



COUNCIL OF THE ISLES OF SCILLY

Town Hall, The Parade, St Mary's TR21 0LW
Telephone: 01720 424455 – Email: planning@scilly.gov.uk

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

PERMISSION FOR DEVELOPMENT

Application No: P/19/063/FUL **Date Application Registered:** 4th October 2019

Applicant: Mr T Hiron
Clowdisley
Golf Lane
St Marys
Isles of Scilly
TR21 0NF

Site Address: Land to Rear of the Rope Walk Porthloo St Mary's Isles of Scilly
Proposal: Erection of one 2-bedroom dwelling restricted in occupancy by Section 106 Planning Obligation (Amended Plans)

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 the requirements of the **Section 106 Legal Agreement** entered into:

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 and Proposed Block Plan, Drawing Number RC-1a, Dated 23/12/2019**
- **Plan 2 Proposed Elevations, Drawing Number R-C-2A, Dated 23/12/2019**
- **Plan 3 Design and Access Statement, date stamped 02/10/2019**

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 Policy OE7(5) of the Isles of Scilly Local Plan (2015-2030).

Pre-Installation Condition: Samples/Details of Facing Materials

C3 Prior to its installation on the building, a sample and details of the finish of the timber cladding and roof covering to be used on the building hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed the dwelling shall be finished in accordance with the agreed details and be retained thereafter.

Reason: This is a pre-installation condition that requires details to be approved that did not form part

of the submission details but are required to ensure that the character and appearance of this building is sympathetic to this location within the Conservation Area and in the interests of the character and appearance of the building and locality.

Removal of Permitted Development Rights

C4 Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended), (or any Order revoking and re-enacting that Order) no extensions (Part 1 Class A), dormer windows (Part 1 Class B), alterations to the roof (Part 1 Class C), curtilage buildings (Part 1 Class E), flues or chimneys (Part 1, Class G), [means of enclosure (Part 2 Class A) shall be [erected or constructed] without first obtaining planning permission.

Reason: To control the size of the dwelling interests of ensuring the size of the dwelling is such that it remains affordable to the local community and in the interests of visual and neighbouring amenity.

No External Illumination without Details being Submitted

C5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended), (or any order revoking or re-enacting that Order) prior to installation, details of external illumination shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the agreed details.

Reason: To protect the amenities of the locality, including the amenities of neighbouring residential properties and of this rural area and preserve the dark night skies of the Isles of Scilly in accordance with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

C6 All 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 or Public or Bank Holiday.

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

Pre-Commencement Condition – Detailed Scheme of Sustainable Design Measures

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 seek to achieve a water consumption standard of 10 litres of water per person per day. The measures shall be implemented in strict accordance with the details as agreed prior to the occupation of the development hereby permitted. The approved details shall be retained as approved thereafter.

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 measures to ensure the most sustainable form of development is delivered on site. These details shall be submitted to and agreed in writing by the Local Planning Authority, in accordance with the requirements of Policy SS2(2) of the Submission Draft Isles of Scilly Local Plan 2015-2030.

Pre-Commencement Condition – Detailed Scheme of Biodiversity Enhancements

C8 Prior to the first occupation of the dwelling, hereby approved, details of measures to promote biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority, this shall include details of any new landscaping, where required, to comprise native species from sustainable sources, the installation of bat boxes and bird nesting opportunities appropriate to species found on the Isles of Scilly.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required in order to promote measures to improve and increase wildlife habitat and biodiversity on the Isles of Scilly and in accordance with Policies SS1(d) and SS2(g) of

