



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

COUNCIL OF THE ISLES OF SCILLY

Town Hall, 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/21/009/FUL **Date Application Registered:** 27th January 2021

Applicant: Warleggan Management Ltd
Warleggan Flats
Church Street
Hugh Town
St Mary's
Isles Of Scilly
TR21 0JT

Agent: Joseph Payne
Hollandia
Warleggan Flats
Church Street
Hugh Town
St Mary's
Isles Of Scilly
TR21 0JT

Site address: Warleggan Flats Church Street Hugh Town St Mary's Isles of Scilly
Proposal: Remove defective scantle tiling from front elevation and replace with dry laid natural slate.

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, date stamped Jan 21 2021;**
- **Plan 2, Block Plan, date stamped Jan 21 2021;**
- **Plan 3, Supporting Statement, date stamped Jan 21 2021;**
- **Bat Presence/Absence Survey, Ref: BS38-2020PAS, dated 12th May 2021 (avoidance, mitigation and enhancement).**

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

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.

- C4 In the first bat inactive season (October - April) following the completion of the re-roofing works, hereby approved, the biodiversity enhancement measures of one free-standing 'kent' style bat boxes, as set out in the Presence/Absence Survey (Ref: BS38-2020PAS) and dated 12th May 2021, shall be installed at the apex of one of the north facing dormer windows, which should be erected as high as possible, but below the level of the fascia. The bat box shall be retained as such thereafter.**

Reason: In the interests of securing appropriate and proportionate biodiversity net gains at this site in accordance with Policy OE2, SS1(d) and SS2(g) of the Isles of Scilly Local Plan (2015-2030).

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. The Applicant is reminded of the provisions of the Wildlife and Countryside Act 1981 and the E.C. Conservation (Natural Habitats) Regulations Act 1994, the Habitat and Species Regulations 2012 and our Natural and Environment and Rural Communities biodiversity duty. 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. Care should be taken during the work and if bats are discovered, they should not be handled, work must stop immediately and a bat warden contacted. Extra care should be taken during the work, especially when alterations are carried out to buildings if fascia boards are removed as roosting bats could be found in these areas. If bats are found to be present during work, they must not be handled. Work must stop immediately and advice sought from licensed bat wardens. Call The Bat Conservation Trust's National Bat Helpline on 0845 1300 228 or Natural England (01872 245045) for advice.

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: 10th June 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

Dear Warleggan Management Ltd

Please sign and complete this certificate.

This is to certify that decision notice: P/21/009/FUL and the accompanying conditions have been read and understood by the applicant: Warleggan Management Ltd.

1. **I/we intend to commence the development as approved:** Remove defective scantle tiling from front elevation and replace with dry laid natural slate. at: Warleggan Flats Church Street Hugh Town St Mary's Isles Of Scilly **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.~~

You are advised to note that Officers of the Local Planning Authority may inspect the project both during construction, on a spot-check basis, and once completed, to ensure that the proposal has complied with the approved plans and conditions. If the site is found to be inaccessible then contact details of the applicant/agent/contractor (delete as appropriate) are:

Name: **Contact Telephone Number:**

Print Name:

Signed:

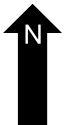
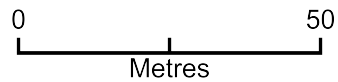
Date:

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

Warleggan, Church Street



APPROVED
By Lisa Walton at 5:10 pm, Jun 10, 2021



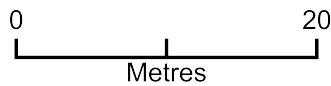
Plan Produced for: Warleggan Management Ltd

Date Produced: 13 Jan 2021

Plan Reference Number: TQRQM21013111940239

Scale: 1:1250 @ A4

RECEIVED
By Tom Anderton at 9:54 am, Jan 21, 2021



Plan Produced for: Warleggan Management Ltd

Date Produced: 13 Jan 2021

Plan Reference Number: TQRQM21013112256893

Scale: 1:500 @ A4

APPROVED

By Lisa Walton at 5:11 pm, Jun 10, 2021

RECEIVED

By Tom Anderton at 9:54 am, Jan 21, 2021

PA/20/055: Warleggan, Church Street, St Mary's

Warleggan Management Ltd is applying for planning permission to remove defective scantle tiling from the front elevation and replace it with dry laid natural slate (Del Rio 400mm x 200mm slate fixed with 316 grade slate hooks).

