



## **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 2015

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### **PERMISSION FOR DEVELOPMENT**

**Application No:** P/21/096/ROV

**Date Application Registered:** 23rd November 2021

**Applicant:** Elizabeth O Hara  
Court Park  
Tidenham  
Chepstow  
NP16 7LJ

**Site address:** Santa Maria 44 Sally Port Hugh Town St Mary's Isles Of Scilly  
**Proposal:** Variation of conditions C4 (Approved Plans), C5 (Self-Catering Flats) & C6 (Owners Accommodation) of planning permission P/10/020/FUL granted on 26th April 2010 for the conversion of guesthouse into 6 flats [5x self-catering and 1x owners flat] in order to increase the size of the owners accommodation by reducing the number of self-catering flats to 4.

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 Time Limit Not Required**

**C2 Prior to the Commencement of the approved development, a scheme including details of the sources of all building materials and the means/location of disposal of all demolition material and all waste arising from the building works, including excess material from excavations, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme unless otherwise agree in writing by the Local Planning Authority.**

Reason: To ensure that those characteristics which contribute, inter alia, to the status of the Isles of Scilly as a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast are not eroded by uncontrolled mineral extraction and tipping of waste.

**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 The development hereby permitted shall be carried out in accordance with the approved details only including:**

- Proposed Floor Plans, Drawing number AC-SM-3 date stamped Received 09/11/2021

- **Location Plan, date stamped Received 23/11/2021**

**These are stamped as APPROVED**

Reason: For the avoidance of doubt and in the interests of property planning

- C5 Each of the four flats hereby permitted and edged in green on the approved plans, referred to in condition C4 above, shall not be used otherwise than for the purpose of short let holiday accommodation. The flats shall not be occupied as permanent dwellings and shall not be occupied by any one person for a period exceeding 28 days in any calendar year. The owner or operator shall maintain a register of occupants for each calendar year. This register shall be made available on request for inspection by any duly authorised officer of the Local Planning Authority.**

Reason: To ensure that the property is retained for holiday purposes in accordance with Policy 4 of the Local Plan and to minimise any pressure on local infrastructure in accordance with Policy 6 of the Local Plan.

- C6 The occupation of the property edged in blue on the approved plans, referred to in condition C4 above, shall be limited to the owners of the property and shall be permanently occupied as an integral part of the four holiday flats edged green on the approved plans and that the owners accommodation and the four holiday flats shall not be sold, sublet or otherwise disposed of separately as individual units of accommodation.**

Reason: To ensure the whole property is retained in the same ownership and retains a permanently occupied residential unit in connection with the management of the holiday accommodation in accordance with Policy 4 of the Local Plan.

- C7 Prior to the occupation of the flats hereby permitted, details drawings showing a storage area for the collection of refuse for all of the flats hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure adequate provision of a storage areas for the collection of waste to serve the development and in the interests of the appearance of the locality.

- C8 That each of the flats hereby permitted shall have a separate connection to the mains public water supply.**

Reason: To comply with Policy 6 of the Local Plan.

### **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 2021.
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.
3. 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 current £116 for each request to discharge condition(s) where the planning permission relates to any other type of development other than a householder application. The fee is payable for each individual request made to the Local Planning Authority. You are advised to check the latest fee schedule at the time of making an application as any adjustments including increases will be applied:

[https://ecab.planningportal.co.uk/uploads/english\\_application\\_fees.pdf](https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf)

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> January 2022



# 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 Elizabeth O Hara

## Please sign and complete this certificate.

This is to certify that decision notice: P/21/096/ROV and the accompanying conditions have been read and understood by the applicant: Elizabeth O Hara.