Further Information

1. **SECTION 106 AGREEMENT:** The planning permission hereby approved is subject of a section 106 agreement to control the occupancy of the dwelling to ensure it contributes towards the housing need of the local community.
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, in accordance with paragraph 38 the National Planning Policy Framework 2019.
3. **NON-MATERIAL 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 (for which a fee of £234 would currently be required) 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.
4. **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. The fee is £116 for each request to discharge condition(s). The fee is payable for each individual request made to the Local Planning Authority.
5. **BATS:** The Applicant is reminded of the provisions of the Wildlife and Countryside Act 1981 and the E.C. Conservation (Natural Habitats) Regulations Act 1994. 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.
6. **BUILDING CONTROL:** Please ensure that, where required, all building works accord with the Building Regulations and that all appropriate approvals are in place for each stage of the build project. General Building Control advice can be obtained from Cornwall Council: buildingcontrol@cornwall.gov.uk
7. **ACCESS FOR FIRE APPLIANCES:** Access for the Fire Service as stated in Approved Document B, B5

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: 26th July 2021



COUNCIL OF THE ISLES OF SCILLY

Planning Department
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW
☎01720 424455
✉planning@scilly.gov.uk

Dear Mr T Hiron,

Please sign and complete this certificate.

This is to certify that decision notice: P/19/063/FUL and the accompanying conditions have been read and understood by the applicant: Mr T Hiron.

1. **Development of the approved plans:** Erection of one 2-bedroom dwelling restricted in occupancy by Section 106 Planning Obligation (Amended Plans) at: Land to Rear of the Rope Walk Porthloo St Mary's Isles of Scilly will commence **on:** (insert date)
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.

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) 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.

