's Down St Mary's Isles of Scilly**

### **Heritage Impact Assessment**

<b>Client</b>	<b>Clive Sibley</b>
<b>Report Number</b>	2023/2
<b>Date</b>	<b>12th May 2023</b>
<b>Status</b>	Final
<b>Report author</b>	<b>Charlie Johns</b>
<b>Planning references</b>	-

Charlie Johns  
Heritage Specialist  
Sunset, Trewennack, Helston, Cornwall, TR13 0PL  
Tel: (01326) 572024  
Email: bradpeverill@aol.com



## **Acknowledgements**

This study was commissioned by Clive Sibley of Saltwhistle Project Management on behalf of Mr & Mrs N Miles and carried out by Charlie Johns, Heritage Specialist.

Maps were prepared by Francis Shepherd, Cornwall and the Isles of Scilly Historic Environment Record, Cornwall Council, Kresen Kernow, Redruth.

The views and recommendations expressed in this report are those of Charlie Johns, Heritage Specialist, and are presented in good faith on the basis of professional judgement and on information currently available.

*Charlie Johns is a Member of the Chartered Institute for Archaeologists (MCIfA no. 381).*

Front cover: *Cootamundra (photo: Clive Sibley).*

**© Charlie Johns 2023 (unless otherwise stated)**

No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means without the prior permission of the publisher.



## Contents

<b>1</b>	<b>Summary</b>	<b>1</b>
<b>2</b>	<b>Introduction</b>	<b>3</b>
2.1	Project background	3
2.2	Methodology	3
2.2.1	Policy and guidance	3
2.2.2	Scope	3
2.2.3	Aims	3
2.2.4	Desk-based assessment	3
2.3	Author	4
<b>3</b>	<b>Heritage resource</b>	<b>5</b>
3.1	Location, setting and geology	5
3.2	Historic Landscape Character	5
3.3	Designations	5
3.3.1	Conservation Area	5
3.3.2	Area of Outstanding Natural Beauty and Heritage Coast	5
3.3.3	Archaeological Constraint Areas	6
3.4	Scheduled Monuments (SM)	6
3.5	Listed Buildings (LB)	6
3.6	Undesignated heritage assets	6
3.7	Chronological summary	6
3.7.1	Prehistoric (c10,000 BC-AD 43) and Roman (AD 43-410)	6
3.7.2	Medieval and post-medieval (AD 410-present)	6
3.8	Previous archaeological and historical work	7
3.9	Archaeological potential	7
<b>4</b>	<b>Statement of significance</b>	<b>7</b>
<b>5</b>	<b>Assessment of potential impacts</b>	<b>9</b>
5.1	Details of the proposed development	9
5.2	Summary of potential impacts	9
5.2.1	Physical (direct) impacts	9
5.2.2	Visual and other non-direct impacts	9
<b>6</b>	<b>References</b>	<b>10</b>
6.1	Primary sources (in chronological order)	10
6.2	Publications	10
6.3	Websites	10

## **List of Figures**

- Fig 1 Location map of St Mary's, the 0.25km-radius study area round Cootamundra is outlined in red.
- Fig 2 Block plan for the Cootamundra (Saltwhistle Project Management).
- Fig 3 The Long Rock standing stone.
- Fig 4 Historic Landscape Characterisation of the study area.
- Fig 5 Designated and undesignated heritage assets within the study area.
- Fig 6 Extract from the c1880 OS map.
- Fig 7 Extract from the c1907 OS map.
- Fig 8 Cootamundra viewed from the road.
- Fig 9 Cootamundra frontage.
- Fig 10 North end of Cootamundra.
- Fig 11 East end and garage
- Fig 12 Looking towards the Long Rock standing stone from the rear of Cootamundra.
- Fig 13 Looking towards the Halangy Down ancient village and the CGI radar station from the front of Cootamundra.

## **Abbreviations and acronyms**

AONB	Area of Outstanding Natural Beauty
CIFA	Chartered Institute for Archaeologists
CAU	Cornwall Archaeological Unit
HE	Historic England
HER	Cornwall and the Isles of Scilly Historic Environment Record
HIA	Heritage Impact Assessment
HLC	Historic Landscape Character
LPA	Local Planning Authority
MCO	Monument number in Cornwall HER
NGR	National Grid Reference
NHLE	National Heritage List Entry
OS	Ordnance Survey
SM	Scheduled Monument

# 1 Summary

In May 2023, Charlie Johns, Heritage Specialist, was commissioned by Clive Sibley of Saltwhistle Project Management, acting on behalf of Mr & Mrs N Miles, to carry out a Heritage Impact Assessment (HIA) to support an application for planning permission to demolish an existing house – 'Cootamundra' – and replace it with a new building.

Cootamundra is situated at the northern end of McFarland's Down, a linear development of houses dating to the mid and late 20th century in the north of St Mary's, the largest island of the archipelago (NGR SV 91323 12424).

The HIA is focussed on the proposed development plot, 'the proposal site', and also identifies relevant heritage assets within a wider 0.25km buffer around the proposal site and considers potential impacts upon these assets, 'the study area'.

There are no designated or undesignated heritage assets within the proposal site.

There are two scheduled monuments within the study area:

- The Long Rock prehistoric standing stone on Long Rock Down, St Mary's (NHLE 1013276), situated 0.05km east of the proposal site. It is noted that worked flints were found in the vicinity of the standing stone in the 1920s and a flint arrowhead found there was acquired by the museum in 1967.
- Entrance graves, standing stones, field systems, settlements and post-medieval breastwork, kelp pit and stone pits on Halangy and Carn Morval Downs, St Mary's (NHLE 013273), located 0.25km west of the proposal site.

There are also two undesignated heritage assets within the study area:

- A possible Neolithic or Bronze Age standing stone in the corner of a field called 'Pungies', located 206 south east of the proposal site (MCO 31175)
- A World War Two CGI radar station on Halangy Down located 160m north west of the proposal site (MCO67162).

The HIA concludes that the proposed development will not have any physical (direct) impacts on any of these heritage assets and will not have any negative visual, or other non-direct impacts, on the assets or their setting.

The footprint of the new building will be similar to that of the existing dwelling, with a modest extension in the north-east corner of the plot. The existing septic tank in the north-west corner of the plot will be removed and replaced at the same location and depth.

It is likely that the original construction works for Cootamundra will have destroyed any archaeological features and disturbed any *in situ* artefacts that may have been present. Therefore the archaeological potential of the proposal site is considered to be low, except in the area of the new extension where it is low to moderate.



Fig 1 Location map of St Mary's, the 0.25km-radius study area round Cootamundra is outlined in red.

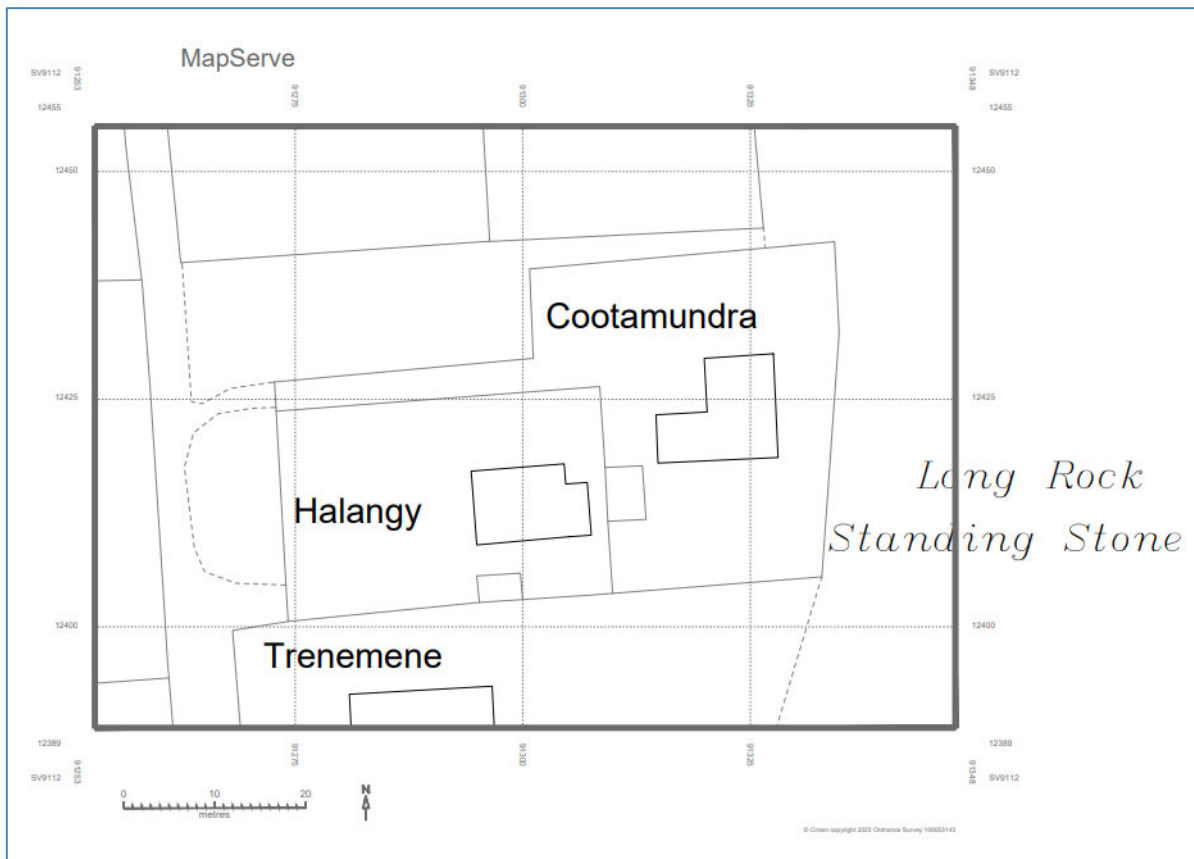


Fig 2 Block plan for the Cootamundra (Saltwhistle Project Management).

