



## **COUNCIL OF THE ISLES OF SCILLY**

Town Hall, St Mary's TR21 0LW

Telephone: 01720 424455 – Email: [planning@scilly.gov.uk](mailto:planning@scilly.gov.uk)

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) Order 2010

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### **PERMISSION FOR DEVELOPMENT**

**Application No:** P/20/100/COU      **Date Application Registered:** 10th December 2020

**Applicant:** Claudia Smith  
Blackbird's Perch  
Middle Town  
St Martin's  
Isles Of Scilly  
TR25 0QN

**Site address:** Blackbird's Perch Middle Town St Martin's Isles Of Scilly TR25 0QN  
**Proposal:** Retrospective application for change of use of OS field 1244 to domestic curtilage including retrospective erection of ground mounted solar panels and proposed erection of office and shed building.

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 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: 1:1250**
- **Plan 2 Block Plan: 1:500**
- **Plan 3 Proposed Elevations and Floor Plans: Garden Office**
- **Plan 4 Solar Panels**
- **Plan 5 Design and Access Statement**

**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), and notwithstanding the ancillary building, hereby approved, no further ancillary outbuildings (Class E) or hard surfaces (Class F) shall be erected or constructed within the domestic curtilage, hereby approved, without the prior permission, in writing, of the Local Planning Authority through the submission of a further application.**

Reason: To control any subsequent structures in the interests of the visual amenities of the landscape, which is an Area of Outstanding Natural Beauty, Conservation Area and Heritage Coast, in accordance with Policy 1 of the adopted Local Plan (2005) and Policy OE1 and OE7 of the submission Isles of Scilly Local Plan (2015-2030).

- C5 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.

- C6 The solar panels and associated equipment, hereby approved to be retained, shall be permanently removed upon redundancy for their dedicated purpose and the site reinstated to its former condition within a period of three months unless otherwise agreed in writing by the Local Planning Authority. Should equipment become faulty or cease to operate it should either be removed or repaired within a period of 3 months and the site reinstated to its former condition.**

Reason: The solar panels have been permitted for a dedicated purpose and to facilitate the generation of renewable energy in connection with the dwelling Blackbird's Perch. Any equipment/installations no longer needed or which ceases to function, should be repaired or removed in the interests of the visual amenities of the area.

#### **Further Information**

1. 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.
2. 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 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.

Signed:



Senior Officer, Planning and Development Management

*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:** 22<sup>nd</sup> January 2021



# COUNCIL OF THE ISLES OF SCILLY

Planning Department  
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW  
☎0300 1234 105  
✉[planning@scilly.gov.uk](mailto:planning@scilly.gov.uk)

Dear Claudia Smith

## Please sign and complete this certificate.

This is to certify that decision notice: P/20/100/COU and the accompanying conditions have been read and understood by the applicant: Claudia Smith.

1. **I/we intent to commence the development as approved:** Retrospective application for change of use of OS field 1244 to domestic curtilage including retrospective erection of ground mounted solar panels and proposed erection of office and shed building. at: Blackbird's Perch Middle Town St Martin's Isles Of Scilly TR25 0QN  
**on:** .....
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.~~