1. **I/we intend to commence the development as approved:** Variation of conditions C4 (Approved Plans), C5 (Self-Catering Flats) & C6 (Owners Accommodation) of planning permission P/10/020/FUL granted on 26th April 2010 for the conversion of guesthouse into 6 flats [5x self-catering and 1x owners flat] in order to increase the size of the owners accommodation by reducing the number of self-catering flats to 4 at: Santa Maria 44 Sally Port 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**

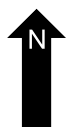
**APPROVED**

*By Lisa Walton at 6:07 pm, Jan 18, 2022*

## 44 Sally Port



0 50  
Metres



Plan Produced for: Isles of Scilly Council

Date Produced: 18 Nov 2021

Plan Reference Number: TQRQM21322215757071

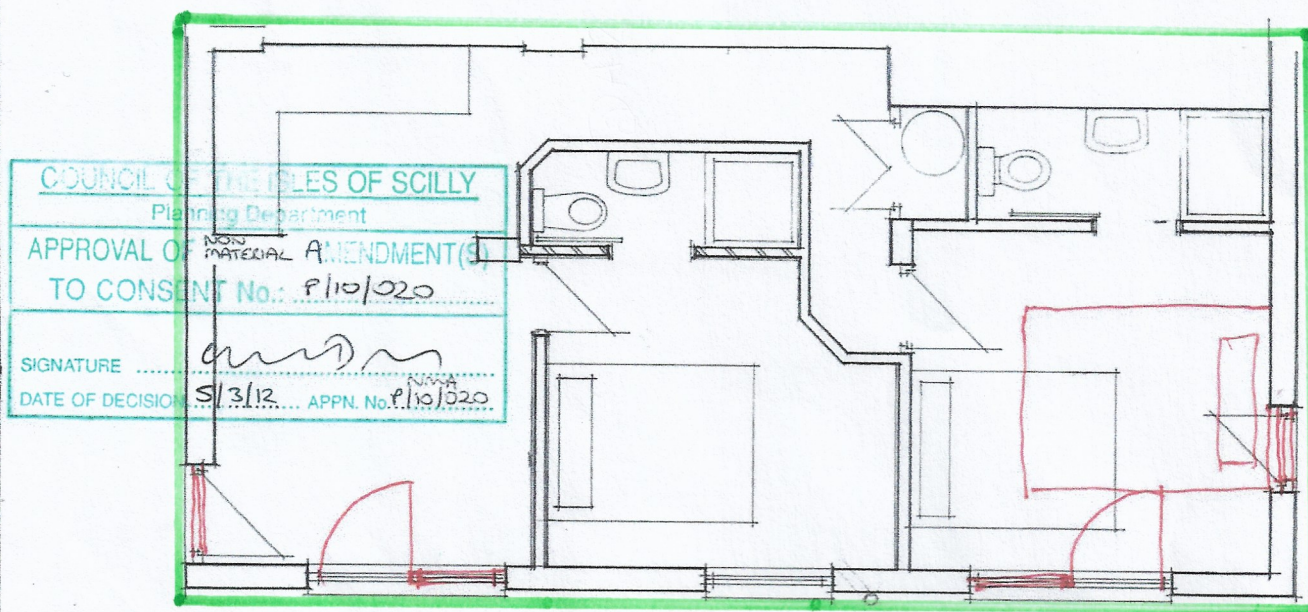
Scale: 1:1250 @ A4