The front elevation still bears the original 19th-century scantle tiling. In recent years, there have been some issues with damp ingress and the directors have known that a replacement would be necessary. The matter has now been brought to a head by the recent winter gales which have caused a number of tiles to fall out from the side of one of the dormers, representing a hazard to people in the front yard. The roof is so delicate that a patch-up job is not feasible.

A similar application (P/16/099), with scantle tiling being replaced by dry laid natural slate, was submitted in 2016 for the adjacent property, Minalto. The 'Appraisal/key issues and conclusion' of the delegated report stated that:

It is considered that the principal issue for consideration is whether the use of dry laid slate instead of the more traditional scantle slate is in keeping with the wider character of the conservation area of St Mary's... Although Scantle Slates are a traditional slating method intrinsic and distinctive of the Isles of Scilly and Cornwall, the alteration proposed has taken place on a number of nearby dwellings and the change is not considered to negatively impact the character and appearance of the area. The external appearance of the dwelling is not considered to be adversely altered by the proposal and it would respect the character and overall appearance of the dwelling and the wider street scene. Therefore preserving the Conservation Area.

We understand that a bat survey is required for major alterations to the roof structure of this sort. The Isles of Scilly Wildlife Trust have been commissioned to conduct this survey, which is scheduled to take place on 29 January 2021.

The roof area to be replaced, including the sides of the dormers, is approximately 70m². All waste from the site will be taken to the Porthmellon Waste & Recycling Site. The old slate will be crushed and reused on the islands.

The proposed works do not involve any alteration to the height of the building.

APPROVED**By Lisa Walton at 5:12 pm, Jun 10, 2021**

APPROVED

By Lisa Walton at 5:13 pm, Jun 10, 2021

BAT PRESENCE/ABSENCE SURVEYS OF:

WARLEGGAN FLATS
CHURCH STREET
ST MARY'S
ISLES OF SCILLY
TR21 0JT

Client: Warleggan Management Ltd c/o Joseph Payne

Our reference: BS38-2020PAS

Report date: 12th May 2021

Author: Darren Mason BSc (Hons)

Report peer reviewed: Sarah Mason.

Report signed off: Sarah Mason.

REPORT ISSUED IN ELECTRONIC FORMAT ONLY

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Non-Technical Summary

- On 29th January 2021, the Isles of Scilly Wildlife Trust (IoSWT) conducted a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) of Warleggan Flats, Church Street, St Mary's, Isles of Scilly, TR21 0JT (BS38 - 2020). These surveys were undertaken to establish baseline conditions, determine the importance of any ecological features within and around the survey areas and to establish the actual or potential use of the building by bats to help inform the determination of planning application P/21/009.
- These surveys concluded that Warleggan Flats had low potential to support roosting bats. One presence/absence survey was recommended, and the results of this survey are outlined in the Presence/Absence (PAS) report.
- A dusk emergence survey conducted on 11th May 2021 did not identify any bats emerging from potential roosting sites associated with the building but did identify a small number of bats commuting in the general area of the development.
- Both the PEA/PRA and PAS reports should be considered together to provide a comprehensive assessment of nature conservation issues at the site.
- The results **confirm the likely absence** of bats using Warleggan Flats as a roost
- The recommendations from the PEA/PRA along with this report, suggest **no further surveys and no requirement to obtain an EPS license.**
- To assist the local authority to meet its legal obligation to provide a net gain in biodiversity the installation of a single free-standing bat box at the apex of the gable of one of the north-facing dormer windows could be undertaken.

1.0 Introduction

1.1 Background

A Preliminary Roost Assessment report (BS38-2020) dated 29th January 2021 identified that the building under consideration provided low roosting potential for bats. Additional presence/absence surveys were recommended to meet best practice guidance to support the planning application P/21/009. This report outlines the results of this additional survey.

1.2 Survey Objectives

The objectives of this Presence and Absence Survey (PAS) report, is to provide further ecological information to support the planning proposal by:

- Ascertaining if roosting bats are present at the application site.
- To identify the location of these bat roosts (including exit/entry points)
- Subjecting this information (and the information from the PEA and PRA) to evaluation and impact assessment
- To provide advice on the potential for contravention of legislation/policy
- To provide recommendations on any further actions needed (i.e., further surveys, licensing, mitigation, or enhancement)

1.3 Surveyor details

The survey was undertaken by Darren Hart BSc of the Isles of Scilly Wildlife Trust and with the assistance of Rob Carrier. Darren has undertaken professional Bat Licence Training and holds a Natural England WML-A34-Level 2 (Class 2 License); registration number: 2020-46278-CLS-CLS which permits him to survey bats using artificial light, endoscopes, hand, and hand-held static nets.

