



**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](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/21/084/FUL                      **Date Application Registered:** 4th October 2021

**Applicant:** Mrs Bryony Lishman  
Mincarlo  
Carn Thomas  
Hugh Town  
St Mary's  
Isles of Scilly  
TR21 0PT

**Site address:** Mincarlo Carn Thomas Hugh Town St Mary's Isles of Scilly  
**Proposal:** Erection of yoga studio.

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 4th October 2021**
- **Plan 2 Proposed Block Plan, Floor Plan and Elevation Plans, drawing number: PL01, dated 16/07/2021**
- **Plan 3 Proposed Roof Plans, drawing number: PL02, dated 16/07/2021**
- **Plan 4 Design and Access Statement date stamped 4th October 2021**
- **Plan 5 Proposed images and elevations, date stamped 27th September 2021**
- **Plan 6 Supporting Notes (Sustainable Design, Biodiversity and Site Waste Management), date stamped 22nd October 2021**

**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 Policies 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 the islands.

**C4 No artificial lighting shall be installed within the red line boundary without the prior**

**agreement in writing of the Local Planning Authority. The lighting shall accord with the approved details thereafter.**

**Reason:** To preserve the scenic beauty of the Isles of Scilly as a designated Area of Outstanding Natural Beauty which includes its Dark Night Skies, including the Garrison Dark Sky Discovery Site, in accordance Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

**C5 The development, hereby approved, shall be used ancillary to the property Mincarolo or The Biggal, as a yoga and pilates studio and associated meditation activities and for no other purpose, including any other purpose in Class E(d) of the Schedule to Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.**

**Reason:** To ensure access can be provided to meet the needs of people with varying degrees of mobility in accordance with paragraph 85 of the National Planning Policy Framework and to ensure any alternative uses are fully assessed and compatible in terms of the wider amenity of the area in accordance with policies SS1(1) c), OE1, WC1 and WC5 of the Isles of Scilly Local Plan (2015-2030).

**PRE-COMMENCEMENT CONDITION: Submission of Construction Environment Management Plan (CEMP)**

**C6 Prior to the construction of the yoga studio and access steps from the promenade, hereby approved, a proportionate construction environment management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include:**

- **measures to ensure the construction is carried out safely, without giving rise to hazards to the public; and**
- **standards of best practice construction measures to avoid significant disturbance of adjacent features (human neighbours, including users of the promenade as well as any nesting and wintering bird populations within the immediate vicinity and to protect the interest features the marine environment, where disturbance could arise from vibration, artificial lighting, noise effects or contaminated water run-off.**

**The development shall then be installed in accordance with these details.**

**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 the Islands natural environment designation and to ensure that the construction of the development is adequately controlled and to protect the amenities of the area in accordance with Policies SS2, OE2, OE3 and SS7 of the Isles of Scilly Local Plan 2015-2030.

**PRE-INSTALLATION CONDITION: Submission of steps and handrail details**

**C7 Prior to the construction of the access steps from the promenade to the yoga studio, hereby approved, details of the construction materials of the steps including the materials and design of any hand rail, shall be submitted to and approved in writing by the Local Planning Authority. The steps shall then be installed as approved and retained as such thereafter.**

**Reason:** To ensure the materials and design of the steps are in keeping with the character of the area and do not give rise to visual harm, in accordance with Policies OE1 and OE7 of the Isles of Scilly Local Plan 2015-2030.

**PRE-COMMENCEMENT CONDITION: Submission of Written Scheme of Investigation**

**C8 A) No groundworks shall take place until a programme of archaeological recording work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions, and:**

1. **The programme and methodology of site investigation and recording**
2. **The programme for post investigation assessment**
3. **Provision to be made for analysis of the site investigation and recording**
4. **Provision to be made for publication and dissemination of the analysis and records of the site investigation**
5. **Provision to be made for archive deposition of the analysis and records of the site investigation**
6. **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation**

**B) No works shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).**

**C) The archaeological recording condition will normally only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed.**

**Reason:** A pre-commencement condition is necessary in this instance due to the need to ensure that a programme and methodology of historic building recording is undertaken before physical works commence on site. This is in accordance with the provisions of NPPF (2021) Chapter 16, paragraph 205 and Policy OE7(6) of the Isles of Scilly Local Plan (2015-2030).

### Further Information

1. **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.
2. **Water Supply:** The applicant should liaise directly with South West Water regarding the detail of new connections to the drinking water supply. As part of South West Water's strategy to improve the drinking water and waste water infrastructure on the islands an investment programme has been developed which will be focused on achieving a reliable wastewater service including being able to cope with extreme conditions, protecting the environment and providing long term benefits to the community with the Company committed to support the necessary improvements in water and wastewater services on the islands so that services are in line with standards on mainland UK by 2025. This includes the ability to provide new water and sewer connections to the network and therefore it is recommended that the applicant liaises directly with the Company to discuss the potential of connections to public assets.
3. **Fire Safety:** Access and Facilities for the Fire Service as detailed in B5 AD B Volume 2 will be required. You will be required to provide reasonable facilities for the Fire Service. In most circumstances this will mean providing vehicular access for fire appliances. It is important to remember that failure to do so may prevent the applicant from obtaining a completion certificate under the Building Regulations but more importantly, the lives of the occupiers will be put at risk.
4. **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 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.
5. **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) and is payable for each individual request made to the Local Planning Authority.
6. **Building Control:** Please ensure that all building works accord with the Building Regulations and that all appropriate approvals are in place for each stage of the build project: [buildingcontrol@cornwall.gov.uk](mailto:buildingcontrol@cornwall.gov.uk)

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:** 18<sup>th</sup> November 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 Mrs Bryony Lishman

## Please sign and complete this certificate.

This is to certify that decision notice: P/21/084/FUL and the accompanying conditions have been read and understood by the applicant: Mrs Bryony Lishman.