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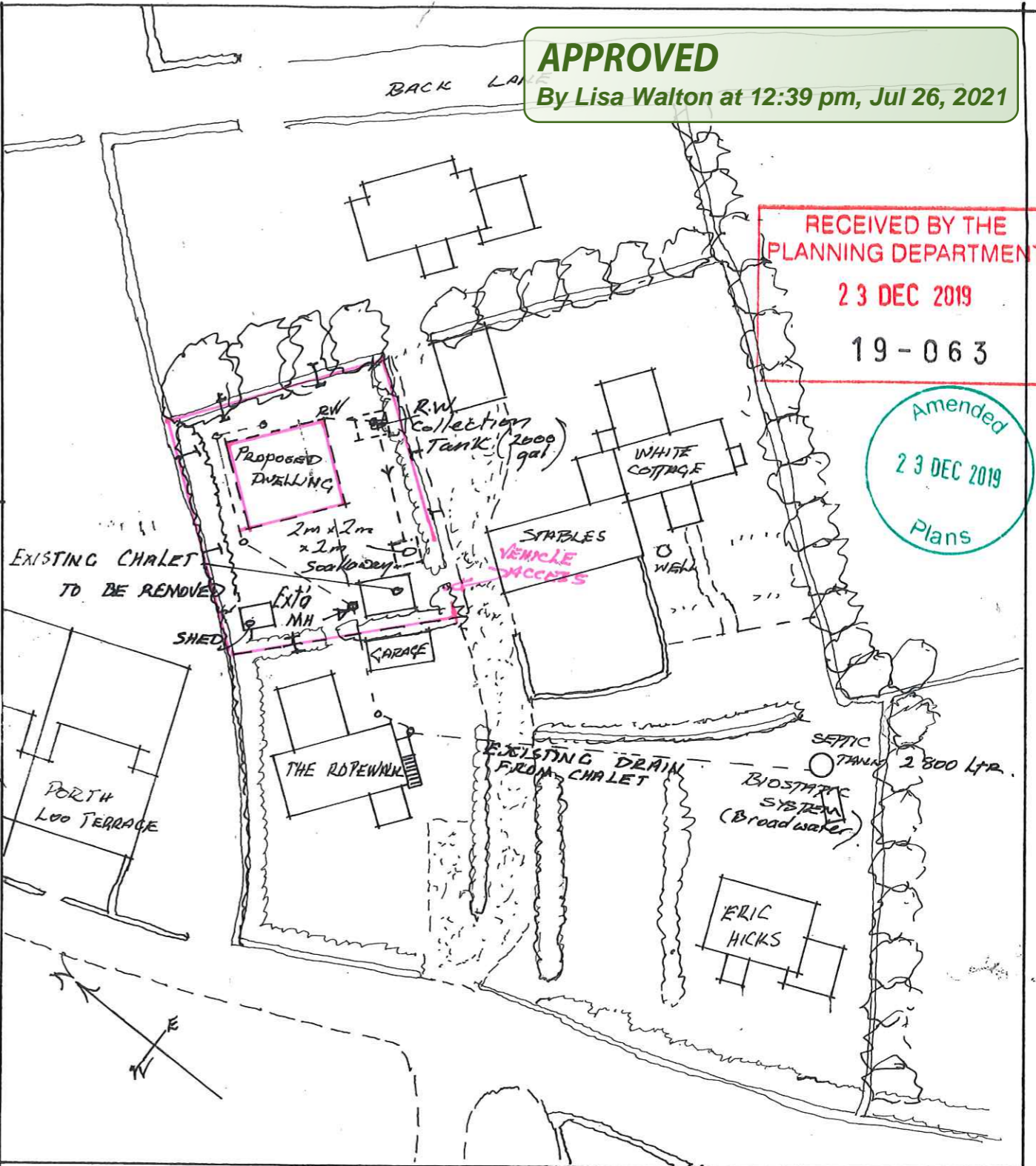
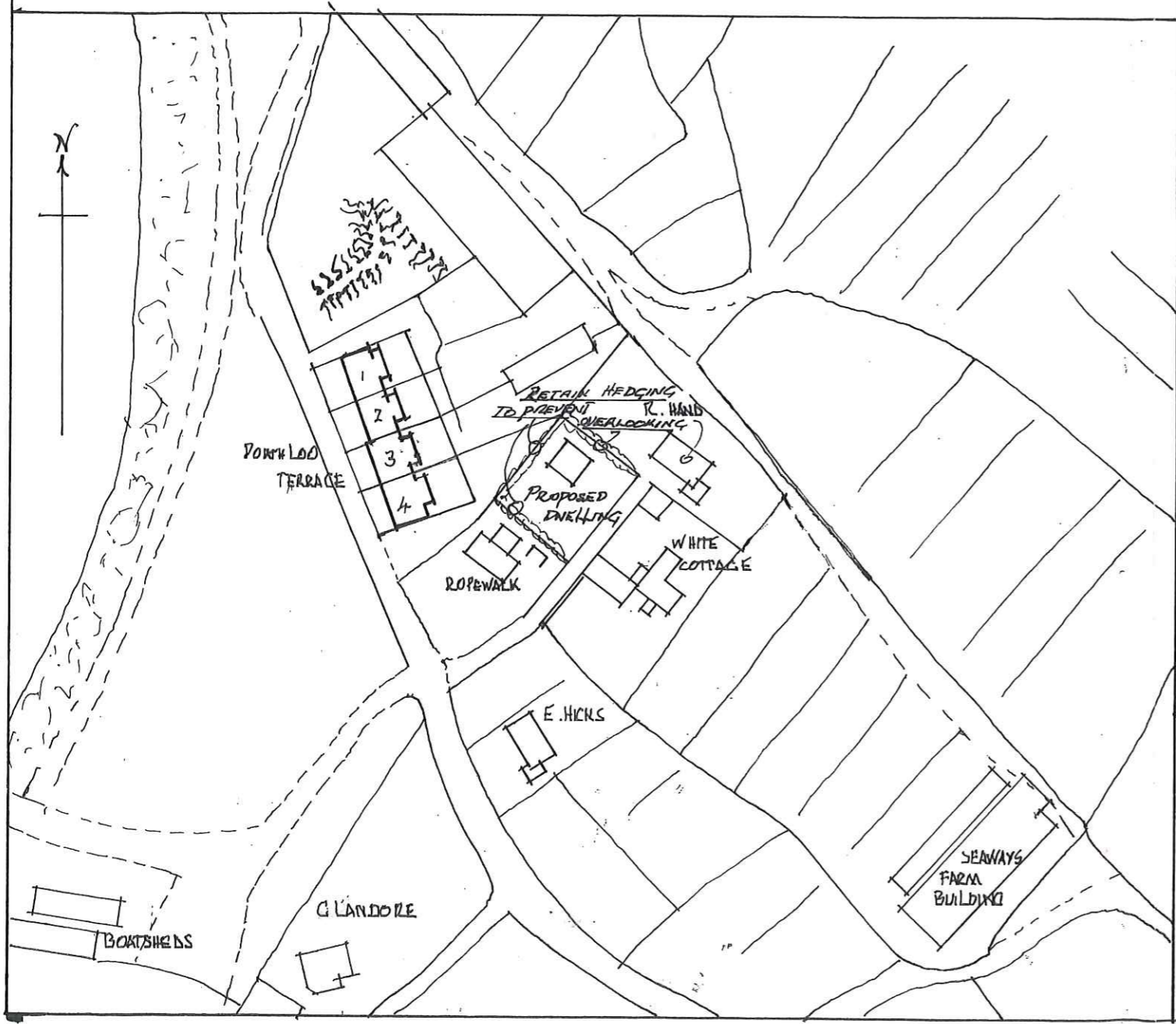
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PROPOSED DWELLING on Land
% ROPEWALK PORTHLOO ST MARY'S
for MR & MRS T. HIRON