2.0 Methodology

2.1 Bat Dusk emergence survey

The objective of the dusk emergence surveys was to detect active bat use of the site and identify any exit locations being used around the building. Survey effort was concentrated on areas of the site where suitable features or bat field signs were noted from the PRA. The survey involved:

- Starting the survey 15 minutes before sunset and continuing for approximately 1.5-2hours after¹
- Identification of bat species primarily using ultrasound characteristics. To aid identification flight and habitat characteristics were also noted (where possible) to determine the species.
- Identifying exit locations of bats by standing at different vantage points around the building that offered visual contact with any potential exit point previously recorded. Surveyors stood no more than 50m apart, or away from the building (see Fig 1 for location of surveyors).

2.2 Equipment

The following equipment was used for the dusk emergence survey at the site:

- Anabat Express (Frequency Division) static bat recorder
- Elekon Batscanner Stereo Heterodyne
- Elekon Batscanner Heterodyne
- Magenta Bat 4 Bat Detector
- Bestguarder WG-50 Night vision camera

Sound recordings were analysed using Anabat Insight software (version 1.9.2) to confirm surveyors' identification of species.

2.3 Survey Limitations

Surveys carried out during a specific season can only provide information on bat presence at that particular time, as bats are highly mobile in nature and may only use buildings at certain times of the year that favour a particular part of their roosting, maternity, and hibernating requirements.

3.0 Results

3.1 Weather conditions, temperatures, and timings

Survey Information:	Start and End Times:	Conditions (Start):	Conditions (End):
Dusk emergence: 11/5/21	Start: 20:43 Sunset: 20:58 End: 22:13	Temp: 11°C Humidity: 85% Wind speed: mph – 19WSW Cloud cover: 80% Rain: none	Temp: 10°C Humidity: 80% Wind speed: mph – 16WSW Cloud cover: 5% Rain: none
	Surveyors 1. Rob Carrier 2. Darren Hart		Notes: Light Lux 2 was recorded at 21:33

Table 1. Site conditions for the dusk emergence survey 11-5-21



Photo 1. Surveyor location for the dusk emergence survey 11-5-21

3.2 Dusk emergence roost survey results

During the dusk emergence survey no bats were seen exiting or leaving the development from those potential roost features identified during the PEA/PRA, or any other area of the building affected by the planning application proposal. All bat activity was confined to commuting behaviour only. All species recorded were Common Pipistrelle (*Pipistrellus pipistrellus*).

In total 3 bat passes were recorded, the first 20 minutes after sunset, well within the normal temporal parameters of this species^{2,3}. Only one call was picked up by both surveyors and with surveyor 2 recording all 3 calls suggesting that most activity was concentrated west of the development (See Appendix A). Activity level was deemed low however this may be because of the relatively low temperatures. Bats are known to fly when temperatures rise above 8°C if insects are active, but as flight is energetically demanding and if insect levels are low hunting may not be profitable⁴, therefore low numbers of prey may also be a reason for reduced bat activity during the survey.

3.3 Summary

The result of the dusk emergence survey has confirmed the likely absence of bats at Warleggan Flats. However, the results can only be based on presence/absence at a particular time as bats are highly mobile in nature and may use the building at other times of the year. Avoidance measures set out under Section 5 will help to reduce the probability of committing an offence if bats were found during the demolition phase of the proposed works.

4. Evaluation of Results

To identify which ecological features are important and which could potentially be affected by the proposed project, an evaluation of their importance for example, in a geographical context, degree of scarcity or level of protected status needs to be undertaken⁵. The table below outlines those features identified as important, the nature conservation legislation relevant to those features and an assessment of the level of impact from the proposed development on those features.

