

# Council of the Isles of Scilly

## Delegated Planning Report

### Householder application

**Application Number:** P/25/031/FUL

**UPRN:** 000192000000

**Received on:** 19 March 2025

**Valid on:** 23 March 2025

**Application Expiry date:** 23 May 2025

**Site notice posted:** 04 April 2025

**Site notice expiry:** 25 April 2025

**Case Officer:** SWHITE

**Applicant:** Mr Simon Taylor  
**Site Address:** The Turks Head,  
The Quay,  
St Agnes,  
Isles of Scilly,  
TR22 0PL

**Proposal:** To erect a new storage barn.

**Application Type:** Full

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**Recommendation:** **APPROVE**

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#### Summary Conditions

1. Standard time limit (3 years)
2. In accordance with the approved plans
3. Materials as per application
4. Usage – storage
5. Planting
6. External lighting
7. Hours of Construction
8. Archaeology
9. Site Waste Management Plan

## Reason for Delegated Decision

No Councillor has requested that the application come to the Full Council. The decision defaults to the level of Delegated:

- Not a Councillor ✓
- Not a Senior Officer (or Officer with influence over planning Decisions) ✓
- No relation to a Councillor/Officer ✓
- Not Major ✓
- Not Council's own application ✓
- Not a departure from the Development Plan ✓
- Not Called in ✓

## Lead Member Planning Agreed

Name: Cllr D Marcus

Date: 01/04/2025

## Site Description and Proposed Development

The application site is the Turks Head Public House on the north of the island of St Agnes. The building functioned as the Coast Guard station prior to its conversion to a pub in 1972. Since this time, the building has received a number of additions. Most recently, the pub received consent for the removal of the existing first-floor conservatory to be replaced with a contemporary first-floor extension above the kitchen.

This application concerns the yard located on the north side of the pub, which is currently used for general storage. The existing yard contains a shipping container, and a garden shed and is well enclosed by mature hedgerows, providing a defined boundary. Access is via a concrete track to the north, which also serves as a connection to the island's waste storage site.

The proposal seeks to remove the existing shed to be replaced with a new barn.

The barn would have an approximate footprint of 44 sqm, with a pitched roof and a ridge height of 4m. The barn would be timber clad, with an anthracite grey fibre cement roof and black UPVC guttering.

The proposal also seeks to surface the yard with creating a service area and parking / turning area to the north of the barn.

**Certificate:** B

**Other Land Owners:** Duchy of Cornwall Estate

## Consultations and Publicity

The application has had a site notice on display for 21 days. The application appeared on the weekly list on 24 March 2025. Due to the nature of the proposal

a number of external consultations are required.

Consultee	Date Responded	Summary
Cornwall Archaeological Unit	11/04/2025	<p>We have consulted the Cornwall &amp; Isles of Scilly Historic Environment Record and note that the application site is within 35m of two small pits that were excavated by archaeologist and found to contain two Bronze Age urns, one of which also contained the remains of a smaller urn (MCO67931- 32).</p> <p>The application site therefore has the potential for later prehistoric buried archaeology which could contain evidence to further our understanding of the Isles of Scilly, Cornwall and SW Britain in the deeper past.</p> <p>The proposed scheme includes a building 8m long and 5.5m wide and a large parking and turning area. The construction of both of which will require ground disturbance and the removal of the topsoil, which could reveal archaeological features.</p> <p>For these reasons, we therefore advise that a strip map and sample should be carried out during the early stages of groundworks, undertaken by a suitably qualified organisation or individual, and to the guidance provided by the Chartered Institute for Archaeologists (CIfA) and where relevant, Historic England.</p> <p>Any consent issued should carry the condition as worded below of sections A-D inclusive (please do not split into separate Conditions or treat separately), which includes words recommended by the Association of Local Government Archaeological Officers (ALGAO), as follows:</p> <p>A) No development shall take place until a project design\ Written Scheme of Investigation (WSI) for archaeological recording has been submitted to and approved by the local planning authority in writing. The WSI shall include an assessment of significance and research questions, and:</p> <ol style="list-style-type: none"> <li>1. The programme and methodology of site investigation and recording</li> <li>2. The programme for post investigation assessment</li> <li>3. Provision to be made for analysis of the site investigation and recording</li> <li>4. Provision to be made for publication and dissemination of the analysis and records of the site investigation</li> <li>5. Provision to be made for archive deposition of the analysis and records of the site investigation</li> <li>6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation</li> </ol> <p>B) No development shall take place other than in accordance with the project design/ Written Scheme of Investigation approved under (A).</p>

