



COUNCIL OF THE ISLES OF SCILLY

Planning Department

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Mr Mark Campbell
Evans Jones Ltd
Royal Mews
St Georges Place
Cheltenham
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Email Only: mark.campbell@evansjones.co.uk

7 August 2020

Dear Sir/Madam,

Location: Trevean, Higher Town

Proposal: Conversion of the existing greenhouse/store into a studio and addition of a workshop, with associated alterations to the exterior of the property including the addition of a porch.

Applicant: Mrs M Bayetto

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

The Council is considering the above application and should it be recommended for approval it would be subject to the imposition of the following conditions. There remain a number of matters on which I am waiting for clarification (please refer to emails of Wednesday 5th August 2020 to Anthony Cogan). Please note those conditions identified as pre-commencement, of which you have the timescales as set out below to provide any substantial response:

- 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 Proposed Block Plan
 - Plan 2 Location Plan
 - Plan 3 Proposed Plans and Elevations
 - Plan 4 Site Waste Management Plan
 - Plan 5 Preliminary Ecological Appraisal and Preliminary Roost Assessment (timing, mitigation, enhancement for bats)

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 1 of the Isles of Scilly Local Plan (2005) and Policy OE1 and OE7 of the submission Isles of Scilly Local Plan (2015-2030).

- C3 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 St Martins Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Submission Draft Isles of Scilly Local Plan 2015-2030.
- C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions (Class A), alterations to the roof (Class B and C), porches (Class D), ancillary outbuildings (Class E), hard surfaces (Class F) or chimneys or flues (Class G) shall be erected or constructed on the dwelling, here by permitted, without the prior permission, in writing, of the Local Planning Authority through the submission of a further application.**
Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality and in the interests of the affordability of the dwelling and the local housing stock.
- 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.
- C7 The alterations to the property, hereby permitted, shall not result in any sub-division of this as a single dwelling and no element shall be occupied at any time as a separate dwelling including holiday letting purposes. Any such change of use should be subject to a further application for planning permission. The areas marked green on the attached plan shall be retained for the purposes of ancillary studio and workshop space only, in accordance with the approved plans.**
Reason: To ensure that the development hereby permitted is occupied only as a single dwelling as specified in the application. In accordance with Policy 3 of the adopted Isles of Scilly Local Plan (2005) and Policy LC9 of the Submission Draft Isles of Scilly Local Plan (2015-2030).

PRE-COMMENCEMENT CONDITION

- C8 Prior to the commencement of the development, hereby approved, details of a replacement roosting site should be submitted to and approved in writing by the Local Planning Authority. This should comprise a bat box using the Kent Bat Box design which would be sited on an elm tree which is located approximately 5m to the east of the current roost just in front of the house. The installation of the box should be supervised by a Licensed Bat Worker to ensure that the aspect and height replicate the character of the existing roost as closely as possible. Provision of this feature would ensure continuity of roosting habitat and should be permanently 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 in order to retain control over the development, to safeguard bats and their roosts which are specifically protected by law. In the interests of securing appropriate and proportionate biodiversity net gains at this site in accordance with Policy OE2, SS1(d) and SS2(g).
- C9 No development on the roof (or any part of the building where bats have been found) shall take place until a European Protected Species License (EPSL) has been obtained from Natural England. The applicant shall provide the Local Planning Authority with copies of all relevant documentation and the results of any required further survey work as applicable. Works to be completed in strict compliance with the terms of any licence issued by Natural England. The**

Local Planning Authority shall be provided with a copy of all relevant bat mitigation provision and the results of any required post-development monitoring as applicable. All bat survey records arising from this project to be provided to the relevant Biological Recording Centre which for the Isles of Scilly is at Environmental Records Centre for Cornwall and the Isles of Scilly (ERCCIS).

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application but are required in the interests of safeguarding protected species and to enhance biodiversity in accordance with Policy 1(e) of the adopted Isles of Scilly Local Plan 2005 and Policy OE2 of the Draft Isles of Scilly Local Plan 2015-2030.

If you agree with the [pre-commencement] conditions should the application be approved at the Full Council meeting on the 10th September, 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 [pre-commencement] 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