1. **I/we intend to commence the development as approved:** Erection of yoga studio at: Mincarlo Carn Thomas 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. In the event that the site is found to be inaccessible then you are asked to provide contact details of the applicant/agent/contractor (delete as appropriate):

**Name:** \_\_\_\_\_ **Contact Telephone Number:** \_\_\_\_\_  
**And/or Email:** \_\_\_\_\_

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.

### PRE-COMMENCEMENT CONDITION(S)

C6 Prior to the construction of the yoga studio and access steps from the promenade, hereby approved, a proportionate construction environment management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- measures to ensure the construction is carried out safely, without giving rise to hazards to the public; and
- standards of best practice construction measures to avoid significant disturbance of adjacent features (human neighbours, including users of the promenade as well as any nesting and wintering bird populations within the immediate vicinity and to protect the interest features the marine environment, where disturbance could arise from vibration, artificial lighting, noise effects or contaminated water run-off.

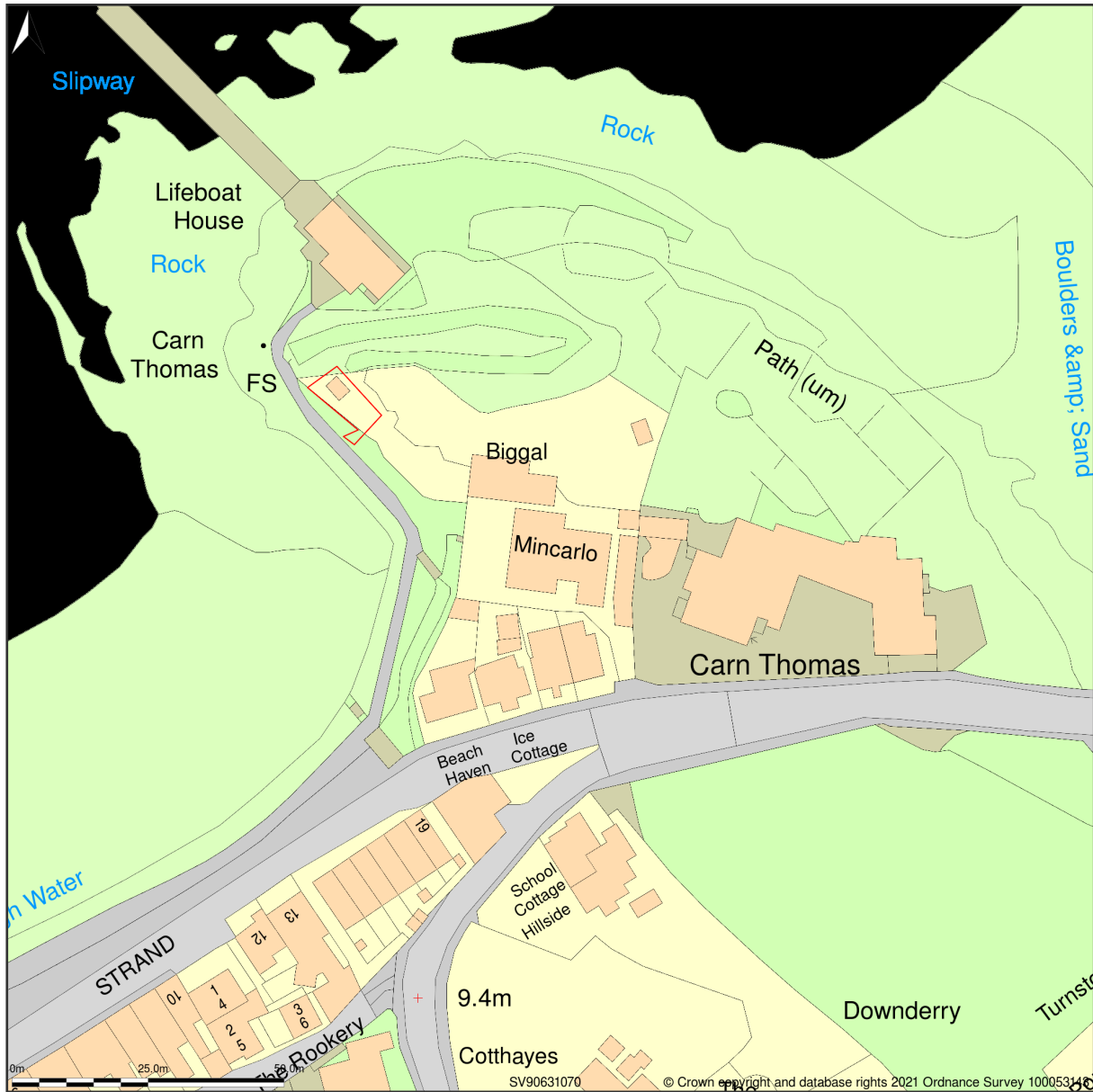
The development shall then be installed in accordance with these details.

- C8 A) No groundworks shall take place until a programme of archaeological recording work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions, and:
1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
- B) No works shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
- C) The archaeological recording condition will normally only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed.

### **PRE-INSTALLATION CONDITION(S)**

- C7 Prior to the construction of the access steps from the promenade to the yoga studio, hereby approved, details of the construction materials of the steps including the materials and design of any hand rails, shall be submitted to and approved in writing by the Local Planning Authority. The steps shall then be installed as approved and retained as such thereafter.