Ecological Feature	Relevant Legislation	Evaluation (of importance)	Mitigation Hierarchy	Impact Level
Bats	CHSR, W&CA	Local	A, & E	Low
	<p>Impact to roost site: Confirmed likely absence of a bat roost at Warleggan Flats suggests that the impact to a roost site at this location is low. However, if a roost were located this would have a negative effect on the population status of Common Pipistrelle bats on the Isles of Scilly. Therefore, consideration and due care must be considered and undertaken at the following stages:</p> <p>Impacts to bats:</p> <p>Demolition: – Undertaking Reasonable Avoidance Measures (RAM) can reduce the likelihood of negatively effecting the local population status and minimise the probability of committing an offence with respect to bats and their roosts if measures are adhered to.</p> <p>Construction: – A positive impact on the local population of Common Pipistrelle bats may result through the incorporation of new roost(s) in the new buildings⁶</p>			
Key to Legislation and Mitigation Hierarchy				
<p>CHSR – Conservation of Habitats and Species Regulations 2017⁷ - http://www.legislation.gov.uk/uksi/2017/1012/made W&CA – Wildlife & Countryside Act 1981 (as amended)⁸ - http://www.legislation.gov.uk/ukpga/1981/69/contents HRA – Hedgerow Regulations Act 1997⁹ - https://www.legislation.gov.uk/uksi/1997/1160/made A – Avoid, M – Mitigate, C – Compensate, E – Enhancement</p>				

5. Recommendations and Mitigation

The recommendations in this section are provided as information only and specialist legal advice may be required. If works are delayed for more than one year, then re-assessment may be required.

5.1 Survey constraints

The surveys were undertaken at an appropriate time of year, during the main summer active season.

5.2 Further survey requirements

No further surveys are recommended with regards to the proposed development – it is considered that this report, alongside the PEA/PRA (BS38) constitute a comprehensive ecological baseline from which to assess the impacts of the application.

5.2 EPS Licence requirement

For any development that is likely to commit an offence (or offences) in respect to a European Protected Species (EPS) i.e., bat, or their habitat, a licence will be required. In this instance based on sufficient survey work **no licence is required**. If, in the unlikely event a bat was found during the demolition phase of the project, Reasonable Avoidance Measures (RAM) must be followed and will determine any further action, such as licensing if necessary.

5.4 Planning Recommendation(s)

The information gathered in the PEA/PRA (BS38-2020) and this report is sufficient to support a planning application with regards to protected species in accordance with relevant best practice guidelines.

It is considered that the impacts of the proposed works on protected species can be mitigated sufficiently to ensure that the conservation status of Common Pipistrelle on St Mary's is not negatively impacted. The mitigation outlined in Section 5.5. would represent appropriate measures.

It is recommended that planning permission be granted if compliance with the recommendations in Section 5.5 of this report is conditioned.

5.5 Mitigation Proposals

5.5.1 Avoidance (A) – Bats

As there is a very low risk that bats may roost within the building, prior to demolition, precautions should be taken to reduce the probability of committing an offence. By undertaking Reasonable Avoidance Measures (RAM), if affected RAM should include:

- i. When roofing works are planned these should avoid the main breeding and mating season of *Vespertilionidae* bats, work should typically take place between the 1st November and 1st May inclusive, however the months of **November to February should be avoided where possible** as this is when bats enter a time of reduced activity and torpor which makes disturbance impacts more significant.
- ii. Ensure all workers on site (including sub-contractors) are made familiar with bat legislation and agree to work in accordance with and fully follow best practice measures.
- iii. Carry out prior to demolition careful checks of any cracks/crevices and cavities in or on the building. Signs of usage include bat droppings, dis-colouration or polishing of access points where bats rub against them, urine stains and a lack of cobwebs, particularly if other crevices around them have plenty.
- iv. Individual bats may be found in/under; cladding, between timber boards, between corrugated sheeting, in soffit boxes, behind lead flashing and sometimes just clinging to timber beams around joins as well as other areas. When any of these are removed, please do so carefully, lifting outwardly, and checking for bats continually. If in doubt, consult a licensed bat worker.
- v. Try to minimise any dust generated from demolition works from entering off-site buildings and gardens.
- vi. In the unlikely event that a bat is found please see below:

1. At no point should a worker handle a bat. Untrained handling may cause undue stress and injury to the bat, and if bitten may expose the worker to rabies-related European Bat Lyssavirus
2. Where possible replace any covering without damaging the bat, then halt works and contact **Natural England** (Tel: 0845 601 4523), or the **Bat Conservation Trust Helpline** (0845 1300 228), or **IoSWT** (01720 422153) for advice.
3. Any bats that go to ground should be covered with a box and left alone until a licensed bat worker arrives to assess the condition of the bat.
4. If the bat attempts to fly at any point allow it to do so. Preventing natural behavior will cause unnecessary stress and may cause injury. Attempt to see where bat goes. If the bat returns to the building, halt works and report the escaped bat to the local bat worker.