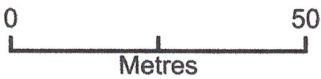
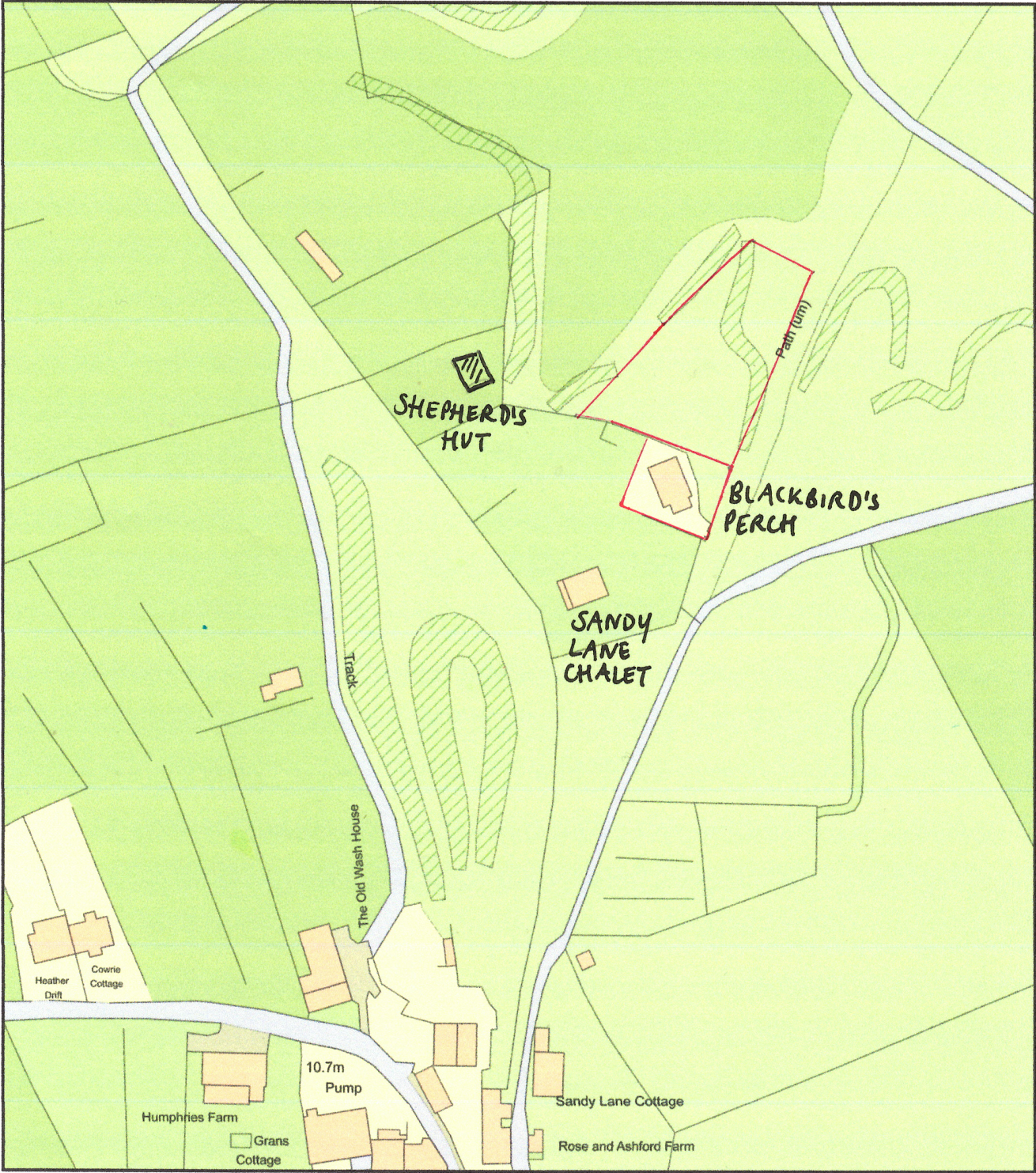
Print Name: .....

Signed: .....

Date: .....

Please sign and return to the **above address** as soon as possible.