APPROVED
By Lisa Walton at 12:39 pm, Jul 26, 2021

RECEIVED BY THE
PLANNING DEPARTMENT
23 DEC 2019
19-063

Amended
23 DEC 2019
Plans



BLOCK PLAN 1:1250
SITE PLAN 1:500

DATE OCT 2019
AMENDED NOV. 2019
SCALE 1:500

RC-1A

PROPOSED 2 BEDROOM DWELLING on Land B/O ROPEWALK PORTHLOO SE MARYS for MR & MRS T. HIRON

APPROVED By Lisa Walton at 12:40 pm, Jul 26, 2021



FRONT ELEVATION

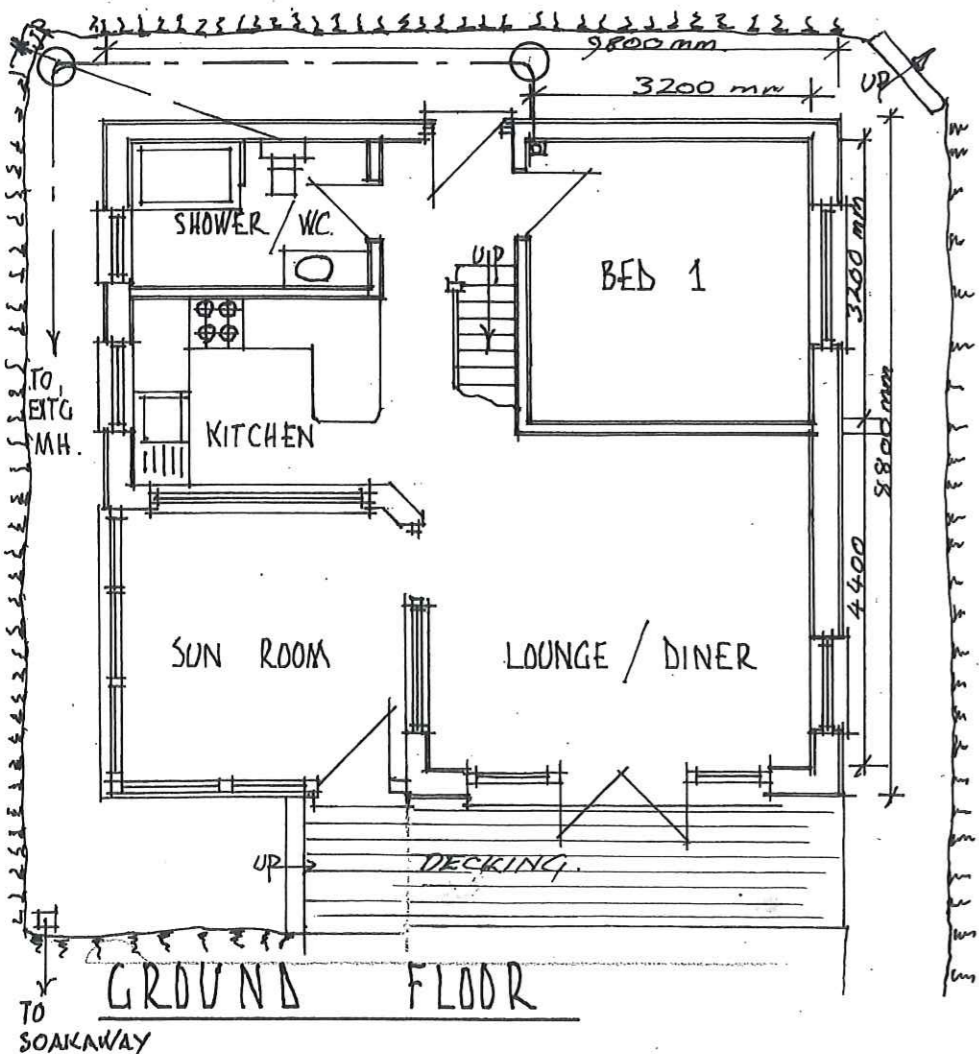
SCALE 1:100 DATE DEC 2019

T. J. HIRON CLOWDISLEY SE MARYS terry.hiron@gmail.com

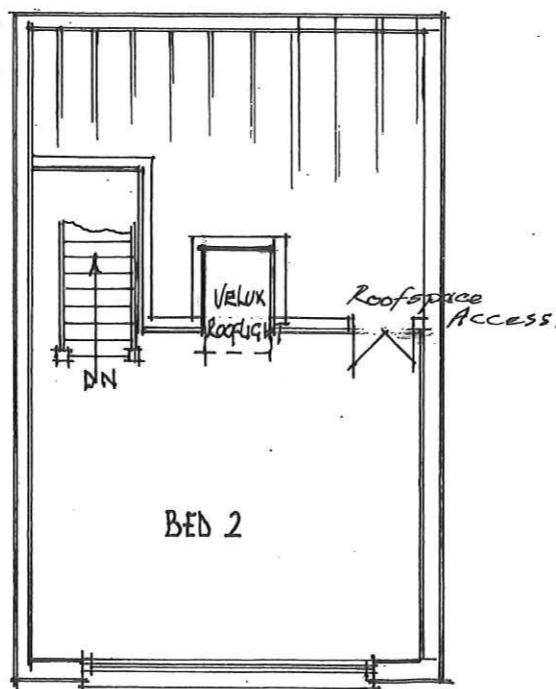


SIDE ELEVATION NE.

RECEIVED BY THE PLANNING DEPARTMENT 23 DEC 2019 19-063



GROUND FLOOR

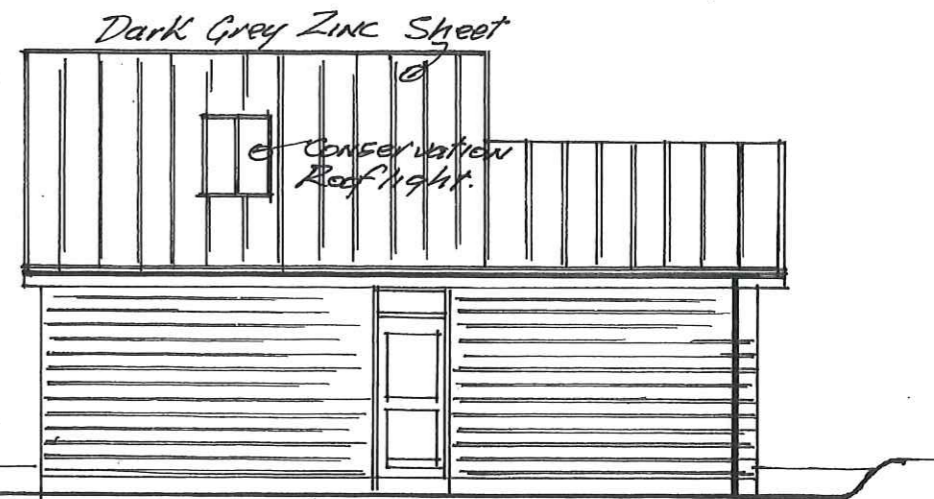


FIRST FLOOR



SIDE ELEVATION SE.

