



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 2015

PERMISSION FOR DEVELOPMENT

Application No: P/22/066/FUL **Date Application Registered:** 16th September 2022

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

Site address: Santa Maria 44 Sally Port Hugh Town St Marys Isles Of Scilly
Proposal: Replacement of white upvc windows with anthracite upvc windows, alterations to fenestration on North elevation, removal of rotten wooden shutters, replace asbestos hanging tiles with composite cladding, replace roof tiles with slate and re-paint building white.

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, received 12th September 2022
 - Plan 2 Site Plan AMENDED, received 12th September 2022
 - Plan 3 AMENDED Proposed Elevations, dated August 2022
 - Design & Access Statement
 - Site Waste Management Plan
 - Preliminary Roost Assessment (Ref: 22-9-1 by IOS Ecology, 20th September 2022)
- 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 The development, hereby approved, shall be carried out in accordance with Appendix 2 (Bat Mitigation Measures) as set out in the Preliminary Roost Assessment (Ref: 22-9-1 by IOS Ecology, 20th September 2022).**

Reason: To promote measures to improve habitats and biodiversity and an awareness of the value of biodiversity on the Isles of Scilly and in accordance with the requirements of Policies SS1(d) and SS2(g) of the Isles of Scilly Local Plan 2015-2030.

C4 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

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. This decision is not a determination under the Building Regulations. 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. You can contact Building Control for further advice or to make a building control application: buildingcontrol@cornwall.gov.uk.
4. 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: 25th November 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/22/066/FUL 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:** Replacement of white upvc windows with anthracite upvc windows, alterations to fenestration on North elevation, removal of rotten wooden shutters, replace asbestos hanging tiles with composite cladding, replace roof tiles with slate and re-paint building white at: Santa Maria 44 Sally Port Hugh Town St Marys 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.



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 un-authorised 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
- Planning Application – 6 months
- Listed Building Consent – 6 months
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Lawful Development Certificate – None (unless for LBC – 6 months)
- Other Types - 6 months

Note that these periods can change so you should check with the Planning Inspectorate for the most up to date list. You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

You find more information on appeal types including how to submit an appeal to the Planning Inspectorate by visiting <https://www.gov.uk/topic/planning-development/planning-permission-appeals> or you can obtain hard copy appeal forms by calling 0303 444 5000.

Current appeal handling times can be found at: [Appeals: How long they take page](#).

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 (Option 1), via email buildingcontrol@cornwall.gov.uk or by post at:

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

Inspection Requests can also be made online: <https://www.cornwall.gov.uk/planning-and-building-control/building-control/book-an-inspection/>

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.