## SANTA MARIA GUESTHOUSE ST MARYS

RECEIVED

By A King at 2:03 pm, Nov 09, 2021

## LOWER GROUND FLOOR LAYOUT - PROPOSED

**APPROVED**

By Lisa Walton at 6:07 pm, Jan 18, 2022

scale 1:50 21/2 AC-SM-3

SANTA MARIA  
44 SALLYPORT  
O'HARA

LOWER GROUND FLOOR

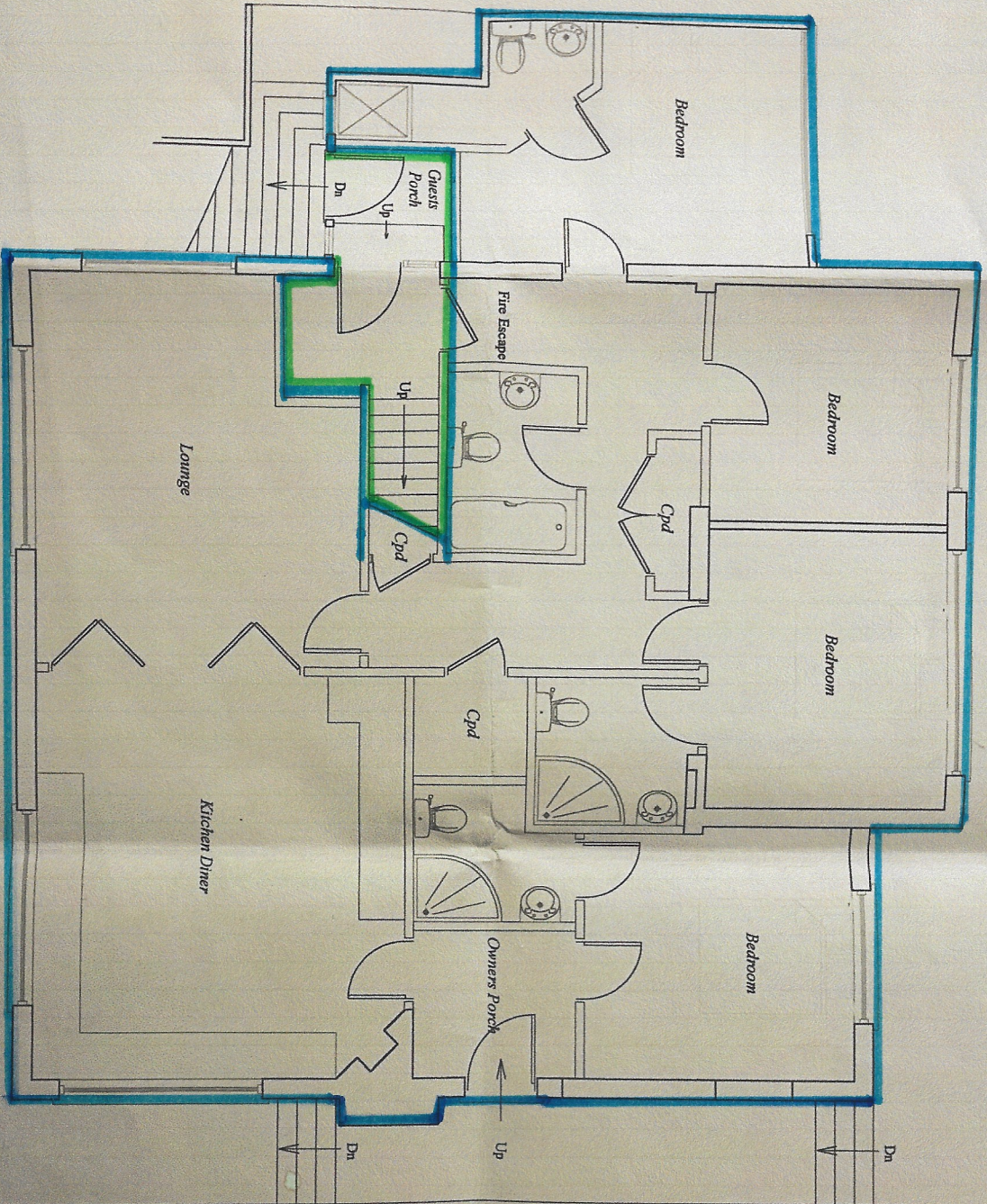
SCALE 1:50

ORIGINAL PERMISSION  
1 TWO BED FLAT

PROPOSED - NO CHANGES  
WORK COMPLETE.

— SHORT LET HOLIDAY  
ACCOMMODATION.

OWNERS ACCOMMODATION  
 ACCESS TO SHOE-LET  
 HOLIDAY ACCOMMODATION



**APPROVED**

By Lisa Walton at 6:07 pm, Jan 18, 2022

Santa Maria  
 Sall Port  
 St. Mary's  
 Isles of Scilly

Proposed Layout

Mr Mrs O'Hara

NOTE: No measurements to be scaled from this drawing unless specified. Whilst all efforts are made to ensure accurate measurements any discrepancies should be reported immediately to the architect.

