

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY



**COUNCIL OF THE ISLES OF SCILLY**

Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD  
Telephone: 01720 424350 – Fax: 01720 424317

Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) Order 2010

**PERMISSION FOR DEVELOPMENT**

**Application No:** P/12/085/FUL

**Date Application Registered:** 8th August 2012

**Applicant:** Mr Peter Lethbridge  
Lyndhurst  
Church Street  
Hugh Town  
St Mary's  
Isles Of Scilly  
TR21 0JT

**Agent:** Paul Osborne  
Jus Limin  
Carn Thomas  
Hugh Town  
St Mary's  
Isles Of Scilly  
TR21 0PT

**Site and particulars of development:** Flat The Old Cottage Garrison Hill Hugh Town St Mary's - Addition of extension to improve accommodation by the addition of a bedroom and lounge/kitchen.

In pursuance of their powers under the above act, the Council hereby PERMIT the above development to be carried out in accordance with the following Conditions:

- C 1 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).

- C 2 Prior to the commencement of the approved development, 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 unless otherwise agreed in writing by the Planning Authority.**

Reason: To ensure that those characteristics which contribute, inter alia, 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 and tipping of waste.

- C 3 **All external and internal works involving machinery required in connection with the implementation of this permission shall be restricted to between 0800 to 1800 hours Monday to Saturdays. There shall be no works involving machinery on a Sunday, Bank or Public Holiday.**

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

- C 4 **The development hereby permitted shall be carried out in complete accordance with the details shown on the approved submitted plans Block Plan, PL-PF-6e and Sections, stamped and dated 10<sup>th</sup> October 2012.**

Reason: For the avoidance of doubt and in the interests of the character and appearance of the building and the surrounding area, which is designated a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policies 1 and 2 of the Local Plan.

- C 5 **Before any works commence to implement the development hereby approved, steps shall be taken to secure the safety and stability of the dwelling house. Such steps shall, where necessary, include measures to strengthen any wall or vertical surface; to support any floor, roof or horizontal surface; and to provide protection for the building against the weather during the progress of the works.**

Reason: To ensure that the existing dwelling house is adequately protected during any demolition works to alter and extend the property as permitted.

- C 6 **A) No development shall commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme 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**
6. **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

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

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

Reason: The site comprises an area of known archaeological interest where it is the Local Planning Authority's policy to provide for the examination of archaeological remains.

- C 7 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), there shall be no external alterations to the dwelling, including any new openings, without the prior agreement in writing of the Local Planning Authority.**

Reason: To safeguard the privacy of the neighbouring properties and in the interests of the character and appearance of the dwelling and the locality, which is designated a Conservation Area and AONB in accordance with Policy 1 of the Local Plan.

- C 8 **No work shall be commenced on any part of the development hereby permitted until samples of the external finishing materials for the walls and roof to be used for the alterations and extensions hereby permitted, together with the paint colour of the render, have been submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: In the interests of the appearance of the building and surrounding area, which is designated a Conservation Area and AONB in accordance with Policy 1 of the Local Plan.

- C 9 **Both the first floor windows on the East elevation hereby permitted shall be fitted with obscure glazing and be non-opening. The windows on the first floor of the East elevation shall be permanently retained in that condition thereafter unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To protect the privacy of the occupants of the neighbouring dwellings.

- C 10 **The stone wall adjoining the road shall be re-built on a like for like basis to the satisfaction of the Local Planning Authority following the substantial completion of the development hereby permitted.**

Reason: For the avoidance of doubt and in the interests of the character and appearance of the development and surrounding area, which is designated a Conservation Area and AONB in accordance with Policy 1 of the Local Plan.

- C 11 **No elms on the site shall be felled with adequate measures provided to ensure their protection in the course of development.**

Reason: To minimise the loss of trees on site, to assimilate the development into the landscape and to safeguard the appearance and character of the area, which is designated an AONB and Conservation Area in accordance with Policy 1 of the Local Plan.

## Further Information

### 1 Reasons for Approval for Planning Permission

Having had regard to all the planning considerations material to the determination of this application, including the improvement to visitor accommodation, its impact on the character and appearance of the building, the Conservation Area, AONB and the setting of the Garrison Walls, which are designated a scheduled monument and Grade 1 listed building, the potential impact on the residential amenities of nearby properties, and all consultations and representations made in

connection with the application, it is concluded that the proposal accords with the NPPF and presumption in favour of sustainable development and the provisions of the Development Plan as applicable to it, including Policies 1, 2, 4 and 6 of the Local Plan and the Design Guide. The proposal has been approved because it is considered that the development proposal subject to compliance with the conditions attached to this permission accords with the said policies and there are no other overriding material considerations which justify refusing planning permission. The proposal has also been approved as it is considered that the proposed development would not conflict with its duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the appearance or character of the designated conservation area within which the site is located.

**Informative(s)**

- 2 The Applicant is reminded to read the letter attached to this decision notice for further information including how to appeal against a decision.
- 3 As the proposed works affect the boundary with a neighbouring property, this decision does not convey any other form of consent or agreement that may be necessary in conjunction with these works and does not override or supersede any civil rights, which the neighbour may have. The attention of the applicant is drawn to the information contained in the Party Wall etc. Act 1996.

Signed

A large black rectangular redaction box covering the signature of the Chief Planning and Development Officer.

Chief Planning and Development Officer

**DATE OF ISSUE:** 10<sup>th</sup> October 2012