5.5.2 Enhancement (E) – Bats

The Isles of Scilly have the most southern population of Common Pipistrelle (*Pipistrellus pipistrellus*) bats in the United Kingdom. The islands also hold small populations of Soprano Pipistrelle (*Pipistrellus pygmaeus*) and Brown Long-eared Bat (*Plecotus auritus*) both UK Biodiversity Action Plan (BAP) priority species and holds records for the rare Nathusius Pipistrelle (*Pipistrellus nathusii*). Any loss of roosting, commuting or foraging sites could have a detrimental effect on these species distributions as a whole and cause a net loss in biodiversity on the islands.

Each local planning authority in England and Wales has a statutory obligation under Part 3 Section 40 of the Natural Environment & Rural Communities Act 2006¹⁰ (NERC 2006) to have due regard for biodiversity when carrying out their functions and under Section 15 paragraph 170(d) of the NPPF 2019¹¹, all planning policies and decisions shall contribute to and enhance the natural and local environment by providing net gains in biodiversity. **Therefore, to assist in meeting these obligations the following suggestion should be undertaken:**

- i. Erect one free-standing 'Kent' style bat box developed for crevice-dwelling species (see Appendix B for supplier details) at the apex of the gable of one of the north-facing dormer windows. Erect as high as possible, but below the level of the fascia. See Appendix B for supplier details.

6. Bibliography

1. Collins, J. (ed.) (2016). Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition). The Bat Conservation Trust
2. Rydell, J. et al. (1996). Timing of Foraging Flights of Three Species of Bats in Relation to Insect Activity and Predation Risk. *Oikos*. Vol 76. No.2. p243-252
3. Jones, G. and Rydell, J. (1994). Foraging strategy and predation risk as factors influencing emergence time in echolocating bats.
4. Hughes, P.M., Rayner, J.M.V. and Jones, G. (1995). *Ontogeny of 'true' flight and other aspects of growth in the bat Pipistrellus*. *Journal of Zoology* 236: p291-318
5. CIEEM. (2016). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal (2nd edition). Chartered Institute of Ecology and Environmental Management, Winchester.
6. Mitchell-Jones, A.J. (2004). Bat mitigation guidelines. English Nature.
7. H.M.S.O. (2017). *The Conservation of Habitats and Species Regulations*. London.
8. H.M.S.O. (1981). *The Wildlife and Countryside Act 1981* (as amended). London.
9. H.M.S.O. (1997). *The Hedgerow Regulations 1997*. London
10. H.M.S.O. (2006). *The Natural Environment and Rural Communities Act 2006*. London
11. Ministry of Housing, Communities & Local Government. (2019). National Planning Policy Framework. OGL

APPENDIX A – BAT CONTACTS SURVEY TABLE

Date:	11/5/21 – Dusk emergence survey			
Survey Type:	Surveyor 1	Surveyor 2	Surveyor 3	Night vision camera
Location:	Unseen and unseen	Unseen, unseen, and unseen		
Exit/Entry point:	None recorded	None recorded		
Time(s):	21:58 and 22:13	21:18; 21:33 and 22:13		
Species of bat:	Common pipistrelle	Common pipistrelle		
Roost present:	None confirmed	None confirmed		

(fb) – feeding buzz

APPENDIX B – SUPPLIERS

1. Natural History Book Service
1-6 The Stables
Ford Road
Totnes
Devon, TQ9 5LE
Tel: 01803 865913
Email: customer.services@nhbs.com
Website: <https://www.nhbs.com/>
2. Habibat
Tel: 01642 724626
Email: <http://www.habibat.co.uk/contact>
Website: www.habibat.co.uk
3. Dreadnought Tiles
Dreadnought Works
Brierley Hilly
West Midlands, DY5 4TH
Tel: 01384 77405
Email: sales@dreadnought-tiles.co.uk
Website: www.dreadnought-tiles.co.uk
4. Wildlife & Countryside Services
Covert Cottage
Pentre Lane
Rhuddlan
North Wales, LL18 6LA
Tel: 0333 9000927
Email: support@wildlifeservices.co.uk
Website: www.wildlifeservices.co.uk
5. Wildcare
Eastgate House
Moreton Road
Longborough
Gloucestershire, GL56 0QJ
Tel: 01451 833181
Email: sales@wildcare.co.uk
Website: www.wildcare.co.uk