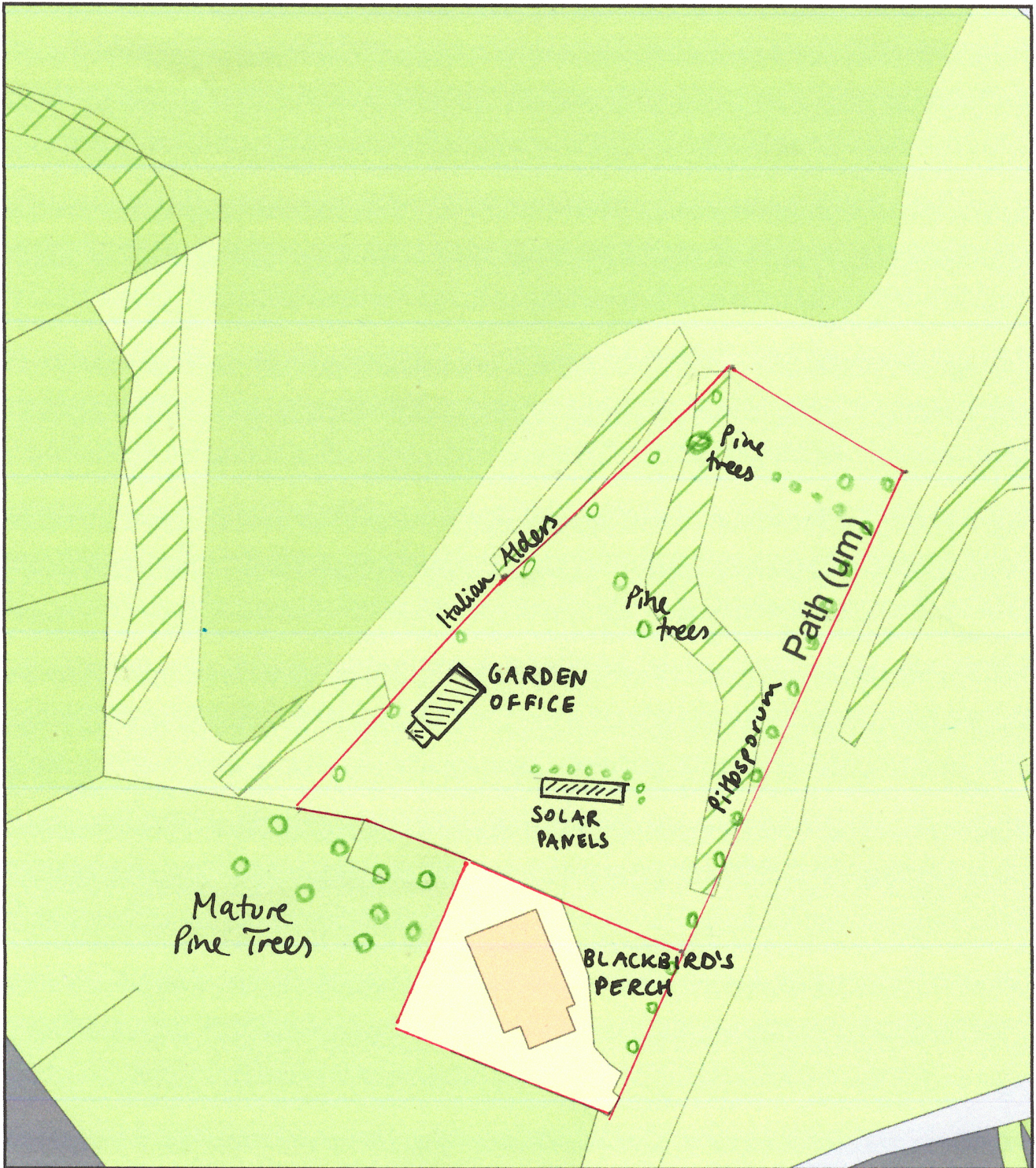
Blackbird's Perch



Plan Produced for: Claudia Smith  
Date Produced: 10 Nov 2020  
Plan Reference Number: TQRQM203152  
Scale: 1:1250 @ A4

**APPROVED**  
By Lisa Walton at 12:07 pm, Jan 22, 2021

RECEIVED  
By Tom Anderton at 11:07 am, Dec 18, 2020



0 20  
Metres



Plan Produced for: Planning Application 2

Date Produced: 09 Dec 2020

Plan Reference Number: TQRQM200410450012

Scale: 1:500 @

**APPROVED**

By Lisa Walton at 12:08 pm, Jan 22, 2021

RECEIVED

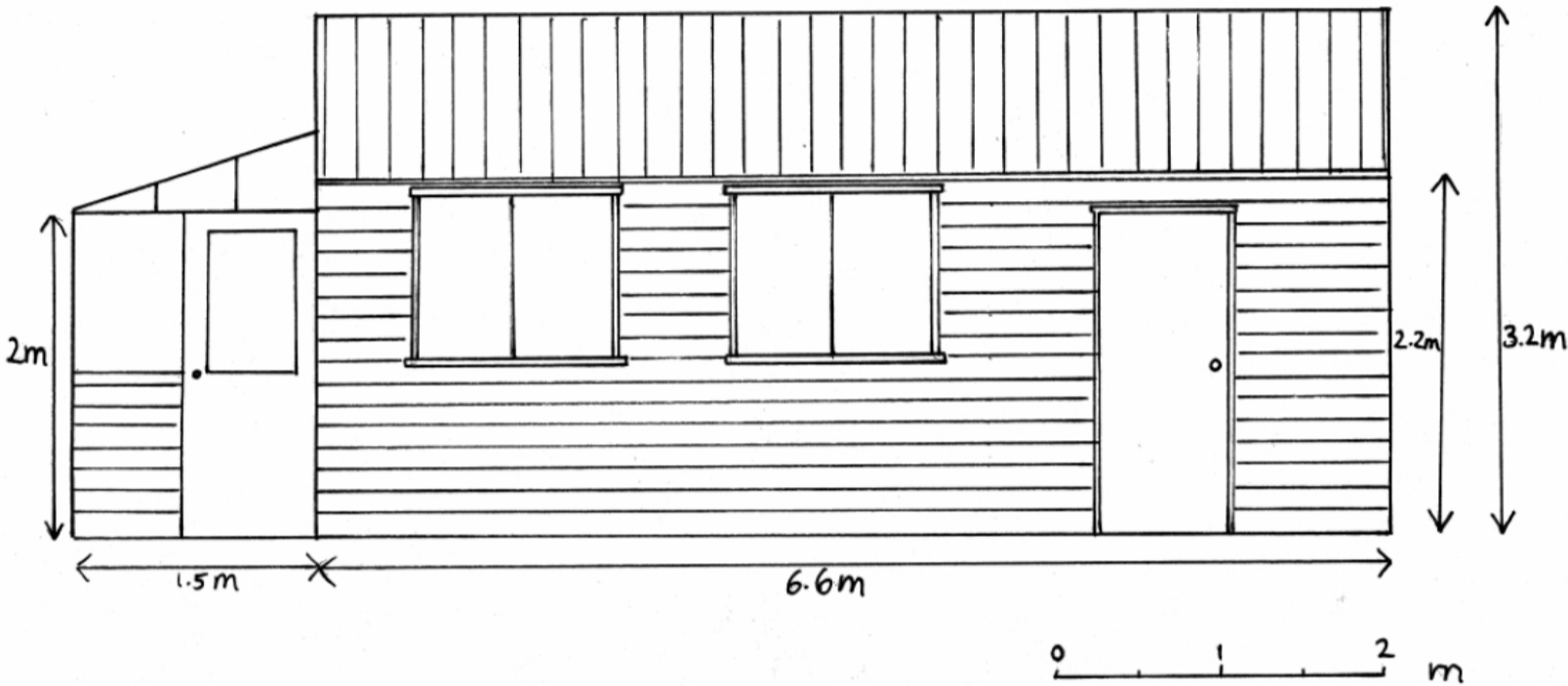
By Tom Anderton at 11:07 am, Dec 18, 2020

