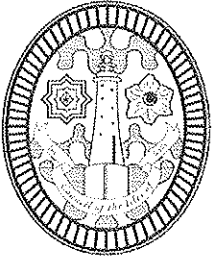


**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**



**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/13/006/FUL

**Date Application Registered:** 12th February 2013

**Applicant:** Mr Donald Barclay  
Dracaena  
Church Road  
Hugh Town  
St Mary's  
Isles Of Scilly  
TR21 ONA

**Agent:** Mr Paul Osborne  
Kavorna  
Hugh Street  
St Mary's  
Isles Of Scilly  
TR21 0LL

**Site and particulars of development:** Dracaena Church Road Hugh Town St Mary's Isles of Scilly -  
Alterations, extensions and new summerhouse.

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

**C1 The development hereby permitted shall be begun before the expiration of 3 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 complete accordance with the details shown on the approved submitted plans 'Block Plan', 'Site Plan', DR-PA-4a & DC-SH-1a stamped and dated 21<sup>st</sup> March 2013.**

Reason: To define the nature and extent of the development in accordance with Circular 11/95 and for the avoidance of doubt.

**C3 All 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.

**C4 Prior to the commencement of any of the approved works, 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 Local Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme unless otherwise agreed in writing by the Local 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.

**C5 The rooflights hereby permitted shall be of a conservation grade and sit flush to the roof covering.**

Reason: To ensure a satisfactory external appearance that would preserve the character of the conservation area in accordance with Policies 1 and 2 of the Local Plan.

**C6 Prior to the commencement of any of the approved works, the colour of the limestone render to be used on the conservatory walls shall be agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory external appearance that would preserve the character of the conservation area in accordance with Policies 1 and 2 of the Local Plan.

**C7 No work shall be commenced on any part of the development hereby permitted until samples of the materials, including colours, to be used on the external walls and roof of the dwelling and summerhouse have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory external appearance that would preserve the character of the conservation area in accordance with Policies 1 and 2 of the Local Plan.

**C8 The summerhouse hereby permitted shall not be used for any other purpose other than as an ancillary building to the property known as Dracaena and not for sleeping accommodation.**

Reason: To retain control over the use of this building in order to protect the amenities of nearby residential properties and to ensure that there is no adverse impact on essential services and infrastructure.

#### **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 appropriateness of the proposed extensions, alterations and summerhouse in terms of their design, impact on the character and appearance of the surrounding area, which is designated a Conservation Area and the AONB, 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 and 2 of the Local Plan. The proposal has been approved because it is considered that the development proposal subject to 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 the 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.

**2 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 proactive manner by providing pre-application advice and negotiated improvements to the design of the proposal, in accordance with paragraphs 186 and 187 of the NPPF.

**3 Informative**

Extra care should be taken during the work, especially when removing the precast concrete panels, the plastic fascia boards and plastic panelling and any roof tiles, as roosting bats could be found in these areas. If bats are found to be present during the work, they must not be handled; work must stop immediately and advice sought from licensed bat wardens in the first instance (R. Steggles 01720 424315, M. And A. Gurr 01720 422224, or Natural England 01872 245045).

**4 The Applicant is reminded to read the letter attached to this decision notice for further information including how to appeal against a decision.**

Signed



Chief Planning and Development Officer

**DATE OF ISSUE:** 21<sup>st</sup> March 2013