Mincarlo, Carn Thomas, Hugh Town, St Mary s, Isles Of Scilly, TR21 0PT

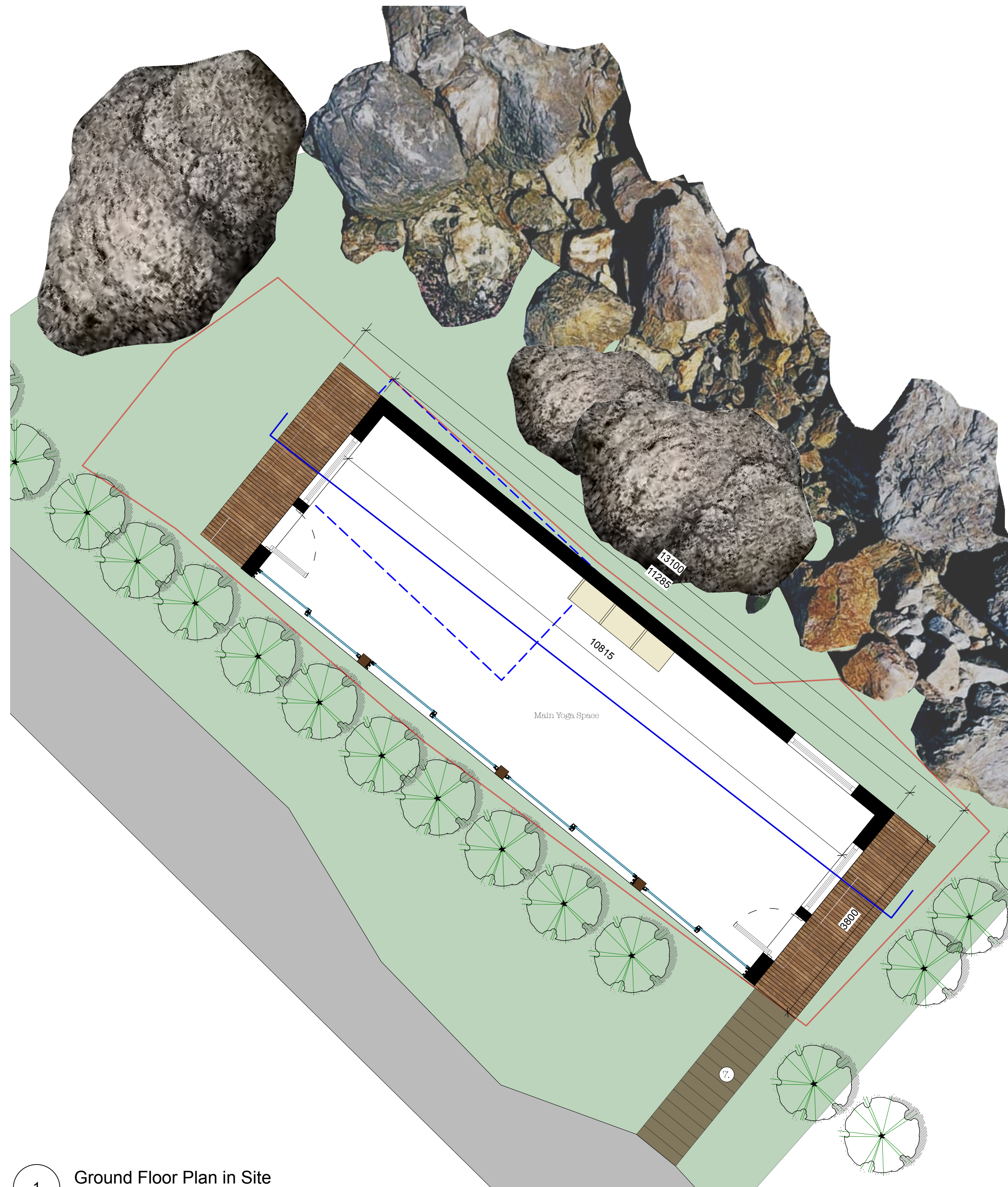


Site Plan shows area bounded by: 90535.15, 10608.98 90735.15, 10808.98 (at a scale of 1:1250), OSGridRef: SV90631070. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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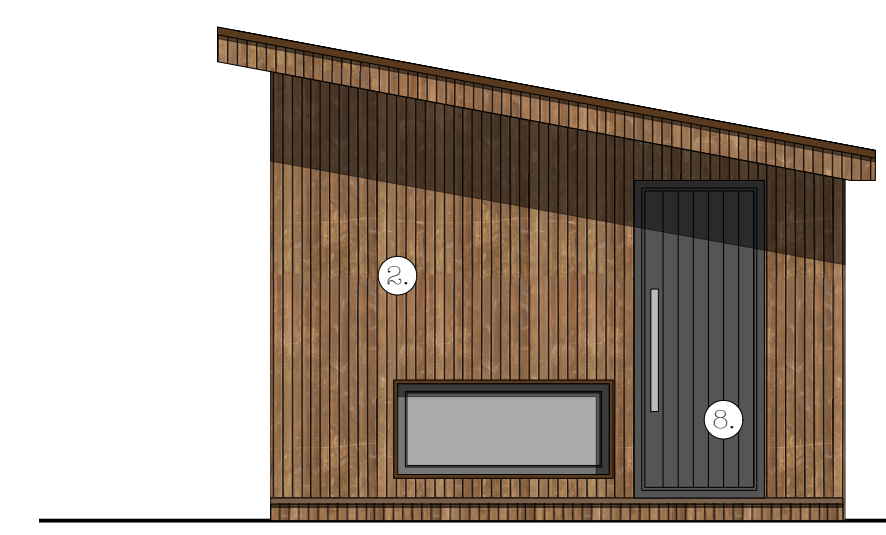
**APPROVED**  
By Lisa Walton at 9:18 am, Nov 18, 2021