Elevations and Floor Plan

Garden Office, Blackbird's Perch, St Martin's

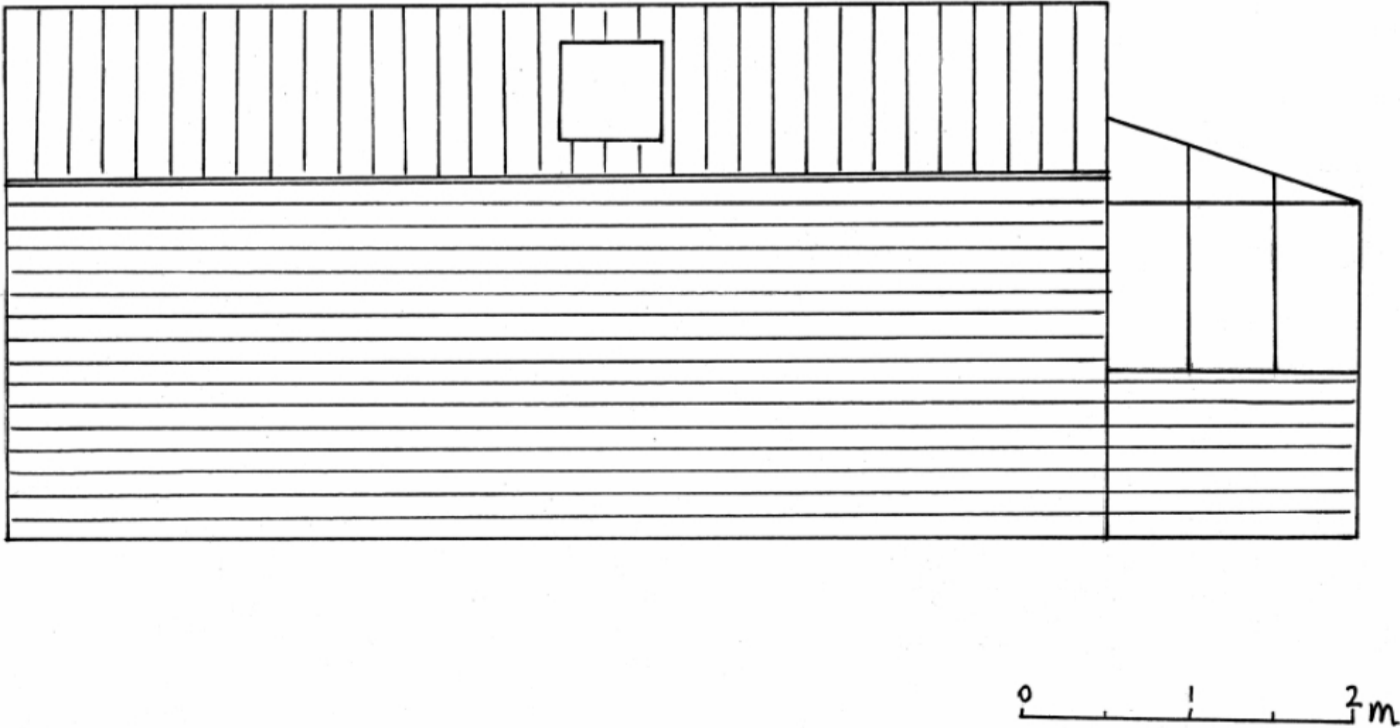
EAST ELEVATION

3cm : 1m

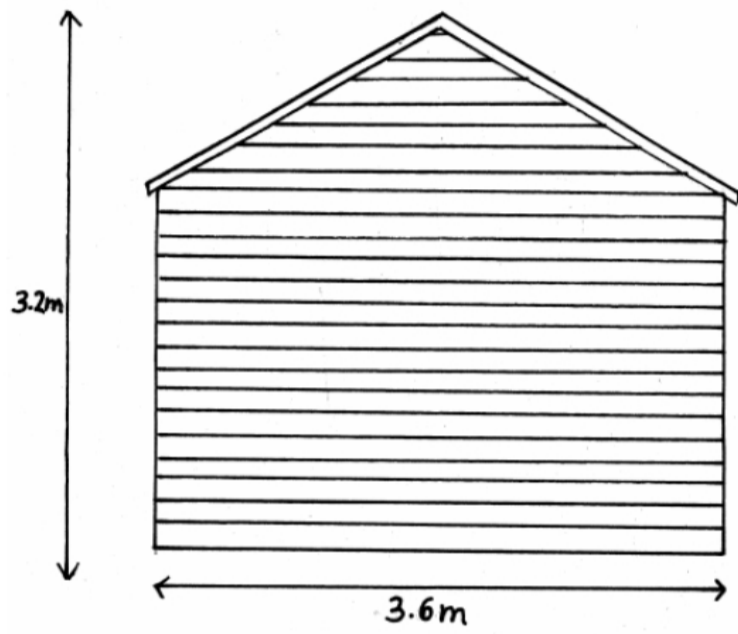


WEST ELEVATION