		<p>C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>D) The archaeological recording condition will only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed, and a final report has been submitted to, and approved by, the Local Planning Authority. A pre-commencement condition is necessary in this instance due to the need to ensure that an approved methodology of archaeological site investigation and recording is in place before physical works commence on site. This is in accordance with the provisions of NPPF (2024) Chapter 16, paragraph 218 and Cornwall Local Plan policy 24.</p>
CEC	07/04/2025	<p>I have reviewed the BNG report and agrees with the ecologist's conclusion that the de minimis exemption can be applied in this case. The ecologist has made suggestions for mitigating the risks to nesting birds and for site enhancement through the provision of bird and bat boxes. These suggestions should be specified as a condition of the proposal. There are no objections on ecological grounds.</p>

### Representations from Residents:

None received.

### Relevant Planning History:

**P1060** – Conversion to public house (from boathouse) – 1971

**P1557** – Kitchen extension – 1976

**P2193** – First floor bedroom extension – 1983

**P3690** - Conversion of outbuilding to staff accommodation – 1994

**P4090** – Construction of sun lounge and kitchen extension – 1996

**P5234** – Erection of staff house – 2002

**P/24/005/FUL** - Proposed extension to replace the existing conservatory, at first floor level and above the existing kitchen, to provide two bedrooms, and the formalisation of the existing Studio flat with shared facilities for ancillary use as staff / sub-contractor accommodation (Amended Title and Plans) - 2024

### Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast

### Planning Assessment

Design	YES OR NO
Would the proposal maintain the character and qualities of the area in which it is proposed?	Y
Would the proposal appear in-keeping with the appearance of the existing dwelling, street and area?	Y
Would the materials, details and features match the existing dwelling and be consistent with the general use of materials in the area?	Y
Would the proposal leave adequate garden area and green space to prevent the proposal appearing as an overdevelopment of the site and to ensure an adequate level of amenity?	Y
Is the parking and turning provision on site acceptable?	N/A
Would the proposal generally appear to be secondary or subservient to the main building?	Y

Amenity	YES OR NO
Is the proposal acceptable with regard to any significant overlooking/loss of privacy issues?	Y
Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?	Y
Is the proposal acceptable with regard to any significant change or intensification of use?	Y

Heritage	YES OR NO
Would the proposal sustain or enhance the character and appearance of the Conservation Area?	Y
If within the setting of, or a listed building, a) Will the development preserve the character and special architectural or historic interest of the building? b) Will the development preserve the setting of the building?	N
Within an Archaeological Constraint Area	Y
<b>Other Impacts</b> Does the proposal comply with Highways standing advice such that it	Y

does not adversely affect highway safety?	
Impact on protected trees Will this be acceptable Can impact be properly mitigated?	Y
Has the proposal been designed to prevent the loss of any significant wildlife habitats or proposes appropriate mitigation where this has been demonstrated to be unavoidable?	Y
Does the proposal conserve and enhance the landscape and scenic beauty of the AONB	Y
Are the Water connection/foul or surface water drainage details acceptable?	Y
If sited within a Critical Flood Risk Area (low lying land below the 5m datum) is the application accompanied by an acceptable Flood Risk Assessment?	N
Are there external lights	N

<b>Protected Species</b>	<b>YES OR NO</b>
Does the proposal include any re-roofing works or other alteration to the roof	Y
Does the proposal include any demolition	Y
Does the proposal include tree or hedge removal	N
Is an assessment of impact on protected species required	N
Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements	Y
Are biodiversity enhancement measures required	Y
Is a condition required to provide biodiversity enhancement measures	Y

<b>Waste Management</b>	<b>YES OR NO</b>
Does the proposal generate construction waste	Y
Does the proposal materially increase the use of the site to require additional long-term waste management facilities	N
Does the proposal include a Site Waste Management Plan	N
Is a condition required to secure a Site Waste Management Plan	Y

<b>Sustainable Design</b>	<b>YES OR NO</b>
Does the proposal materially increase the use of the site to require additional sustainable design measures	N
Does the proposal include any site specific sustainable design measures	N

Sustainable Design	YES OR NO
Is a condition required to secure a Sustainable Design Measures	N

**Principle of Development:** Scilly Local Plan policy WC1 supports proposals that strengthen, enhance and diversify the islands' economy where they are appropriately designed, scaled and located.