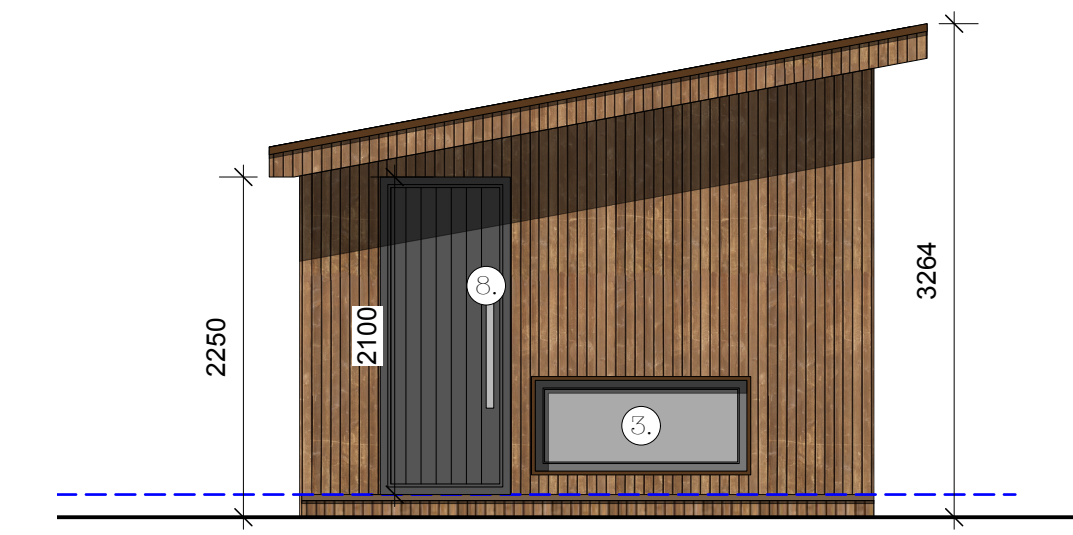
1 Ground Floor Plan in Site  
Scale: 1:50



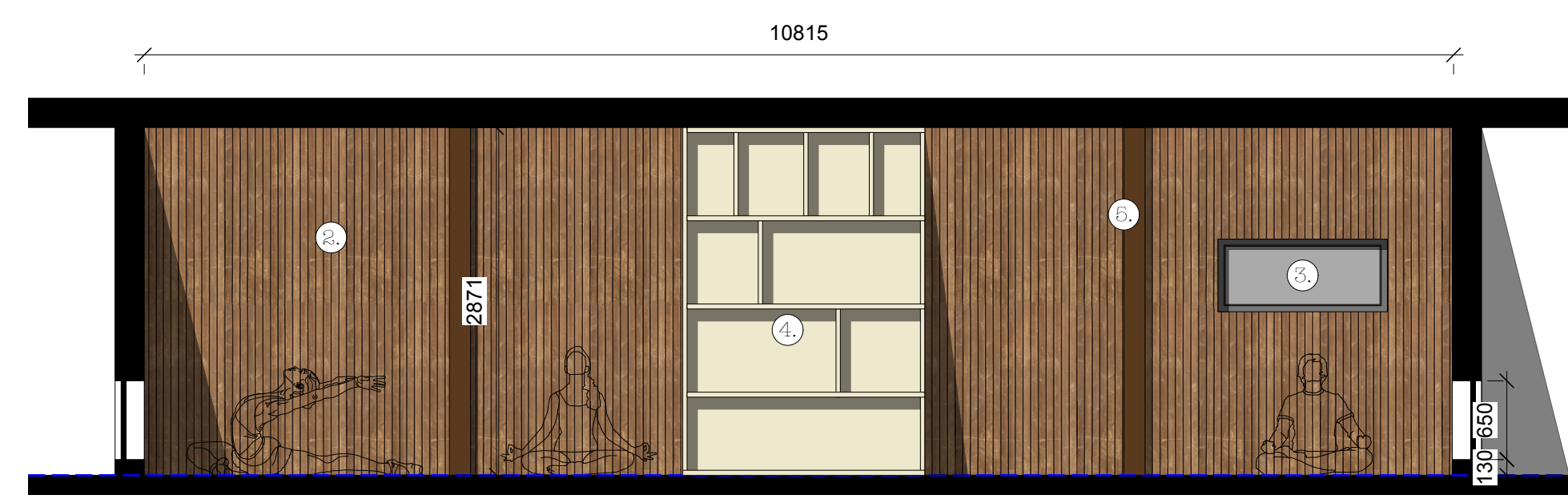
2 Proposed South-West Elevation  
Scale: 1:50



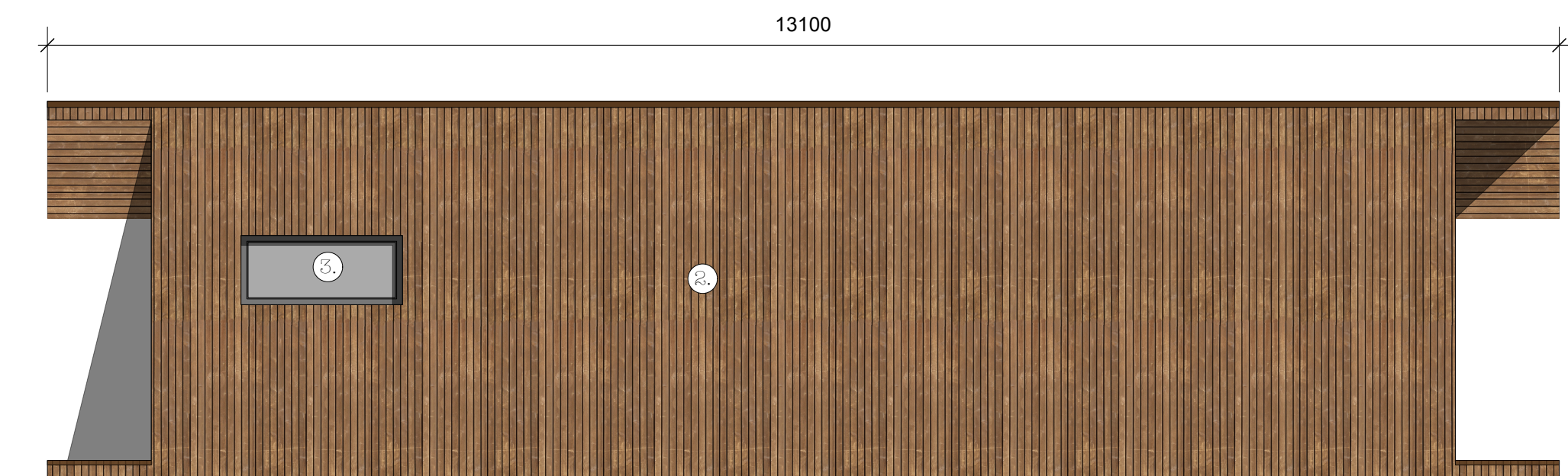
3 Proposed North-West Elevation  
Scale: 1:50