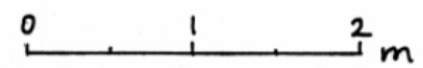
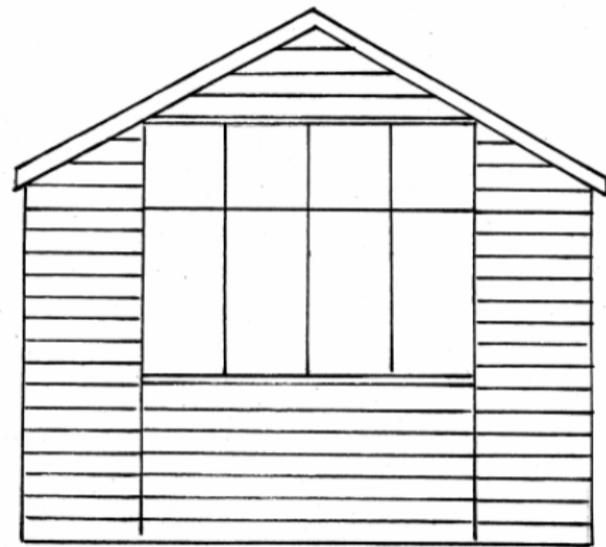
3cm : 1m



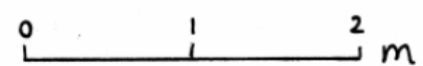
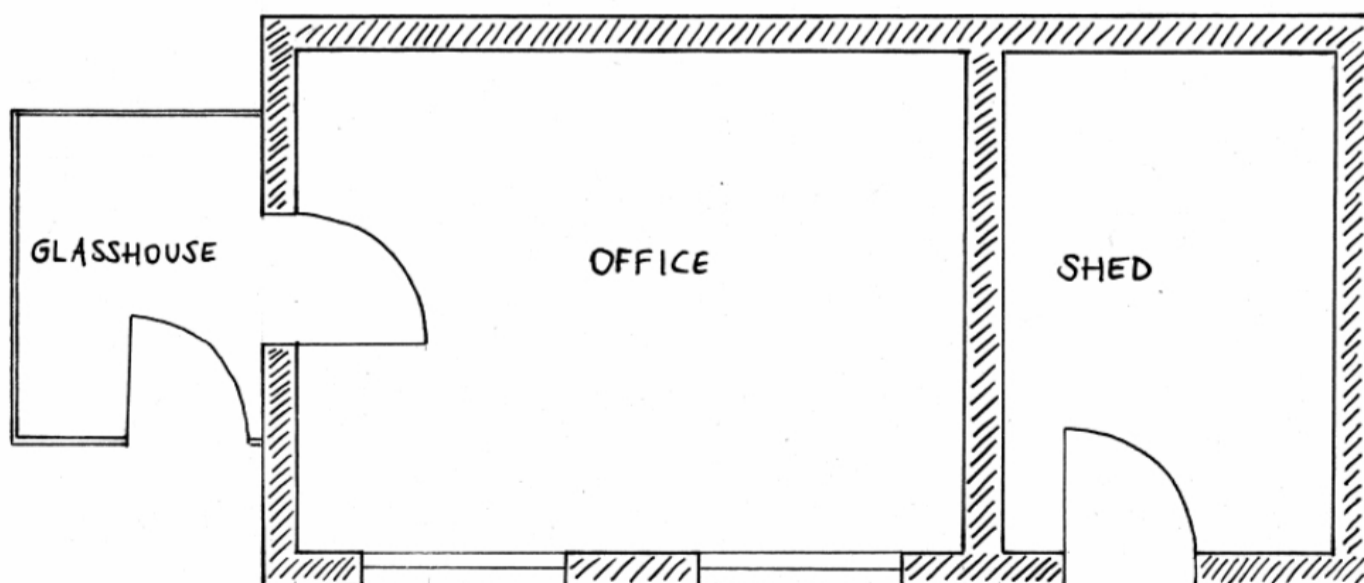
NORTH ELEVATION