## 2 Introduction

### 2.1 Project background

In May 2023, Charlie Johns, Heritage Specialist, was commissioned by Clive Sibley of Saltwhistle Project Management, acting on behalf of Mr & Mrs N Miles, to carry out a Heritage Impact Assessment (HIA) to support a proposed application for planning permission.

Cootamundra is a two storey, four bedroom property, currently in a dilapidated state of repair following a long period of neglect and substantial water leak (Figs 9–11). It is intended to demolish the entire dwelling and garage and replace with a fully insulated and sustainable house with integrated parking. The new footprint will remain basically as it is, with a modest extension in the north-east corner of the plot. There is an existing septic tank in the north-west corner of the plot which will be removed and replaced. This will be in the same location and positioned at the same depth.

### 2.2 Methodology

#### 2.2.1 Policy and guidance

This report takes account of various relevant aspects of national and local planning policies and guidance including:

- Guidance for Scheduled Monument Consent applications
- Government guidance on conserving and enhancing the historic environment;
- The National Planning Policy Framework (NPPF) (2021) — specifically policies for 'conserving and enhancing the historic environment' (paragraphs 184-202) (see Appendix 1);
- The Isles of Scilly Local Plan (2015–2030);
- 'A Heritage and Cultural Strategy for the Isles of Scilly' (2004) and 'Historic Environment Historic Topic Paper: Enhancing the historic environment of the Isles of Scilly' (2017)', this supports the Local Plan 2015-2030 and sets out a positive strategy for the protection of the islands important historic environment.
- Ancient Monuments and Archaeological Areas Act (1979); and
- Planning (Listed Buildings and Conservation Areas) Act (1990).

#### 2.2.2 Scope

This HIA is focussed on potential heritage assets identified within the proposed development plot (hereafter referred to as the 'proposal site') (Fig 2). The HIA also identifies relevant heritage assets within a wider 0.25km buffer around the proposal site and considers potential impacts upon the assets within this wider area (hereafter referred to as the 'study area') (Fig 4).

#### 2.2.3 Aims

The primary aims of this study are to assess the following:

- the resource of identified heritage assets, both designated and non-designated, within the study area that are relevant to the proposal site;
- the significance of the identified and potential heritage assets and resource within the proposal site;
- the impacts of the proposal upon the significance of heritage assets and the settings of designated heritage assets within the study area; and
- appropriate measures for mitigating impacts upon the heritage assets and resource within the study area.

#### 2.2.4 Desk-based assessment

This study was undertaken in accordance with the Chartered Institute for Archaeologist's (CIfA) guidance on undertaking desk-based assessment (CIfA 2017).

### **Significance**

Determination of the significance of heritage assets has followed guidance issued by English Heritage (now Historic England) in 2008. The following criteria have been used to measure significance:

- Evidential – 'the potential of a place to yield evidence about past human
- Historical – 'derives from the ways in which past people, events and aspects of life can be connected through a place to the present';
- Aesthetic – 'derives from the ways in which people draw sensory and intellectual stimulation from a place'; and
- Communal- 'derives from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory'.

### **Settings**

In evaluating aspects of the settings of heritage assets the assessment followed Historic England's guidance on the subject (2017).

### **Sources**

During the desk-based assessment historical databases and archives were consulted in order to obtain information about the history of the site and study area and the structures and features that were likely to survive. The main sources consulted were as follows:

- Cornwall and Scilly Historic Environment Record (HER);
- the National Heritage List for England (a searchable database of designated heritage assets, excluding conservation areas);
- Accessible GIS data;
- early maps, records, and photographs (see Section 7.1).
- published histories (see Section 7.2).

## **2.3 Author**

The author of this report is Charlie Johns BA (Hons), MCIfA. Formerly a Senior Archaeologist with Cornwall Archaeological Unit, Charlie was the Unit's archaeologist for the Scilly from 2002 to 2018. Notable projects include the Bryher sword and mirror burial in 1999 (Johns 2002-3); the Lyonesse Project, a study of ancient sea level rise in the islands (Charman *et al* 2016); and compilation of the Scilly Historic Environment Research Framework (Johns 2019).

## 3 Heritage resource

This section presents a summary of the historical development of the study area, provides detail of designated and non-designated heritage assets that have been identified, identifies potential heritage assets that may lie within the proposal site, and reports on previous archaeological and historical work in the study area.

### 3.1 Location, setting and geology

St Mary's, the largest of the Isles of Scilly, is located in the centre of the archipelago. The main part of the island is roughly circular, measuring approximately 3km north to south and 2.5km east to west, with promontories extending from this at Peninnis in the south and the Garrison in the south-west. It rises to a maximum height of 49m above sea level at Telegraph.

The island has a varied topography with the main settlement at Hugh Town on a low-lying sandy isthmus between the main part of the island and the Garrison. The interior is mainly undulating agricultural land with two areas of pools and marshland; the coast includes both rocky stretches with heathland above and sandy areas with dunes.

McFarland's Down is located near the coast in the north of the island and the site is at approximately 40m above sea level. It is a linear development of houses, on either side of an unsurfaced road, dating to the mid and late 20th century. Cootamundra is located at the northern end of the linear development (NGR SV 91323 12424) and set back from the road behind another property named 'Halangy' (Figs 1 and 2).

The geology of St Mary's is granite, with weathered periglacial head, known locally as *ram*, covering the lower hill slopes and valley floors; the geology supports soils suitable for cultivation and pasture (Geological Survey of Great Britain, 1975, Isles of Scilly, Sheets 357 and 358).

### 3.2 Historic Landscape Character

The study area is characterised as 'Settlements' in the Isles of Scilly Historic Landscape Assessment (Fig 4; Land Use Consultants 1996).

### 3.3 Designations

#### 3.3.1 Conservation Area

In 1975 the islands were designated as a Conservation Area, under Section 277(1) of the Town and Country Planning Act 1971. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on Local Authorities to designate as conservation areas "any areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance". This duty extends to publishing proposals for the preservation and enhancement of Conservation Areas. Since its designation in 1975 no comprehensive appraisal of the Isles of Scilly Conservation Area has been undertaken. In 2015 the Local Planning Authority consulted on a Draft Conservation Area Character Statement for the Isles of Scilly as a Supplementary Planning Document.

#### 3.3.2 Area of Outstanding Natural Beauty and Heritage Coast

Since 1976 the islands have been designated an Area of Outstanding Natural Beauty (AONB) and defined as a Heritage Coast. The quality of the environment of Scilly for designation as an AONB was first recognised in a report of the National Parks Committee in July 1947 (the Hobhouse Report).

The Heritage Coast definition protects 64 km<sup>2</sup> of coastline around the islands which is 23 km<sup>2</sup> of foreshore, cliff and dune environments. The management of the heritage coast was originally undertaken by a non-governmental organisation: The Isles of Scilly Environmental Trust. It is now managed by the Isles of Scilly Wildlife Trust through the AONB Partnership and Management Plan, which is updated every five years. The Conservation Area, AONB and Heritage Coast all overlap and cover all of the islands and the heritage coast occupies a substantial portion of the AONB.

### **3.3.3 Archaeological Constraint Areas**

The Isles of Scilly Archaeological Constraint Maps were compiled during February and March 1995 by Cornwall Archaeological Unit (CAU) with funding from English Heritage and the Council of the Isles of Scilly. The maps were drawn to indicate the location of recorded archaeological and historic sites and structures in order to make an initial assessment of the impact of any proposed development on these remains, and if necessary, archaeological consultation carried out prior to any planning decision being made. They are non-statutory were intended to serve as a graphic aid to planning officers and others dealing with the management of the environment.

The proposal site borders the Pendrathen /Long Rock Down Archaeological Constraint Area.

### **3.4 Scheduled Monuments (SM)**

There are no Scheduled Monuments within the proposal site but there are two Scheduled Monuments within the study area:

- The Long Rock prehistoric standing stone on Long Rock Down, St Mary's (NHLE 1013276) located approximately 50m east of the proposal site; and
- Entrance graves, standing stones, field systems, settlements and post-medieval breastwork, kelp pit and stone pits on Halangy and Carn Morval Downs, St Mary's (NHLE 013273), located approximately 250m west of the proposal site) (Fig 5).

### **3.5 Listed Buildings (LB)**

There are no Listed Buildings within the proposal site or the study area.

### **3.6 Undesignated heritage assets**

There are no undesignated heritage assets within the proposal site. The HER records two undesignated heritage assets within the study area (Fig 5).

- A possible Neolithic or Bronze Age standing stone in the corner of a field called 'Pungies', located approximately 206m south east of the proposal site (MCO 31175) – although this has not been found by recent researchers.
- A World War Two CGI radar station on Halangy Down, located approximately 160m north west of the proposal site (MCO67162).

### **3.7 Chronological summary**

#### **3.7.1 Prehistoric (c10,000 BC–AD 43) and Roman (AD 43-410)**

In the Late Bronze Age (c2000-1500 BC) the study area would have been part of a 'ceremonial landscape' which would have included the Long Rock standing stone, the possible standing stones at Bant's Carn and Pungies and Bant's Carn entrance grave and Halangy Down.

The Long Rock standing stone has survived well with no recorded disturbance from its present location (Fig 3). A concentration of flint artefacts recorded near this stone provides evidence for this site having formed a focus for prehistoric activity (see below section 3.8). The relatively close grouping of standing stones known on this part of the island is also unusual, while the wider relationship between the monument, its topographical setting and the settlements and field systems on the slopes of Halangy Down demonstrates the organisation and development of ritual and settlement activity among prehistoric communities.

During the Romano-British period the study area would have been close to the courtyard house settlement at Halangy Down.