COUNCIL OF THE ISLES OF SCILLY

Planning Department

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

☎01720 424455

✉planning@scilly.gov.uk

**THIS LETTER CONTAINS IMPORTANT INFORMATION
REGARDING YOUR PERMISSION – PLEASE READ
IF YOU ARE AN AGENT DEALING WITH IS ON BEHALF OF THE
APPLICANT IT IS IMPORTANT TO LET THE APPLICANT KNOW
OF ANY PRE-COMMENCEMENT CONDITIONS**

Dear Applicant,

This letter is intended to help you advance your project through the development process. Now that you have been granted permission, there may be further tasks you need to complete. Some aspects may not apply to your development; however, your attention is drawn to the following paragraphs, which provide advice on a range of matters including how to carry out your development and how to appeal against the decision made by the Local Planning Authority (LPA).

Carrying out the Development in Accordance with the Approved Plans

You must carry out your development in accordance with the stamped plans enclosed with this letter. Failure to do so may result in enforcement action being taken by the LPA and any unauthorised work carried out may have to be amended or removed from the site.

Discharging Conditions

Some conditions on the attached decision notice will need to be formally discharged by the LPA. In particular, any condition that needs to be carried out prior to development taking place, such as a 'source and disposal of materials' condition, an 'archaeological' condition or 'landscaping' condition must be formally discharged prior to the implementation of the planning permission. In the case of an archaeological condition, please contact the Planning Department for advice on the steps required. Whilst you do not need to formally discharge every condition on the decision notice, it is important you inform the Planning Department when the condition advises you to do so 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.

Please inform the Planning Department when your development or works will be commencing. This will enable the Council to monitor the discharge and compliance with conditions and provide guidance as necessary. We will not be able to provide you with any written confirmation on the discharge of pre-commencement conditions if you do not formally apply to discharge the conditions before you start works.

As with the rest of the planning application fees, central Government sets a fee within the same set of regulations for the formal discharge of conditions attached to planning permissions. Conditions are necessary to control approved works and development. Requests for confirmation that one or more planning conditions have been complied with are as follows (VAT is not payable on fees set by central government). More information can be found on the Council's website:

- Householder permissions - £34 per application
- Other permissions - £116 per application

Amendments

If you require a change to the development, contact the LPA to see if you can make a 'non material amendment' (NMA). NMA can only be made to planning permissions and not a listed building consent. They were introduced by the Government to reflect the fact that some schemes may need to change during the construction phase. The process involves a short application form and a 14 day consultation period. There is a fee of £34 for householder type applications and £234 in all other cases. The NMA should be determined within 28 days. If the change to your proposal is not considered to be non-material or minor, then you would need to submit a new planning application to reflect those changes. Please contact the Planning Department for more information on what level of amendment would be considered non material if necessary.

Appealing Against the Decision

If you are aggrieved by any of the planning conditions attached to your decision notice, you can appeal to have specific conditions lifted or modified by the Secretary of State. All appeal decisions are considered by the Planning Inspectorate – a government department aimed at providing an unbiased judgement on a planning application. From the date of the decision notice attached you must lodge an appeal within the following time periods:

- Householder Application - 12 weeks
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Other Types - 6 months

You can obtain the appeal forms by calling 0303 444 5000 or submit an appeal through the Planning Portal <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

Building Regulations

With all building work, the owner of the property is responsible for meeting the relevant Planning and Building Regulations. Building Regulations apply to most building work so it is important to find out if you need permission. This consent is to ensure the safety of people

in and around buildings in relation to structure, access, fire safety, infrastructure and appropriate insulation.

The Building Control function is carried out on behalf of the Council of the Isles of Scilly by Cornwall Council. All enquiries and Building Control applications should be made direct to Cornwall Council, via the following link [Cornwall Council](#). This link also contains comprehensive information to assist you with all of your Building Control needs.

Building Control can be contacted via telephone by calling 01872 224792, via email buildingcontrol@cornwall.gov.uk or by post at:

Building Control
Cornwall Council
Pydar House
Pydar Street
Truro
Cornwall
TR1 1XU

Registering/Altering Addresses

If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

Connections to Utilities

If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 08000831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.