4 Proposed South-East Elevation  
Scale: 1:50



5 Proposed Section  
Scale: 1:50



6 Proposed North-East Elevation  
Scale: 1:50

**GENERAL NOTES:**  
This drawing must not be copied in whole or in part without prior written permission of MATT BALL ARCHITECTURE. This drawing must be read in conjunction with other architect's drawings & all schedules/Building Bye-Law check list and with all relevant structural engineering drawings, details and specifications. It is the contractor's responsibility to ensure that all work is carried out in accordance with all statutory requirements and to the approval of the building control officer (B.C.O.) The contractor is responsible for the setting out of the works. Any discrepancy found between this drawing and any other architect's detail drawing, schedule and/or specification must be reported to the architect before the work is carried out. Do not scale from this drawing. Refer only to written dimensions. All dimensions must be checked on site. The relevant British Standards for materials and their uses are to be adhered to. Manufacturers installation & fitting instructions must be obtained and adhered to at all times.

- Boundary Line
- - - Existing Concrete Base

1. Proposed Green Roof
2. Proposed Timber Cladding
3. Proposed Grey FFC Aluminium Windows
4. Proposed Floor-To-Ceiling Shelving Units
5. Proposed Exposed Timber Frame Structure
6. Proposed Grey FFC Aluminium Sliding Doors
7. Proposed Stairway Access from Existing Promenade
8. Proposed Composite Door

**RECEIVED**  
By Emma Kingwell at 7:34 am, Sep 27, 2021

**APPROVED**  
By Lisa Walton at 9:20 am, Nov 18, 2021

REV	DESCRIPTION	DATE
rNo	rNote	rDate

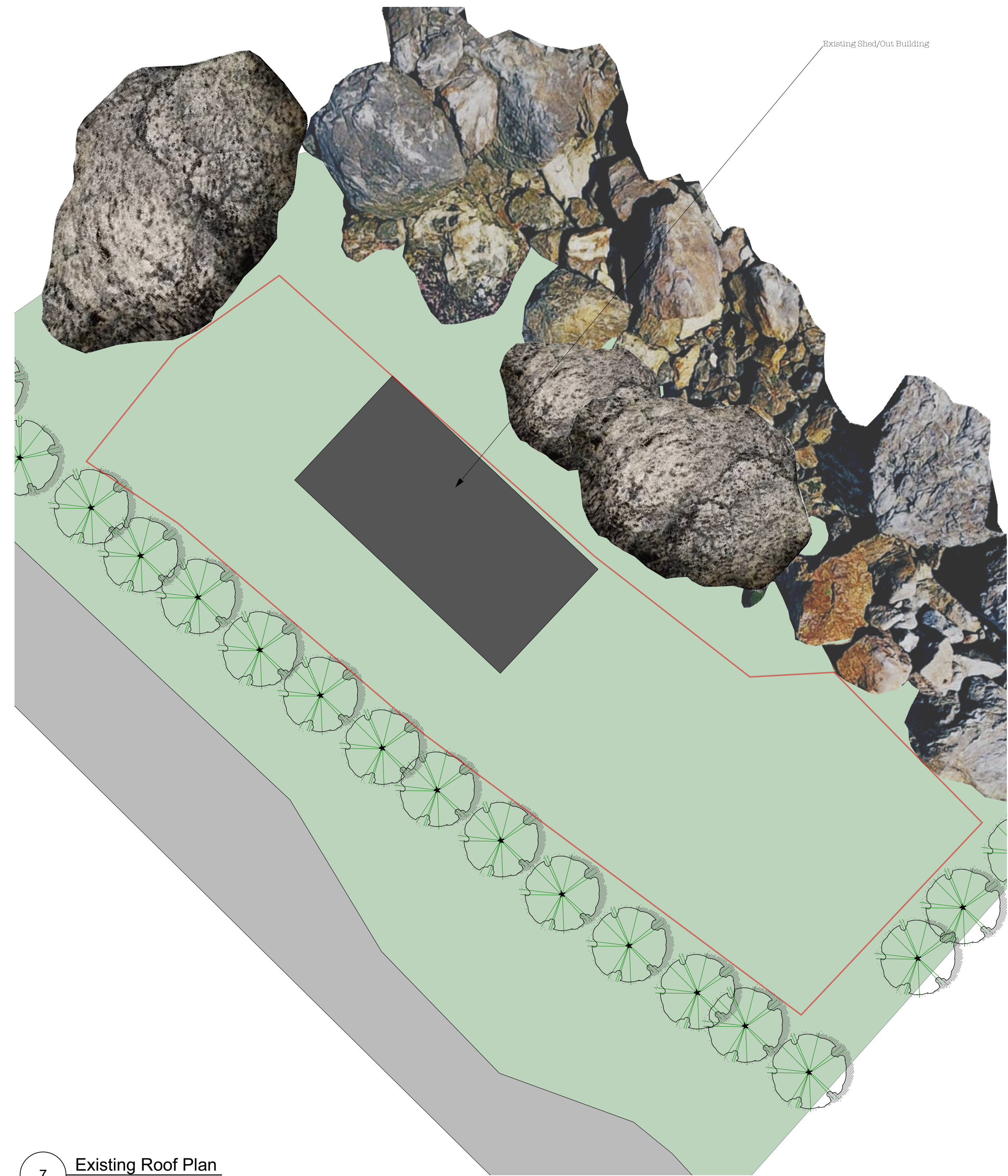
**JOB TITLE**  
Address: Carn Thomas, St Mary's, Isle of Scilly  
Client: Mr & Mrs Lishman  
Works: Yoga Studio