#### **3.7.2 Medieval and post-medieval (AD 410-present)**

The Isles of Scilly Historic Landscape Character Assessment (Land Use Consultants 1996) indicates that the area of McFarland's Down is bordered by anciently enclosed land and late post-medieval enclosure to the east, south and west and by heathland to the north.



The place-name 'McFarland's Down' is shown on both the 1890 and 1908 OS maps. The area is depicted as unenclosed rough grassland or heathland criss-crossed by tracks including the north-south track which formed the focus of the later housing development (Figs 5 and 6).

The CGI radar station was built during World War Two; the HER does not provide any further details. The linear development of houses known as McFarland's Down dates to the mid and late 20th century.

### **3.8 Previous archaeological and historical work**

The HER records that worked flints were found in the vicinity at Long Rock by Roy Thompson in 1925 and Alfred Guy in 1927. Amongst these were the three thumbnail scrapers found at the 'Longstone' [=Long Rock], one in 1925 and two in 1927, illustrated by Mackenzie (1967), which are now in the Isles of Scilly museum. These scrapers are probably those mentioned by Ashbee (1974, 151, 313, 324). A flint arrowhead found at Long Rock was acquired by the museum in 1967.

An archaeological watching brief was carried out during groundworks for an extension to High Pines, McFarland's Down, in 2014/15 (Johns and Sawyer 2015), approximately 130m to the south of Cootamundra. No structures, features or finds of archaeological interest were observed during the monitoring.

### **3.9 Archaeological potential**

It is likely that the original construction works for Cootamundra will have destroyed any archaeological features and disturbed any *in situ* artefacts that may have been present. Therefore the archaeological potential of the site is considered to be low, except in the area of the new extension where it is low to moderate.

## **4 Statement of significance**

The cultural value relevant to this HIA is 'Evidential' (which includes archaeological value). This is the potential of a place to yield primary information about past human activity and what it could contribute to our understanding of the early history and landscape character of the area. e.g., below ground archaeology before it is excavated.

The evidential value of the proposal site is considered to be low to moderate. Any finds or features that might be revealed which are associated with the Bronze Age ceremonial landscape or the Romano-British settlement are potentially of National significance, any other features or finds are more likely to be of Local significance.



*Fig 3 The Long Rock standing stone.*

Photo: Clive Sibley

## **5 Assessment of potential impacts**

### **5.1 Details of the proposed development**

It is intended to demolish the existing dwelling and garage and replace with a fully insulated and sustainable house with integrated parking. The new footprint will remain basically as it is, with a modest extension in the north-east corner of the plot. There is an existing septic tank in the north-west corner of the plot which will be removed and replaced in the same location and positioned at the same depth.

### **5.2 Summary of potential impacts**

#### **5.2.1 Physical (direct) impacts**

There will be no direct impacts on any of the heritage assets identified in this assessment.

#### **5.2.2 Visual and other non-direct impacts**

The Long Rock prehistoric standing stone on Long Rock Down, St Mary's (NHLE 1013276) is situated approximately 50m to the east of Cootamundra. It is hidden from Cootamundra by a hedge (Fig 12) and a belt of pine trees (see front cover picture). The building line will remain unchanged to the rear and will be no closer to the Long Stone, than the existing property and even when the hedge has been trimmed the standing stone will not be visible.

*The proposed development will have no visual or other non-direct impacts on this scheduled monument or its setting.*

The scheduled entrance graves, standing stones, field systems, settlements and post-medieval breastwork, kelp pit and stone pits on Halangy and Carn Morval Downs, St Mary's (NHLE 013273), are located approximately 250m west of the proposal site. Cootamundra is partly screened by the property named 'Halangy' and a 35m long hedged track (Fig 13).

*The proposed development will have no visual or other non-direct impacts on this scheduled monument or its setting.*

The possible Neolithic or Bronze Age standing stone in the corner of a field called 'Pungies' (MCO 31175) is located approximately 206m south east of the proposal site. There is the shelter belt of trees and several hedges between the asset and Cootamundra.

*The proposed development will have no visual or other non-direct impacts on this undesignated heritage asset or its setting.*

The World War Two CGI radar station on Halangy Down (MCO67162) is located approximately 160m north west of Cootamundra.

*The radar mast is visible from the proposal site but it is considered that visual or other non-direct impacts on this undesignated heritage asset and its setting will be Neutral.*

## 6 References

### 6.1 Primary sources (in chronological order)

Ordnance Survey, c1880. 25 Inch Map First Edition

Ordnance Survey, c1907. 25 Inch Map Second Edition

Ordnance Survey, MasterMap Topography

### 6.2 Publications

Ashbee, P, 1974, *Ancient Scilly*, Newton Abbot

Charman, D, Johns, C, Camidge, K, Marshall, P, Mills, S, Mulville, J, Roberts, H M, and Stevens, T, 2016. *The Lyonesse Project: a study of the historic coastal and marine environment of the Isles of Scilly*, Truro (Cornwall Archaeological Unit and Historic England)

CiFA, 2017. Standard and guidance for historic environment desk-based assessment, CiFA, Reading

English Heritage, 2008. *Conservation Principles, Policies and Guidance*. Swindon: English Heritage

Historic England, 2017. *The Setting of Heritage Assets*. Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)

Johns, C, 2002–3. An Iron Age sword and mirror burial from Bryher, Isles of Scilly, *Cornish Archaeol* **41–42**, 1–79

Johns, C, ed, 2019. *The Isles of Scilly Historic Research Framework: Resource Assessment and Research Agenda*, Truro (Cornwall Archaeological Unit, Cornwall Council)

Mackenzie, P Z, 1967. Thumb Nail Scrapers in Scilly, *Cornish Archaeol* **6**, 10

Land Use Consultants, 1996. *Isles of Scilly landscape assessment and management strategy*, Truro

Ratcliffe, J, and Straker, V, 1996. *The Early Environment of Scilly*, Truro (Cornwall Archaeological Unit, Cornwall County Council)

Sawyer, K, and Johns, C, 2015. *High Pines, McFarland's Down, St Mary's, Isles of Scilly; archaeological recording*, St Mary's (Katharine Sawyer)

### 6.3 Websites

<http://www.heritagegateway.org.uk/gateway/> Online database of Sites and Monuments Records, and Listed Buildings

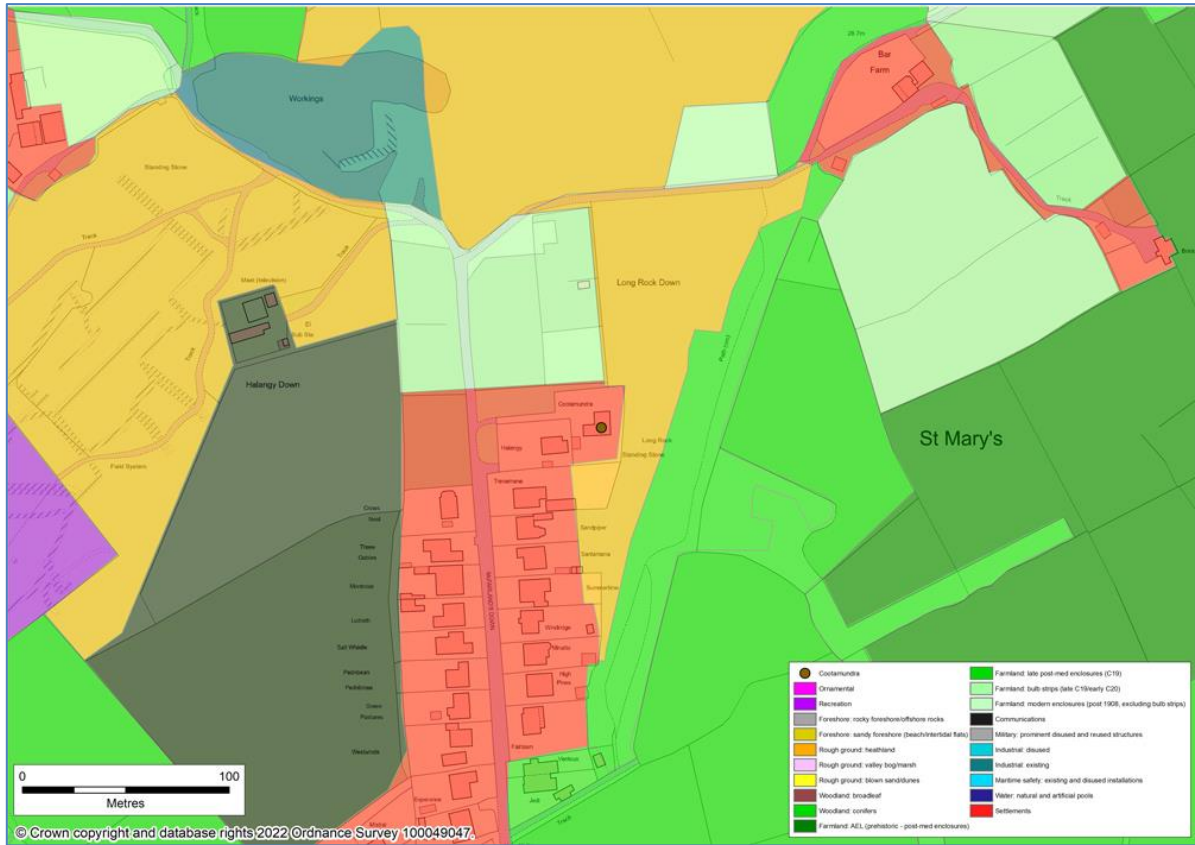


Fig 4 Historic Landscape Characterisation of the study area.