The proposed shed and gravel surfacing seeks to increase the available secure storage for the business, including plant, vehicles and machinery needed for the running of the pub. It is noted that the current shed is in a state of disrepair, and the fork lift is stored outside in the yard.

The proposal would therefore support an existing business and is considered acceptable in principle under WC1. The acceptability of the proposal therefore comes down to accordance with other policies.

**Design, Visual and Landscape, Seascape, Historic Environment Impacts:** Policy OE1, SS2 and WC1 require proposals to respect the character of the site and conserve and enhance the landscape, seascape and scenic beauty and demonstrate an appropriate scale, density, layout, height, mass and use of materials. Policy OE7 seeks to conserve and enhance the significance of the AONB and heritage assets, including the Isle of Scilly Conservation Area.

The yard is sited to the north of Turks Head and is stepped above 'Old Lane'. The yard is well screened on the eastern boundary; however, is clearly seen from the lane between the Quay and the pub.

The yard is currently used for mixed storage associated with the pub and is generally poorly kept. This includes assorted storage, a dilapidated shed and a shipment container.

The proposed barn would be sited deeper within the yard along the western boundary. The proposed barn is considered a proportionate scale, would not be overly prominent within the setting, and would remain subservient to the main pub building. The proposed pitched roof and the use of timber cladding would be locally characteristic and would conserve the setting.

The proposal also seeks to gravel the yard. The surface of the yard is currently a mix of grass and mud where vehicle movements have churned up the ground. Whilst the loss of the current grass would result in a degree of harm, the proposed gravel would not be at odds with the yard's ongoing function, particularly when viewed in conjunction with the concrete access track. It is also noted that, due to the change in levels, this surfacing would not be overly prominent from the public realm.

The shipment container would also be relocated in the site, reducing its overall prominence. In summary, the proposal is considered to accord with OE1, SS2 and WC1.

**Residential Amenity:** The Turks Head is not within the immediate vicinity of any neighbouring dwellings. The proposal would therefore not give rise to any unacceptable adverse overbearing, overshadowing or overlooking impacts to residential amenity.

**Archaeological Impacts:** Policy OE7 7) outlines that proposals should preserve or enhance the significance of Scheduled Monuments or Archaeological Sites, including their setting. The application site falls within the Archaeological Constraint Area and within 35m of two small pits that were excavated by archaeologists and found to contain two Bronze Age urns. The site, therefore, has potential archaeological interest with the potential to be disturbed by the proposal.

The county archaeologist has raised no objection to the proposal, subject to a condition securing a Written Scheme of Investigation. With this conditions in place, the proposal is considered to accord with OE7 7).

**Drainage and Flooding:** Policy SS2 2) k) supports the use of Sustainable Drainage Systems (SuDS.) Policy SS7 supports proposals that protects water quality and do not increase flood risk.

The application site is situated in part within Flood Zone 1, however, the application site is less than 1 hectare and the proposed yard and storage are classified as a 'less vulnerable' use.

Regarding surface water, the proposed gravel would be fully permeable. The proposed barn would be larger, however, surface water runoff is proposed to be harvested and linked into the existing system for use within grey water. These details are considered to accord with SS2 and SS7.

**Dark Skies:** Policy OE4 seeks to protect Scilly's Dark Skies. Proposals that include external lighting will only be permitted where this is essential for safety, security or community reasons, and where details are provided of attempts to minimise light pollution.

The proposed barn would have no windows or roof lights and no external lighting. The proposal is therefore considered to present no potential for upward light spill to accord with OE4.

**Ecology:** Policy OE2 seeks to conserve and enhance biodiversity and priority habitat and ensure proportionate and appropriate biodiversity net-gain is secured.

A site review and BNG assessment undertaken by IoS Ecology have been submitted with the application. This report outlines that the application site is a mixture of amenity grassland, shrubs and 'Artificial unvegetated, unsealed surface' and would not impact any features suitable for use by roosting bats. The County Ecologist has reviewed the proposal and raised no objection.



A Small Sites Metric (SSM) has also been provided to demonstrate that the site would be de-minimis for the purposes of statutory Biodiverse Net Gain (BNG) and therefore exempt. This has been reviewed and accepted by the Authority Ecologist.

Whilst the proposal is not required to provide a statutory 10% net gain in biodiversity, the proposal is still required to demonstrate a net gain for the purposes of OE2. The proposal would result in the loss of an area of shrubs on the western boundary. It is therefore considered appropriate to secure a scheme of native planting on the site, which should be proportional to the proposed development and be sufficient to ensure a net gain in biodiversity. With this condition in place, the proposal is considered to accord with OE2.