**DRAWING TITLE**  
Status: Stage 2 - Planning  
Drawing: Proposed Plans, Elevations and Section

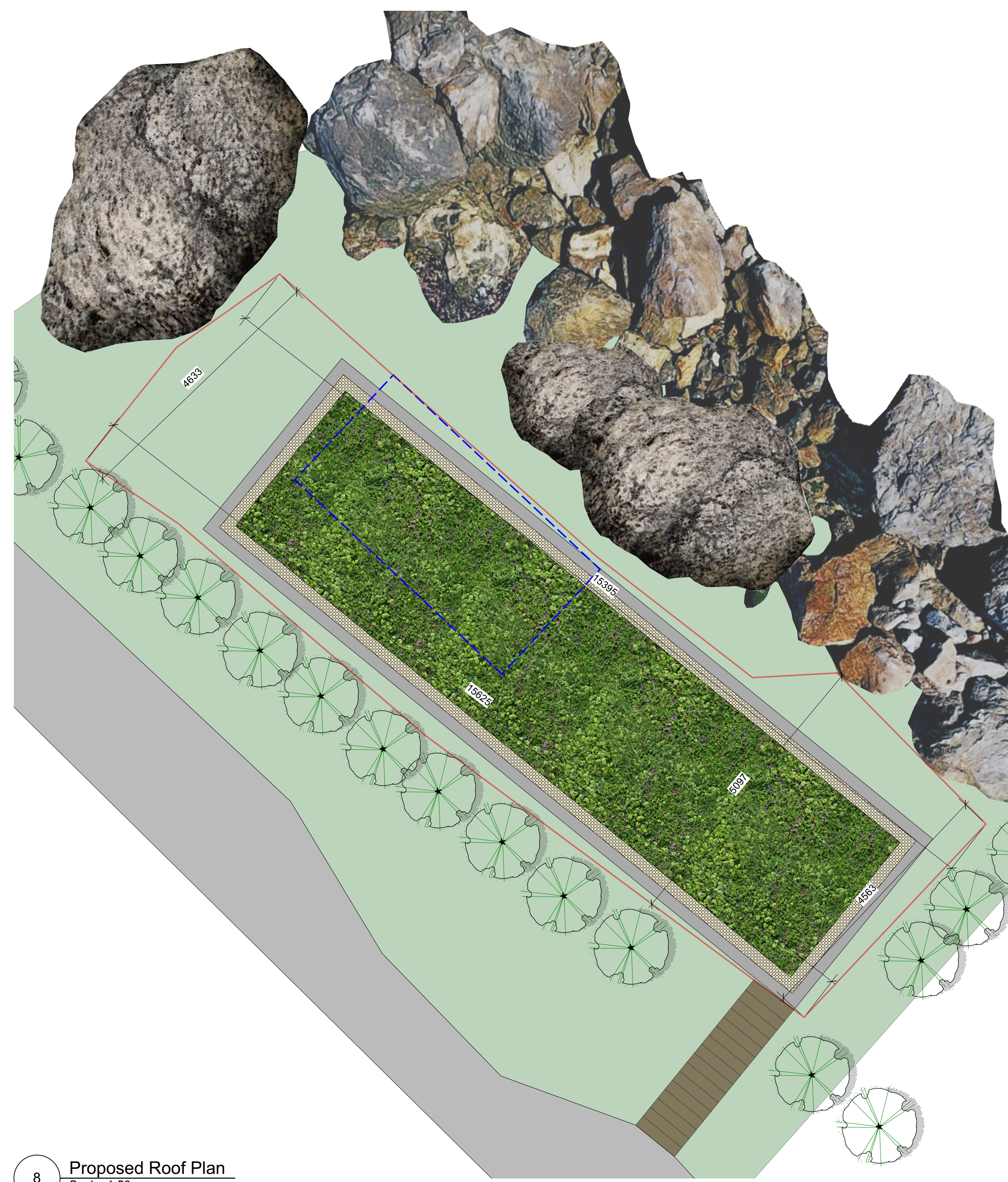
DATE	DRAWING NO	REV
16/07/2021	PL01 - Plans, Elevations & Section	
SCALE	DRAWN	
1:50 @ A1	M. Ball / B.Dakin	



**Matt Ball Architecture LLP**  
5 Zetland Square Business Centre, Dundas Street, Richmond, DL10 7AB  
www.mattballarchitecture.com  
RIBA Chartered Architect



7 Existing Roof Plan  
Scale: 1:50



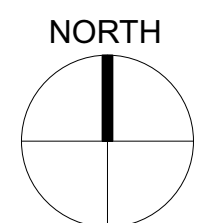
8 Proposed Roof Plan  
Scale: 1:50

**GENERAL NOTES:**  
This drawing must not be copied in whole or in part without prior written permission of MATT BALL ARCHITECTURE. This drawing must be read in conjunction with other architect's drawings & all schedules/Building By-Law check list and with all relevant structural engineering drawings, details and specifications. It is the contractor's responsibility to ensure that all work is carried out in accordance with all statutory requirements and to the approval of the building control officer (B.C.O.) The contractor is responsible for the setting out of the works. Any discrepancy found between this drawing and any other architect's detail drawing, schedule and/or specification must be reported to the architect before the work is carried out. Do not scale from this drawing. Refer only to written dimensions. All dimensions must be checked on site. The relevant British Standards for materials and their uses are to be adhered to. Manufacturers installation & fitting instructions must be obtained and adhered to at all times.