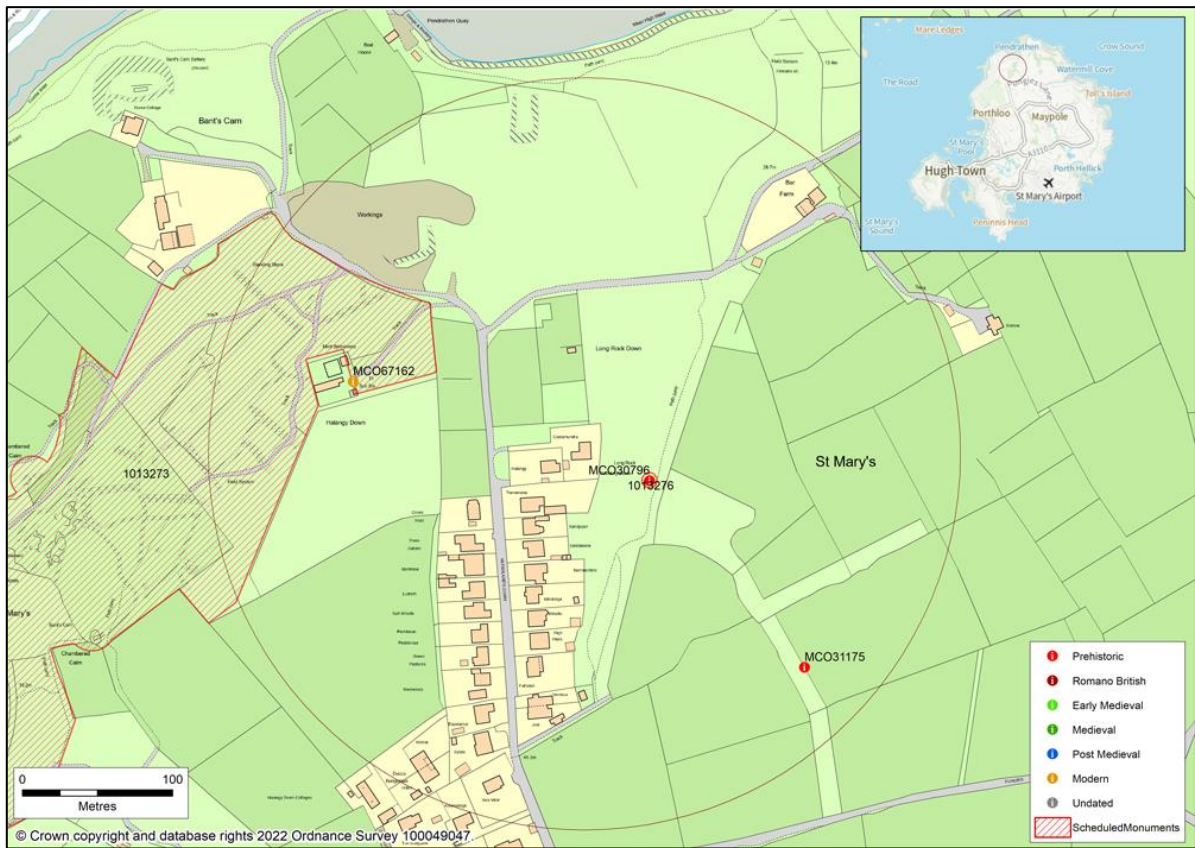


Fig 5 Designated and undesignated heritage assets within the study area.

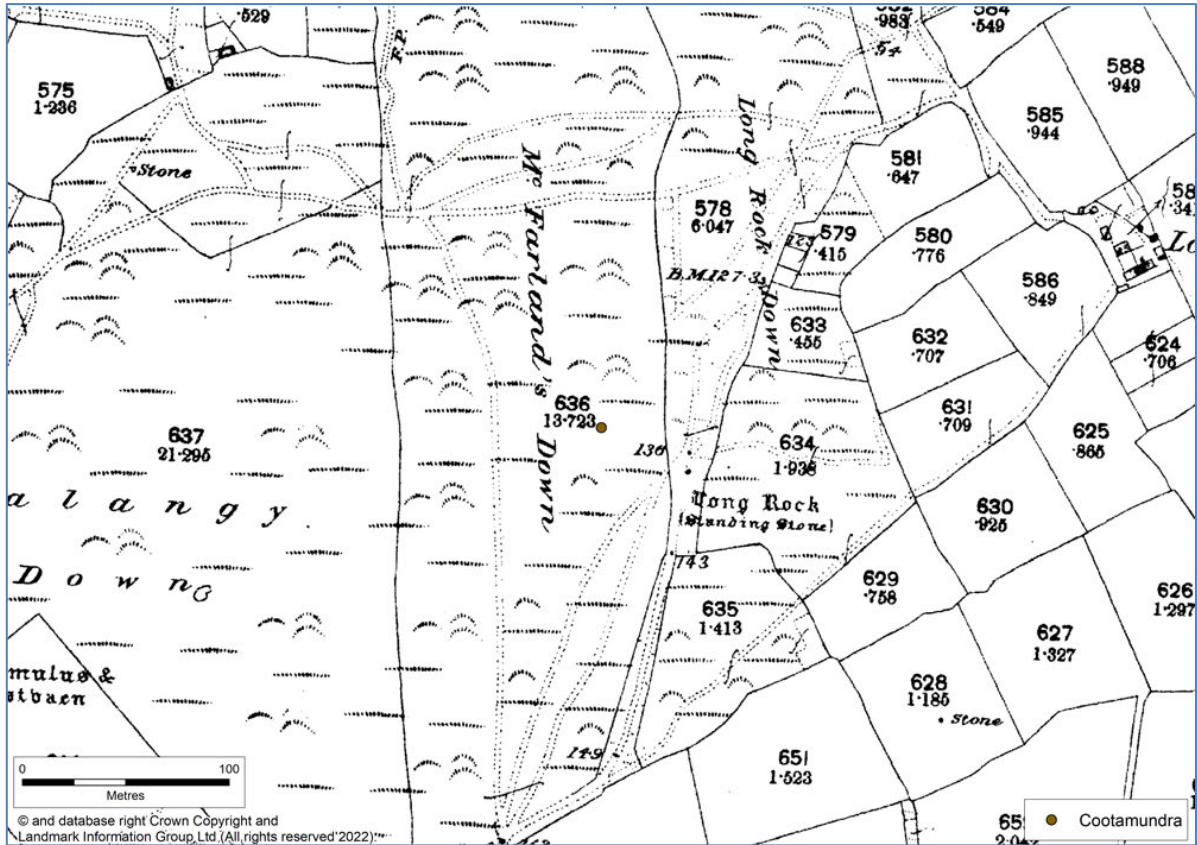


Fig 6 Extract from the c1890 OS map.

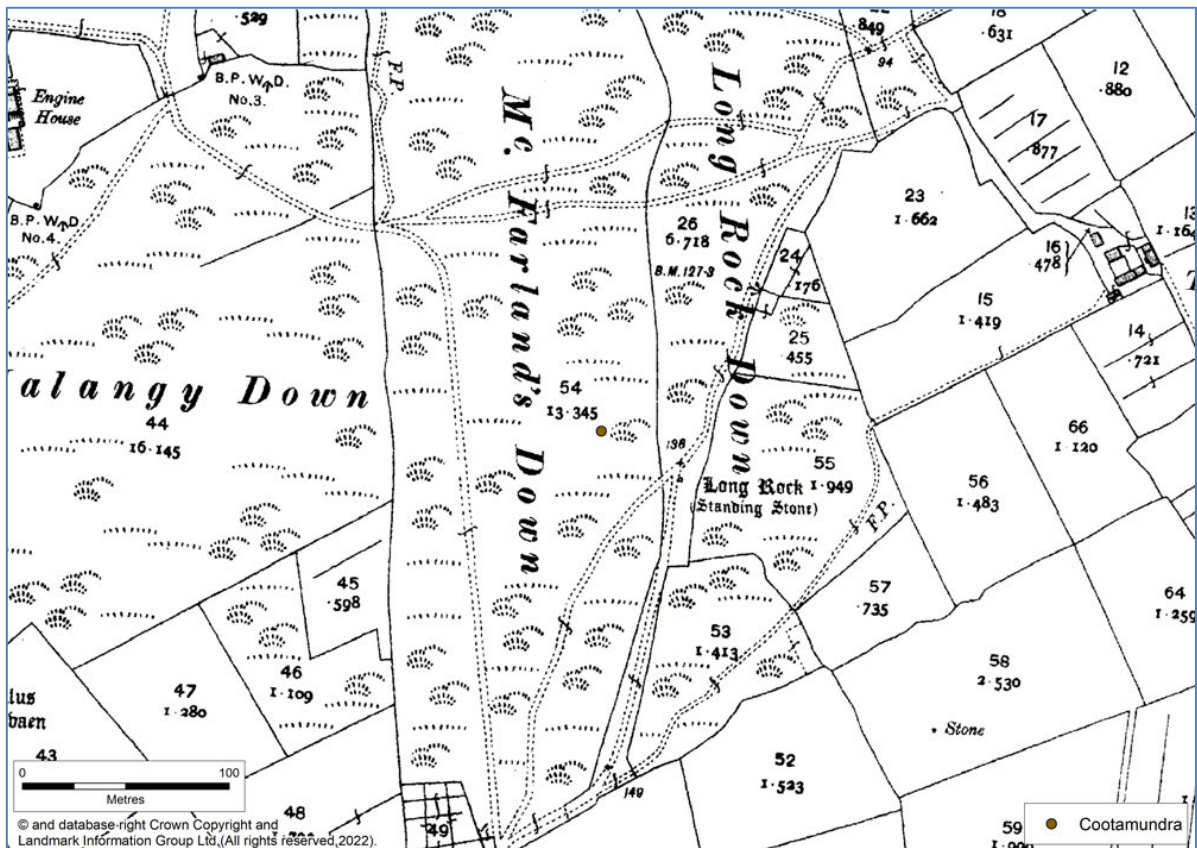


Fig 7 Extract from the c1908 OS map.