Excavate GROUND TO LOWER PROFILE



REAR ELEVATION

R-C-2A

DESIGN AND ACCESS STATEMENT

Land r/o Ropewalk, Porthloo, St Mary's **Proposed demolition of chalet** **With S106 controlled 'Local Need' dwelling**

Introduction – Proposals and Objectives

When I purchased this land in 2004 there was a small timber chalet on this site which was occupied in the summer months by Mr. & Mrs Williams, the owners of White Cottage. This enabled them to let out White Cottage for holiday accommodation.

In 2011 my daughter and husband replaced the old chalet and let it out to young local residents. It was let from 2012 to local people and was used for this purpose until 2016 when an Enforcement Notice was issued to stop the use. This notice became effective on 24.3.2017. An Appeal was made against this action but unfortunately it was refused. This meant that the chalet could not be used for a separate residence but the building could remain and be used ancillary to Ropewalk, presumably for guests, family etc. As this could not now be used as a residence for a local couple it has been left empty and has become seriously dilapidated.

It is now my proposal to demolish the chalet and this present application is to replace it with a more substantial building. It is proposed that the new building will be used to house local residents in need and we propose that an S106 Agreement be drawn up to allow its' use for 'Specific Local Need' and 'Essential Workers'.

Site

This is an unused site as described above which is gradually becoming overgrown and unsightly. It is gradual sloping site down towards Ropewalk and is deep sand so it will be ideal to cope with any soakaway system needed for surplus water. The site is totally enclosed by pittosporum hedging on three sides and mature shrubs along the vehicular access lane. The White Cottage whole site has become a much needed small estate with all permanent local residents and this is the last virtually vacant plot remaining. There is soil drainage already in existence which served the chalet for over four years. As the new building will not house more residents, this system is perfectly adequate to cope with the new building.

Materials and appearance

The nature of the site, being almost surrounded by high hedging will mask any major impact that any new building would have on any of the surrounding properties.

It is proposed to erect a timber framed building which we feel is most attractive and fitting for this site, although does not fit with the notion of 'traditional Scillonian cottage design'. It will be light and airy with large front windows and doors and we feel this would be another welcome modern innovation for Scilly. It will be clad in shiplap style pine or cedar boarding which will 'weather' to a fine grey finish and be a halfway house between cottage and farm building contemporary style.

Apart from the original White Cottage which was probably built in the late 18th century, the other houses have modern twists to the older designs to allow for modern materials and tastes. As this is intended for a permanent residence it should be looking towards 'tomorrow's designs and requirements' and we hope you will agree that this does fit these criteria.

Local Need

Central Government are at present advocating far more housing to be erected and presumably because of this policy our new proposed Local Plan is allowing for many new houses to be erected on Scilly. These will be mainly controlled but with many 'open market' units to be allowed.

We suggest that this proposal could be considered a 'windfall site' and it can only assist in the future housing development which is proposed.

Sustainability

This building will be erected to be thermally efficient in excess of the requirements of the existing Building Regulations. We are proposing to install solar panels plus 'ground source' heat exchange. This, together with energy efficient lighting, should make this building almost free from any additional demand on local services. There will also be provision for rainwater storage for use in toilets, showers, etc.

Access

Access to this site, both vehicular and pedestrian already exists so there is no additional roadway or paths required. Parking will be made available on site.

T J Hiron, Clowdisley, Golf Club Lane, St Mary's
30.09.2019