— Boundary Line  
- - - Existing Concrete Base

**RECEIVED**  
By Emma Kingwell at 7:34 am, Sep 27, 2021

**APPROVED**  
By Lisa Walton at 9:21 am, Nov 18, 2021



REV	DESCRIPTION	DATE
rNo	rNote	rDate

JOB TITLE  
**Address:** Carn Thomas, St Mary's, Isle of Scilly  
**Client:** Mr & Mrs Lishman  
**Works:** Yoga Studio

DRAWING TITLE  
**Status:** Stage 2 - Planning  
**Drawing:** Proposed & Existing Roof Plans

DATE 16/07/2021	DRAWING NO PL02 - Proposed & Existing Roof Plans	REV
SCALE 1:50 @ A1	DRAWN M. Ball / B.Dakin	



**Matt Ball Architecture LLP**  
5 Zetland Square Business Centre, Dundas Street, Richmond, DL10 7AB  
www.mattballarchitecture.com  
RIBA Chartered Architect



APPROVED

By Lisa Walton at 9:22 am, Nov 18, 2021

## Design & Access Statement

### Overview

The site is a rarely used section of a private garden. In the foreground of striking granite boulders and close to the sea, it is ripe for modest development. Creating a beautiful, light yoga space in this site would have the effect of opening up the space to small numbers of people at a time, making the most of the garden and the stunning views as a peaceful setting to enable and enhance health and wellbeing.



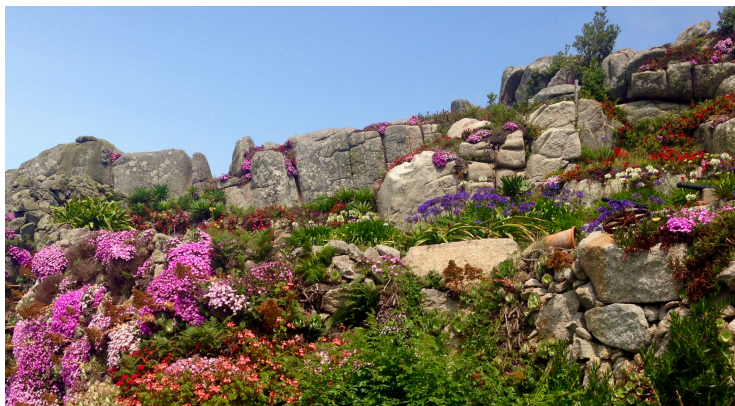
### Context of the site and its surroundings

The garden where the proposed studio would be built is currently accessed via Mincarlo & The Biggal front pathway and garden. Whilst the studio would not involve movements of large numbers of people, it would be preferable for those using the existing properties that a separate, discreet access of a new set of steps (timber and/or granite) be provided via the promenade below, at the same time taking the opportunity to landscape the slope between the garden and the prom. The prom is mostly used for people at leisure dog-walking or taking time to relax on a bench, also for access to the lifeboat station. The studio design need not impose on these activities, in addition it would be ensured that the steps access would not cause a hazard for lifeboat crew on a shout or training.

The studio would sit in a garden framed throughout the seasons with granite rock, vibrant agapanthus, crassula and aeonium blooms, silver-grey pittosporum hedges and the ever-changing colours of the sea.

There is some distance between the proposed studio site and the nearest dwellings of The Biggal & Mincarlo; these properties are of dissimilar style & period. It does not seem helpful to try and emulate either in the design of the studio, but rather to explore the requirements of the project itself and the natural elements surrounding it.

The current landscape within the site is grass (which was a vegetable plot several decades ago), surrounded by escallonia & pittosporum hedging. Bedrock and



background landscape is granite. There is a picturesque old dry-stone wall above the site, which would be retained along with any established plants. Groundworks would be as minimal as possible, involving the smallest amount of digging to create footings/pads on which to support the timber frame.

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## Social context

The proposed studio would give both locals and visitors a dedicated and peaceful space where they can attend yoga classes throughout the year. It is so beneficial to have a fit-for-purpose space where people feel they are immediately able to switch off, kick back and dedicate some time for their own health and wellbeing. The project would also enable easier arrangement of visiting teachers (from other islands and the mainland), and other activities e.g. pilates. It would provide me with a space to grow my own teaching portfolio and introduce further activities over time which would support the local community further.

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## Economic context

The garden studio project would support the local economy by providing a more established, stable & supported long-term employment of delivering yoga classes on the island. The demand for such services is quite high in the summer months from visitors and through winter from the local community, suggesting fairly strong year-round employment.

Continuing to market Scilly to tourists as a destination for health, activity and wellbeing in a stunning natural environment continues to set a strong economic viability for this project.

In addition there are some supporting jobs during the build that will benefit the local economy (groundworks, electrician, labouring support for the build, delivery of materials, freight).



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## Planning policy context - The Spatial Planning Vision

**78.** Regarding the Local Plan we feel this project contributes very well towards “the achievement of sustainable development by enabling better paid jobs whilst protecting and enhancing the islands’ exceptional environment” and the area directly surrounding the proposed studio.

**79.** This projects fits very well with **The Vision** In 2030: The Isles of Scilly is a highly desirable place where people are able to live well, work productively, and move freely between islands and the mainland; they can also benefit from excellent education, leisure, health and social care facilities, within a world- class environment in harmony with nature. The distinctiveness and exceptional environment, with the influence of the sea, continue to provide a strong sense of community, identity and belonging; these remain vital assets for the islands’ economy and well-being.

**85.** Within the Council’s Strategic Aims & Objectives, we feel that this project ensures that the distinctive landscape, seascape and nature assets of the site are protected, valued and enhanced with the design of the studio.

The studio would provide a space from which a sustainable opportunity to bring yoga, health and wellbeing activities to the local and visitor communities in a resilient and self-sufficient way.

(4) will contribute to a more competitive, diverse and resilient economy based on our exceptional and inspirational environment (practicing yoga in a beautiful space, sympathetically designed to sit within the natural landscape)... and maximise opportunities by building on its strengths (the islands' raw beauty) and underpinned by effective infrastructure (the studio building) and an appropriately available & skilled workforce (me).

(5) ...supporting a strong, vibrant & healthy island community with an improved quality of life for its residents - this applies to myself and my own quality of working life that would be much improved by the studio, as well as the improved quality of life the broader local and visitor community can gain through accessing yoga practices and other healthful activities at the studio.