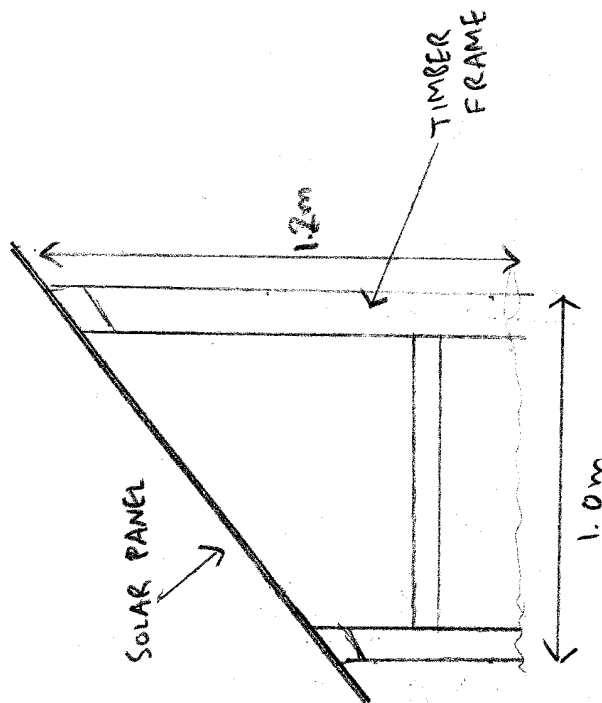


SOUTH ELEVATION 3 cm:1m



FLOOR PLAN  
3cm : 1m



SOLAR PANELSBLACKBIRDS PERCH,  
ST. MARTIN'SSIDE ELEVATION

EACH PANEL = 1.6m x 1.0m  
TOTAL : 8 PANELS  
COLOUR : BLACK

**RECEIVED**

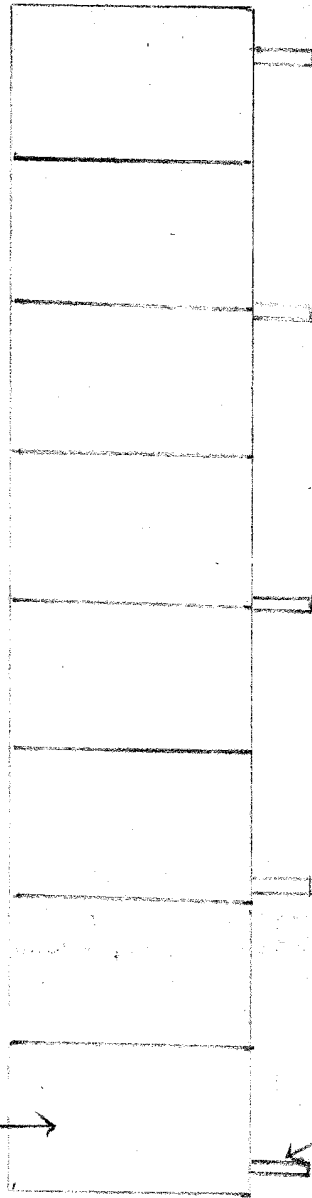
By Emma Kingwell at 7:56 am, Dec 10, 2020

**APPROVED**

By Lisa Walton at 12:10 pm, Jan 22, 2021

FRONT (SOUTH) ELEVATION

SOLAR PANELS

TIMBER  
FRAME

# Design and Access Statement

*Garden Office, Blackbird's Perch, St Martin's*

**APPROVED**

*By Lisa Walton at 12:10 pm, Jan 22, 2021*

## **Purpose**

## **Solar panels**

## **Location of garden office**

## **Access**

## **Design**

## **Services**

## **Sustainability**

## **Archaeology**

## **Waste management from site**

## **Purpose**

This application is for change of use on OS Field 2144 (behind Blackbirds Perch) for the regularisation of this land for use as a garden area, including children's play equipment and the siting of 8 solar panels providing power for Blackbirds Perch house. It also seeks permission for the erection of a new garden office.

The purpose of the proposed garden office is to offer much needed office space to help me run my growing nutritional therapy and coaching business efficiently. Both my husband and I work from home, and the 4m<sup>2</sup> that we share in our office within our home simply make this difficult, particularly when on video conferencing calls at the same time.