*Fig 8 Cootamundra viewed from the road.*



*Fig 9 Cootamundra frontage.*

*(photos: Clive Sibley)*



*Fig 10 North end of Cootamundra.*



*Fig 11 East end and garage*

*(photos: Clive Sibley)*



*Fig 12 Looking towards the Long Rock standing stone from the rear of Cootamundra.*

(photo: Clive Sibley)



*Fig 13 Looking towards the Halangy Down ancient village and the CGI radar station from the front of Cootamundra.*

(photo: Clive Sibley)





***Charlie Johns***  
***Heritage Specialist***

*'Sunset', Trewennack, Helston, Cornwall*  
*TR13 0PL*

*(01326) 572024*  
[\*bradpeverill@aol.com\*](mailto:bradpeverill@aol.com)

# PRELIMINARY ROOST ASSESSMENT (PRA)

---

## COOTAMUNDRA, MCFARLANDS DOWN, ST MARY'S, ISLES OF SCILLY



*Client: Island Construction*

*Our reference: 23-2-1*

*Planning reference: Produced in advance of submission*

*Report date: 4<sup>th</sup> February 2023*

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

*Contact: ios.ecology@gmail.com*

## Executive Summary

### Bats - Results and Findings

The preliminary roost assessment (PRA) survey concluded that there was **negligible potential** for use of the onsite structures by bats.

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

### Bats - Further Survey Requirements

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

### Bats - Recommendations

Standard 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 summary of standard Good Practice to be observed by contractors is provided in Appendix 1.

It is not recommended that any Planning Conditions are required with regards to bats in order to ensure legislative compliance during demolition works.

In order to provide biodiversity enhancement, a bat box could be erected on the eastern aspect of the new dwelling. Guidance on suitable specifications is provided.

### Nesting Birds - Results and Findings

All of the structures on site provide suitable nesting habitat for breeding birds, with historic nests identified in the dwelling house and the garage unit. Both the greenhouse and the makeshift oil tank shelter would also provide suitable nesting habitat in discreet locations.

The more mature vegetation within the garden, especially small trees and shrubs around the boundaries, are likely to support suitable nesting habitat for breeding birds.

### Nesting Birds - Recommendations

Recommended measures to ensure legislative compliance and Good Practice with regards to nesting birds is outlined in the report. This includes methodologies for pre-emptive exclusion in specific locations; timing of works to avoid impacts; or as a last resort, a pre-commencement nesting bird survey.

In order to mitigate the loss of nesting habitat as a result of the demolition works, nest boxes should be erected either on the dwelling or within the garden. Guidance on suitable specifications is provided.

---

<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.

## PRELIMINARY ROOST ASSESSMENT (PRA)

<b>Planning Authority:</b> Isles of Scilly	<b>Location:</b> SV 91319 12423	<b>Planning Application ref:</b> Report produced in support of application
<b>Planning application address:</b> Cootamundra, McFarlands Down, St Mary's, Isles of Scilly		
<b>Proposed development:</b> The proposed works were identified by the client and should accord with the documentation submitted in support of the application. These involve: <ul style="list-style-type: none"> <li>1) The demolition of the existing buildings on site including the main dwelling house; a single-storey garage; a derelict glasshouse; and a makeshift canopy covering the oil tank.</li> <li>2) The construction of a new dwelling within the approximate footprint of the existing dwelling.</li> </ul>		
<b>Building references:</b> The individual buildings within the plot are identified in the plans provided in Appendix 2.		
<b>Name and licence number of bat-workers carrying out survey:</b> James Faulconbridge (2015-12724-CLS-CLS)		
<b>Preliminary Roost Assessment date:</b> The visual inspection was undertaken on 3 <sup>rd</sup> February 2023 in accordance with relevant Best Practice methodology <sup>2</sup> .		
<b>Local and Landscape Setting:</b> Cootamundra is situated at the northern extremity of the residential area of McFarland's Down to the north-west of St Mary's in the Isles of Scilly.  The land to the north and west is largely open with a mix of agricultural and pasture land with areas of heathland and coastal grassland on the approach to the shoreline. To the east, directly bounding the garden of the property, is an area of mature coniferous tree cover which extends north towards the shore and south inland. The property is bounded on the southern aspect by a residential property with associated amenity garden.  A common pipistrelle roost was recorded within McFarland's Down in 2014 in a garage approximately 180m to the south of Cootamundra, with further transient/day roosts recorded associated with properties over 500m away to the east.		
<b>Building Description(s):</b> There are four distinct structures associated with the property – these are all proposed for demolition as part of the current proposals. For clarity, these buildings will be described and assessed individually. The individual components are identified in the map provided in Appendix 2.		

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

### *Dwelling House*

The main dwelling house is a dormer bungalow which is rendered externally in good condition. Occasional cracks are present, but these, are superficial only. The doors and windows comprise a combination of wooden and uPVC units which – whilst they are deteriorating in places – are well-fitted offering no gaps around the frames. There is a bay window and porch at the front of the property, both with flat roofs – no structural features offering roosting opportunities were noted associated with these.

The roof is covered with slate-effect tiles which are thin but well fitted – no gaps were noted which could potentially provide a roosting opportunity for bats. There are rounded ridge tiles present – these too were well fitted with no gaps. The roof verge at the two gables were inspected and found to provide no gaps or access features; similarly the structure of the eaves permits no potential access. The valley between two roof pitches was well-sealed with no lifted flashing. The chimney is rendered and in good condition with no gaps in the flashing which joins the main roof. There are boxed soffits throughout the gables and eaves – these were all tightly fitted with the exception of a single location at the north-western corner. This would not provide access to the gable soffit due to the construction, but does support an old nest which was found during a video endoscope inspection. This entirely fills the gap along the eaves, indicating no current or recent occupation by bats. Video endoscope inspection confirms this.

Internally, the property is in significantly poorer condition, arising from a long period without occupation and water damage caused by a leak during this time. There are occasional open or damaged windows which have permitted access for birds – a nest was located in the kitchen and another in the porch.

In principle, it is possible that the open windows could permit access for bats, though a thorough search of the property did not identify any current presence or evidence of historic roosting in the form of droppings or other signs.

Loft spaces are present above the tie-beam of the A-frame roof timbers and also built into the eaves. The void at the apex was small and could not be accessed fully – however inspection from the loft hatch reveals well-fitted underfelted and insulation. Those voids built into the eaves were used for regular storage and were boarded out internally with insulation above. Occasional evidence of mice was noted, but a comprehensive inspection did not identify any evidence of bats.

### *Single-storey Garage*

The garage unit is built using the same construction style and materials as the house – the pitched roof uses the same roof covering; the boxed soffits are equivalent; and the exterior is rendered in the same material as the house.

The roof is well-fitted with no gaps noted. Window and door frames are well-fitted with no gaps noted; however the windows were open in places. The internal A-frame roof timbers were well-fitted and in good condition – the terminal structures adjacent to the breeze-block walls were tightly adjoined to the wall with no gaps behind. A ridge board is present with underfelted in good condition above the timbers. A damaged soffit in the south-western corner would potentially provide access into the garage, but does not offer a roosting opportunity in its own right due to the lack of a suitable enclosed or terminal apex cavity. An inspection using a video endoscope did however identify the presence of a nest in this location. The remaining boxed soffits were in good condition with no gaps noted. There was evidence of mice in this building, but no evidence of access or occupation by bats was identified. The only potential features would be free-hanging from timbers, or use of idiosyncratic roosting features associated with stored garage items and equipment.

### *Glasshouse*

A derelict glasshouse is present in the corner of the garden – this is a timber-framed structure

built onto a breeze block lower wall. The door was open and there are frequent broken panes allowing ease of internal access for birds. An old grape vine is present along the apex, with dense brambles in the base. No suitable roosting opportunities for bats were noted associated with this structure.

#### *Makeshift Oil Tank Shelter*

A shelter has been built around the oil tank adjacent to the glasshouse – this is a combination of ply and corrugated sheet materials around a wooden frame. An aviary is present at the eastern end of this structure. The shelter was fully inspected – no evidence of occupation by bats was noted and the structure did not appear to have suitable roosting features for the bat species present on the island.

#### **Survey Limitations**

It was not possible to fully inspect the apex loft space in the main dwelling; however the roof structure is remarkably tightly fitted and well-sealed given the overall condition of the property. No suitable access points for bats were identified anywhere within the roof structure making it highly unlikely that a bat would be able to access this void.

There were no other significant limitations to access or survey inspection which might affect the evidence base for subsequent conclusions of this survey.

#### **Assessment of Potential for use by Roosting Bats**

No evidence of current or historic use by bats was identified during the survey and an overall **negligible potential** was determined with regards to the dwelling house and single-storey garage.

**No potential** for bats was identified associated with the glasshouse and the makeshift oil tank shelter.

#### **Recommendations and Justification (Bats):**

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

Standard 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 summary of standard Good Practice to be observed by contractors is provided in Appendix 1.

It is not recommended that any Planning Conditions are required with regards to bats in order to ensure legislative compliance during demolition.

In order to provide biodiversity enhancement, bat boxes could be installed on the new building. The location of the new property adjacent to the pine trees on the northern edge of McFarlands Down would offer an ideal location. The box should be positioned facing the tree line and at a height of at least 3m from the ground to minimise the risk of predation – ideally higher either below the gable apex or at the top of the eaves depending on the construction of the eastern aspect. An open-based box design would ensure that it would not require cleaning. The location and aspect would be optimal for bats such as common pipistrelle which is the dominant species present on the island and the most likely species to use the environs for foraging and roosting.

A suitable box could be purchased or constructed following freely available plans. Kent Bat Box style boxes are slim easy to construct from appropriate timber using the plans provided at:

<http://www.kentbatgroup.org.uk/kent-bat-box.pdf>

### **Assessment of Potential for use by Nesting Birds**

All of the building structures identified in the report offer nesting habitat for birds. These opportunities predominantly arise as a result of the deterioration of the structures and their lack of occupation; therefore they are recently developed habitats rather than long-standing nesting sites.