**Site Waste Management:** The Local Plan requires proposals to demonstrate a reduction in waste, water and energy consumption. In addition, SS2 requires that proposals for the construction of new buildings submit a Site Waste Management Plan (SWMP).

The applicant has not provided a Site Waste Management Plan (SWMP) for the proposed development as required by the Local Plan; however, it is considered that a condition requiring the submission and agreement of a SWMP could be secured via suitably worded planning. With this condition in place, the proposal is considered to accord with WC5 and SS2.

**EIA:** Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

**Proactive working:** In accordance with guidance within the National Planning Policy Framework the Council has worked in a positive and creative way and has concluded that the application is acceptable for planning permission to be granted. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Planning Policy:** Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 2021, the development plan for the Isles of Scilly comprises the Isles of Scilly Local Plan 2015-2030.

The relevant development plan policies that have been taken into consideration are set out below:

### Isles of Scilly Local Plan, 2015-2030

Policy	Tick if Used ✓
Policy SS1 Principles of Sustainable Development	✓
Policy SS2 Sustainable quality design and place-making	✓
Policy SS3 Re-use of Buildings	
Policy SS4 Protection of retailing, recreation and community facilities	
Policy SS5 Physical Infrastructure	
Policy SS6 Water and Wastewater Management	
Policy SS7 Flood Avoidance and Coastal Erosion	✓
Policy SS8 Renewable Energy Developments	
Policy SS9 Travel and Transport	
Policy SS10 Managing Movement	
Policy OE1 Protecting and Enhancing the landscape and seascape	✓
Policy OE2 Biodiversity and Geodiversity	✓
Policy OE3 Managing Pollution	
Policy OE4 Protecting Scilly's Dark Night Skies	✓
Policy OE5 Managing Waste	
Policy OE6 Minerals	
Policy OE7 Development affecting heritage	✓
Policy LC1 Isles of Scilly Housing Strategy to 2030	
Policy LC2 Qualifying for Affordable Housing	
Policy LC3 Balanced Housing Stock	
Policy LC4 Staff Accommodation	
Policy LC5 Removal of Occupancy Conditions	
Policy LC6 Housing Allocations	
Policy LC7 Windfall Housing:	
Policy LC8 Replacement Dwellings and Residential Extensions	
Policy LC9 Homes in Multiple Occupation	
Policy WC1 General Employment Policy	✓
Policy WC2 Home based businesses	
Policy WC3 New Employment Development	
Policy WC4 Alternative Uses for Business/Industrial land and buildings	
Policy WC5 Visitor Economy and Tourism Developments	

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

**Considerations under Human Rights Act 1998 and Equalities Act 2010:** The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report. In discharging their functions, must have “due regard” to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

**Recommended Conditions:**

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- C2 The development hereby permitted shall be carried out in accordance with the approved details only including:**

- **Plan 1 Location Plan, drawing number: 3.LP.01. Dated March 2025**
- **Plan 2 PROPOSED DRAWINGS, drawing number: 3.SP.02, Dated July 2024**
- **Plan 3 Proposed Steel Frame Building, drawing number: 1452, Dated 04.09.2024**
- **Plan 4 Design and Access Statement, Revision A, Dated 03.03.25**
- **Plan 5 BNG Report, Reference: New Barn at the Turks Head, St Agnes, Isles of Scilly, TR22 OPL Dated 9th March 2025**

**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 The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.**

Reason: To safeguard the appearance of the building and the character of the area.

- C4 The barn as outlined shown on plan: 3.SP.02 (PROPOSED DRAWINGS) and plan: 1452 (Proposed Steel Frame Building) shall not be used otherwise than for the purposes of storage in connection with The Turks Head.**

Reason: To ensure that the development is used solely for its intended purpose, in accordance with Policy WC1 of the Isles of Scilly Local Plan 2015-2030.

#### **PRE-FIRST USE CONDITION Submission of a Planting Scheme**

- C5 Prior to the first use of the barn hereby approved, a detailed scheme of planting proposals shall be submitted to and approved in writing by the Local Planning Authority. Planting should consist of native species. The scheme design shall include a layout of planting to show plant species, planting sizes, locations, densities and numbers. All such work as may be approved shall then be fully implemented in the first planting season, in strict accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.**

Reason: To ensure the development delivers biodiversity enhancements in accordance with OE2 of the Isles of Scilly Local Plan (2015-2030).