As part of the building, there will also be a small shed space for storage of food, a freezer, gardening tools, etc.

The small conservatory will provide passive heating for the office as well as a space for raising plants for the garden.

The land on part of OS field 2144 has been used by us as a garden area for Blackbirds Perch since 2014, and has had solar panels on it since 2015. This application seeks to regularise that use. The children's play equipment is temporary and not fixed to the ground.

## **Solar panels**

The 8 solar panels are on a freestanding wooden frame, constructed of 4"x 4" wooden posts and 4" x 2" timber rails and cross pieces. These are sunk in the ground to around 18", held in place by concrete. There is no trench of concrete, merely a 12" x 12" x 18" hole for each post.

Solar panels are fixed to the wooden rails by aluminium rails, to which the solar panels are fixed. There is one electric cable running from the panels to Blackbirds Perch via an 18" deep trench, now covered over and unrecognisable.

These panels provide over 100% of the electricity needs of the house.



	
North elevation	West elevation

## **Location of garden office**

The proposed building will be within the garden of Blackbird's Perch at the top of Middle Town on St Martin's. Please refer to the Location and Block Plans for exact location.

We have purposefully chosen the part of our garden that is furthest away from Sandy Lane to minimise the impact of the building on people walking past, to increase privacy, and to choose the one of the lowest lying parts of the land.

Note than in the vicinity, and marked on the Location Plan, is our house (Blackbird's Perch, built 2013), Sandy Lane Chalet (built 2011), and the Shepherd's Hut (built 2016) - the latter two are holiday lets.



The building will be located behind the solar panels, between the holly tree and the left-hand edge of the solar panels. The pitch of the roof will be in line with the top of the washing line post.



The recently mowed land here (to the right of the washing line) is where the office will be. Our house is on the left. There are multiple pine trees (approx. 10 years old) growing to the South, completely screening the proposed building already.



As can be seen here, the area of land is slightly lower thereby reducing the visual impact of the building. The foundations will be set down below current ground level by 1m, reducing the ridge height further. As stated, the ridge will not be higher than the current washing line.



Looking out towards Northwest from where the building will be. We have established a row of Italian alders (2 years old) running along the back of the garden which in the future will screen the building. These are quite fast growing and should reach the ridge height of the proposed building by around 2025.



Looking North East from where the building will be. The sandy path towards the back of the island runs alongside our garden there.

A row of Pittosporum hedges, originally planted for garden privacy, is already established and will within 4 years completely screen the office when looking at it from the path.



The current view from the sandy path looking towards the washing line. Again, there is a Pittosporum hedge growing along the entire Eastern edge of the garden.



The view over towards Blackbird's Perch from Top Rock Hill, which can be seen nestled in front of the right hand clump of pine trees. The Italian alder and pine trees will screen the building entirely in the future.



The view from the sandy path heading towards Round Island Lighthouse. The washing line is just in view and the proposed building will be just to right of that. From this angle just the Northern gable end would be visible.

## **Access**

The garden office will be accessed from our garden. No new access needs to be created. The building will be on the lease of Blackbird's Perch and tied to this property legally.

## Design

We have purposefully designed the proposed garden office to match our house in style. The whole structure will be made of timber, with grey box profile roof sheets. The roof sheets are also seen on our house conservatory roof and the whole roof of the nearby Sandy Lane Chalet. Roof pitch is 30 degrees. On the West facing roof there will be one Velux roof light.

Cladding will consist of horizontal 6 inch shiplap larch cladding, which will be untreated. The timber double glazed windows will be painted white. Timber doors will also be painted white.



*Example of cladding and roofing materials proposed (this is Blackbird's Perch)*



*Proposed timber glazed door*



*Proposed timber casement windows*

The office space will be fully insulated with 100mm of insulation. The conservatory and shed will be uninsulated.

The small conservatory is designed to provide passive heat for the building and aesthetically is there to blend in with the local architecture of glass houses. The external cladding of the conservatory will be painted white.

No outside lighting is proposed.

Surrounding the building will simply be grass. This will merge in to the existing garden area.

Groundworks will consist of 8 concrete pads to a depth of 60cm onto which the timber sub-base will be fixed.

## **Services**

There will be no water or sewage connection. Electricity connection will be provided from our house Blackbird's Perch, via a trench dug through the garden.

Waste and recycling from use of the building will be minimal and will simply be dealt with through our house waste and recycling.

## **Sustainability**

All timber used will be from sustainably managed forests and FSC certified.

Windows will be double glazed to minimise heat loss.