Nests were confirmed in the kitchen and porch of the dwelling house; and in the individual damaged sections of soffit on the dwelling house and the garage. No active nests were noted in the oil tank shelter or the glasshouse, but they are considered suitable locations.

The more mature shrubs and small trees within the garden, especially at the boundary, would also provide suitable nesting habitat for birds although it is not clear that further removal of woody vegetation would be required to facilitate the development of the site.

### **Recommendations and Justification (Birds):**

There are three approaches which can be taken to ensure that the proposed demolition works do not impact on nesting birds. These are:

- pre-emptive exclusion outside of the breeding season;
- avoidance of impacts through timing of works; and
- pre-commencement inspection.

A combination of approaches can be applied on different structures depending on the schedule of works.

#### *Pre-emptive exclusion*

Excluding access by birds can be undertaken on the **dwelling house** and the **garage unit**. It would not be appropriate to the glasshouse or the oil tank shelter as these structures cannot be easily sealed to confidently exclude access. It would also not be appropriate or practicable to exclude nesting birds from vegetation.

At the time of survey in early February, no active nests were recorded and no birds were identified in the property. There are a small number of discreet access features which could easily be sealed to exclude access out of season. These are:

- Open or broken windows;
- The letterbox which appears to provide access to the nest identified in the porch;
- The gap in the soffit on the north-western corner of the dwelling house;
- The gap in the soffit on the south-western corner of the garage unit.

If all access features are sealed before the end of February, this would ensure that breeding birds do not have opportunity to establish nests. Utmost care must be taken to ensure that no birds are present in the property at the time that the access features are sealed to prevent birds from being trapped. This would require a careful walkover of the property including all rooms and voids where birds may be present. Upon completion of this inspection, windows should be closed and sealed. In the case of soffits, the old nests should be carefully removed by hand and confirmed not to be in active use before these features are sealed. The presence of the dense nesting material and lack of access to further voids within the soffits would currently prevent use of these features by bats.

#### *Timing of Works*

Works affecting **all structures on site** can be undertaken without constraint if completed outside of the breeding season which runs from March – September inclusive. This is also the

recommended approach to any minor clearance works related to **shrubs and small trees** within the grounds of the property.

*Pre-commencement Inspection*

If the recommended timing of works is not practicable, and if pre-emptive exclusion measures have not been undertaken, then a nesting bird survey would need to be carried out by a suitably qualified person prior to the commencement of works. This approach can be applied to **all structures on site** and to minor clearance works related to **shrubs and small trees** within the grounds of the property.

Careful observation would be required to ensure that the parent birds are not constructing a nest or provisioning the young. Nests are only protected if they are active (i.e. being used to rear young) or in the process of being built.

- Where active nests are identified, works affecting these must be delayed until the chicks have fledged the nest.
- Once it is confirmed that nests are absent or no longer active, the relevant features should be dismantled carefully and by hand as a precaution and works can continue.

*Enhancement Measures*

It is recommended that enhancement measures are designed into the project to provide replacement nesting habitat for breeding birds. This could be achieved through the erection of bird boxes on the new residential property or within the garden.

The mature garden boundary and the proximity to the tree line to the east of the property would offer a high chance of occupation by a range of birds including woodland edge species. Nest boxes could include those suitable for hole-dwelling species such as blue tits, or open-fronted boxes for species such as blackbird and robin.

Boxes should be mounted on a wall or tree if possible, at a height of at least 3m above the ground with an entrance clear of vegetation/other features which may put them at risk of predation from cats.

Boxes can be sourced online, or can be constructed on site using methodology and specifications provided by the RSPB:

<https://www.rspb.org.uk/fun-and-learning/for-families/family-wild-challenge/activities/build-a-birdbox/>

**Signed by bat worker(s):**

**Date:** 4<sup>th</sup> February 2023





# APPENDIX 1

-

## BEST PRACTISE WITH REGARDS TO BATS

The purpose of this Method Statement is to ensure that contractors undertaking demolition works are aware of their legal duties with regards to bats, and aware of the appropriate action to be taken in the highly unlikely event of bats being encountered.

Contractors should 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 structure:**

No features suitable for roosting bats were identified within the proposed works area – however contractors should be aware of the type of feature in which bats might be found in this type of structure.

These include:

- Gaps between roofing or ridge tiles;
- Crevices and gaps between structural elements, such as fascias and boxed soffits;
- Beneath lead flashing, if this becomes lifted to create a cavity;
- Within loft voids, often at the apex of roof timbers;

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

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

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

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

## APPENDIX 2

-

## LOCATION PLAN AND PHOTOGRAPHS



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



**Map 02** - Showing the main house (green wash) within the blueline site boundary. The single-storey garage is shown in red; the oil tank shelter is shown in magenta; and the glasshouse is shown in yellow.



**Photograph 1:** Showing the main existing dwelling on the site.



**Photograph 2:** Showing an example of the well-fitted window frames with no gaps or crevices. Cracks and damage in the render, as illustrated, are superficial and not suitable to support bats.



**Photograph 3:** Showing the good condition of the boxed soffits throughout the majority of the property.



**Photograph 4:** Showing an example of the eaves where the guttering is displaced, demonstrating the lack of access for bats.



**Photograph 5:** Showing the tight fit of the roof tiles, with no gaps noted throughout.



**Photograph 6:** Showing an example of one of the birds nests within the property, resulting from lack of occupation.



**Photograph 7:** Showing the interior of one of the boarded out loft components within the property – this example is at the apex but those at the eaves are of equivalent construction.



**Photograph 8:** Showing the main loft above the tie-beam in the main dwelling.



**Photograph 9:** Showing the single-storey garage.



**Photograph 10:** Showing the interior of the single-storey garage with A-frame timbers and well-fitted underfelting.



**Photograph 11:** Showing the roof of the canopy sheltering the oil tank.



**Photograph 12:** Showing the aviary located at the end of the oil tank shelter.



**Photograph 13:** Showing the glasshouse.



**Photograph 14:** Showing the interior of the glasshouse with overgrown grape vine and brambles.

# SITE WASTE MANAGEMENT PLAN

## COOTAMUNDRA

### PROJECT

'Cootamundra' is a detached, four bedroom house located at the northern end of McFarlands Down, St.Mary's, Isles of Scilly. The dwelling is currently derelict following a major water leak and several years of neglect. It is our clients intention, to demolish the existing building and replace it with a thermally efficient, low carbon, fully accessible home.

The existing property is arranged over two floors and is of cavity block construction throughout, surmounted by a pitched roof with man made slate covering. All external windows and doors are of uPVC construction, with the exception of the front reception porch & rear patio doors, which are timber.

### ADDRESS OF PROJECT

Cootamundra  
Mc Farlands Down  
St Mary's  
Isles of Scilly  
TR21 0NS

### OWNERS

Mr & Mrs Noel Miles

### PRINCIPLE CONTRACTOR

Island Construction  
Saltwhistle  
St.Mary's  
Isles of Scilly  
TR21 0NS

[enquiries@islandconstruction.co.uk](mailto:enquiries@islandconstruction.co.uk)

### PERSON RESPONSIBLE FOR SWMP

Main Contractor / C SIBLEY

### DATE

1st June 2023

ESTIMATED START DATE

1st September 2023

ESTIMATED PROJECT CAPITAL COST

In excess of 500K

DOCUMENT DRAFTED BY:

C SIBLEY BSc Hons (ESt Man)

GENERAL

All waste resultant from the Demolition Phase & Construction phase will be segregated into the following, where practicable & feasible: -

- Recyclable Materials - Wood, Metals, Paper/Cardboard, Glass & Plastic
- Plasterboard
- Aerosols
- General Waste
- Hazardous Solid Waste
- Hazardous Liquid Waste

All skips will be enclosed and lockable to ensure no waste is allowed to escape.

Portable toilet facilities will be provided on site and will be emptied in good time, as required.



## DEMOLITION WASTE PLAN

MATERIAL	LOCATION	TREATMENT	APPROPRIATE WASTE STREAM
Slate	Roof covering	Segregate & crush on site	RETAIN & recycle for groundworks.
Roof Timbers	Pitched Roof	Segregate on site	Removal to Moorwell Transfer Station for onward recycling.
Roof felt	Pitched roof	Segregate on site	Removal to Moorwell Transfer Station for onward recycling.
uPVC Windows & Doors	External	Strip glass from frames & segregate	Removal to Moorwell Transfer Station for onward recycling.
BLOCKWORK External walls	External	Segregate & crush on site	RETAIN & recycle for groundworks.
CONCRETE slab	Ground floor	Segregate & crush on site	RETAIN & recycle for groundworks.
CONCRETE Foundations	Ground floor	Segregate & crush on site	RETAIN & recycle for groundworks.
BLOCKWORK Internal walls	Ground floor	Segregate & crush on site	RETAIN & recycle for groundworks.
FIBRE ceilings	Throughout	Segregate on site	Removal to Moorwell Transfer Station for onward recycling.
FIBRE internal wall coverings	First Floor	Segregate on site	Removal to Moorwell Transfer Station for onward recycling.
FLOOR COVERINGS	Throughout	Segregate on site	Removal to Moorwell Transfer Station for onward recycling.

Temporary segregation pounds will be constructed within the curtilage of the property prior to onward shipment to the Waste Transfer facility operated by the Council of the Isles of Scilly.

## CONSTRUCTION PHASE

A waste minimisation protocol will be adopted for all materials required in the rebuilding of the property. Close scrutiny of orders and double checking of quantities will reduce the possibility of excessive waste and where possible, pre-orders to agreed specifications will be followed. Focus will also be paid to the ability of product to be easily recycled and processed.