(7) The studio will minimise carbon emissions by using a green energy provider, a living green roof and building with sustainable materials as much as possible.



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## Accessibility

Due to the topography of the site it would not be easily accessible by wheelchairs or people with restricted mobility. However I am able to deliver yoga sessions at other locations which would be helpful. Other accessibility issues could be addressed on an individual basis depending on requirements.



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**RECEIVED**  
 By Emma Kingwell at 7:36 am, Sep 27, 2021

**APPROVED**  
 By Lisa Walton at 9:25 am, Nov 18, 2021

REV	DESCRIPTION	DATE
rNo	rNote	rDate

JOB TITLE

**Address:**  
 Carn Thomas, St Mary's, Isle of Scilly

**Client:**  
 Mr & Mrs Lishman

**Works:**  
 Yoga Studio

DRAWING TITLE		
<b>Status:</b> Stage 2 - Planning		
<b>Drawing:</b> Proposed CGIs		
DATE	DRAWING NO	REV
16/07/2021	PL03 - CGIs	
SCALE	DRAWN	
N/A	M. Ball / B.Dakin	



**APPROVED**

By Lisa Walton at 9:26 am, Nov 18, 2021

## Garden Yoga Studio

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### Site Waste Management Plan - Resource management

- We will ensure any waste management requirement is adhered to.
- We anticipate re-using any soil and subsoil in other parts of the garden & grounds
- Any building materials that are excess to requirements, and any packaging, will be re-used wherever possible, recycled where needed, or disposed of at the local waste site by arrangement.
- Any excess subsoil will be disposed of at the local waste site.
- Where necessary, in addition to us overseeing, contractors will ensure the waste is correctly recycled or disposed of responsibly and legally (electrician, groundworks contractor, any others enlisted during the project).

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### Scheme of Sustainable Design Measures

- The proposed building should have a very low energy consumption during summer. In winter there will be an increased use of electricity for lighting and heating.
- We haven't added solar/PV/ other micro-generation to the design, as we wanted to prioritise the living green roof so that the design sits sympathetically within its natural surroundings.
- The green roof provides a rainwater buffer, reduces the ambient temperature, regulates the indoor temperature, saves energy and encourages biodiversity
- We will incorporate rain water harvesting with a simple water butt if we feel this would benefit the space.

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### Notes on Tree Survey

- There are no trees within 15m of the site. There is a Pittosporum hedge (invasive, NZ species - we aim to reduce this) and an Escallonia hedge (we may choose to keep or remove this depending how it works with the design. If removed we will plant a new escallonia shrub to encourage honeybees, bumblebees and butterflies. Other notable plants are Hottentot fig (South African species, aggressive invasive creeping mat-forming succulent plant - will continue to monitor & cut back as needed); Crassula Coccinea (Red Crassula - South African Species that we aim to encourage).

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## Archaeological Assessment

- The site is located within an Archaeological Constraint Area (ACA) specifically the Porthmellon ACA. The ACA is an indication that this area has a number of historic environment records and any ground works could reveal further below ground archaeological remains.
- We anticipate minimal excavation of the site, which is granite bedrock & ram/topsoil. The building will be timber frame and needs secure footings/pads to support it. We are aware that if the studio requires foundations/trenching we may be required to undertake archaeological monitoring; and we understand that the planning department will be in touch if this is the case.
- There is a possibility that there was once a “strangers cemetery” somewhere near the proposed site of this project. In his account of Scilly in 1796, the Rev John Troutbeck refers to a burial ground at Carn Thomas (for unidentified victims of shipwrecks), which is said to be located on the S side of the promontory on the N side of the road from Hugh Town. This is not mentioned in later accounts and had presumably ceased to be used by the early 1820s\*, or possibly not since the Gryll's Act, 1807\*\*

\*ref [https://scilly.gov.uk/sites/default/files/planning-apps/H2%20Housing%20Allocation%20Heritage%20Impact%20Assessment%202018.pdf?fbclid=IwAR3dZR9fgocOvuE296sKMe3\\_WMjhVYjbb2C-QdktfQYKDvrOKj1w3Wd8O7U](https://scilly.gov.uk/sites/default/files/planning-apps/H2%20Housing%20Allocation%20Heritage%20Impact%20Assessment%202018.pdf?fbclid=IwAR3dZR9fgocOvuE296sKMe3_WMjhVYjbb2C-QdktfQYKDvrOKj1w3Wd8O7U)

\*\*ref <http://scillypedia.co.uk/LetterS.htm?fbclid=IwAR0u2akTDHROG2jta-IXjDxVXaQ7dZ4a8liD7hTvqtugleVzwUejFQkRs9k>

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## Habitat Assessment

- The project should have a positive impact on existing biodiversity interests.
- We plan to maintain grass, hedges and plants, and aim to positively impact biodiversity with certain species of plants e.g. escallonia, buddleja.
- The living green roof will positively impact biodiversity.
- The only possible negative change to the biodiversity would be in reducing the height of the pittosporum hedge; however we are unaware of any birds nesting in this hedge and there are many other pittosporum trees in the surrounding area so we feel the impact would not be significant.

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## External Illumination Statement

- The project would have minimal low-level external lighting on the areas which access the studio. This would be less bright than the lights used by the lifeboat crew and would be purely to guide the pathway when it is dark and the studio is in use (mainly in the winter months). There would be dimmable lighting within the

studio. Any lighting would only be on when the studio is in use and at no other time to avoid any adverse impact on sky/other glare.

- Every effort would be made to ensure continued enjoyment of Scilly's Dark Night Skies and we consider this an important part of the project. We would like people to leave the studio in the evening and be able to enjoy the night sky.



# COUNCIL OF THE ISLES OF SCILLY

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Planning Department

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

☎01720 424455

✉[planning@scilly.gov.uk](mailto: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](mailto: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.