



COUNCIL OF THE ISLES OF SCILLY

Planning Department

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

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POSSIBLE CONDITIONS

FOR

APPEAL AGAINST REFUSAL

AT

APPLETREE, 2 MATTHEWS FIELD, CHURCH ROAD, ST MARYS ISLES OF SCILLY

REFUSED ON 15th MARCH 2022

APPEAL REFERENCE: APP/Z0835/W/22/3301914

21st February 2023

In the event that the Inspector is minded to grant permission, it is respectfully suggested that without prejudice to the Council's decision, the following conditions be imposed:

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:

- **Location Plan (1:1250) DATE STAMPED 18/01/2022**
- **Block Plan (1:500) DATE STAMPED 21/01/2022**
- **Proposed East Elevation (1:5) DATE STAMPED 18/01/2022**
- **Proposed South Elevation (1:100) DATE STAMPED 18/01/2022**
- **Proposed First Floor Plan (1:100) DATE STAMPED 18/01/2022**
- **Proposed Site Plan (1:200)**

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 Policy OE7(5) of the Isles of Scilly Local Plan (2015-2030).

PRE-COMMENCEMENT CONDITION: Submission of Site Waste Management Plan

C3 Prior to the commencement of the development, hereby approved, 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 building works, in accordance with the waste hierarchy, shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required to ensure the production of waste is minimised and waste is recycled, reused or disposed of appropriately. In accordance with Policy SS2(2) and OE5(2) of the Isles of Scilly Local Plan 2015-2030.

C4 No construction plant and/or machinery shall be operated on the premises before 0800 hours on Mondays through to Saturdays nor after 1800 hours. There shall be no works involving construction plant and/or machinery on a Sunday or Public or Bank Holiday.

Reason: In the interests of protecting the residential amenities of neighbouring properties.

C5 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 in accordance paragraph 176 of the National Planning Policy Framework 2021 and Policy OE4 of the Isles of Scilly Local Plan 2015-2030.

Condition C3 is pre-commencement in nature. The applicant has not been provided with 10 working days to comment on this condition, as required by the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018.

Lisa Walton MRTPI
Chief Planning Officer
Council of the Isles of Scilly