Clearly some waste will be created during the construction process resultant from inter alia the trimming of materials, packaging of equipment & general installation process. All items will be segregated and retained on site prior to onward shipment to the Waste Transfer facility & eventual recycling. If spare material can be re-purposed by third parties this will be encouraged.

## COMPLETION

On completion of the project, the householders will be provided with a covered bin store capable of accommodating sufficient containers for the recycling process, and within easy access for the Local authority waste collection team.

## DECLARATION

We confirm that all waste from the site will be dealt with in accordance with the waste duty of care in Section 34 of the Environment Protection ACT 1990 and the Environmental Protection (Duty of Care) Regulations 1991. It is also accepted that materials will be handled efficiently & waste managed appropriately.

## STATEMENT OF SUSTAINABLE DESIGN MEASURES

'COOTAMUNDRA'

Mc FARLAND'S DOWN

ST. MARY'S

TR21 0NS

### PROJECT DESCRIPTION

Application has been made for the demolition of a derelict, detached house at the northern end of Mc Farland's Down. The existing property is wholly uninsulated and falls substantially short of the requirements documented in Part L Conservation of Fuel & Power 2010. It is also structurally deficient & dangerous internally.

It is proposed to replace the existing building with a highly efficient & technologically advanced dwelling on a similar footprint. The owners' Mr & Mrs N Miles are insistent that the project tackles the current inefficiencies in thermal, acoustic and water consumption head on, and are striving to bring in a project that achieves an Energy Performance Certificate rating as close to 'A' as is practicable. To this end, the following measures have been identified within this submission, all of which aim to achieve a substantial reduction in energy consumption and water consumption: -

### WATER HARVESTING

The existing property relies solely on a mains fed water supply from South West Water for all of the domestic requirements. There is a disused, below ground water tank on the Southern elevation which historically was used for garden watering. It is our intention, to empty, repair & recommission this underground storage to supply not only the needs of the garden, but also the grey water requirements of the new dwelling - predominantly w/c flushing & external taps. This is in line with LPA Policy SS6.

### THERMAL INSULATION

The existing dwelling has absolutely no thermal insulation. The proposed dwelling will achieve U Values in excess of the Building Regulation requirements of 0.18W/m<sup>2</sup> for walls & 0.15 W/m<sup>2</sup> for roofs with the use of additional levels of thermal insulation and by installing highly efficient insulating products such as Actis new generation Hybrid reflective insulation.

### MVHR - MECHANICAL HEAT & VENTILATION RECOVERY

The proposed dwelling will be installed with a bespoke MVHR system, that supplies & extracts air throughout the property. This will help reduce heat loss, but also reduce the heating and cooling demands of the building.

The benefits of this system are: -

Continuous supply of fresh air to provide good indoor air quality.

No CO<sub>2</sub> PEAKS.

No build up of air pollution from cleaning, Radon etc.

Elimination of bad odours.

Controlled air flow path throughout the building.

## RENEWABLE ENERGY

Subject to a satisfactory audit and scheme from our M&E specialists, it is intended to install both a 3Kw PV array & solar thermal water heating solution. In addition, an AIR SOURCE HEAT PUMP will provide both space heating and hot water.

Space heating will be via a 'wet' underfloor pipe array on the ground and first floors. Air Source Heat Pumps provide a far more sustainable option as compared to traditional gas and oil solutions.

## HIGH EFFICIENCY WINDOWS & DOORS

All windows and doors will be of high efficiency timber / aluminium design and will be double or triple glazed. Overheating of the property will be avoided by thermal modelling and by the introduction of bris-soleil (perforated screen / louvres) where required.

**UNILATERAL UNDERTAKING BY DEED UNDER SECTION 106 OF THE  
TOWN AND COUNTRY PLANNING ACT 1990**

relating to the development of land at

Green Pastures  
Mcfarland's Down  
St Mary's  
Isles Of Scilly  
TR21 0NS  
and  
Planning Application Reference P/21/064/HH

Dated: 3<sup>RD</sup> AUGUST 2023

DATE 3<sup>RD</sup> August 2023

**SECTION 106 TOWN AND COUNTRY PLANNING ACT 1990**

**A UNDERTAKING BY DEED GIVEN BY:**

1) **NICHOLAS ANDREW CLAYTON BRIGHT and GERALDINE BRIGHT** of Green Pastures, McFarlands Down, St Marys, Isles of Scilly TR21 0NS ("the Owner")

**TO:**

2) **THE COUNCIL OF THE ISLES OF SCILLY** of Town Hall, St Mary's, Isles of Scilly TR21 0LW ("the Council")

**RECITALS**

- A. The Council is a local planning authority for the purposes of the Act and is the local planning authority for the area in which the Land is situated.
- B. The Owner is the freehold owner of the Land being registered with title absolute at the Land Registry under Title Number CL222812 and described as Green Pastures, Mcfarlands Down, St Mary's Isles Of Scilly TR21 0NS
- C. Noel Robert Miles and Emily Sara Bright of Cootamundra, McFarlands Down, St Marys, Isles of Scilly TR21 0NS are the freehold owners of the Land being registered with title absolute at the Land Registry under Title Number CL231930 and described as Cootamundra, McFarlands Down, St Marys, Isles of Scilly, TR21 0NS
- D. The Applicants have submitted the Application to the Council for the Development on Cootamundra and the Council is minded to grant approval of the Development under reference P/23/033/FUL subject to the above Owner entering into this Deed of Undertaking.
- E. The Land has the benefit of a planning permission for the demolition of small external store and erection of single storey extension to accommodate one bedroom, one shower room and storage facilities specifically for the use of a wheelchair bound person granted by notice of a grant of planning permission dated 21 November 2021 under reference P/21/064/HH.
- F. The Council has taken into account that the Application at Cootamundra (P/23/033/FUL) is intended to be an alternative to the planning permissions at Green Pastures (P/21/064/HH) which is defined in the body of this Undertaking 2021A Consent.

- G. Accordingly, the Council requires that if the Permission is granted and implemented and as a consequence the Applicants obtains the right to demolish the derelict house and replace with a fully accessible dwelling (P/23/033/FUL) then having regard to the development plan and all other material considerations and in the interests of proper planning it is necessary and appropriate that the Owner should be prohibited by this Undertaking from beginning or building out the works at Green Pastures (P/21/064/HH) and be unable to claim compensation that might otherwise be available under Part 3 of the Act.
- H. The Owner agreed to give this Undertaking and consent to this Deed being entered into and to the obligations becoming binding on Green Pastures.

## **NOW THIS DEED MADE PURSUANT TO SECTION 106 OF THE TOWN AND**

## **COUNTRY PLANNING ACT 1990 WITNESSES AS FOLLOWS:**

### **OPERATIVE PART**

#### **1) DEFINITIONS**

For the purposes of this Deed the following expressions shall have the following meanings:

"2021A Consent"	Planning Permission P/21/064/HH for the Demolition of small external store and erection of single storey extension to accommodate one bedroom, one shower room and storage facilities specifically for the use of a wheelchair bound person. (Amended Plans - Ridge height reduced by 600mm and side extension)
"the Act"	The Town and Country Planning Act 1990
"Application"	The application for full planning permission validated by the Council on 30 May 2023 for the Development and allocated reference number P/23/033/FUL and the subsequent application materials submitted on the Owner's behalf forming part of the planning application to the Council
"Council"	The Council of the Isles of Scilly of Town Hall, St Mary's, Isles of Scilly TR21 0LW
"Deed" or "Deed of Undertaking"	This deed of undertaking made pursuant to section 106 of the Act

“Development”	The development of the Land described in the Application as “Demolition of derelict house & replacement with fully accessible dwelling”.
“Commencement of Development”	Commencement of development pursuant to the Permission by the carrying out of a “material operation” (as defined in section 56(4) of the Act) save that for the purposes of this Deed and for no other purpose; (i) the material operation that triggers the obligations in this Deed of Undertaking shall be for the purpose of the implementation of the Permission and not the 2021A Consent consisting of Demolition of small external store and erection of single storey extension to accommodate one bedroom, one shower room and storage facilities specifically for the use of a wheelchair bound person
“the Land”	The land against which this Deed may be enforced being land in the freehold ownership of the Owner and identified at HM Land Registry at Title No CL222812 at the Application site shown for indicative purposes edged red on the Plan
“Legal Costs”	The Council’s reasonable legal costs (if any) in connection with the preparation and completion of this Deed as evidenced to the Owner limited to £500 (five hundred pounds) unless otherwise agreed
“Applicants”	Noel Robert Miles and Emily Sara Miles (nee Bright) of Cootamundra, McFarlands Down, St Marys, Isles of Scilly, TR21 0NS
“Owner”	Nicholas Andrew Clayton Bright and Geraldine Bright of, Green Pastures Mcfarland's Down St Mary's Isles Of Scilly TR21 0NS
“Permission”	the full planning permission subject to conditions to be granted by the Council pursuant to the Application
“Plan”	a plan for indicative at Schedule Two to this Deed of Undertaking
“Prohibited Unit”	that part of the operational development permitted by the 2021A Consent the location of which is identified on the attached Plan consisting of Demolition of small external store and erection of single storey extension to accommodate one bedroom, one shower room and storage facilities specifically for the use of a wheelchair bound person
“Undertaking”	is a reference to this Deed of Undertaking



“Use”	Use of land for the purposes for which a planning permission has been granted
“Working Day(s)”	Days on which banks in the City of London are open to the public

## **2) CONSTRUCTION OF THIS DEED**

1. Where in this Deed reference is made to any clause, paragraph or schedule or recital such reference (unless the context otherwise requires) is a reference to a clause, paragraph or schedule or recital in this Deed.
2. Words of the masculine gender include the feminine and neuter genders and words denoting actual persons include companies, corporations and firms and all words shall be construed interchangeable in that manner.
3. Wherever there is more than one person named as a party and where more than one party undertakes an obligation all their obligations can be enforced against all of them jointly and severally unless there is an express provision otherwise.
4. Any reference to an Act of Parliament shall include any modification, extension or re-enactment of that Act for the time being in force and shall include all instruments, orders, plans regulations, permissions and directions for the time being made, issued or given under that Act or deriving validity from it.
5. References to any party to this Deed shall include the successors in title to that party and to any person deriving title through or under that party and in the case of the Council the successors to its statutory functions.
6. The headings and contents list are for reference only and shall not affect construction.