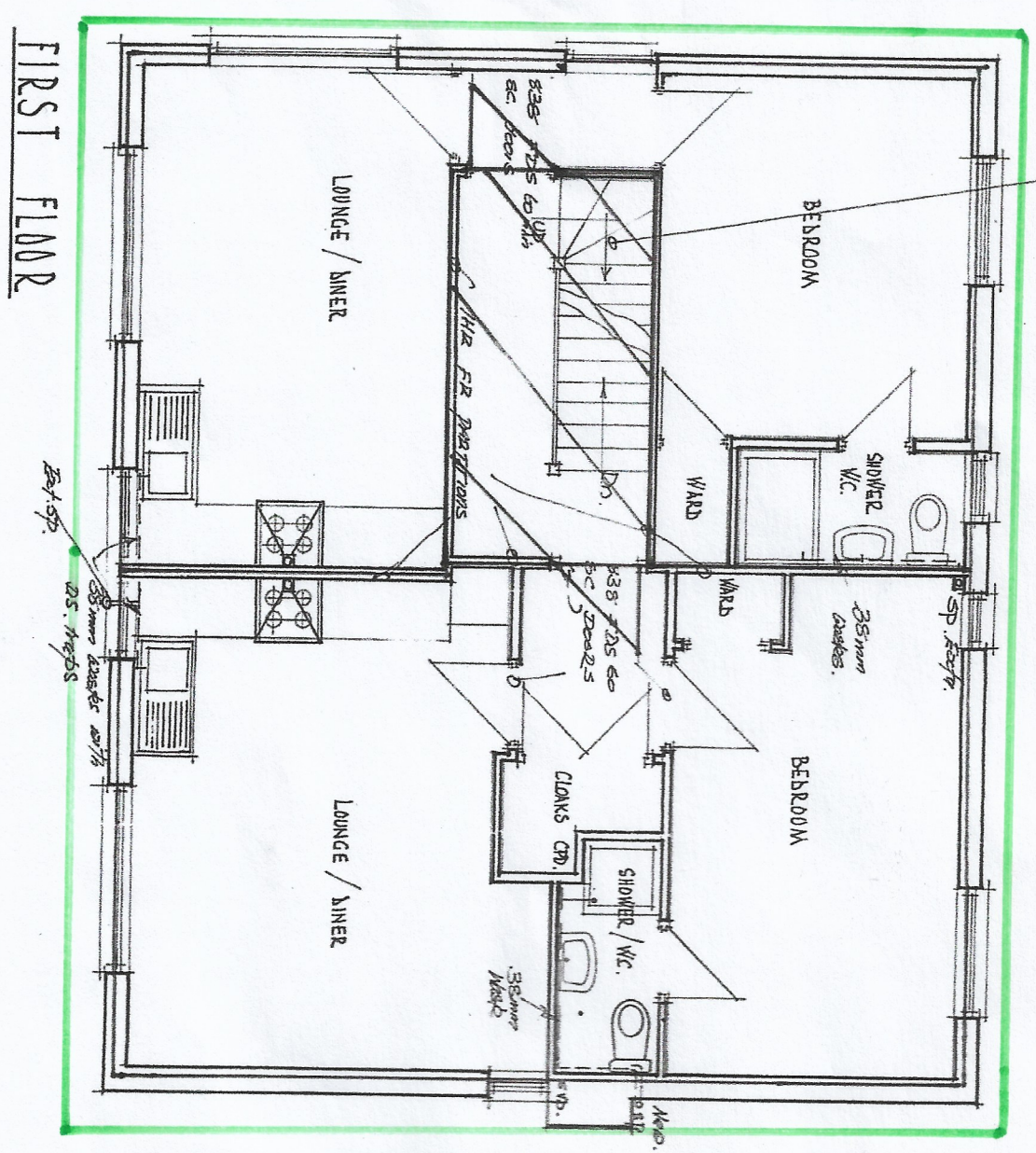
© Copyright Paul Osborne

Date - July 2021  
 Amended - August 2021  
 Scale - 1 : 50 @ A2

PAUL OSBORNE  
 CARN THOMAS  
 ST. MARY'S, ISLES OF SCILLY  
 TR21 0PT Tel (01720) 423066

GROUND  
 Proposed Floor Plan  
 Owners Accommodation

NEW STAIRCASE to be 42" with 220mm goings &  
 max 190mm risers with handrail 900mm above nosings,  
 min headroom 2000mm and max distance between balusters 100mm,  
 underside of flight lined 1hr fr. fireboard.