- C6 No external lighting shall be installed to the building or anywhere within the site unless otherwise agreed in writing by the Local Planning Authority. This exclusion shall not prohibit the installation internal lighting or of sensor-controlled security lighting of 1,000 lumens or less, which shall be designed and shielded to minimise upwards light spillage.**

Reason: To protect the amenities of the locality, including the amenities of neighbouring residential properties and to protect the amenities of this rural area and preserve the dark night skies of the Isles of Scilly and the St Agnes Cricket Pitch Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Submission Draft Isles of Scilly Local Plan (2015-2030).

- C7 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.

**PRE-COMMENCEMENT CONDITION Submission of a Written Scheme of Investigation**

**C8** A) No development shall take place until a project design/Written Scheme of Investigation (WSI) for archaeological recording has been submitted to and approved by the local planning authority in writing. The WSI shall include an assessment of significance and research questions, and:

1. The programme and methodology of site investigation and recording;
2. The programme for post investigation assessment;
3. Provision to be made for analysis of the site investigation and recording;
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
5. Provision to be made for archive deposition of the analysis and records of the site investigation; and
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

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

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

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

Reason: This is a pre-commencement condition that enables the recording of any items of historical or archaeological interest, in accordance with policy OE7 of the Isles of Scilly Local Plan (2015-2030) and paragraph 218 of the National Planning Policy Framework 2024.

**PRE-COMMENCEMENT CONDITION Submission of a Site Waste Management Plan**

**C9** Prior to the commencement of the development, hereby approved, a scheme including details of the sources of all building materials and the means/location of disposal of all demolition material and all waste arising from building works, including excess material from excavations, shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application but are required to fully understand the impact upon landscape and management of waste, to be submitted and agreed by the Local Planning Authority. This is to ensure those characteristics which contribute to the status of the Isles of Scilly as a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast are not eroded by uncontrolled mineral extraction or the tipping of waste. In accordance with the requirements of

Policies SS2(2) and OE5 of the Isles of Scilly Local Plan (2015 - 2030).

### Further Information

1. **STATEMENT OF POSITIVE ENGAGEMENT:** In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and creative way, in accordance with paragraph 39 of the National Planning Policy Framework 2024.
2. **POST-DECISION 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. 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)
3. **DISCHARGE OF CONDITIONS:** In accordance with the Town and Country Planning (fees for Application and Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 a fee is payable to discharge any condition(s) on this planning permission. 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. **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).
5. **BIODIVERSITY NET GAIN:** Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply. These can be found in the legislation. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that, unless an exception or a transitional arrangement applies, the planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:  
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and  
(b) the planning authority has approved the plan.  
The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be the Planning Department at the Council of the Isles of Scilly.
6. **COMMENCEMENT NOTICE:** Under Section 93G of the Town and Country Planning Act 1990 (as amended), this decision notice informs you that a 'commencement notice' must be served on the Local Planning Authority - subsections (2) and (3) are set out below:  
(2) Before the development is begun, the person proposing to carry it out must give a notice (a "commencement notice") to the local planning authority specifying the date on which the person expects the development to be begun.  
(3) Once a person has given a commencement notice, the person:
  - may give a further commencement notice substituting a new date for the date previously given, and
  - must do so if the development is not commenced on the date previously givenThe notice should be provided to the Local Planning Authority a minimum of seven (7) days before the development commences.  
Failure to provide the commencement notice could lead to the Local Planning Authority serving notice on them to require information to be provided, and if that is not provided

within 21 days, they will be guilty of an offence, as below:

(5) Where it appears to the local planning authority that a person has failed to comply with the requirements of subsection (2) or (3)(b), they may serve a notice on any relevant person requiring the relevant person to give the authority such of the information prescribed under subsection (4)(a) as the notice may specify.

(7) A person on whom a notice under subsection (5) is served is guilty of an offence if they fail to give the information required by the notice within the period of 21 days beginning with the day on which it was served.

(9) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

**PLEASE NOTE:** The requirement under Section 93G of the Town and Country Planning Act 1990 (as amended) is separate from any requirements under the Community Infrastructure Levy Regulations 2010 (as amended) or any requirements for serving notices secured through the signed Section 106 Legal Agreement.

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**Print Name:** Lisa Walton

30/05/2025

**Job Title:** Chief Planning Officer

**Signed:**



Authorised Officer with Delegated Authority to determine Planning Applications

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