



COUNCIL OF THE ISLES OF SCILLY

Planning Department

Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW

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Please Ask For: Lisa Walton
Tel: 01720 242456
Email: lisa.walton@scilly.gov.uk
My Ref: P/20/038/COU

4th August 2020

Dear Lisa,

Location: Tregarthens Hotel, Garrison Hill Hugh Town St Mary's

Proposal: Change of use of 16 hotel bedrooms from Use Class C1 (Hotel) to 4 self-contained restricted holiday letting units Use Class C3 (Dwelling) with associated internal works to hotel rooms 41 and 42 with revised fire escape.

Applicant: Mr Nigel Wolstenholme

Notice of intention to impose pre-commencement conditions under the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018.

The Council is minded to approve the above application subject to the imposition of the following conditions. Please note those identified pre-commencement and provide a written response within the timescales set out below.

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:

- **Location Plan and Block Plan 1:125 and 1:1250, Drawing No:1532/ PL01 Rev A**
- **Proposed Elevation 1 of 2, Drawing No: 1532/PL09 Rev B**
- **Proposed Elevations 2 of 2, Drawing No: 1532/PL10 Rev B**
- **Proposed FF Plan, Drawing No: 1532/PL08 Rev B**
- **Proposed GF Plan, Drawing No: 1532/PL07 Rev B**
- **Proposed Section, Drawing No: 1156/PL11 Rev B**

These are stamped as APPROVED

Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Listed Building, Scheduled Monument, Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policy 1 of the Isles of Scilly Local Plan 2005.

C3 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.

DETAILS OF BALUSTRADES and Fire Escape

C4 Prior to the installation of the balustrades and fire escape, hereby approved, precise details, to include large scale drawings of the design and materials to be used in their construction and method of attachment of the fire escape, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To safeguard the visual amenity, setting, character and appearance of the adjacent Garrison Wall which is a Listed Building, Scheduled Monument in accordance with policies 1 and 2 the adopted Isles of Scilly Local Plan 2005 and policies OE7 of the Submission Draft Isles of Scilly Local Plan 2015-2030.

Removal of Permitted Development Rights: External Illumination

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 any external lighting 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 to protect the amenities of this rural area and preserve the dark night skies of the Isles of Scilly and the Garrison Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Submission Draft Isles of Scilly Local Plan 2015-2030.

OCCUPANCY RESTRICTIONS

C6 Notwithstanding the provisions of Part C, Class C3 "Dwelling House" to the Schedule of the Town and Country Planning (Use Classes) Order 2007, (or any Order revoking or re-enacting that Order), the premises shall be used for the purpose of holiday accommodation only in connection with Tregarthens Hotel and for no other purpose, including any other purpose within Class C3 of the Order. The self-catering holiday-lets, hereby approved, shall be retained as part of the Tregarthens Hotel and not occupied separately to it. The accommodation shall not be occupied by any persons for a total period exceeding 42 days in any calendar year. The owner shall maintain a register of occupiers for each calendar year including names, addresses and length of stay, and a copy of the register shall be supplied to the Local Planning Authority on request

Reason: The proposed self-catering apartments form part of the wider hotel complex of Tregarthen's Hotel and are not provided with independent amenities including access or car parking. Separate or independent occupation of the of any self-catering units would require further assessment as this proposal has been justified only on the basis of hotel diversification only. Any separation of the accommodation would require further assessment in accordance with policies 1, 2, 3 and 4 the adopted Isles of Scilly Local Plan 2005 and policies LC1 and LC4 of the Submission Draft Isles of Scilly Local Plan 2015-2030.

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. These details should include details for any water and energy saving measures and for the 4 self-catering apartments, hereby approved, which shall meet a water efficiency requirement of 110 litres/person/day. The sustainable design scheme shall be implemented in strict accordance with the details as agreed prior to the occupation of the development hereby permitted.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the original application but are required to ensure the development minimises the impact upon the infrastructure of the islands. In accordance with Policy 6 of the adopted Isles of Scilly Local Plan 2005 policies SS1 and SS2 of the Submission Draft Isles of Scilly Local Plan 2015-2030

PRE-COMMENCEMENT CONDITION: Site Waste Management Plan

C8 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 Policy 1 of the Isles of Scilly Local Plan (2005) and Policy OE5 and Policy SS2(2) of the Submission Draft Isles of Scilly Local Plan (2015-2030).

If you agree with the conditions we can issue the grant of approval as soon as we receive your written agreement. If you do not send a written agreement, we cannot issue the decision until the end of the notice period which is 10 working days after the day following the date of this notice. **If you disagree with the conditions** any substantive response (disagreeing with the conditions or providing comments) must be received within 10 working days after the day following the date of this notice.

- If we receive a substantive response within this time-frame we may then decide to either amend, remove or change the condition to post commencement or we may refuse the application.
- If we do not receive a response in this time period, we will then issue the decision with the pre-commencement conditions as set out above.

Yours Sincerely,



Lisa Walton
Senior Officer, Planning and Development Management