## **3) LEGAL BASIS**

1. This Deed is made pursuant to Section 106 of the Act.
2. The covenants, restrictions and requirements imposed upon the Owner under this Deed create planning obligations pursuant to Section 106 of the Act and are enforceable by the Council as local planning authority against the Owner and its successors in title.

## **4) CONDITIONS PRECEDENT**

- 4.1 This Deed is conditional upon:
  - (i) the grant of the Permission; and
  - (ii) Commencement of Development

save for the provisions of the Clauses 1 to 4 (inclusive) and 6 to 18 (inclusive) which shall come into effect immediately upon completion of this Deed.

**5) THE OWNER'S COVENANT**

5.1 The Owner **HEREBY** covenants with the Council to fulfil the covenants, obligations and restrictions specified in Schedule One to this Deed of Undertaking.

**6) RELEASE AND LAPSE**

6.1 The Owner shall not be liable for a breach of any of its obligations under this Deed (save for antecedent breaches) after it shall have parted with all of its interests in the Land other than the reservation of easements and/or restrictive covenants.

6.2 This Deed shall lapse and be of no further effect insofar as it has not already been complied with if:

6.2.1 the Permission shall lapse without having been Commenced;

or

6.2.2 the Permission shall be modified or revoked or otherwise withdrawn or (without the consent of the Owner) if it is modified by any statutory procedure or expires prior to Commencement;

or

6.2.3 the Permission is quashed following a successful legal challenge.

6.3 Save for the provision made in Schedule One of this Undertaking prohibiting the operational development of the Prohibited Unit permitted by the 2021A Consent identified in the attached Plan which is effective from the Commencement of the Permission nothing in this Deed shall prohibit or limit the right to develop any part of the Land in accordance with a planning permission (other than the Permission) granted (whether or not on appeal) before or after the date of this Deed.

**7) LOCAL LAND CHARGE**

7.1 This Deed is a local land charge and may be registered as such by the Council.

**8) NO FETTER ON DISCRETION OR WAIVER**

1. For the avoidance of doubt, nothing contained or implied in this Deed shall prejudice or affect the rights discretions powers duties and obligations of the Council under all statutes by-laws statutory instruments orders and regulations in the exercise of their functions as a local authority.
2. Nothing in this Deed shall impose any contractual or other obligations on the Council to grant the Permission.
3. No waiver (whether expressed or implied) by the Council of any breach or default in performing or observing any of the covenants terms or conditions of this Deed shall constitute a continuing waiver and no such waiver shall prevent the Council from enforcing any of the relevant terms or conditions of this Undertaking or from acting upon any subsequent breach or default.

**9) WARRANTY AS TO TITLE**

- 9.1 The Owner hereby warrants to the Council that the title details referred to in Recital B are complete and accurate in every respect.

**10) SEVERABILITY**

- 10.1 Insofar as any clause or clauses of this Deed are found for whatever reason to be invalid illegal or unenforceable then such invalidity illegality or unenforceability shall not affect the validity or enforceability of the remaining provisions of this Deed.

**11) THE COUNCIL'S COSTS**

- 11.1 The Owner hereby covenants with the Council on completion of this Deed to pay Legal Costs.

**12) CONTRACT (RIGHTS OF THIRD PARTIES) ACT 1999**

- 12.1 No provisions of this Deed shall be enforceable under the Contracts (Rights of Third Parties) Act 1999.

**13) NOTIFICATION OF COMMENCEMENT**

- 13.1 The Owner covenants with the Council that it will notify the Council in writing of the date of Commencement at least one Working Days prior to it occurring.

**14) NOTICES**

- 14.1 Any notices required to be sent by a party to this Deed shall be sent by First Class prepaid post or by email on the Council at the address shown above marked "For the urgent attention of Lisa Walton Chief Planning Officer Council of the Isles of Scilly" and shall bear the reference: "Planning Reference P/23/033/FUL – S106 Agreement"

**AND FOR THE AVOIDANCE OF DOUBT** a notice given under this deed shall not be validly given if sent by e-mail.

**15) NOTIFICATION OF SUCCESSORS IN TITLE**

15.1 The Owner covenants with the Council that it shall give written notice to the Council of a change of ownership of any of its interests in the Site occurring before all the obligations under this Deed have been discharged such notice to give details of the transferee's full name and registered office (if a company or usual address if not) together with the area of the Land or unit of occupation purchased by reference to a plan within five Working Days of that change of ownership taking place.

**16) JURISDICTION**

16.1 This Deed is governed by and interpreted in accordance with the law of England and Wales and the parties submit to the non-exclusive jurisdiction of the courts of England and Wales.

**17) DELIVERY**

17.1 The provision of this Deed (other than this clause which shall be of immediate effect) shall be of no effect until this Deed has been dated.

**IN WITNESS** whereof the parties hereto have executed this Deed on the day and year first before **WRITTEN**.

## **SCHEDULE ONE**

### **THE OWNER'S COVENANTS**

The Owner covenants with the Council not to take or permit any step to begin the operational development of the Prohibited Unit on the Land or to cause or permit the building out of the Prohibited Unit on the Land pursuant to the 2021A Consent AND FURTHER undertakes not to claim compensation from the Council that might otherwise but for this Deed of Undertaking be payable under Part 3 of the Act resulting from this restriction in so far as it affects the 2021A Consent

## SCHEDULE TWO

### THE LAND

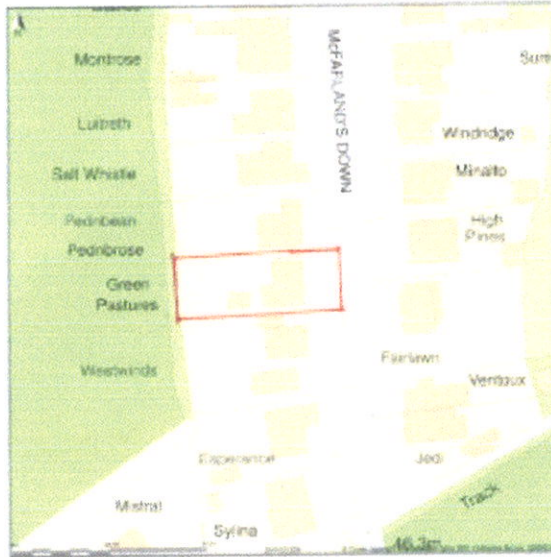
**ALL THAT** piece or parcel of land described as Green Pastures Mcfarland's Down St Mary's Isles Of Scilly (TR21 0NS) and registered at HM Land Registry with Title No. CL222812 and **ALL OF WHICH** said land is within the Application site which is shown for indicative purposes only edged with a red line on the Plan hereto



RECEIVED  
By A King at 11:00 am, Aug 18, 2021



Green Pastures, Mearland & Down, St Mary's, Lake Of Gilt, TPO1 0110



This plan was prepared by Oxford City Council on 18/08/2021 for the purpose of TPO1 0110. It is intended for use as a reference only and does not constitute a contract. The information contained herein is for reference only and does not constitute a contract.

Map data © 2021, Imagery © 2021, Data © 2021. All rights reserved. This map is a reproduction of the Ordnance Survey data and is not to be used for any other purpose without the prior written permission of Ordnance Survey. © Crown Copyright 2021. Supplied by www.buyaplan.co.uk. A limited liability company (110002143). Oxford plan reference #P0000735030411.

Ordnance Survey and the OS brand are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain. Buy A Plan logo, all design and the data supplied to it are also Copyright © Plan 18/18/2021.

**APPROVED**  
By Lisa Walton at 1:48 pm, Nov 22, 2021

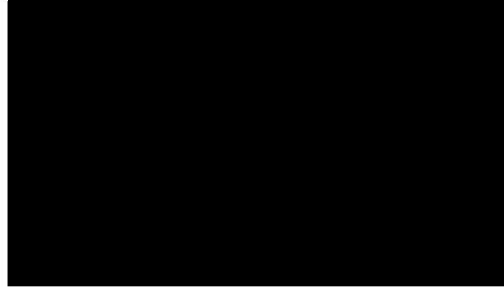




**EXECUTED as a DEED by** )  
**Mr Nicholas Andrew**  
**Clayton Bright**

)  
)  
)

Signature:

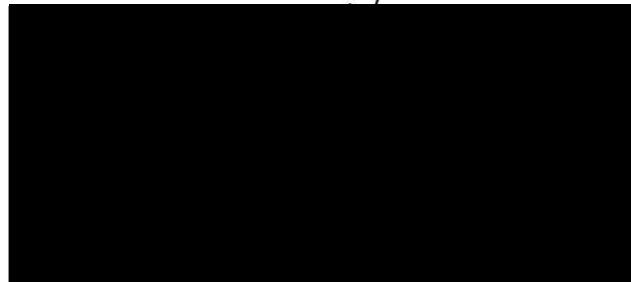


Print Name .

**EXECUTED as a DEED by** )  
**Mrs Geraldine Bright**

)  
)  
)

Signature:



Print Name

**THIS IS THE FINAL  
PAGE OF THE DEED OF  
UNDERTAKING**

relating to the  
development of land at

Green Pastures,  
McFarlands Down

St Mary's Isles of Scilly  
TR21 0NS

and

Planning Application  
Reference P/21/064/HH