FIRST FLOOR

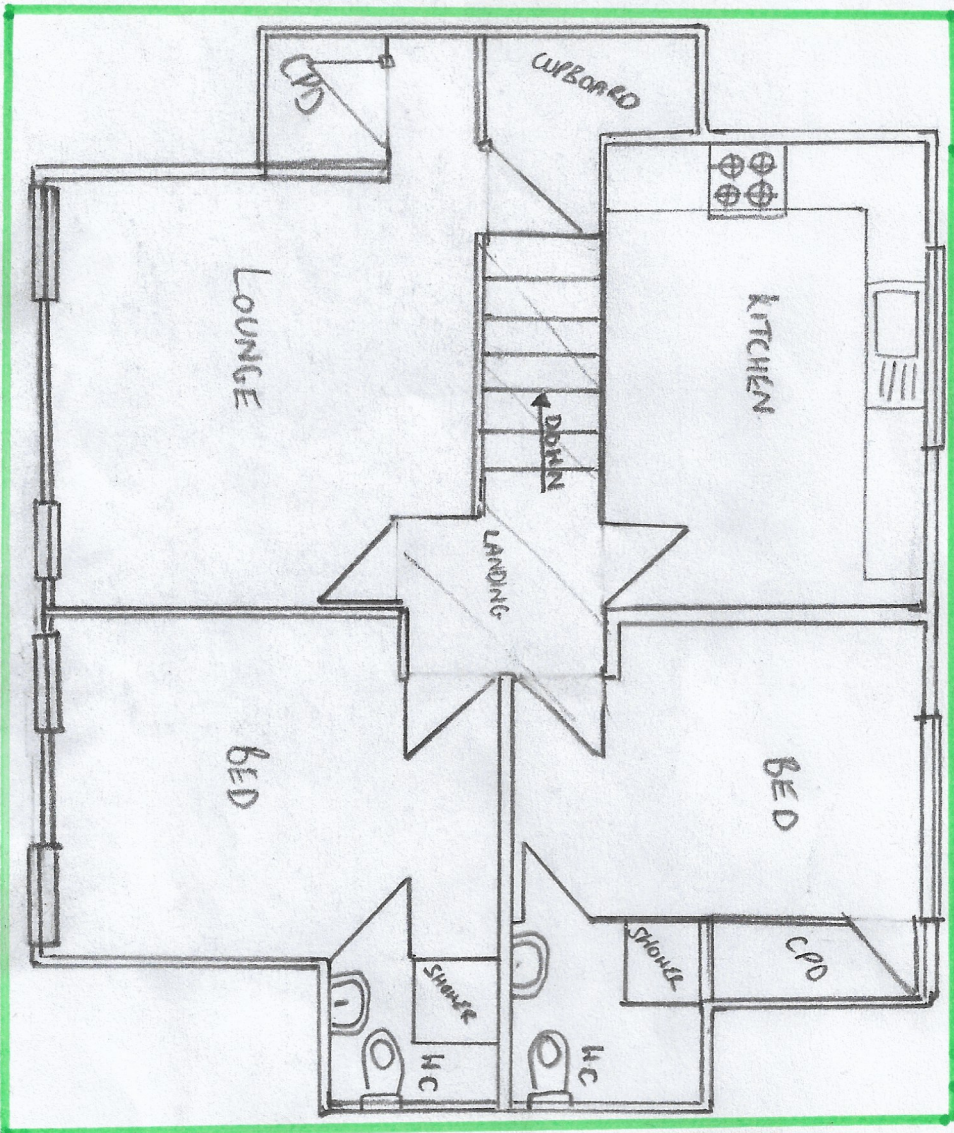
SANTA MARIA  
 44 SHELLEY  
 OMAHA

FIRST FLOOR  
 SCALE 1:50 @ A2

ORIGINAL PERMISSION  
 2 ONE BED FLATS  
 PROPOSED - NO CHANGES  
 — SHEET-LET HOLIDAY  
 ACCOMMODATION

**APPROVED**  
 By Lisa Walton at 6:07 pm, Jan 18, 2022

# PROPOSED - ROOFSpace



**APPROVED**

By Lisa Walton at 6:07 pm, Jan 18, 2022

SANTA MARIA  
44 SMILYBET  
O'HARA

ROOFSpace

SCALE 1:50 @ A2

VARIATION

ORIGINAL PERMISSION - 2 ONE  
BED FLATS

PROPOSED - 1 TWO BED FLAT  
(WORKS COMPLETED)  
— SHORT-LET HOLIDAY  
ACCOMMODATION



# COUNCIL OF THE ISLES OF SCILLY

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.