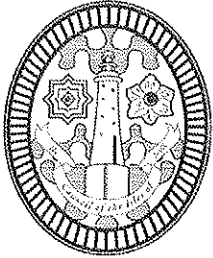


IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY



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/12/057/FUL **Date Application Registered:** 13th April 2012

Applicant: Mr Richard Perkins
Land Adj to Diving Centre
Higher Town
St Martin's
Isles Of Scilly
TR25 0JY

Agent: Mr Terry Hiron
Clowdisley
Golf Club Lane
Porthloo
St Mary's
Isles of Scilly
TR21 0NF

Site and particulars of development: Land Adjacent to the Diving Centre, Churchtown, St Martin's Isles Of Scilly - Application for a new planning permission to replace extant planning permission P.5489 in order to extend the time limit for implementation.

Description of planning application P.5489 approved 16th May 2007: Erection of local needs housing.

In pursuance of their powers under the above act, the Council hereby PERMIT the above development to be carried out in accordance with the following conditions and subject to a Section 106 Planning Obligation restricting the occupation of the dwelling to those with a Specific Local Need:

C1 The development hereby permitted shall be begun not later than the expiration of three years beginning with the date hereof.

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 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.

C3 All external and internal works involving machinery required in connection with the

implementation of this permission shall be restricted to between 0800 and 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 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved submitted plans numbered: DP-1 and DP-2 as approved under planning permission P.5489 issued on 16th May 2007 and the plan named 'Proposed Dwelling' stamped approved and dated 5th December 2013.**

Reason: For the avoidance of doubt and in the interests of the character and appearance of the hotel and the surrounding area in accordance with Policies 1 and 2 of the Local Plan and the Isles of Scilly Design Guide.

- C5 No work shall be commenced on any part of the development hereby permitted until samples of the materials to be used on the external walls and roofs, including doors, windows and the colour and texture of the render, 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 5: To ensure that the visual amenity of the area is not adversely affected by reason of the appearance of the type and colour of materials to be used in the proposed development in recognition that the site is within a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast to accord with Policies 1 and 2 of the Local Plan.

- C6 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, including a strip and record excavation and which must be undertaken prior to any works commencing on site**
- 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 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.

- C7** Prior to the commencement of the development hereby permitted, a detailed scheme indicating the sustainable design measures to be incorporated into the proposal shall be agreed in writing with the Local Planning Authority and should include water conservation and harvesting measures and renewable energy generation. The sustainable design scheme shall be implemented in strict accordance with the details as agreed prior to the occupation of replacement dwelling hereby permitted.

Reason: In accordance with Policy 2 of the Local Plan and to minimise the impact of the development on essential infrastructure in accordance with Policy 6 of the Local Plan.

- C8** 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 property, including any new openings, extensions or outbuildings, without the prior agreement in writing of the Local Planning Authority.

Reason: In the interests of the character and appearance of the development and the locality, 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.

- C9** Before the development hereby approved commences, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall indicate the species and size of shrubs and the positions in which they will be planted to the satisfaction of the Local Planning Authority. The scheme shall be carried out and completed during the planting season next following the substantial completion of the development hereby approved or during such later planting season as may be agreed in writing with the Local Planning Authority. Any shrub damaged or becoming seriously diseased within five years from the date in which the scheme shall have been completed shall be replaced with the same or a similar species of shrub. No new or existing hedges around the site shall not be topped or removed in whole or in part without the written consent of the local planning authority.

Reason: To assimilate the development into the landscape and to safeguard the appearance and character of the 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.

- C10** The finished floor level of the building hereby permitted shall be agreed on site with the Planning Authority before any work takes place.

Reason: To ensure that the building is situated as low in the landscape as practicable so as to minimise its impact on the Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policies 1 and 2 of the Local Plan.

- C11** Prior to the occupation of the dwelling hereby permitted, it shall be connected to a new sewerage treatment system the details of which shall be agreed in writing with the Local Planning Authority unless it can be determined that connection to an existing sewerage system would be satisfactory. The sewerage treatment system shall be implemented in strict accordance with the details as agreed.

Reason: To prevent any effluent pollution into the surrounding area and in accordance with Policy 6 of the Local Plan.

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 proactive manner by providing pre-application advice, in accordance with paragraphs 186 and 187 of the NPPF.

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

Signed



Director of Place

DATE OF ISSUE: 5th December 2013