Insulation in the walls, roof and ceiling will be to building regulation standards to ensure minimal heat loss. Passive gain from the conservatory will help to heat the building all year. A small electric heater will provide sufficient warmth in cooler

months. Windows, blinds and insulation will help regulate the temperature inside during summer months.

Paints will be eco paints without toxins.

Electricity used in the building will be 100% renewable electricity. LED lighting will be used throughout.

## **Archaeology**

From Katharine Sawyer's 2013 report 'archaeological findings' for Planning Application P/12/071, Blackbirds Perch, St Martin's:

*"The site was excavated to a depth of about 1.8m below the topsoil, only blown sand was uncovered. No features were identified, and the only finds were recent bones, probably of a cow."*

The garden office application site is a mere 20m north of Blackbirds Perch, and the site shares almost identical characteristics in terms of being windblown sand. We therefore do not believe an archaeological watching brief to be necessary.

## **Waste management from site**

When foundations are dug out, any excavated sand will be used on tracks around the island to fill in ruts. Timber offcuts from the building process will be used either for future building, or for firewood. Any plastic, paper, cardboard or other wastes will be recycled through the island waste and recycling system.

# Biodiversity improvements

Garden office and garden area at Blackbirds Perch,  
St Martin's

## Context

The development area was, until 7 years ago, a disused field covered in gorse, bracken and brambles. Since then we have cleared the area, turning it in to a garden and have planted a lot of hedges and trees. This transformation is having positive impacts on biodiversity, and will only improve over time.

## Hedges

On the East side of the garden is a row of Pittosporum hedge plants, now between 3 and 4 feet high. This borders the public track and extends for around 55 metres. Within 5 years these will be full height and start to become habitat for nesting birds.

The microclimate this hedge will create enables the growing of a wider range of species in the garden.

## Trees

Across the garden area we have planted the following trees, ranging between 1 and 4 years old:

- 50m row of Italian Alder
- 2 x Golden Leylandii
- 1 x Macracarpa
- 7 x Monterey Pine (varying stages of maturity)
- 2 x Elder
- 4 x Sessile Oak
- 3 x Elm
- 3 x Hawthorn
- 3 x Privet

Other woody plants including palm, dogwood, hydrangea and camelia have been planted and are establishing well.

## **Planting plans for winter 2020/21**

In addition to existing plants, we already have plans for planting of various species for this winter on the site:

- Sessile oak x 6
- Rosa rugosa x 10
- Pittosporum (filling in gaps in existing hedges)
- Elder x 5
- Elm x 6

## **Nesting sites**

We are not planning to put up a bird box on the garden office as superior nesting sites abound in the near vicinity, including pine woodlands and Pittosporum hedges. However with the increasing height and numbers of trees and hedges on the area we expect to see birds finding nesting opportunities in our garden area within the next five years.

## **Bats**

We have seen bats flying in the area, and indeed our garden is a feeding area for Pipistrelle bats. We will install a bat box on the East (sheltered) side of the completed garden office, with the hope that a small colony will start.

## **Grass sward**

The lower area of the garden is largely grassy, but within contains a good range of species, benefitting from the naturally low level of fertility in the soil:

- White clover
- Yellow trefoil
- Ground speedwell
- Red campion
- Cats ear
- Daisy

Through a sympathetic mowing regime we always have wild flowers in flower throughout the spring and summer months, offering good habitat for insects.

In the higher part of the garden (in the area of the solar panels) we are also seeing an increase in species, which is improving now that we have largely cleared gorse and bracken.

Around the edges of the garden we have significant amounts of brambles, honeysuckle and foxgloves, all providing valuable nectar for bees.

The area immediately around the garden office will be managed in a similar way, enabling similar wild flowers to establish, flower and seed.

## **Management**

To ensure the garden area has good levels of biodiversity we employ the following management techniques:

- Minimal mowing (once a month in spring and summer) and always allowing at least 30% of wild flowers to remain until the next cut.
- Cut hedges only from October to March (inclusive)
- Carry out any tree pruning from October to March (inclusive)
- Replace any diseased or dying plants with the same or similar species, on an annual basis
- Managing the whole site organically, with no chemicals whatsoever

We enjoy a garden that is managed for biodiversity and will continue to do so.

## **House**

Whilst not on this particular Planning site, it's worth noting that our house, Blackbirds Perch, on the adjacent plot has the following features on and around it:

- Sedum roof on the house
- Retaining wall with many flowering species including valerian, evening primrose, aeonium, sedum and mesembryanthemum
- Areas of Rosa rugosa, Rosa canina and broom provide shrubby areas of habitat for bees
- 4m long planting box outside the conservatory full of flowering plants such as snapdragon, calendula, statice and sweet william, covered in bees all summer

Next to the house we have a bird feeder out from November to April, attracting sparrows, greenfinches, robins, blackbirds, thrushes, collared doves, dunnocks and great tits.