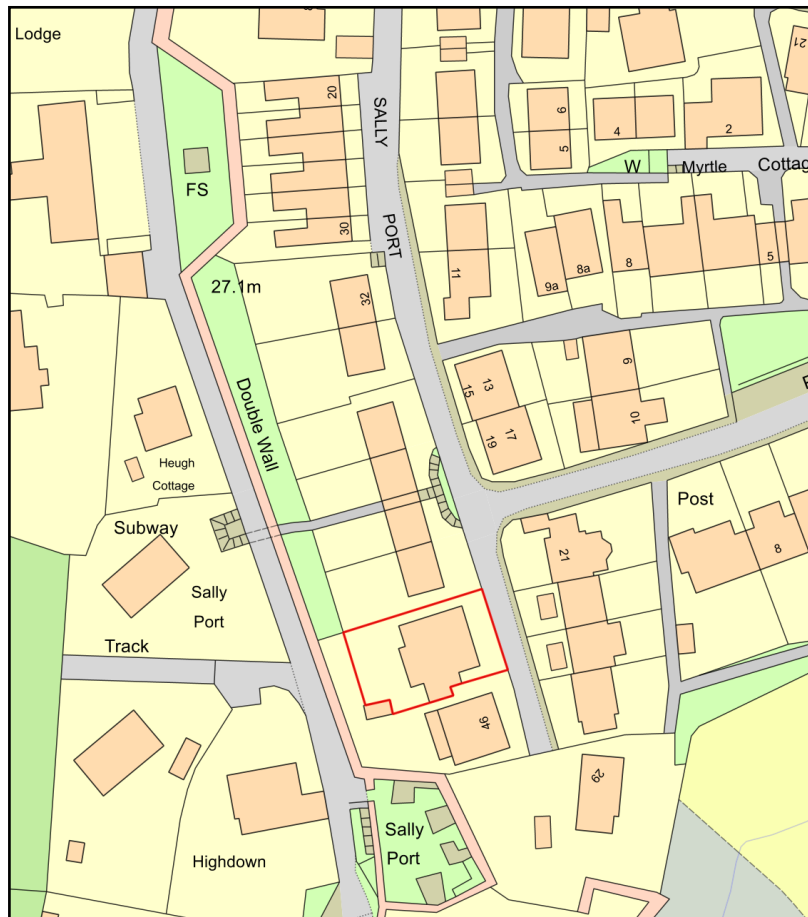
Santa Maria Guest House - 44 Sally Port

APPROVED

By Lisa Walton at 6:11 pm, Nov 25, 2022

RECEIVED

By A King at 2:03 pm, Sep 09, 2022



0 50
Metres



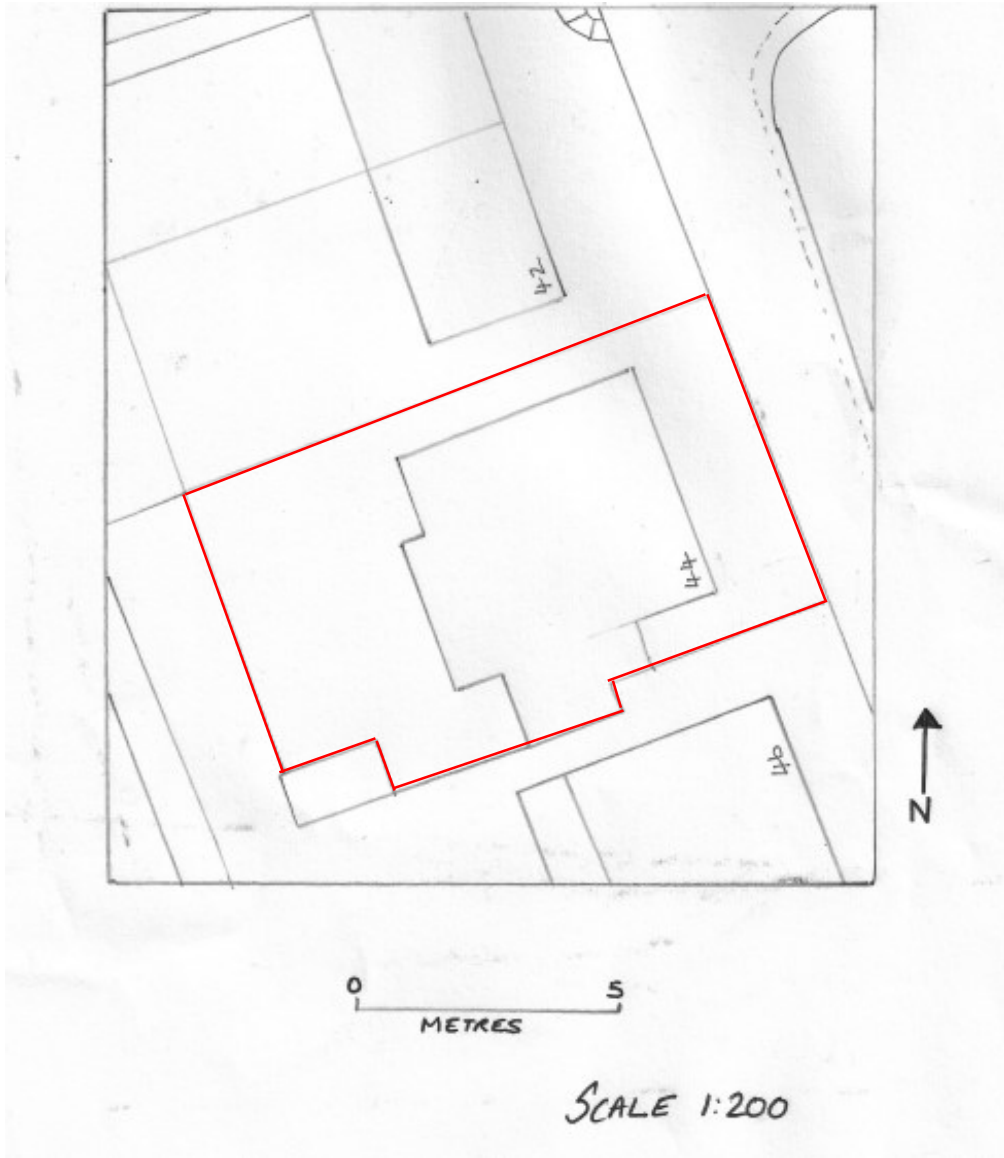
Plan Produced for: Elizabeth O'Hara
Date Produced: 19 Aug 2022
Plan Reference Number: TQRQM22231132209363
Scale: 1:1250 @ A4

APPROVED

By Lisa Walton at 6:11 pm, Nov 25, 2022

RECEIVED

By Liv Rickman at 2:03 pm, Sep 12, 2022

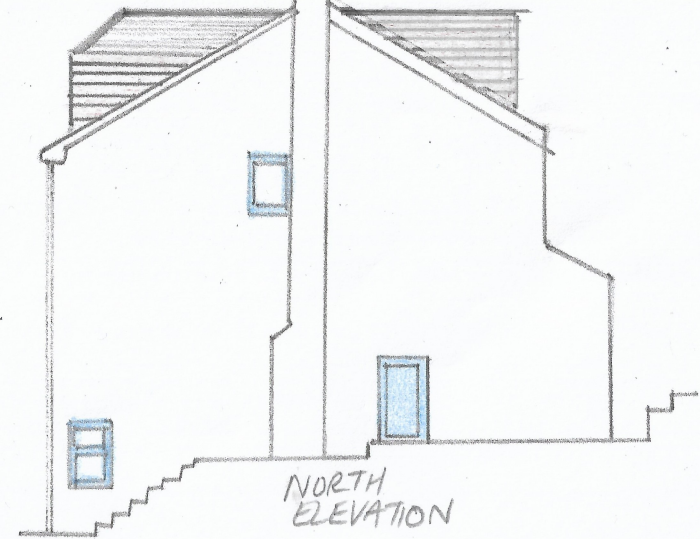


RECEIVED

By A King at 2:07 pm, Sep 09, 2022



REAR ELEVATION



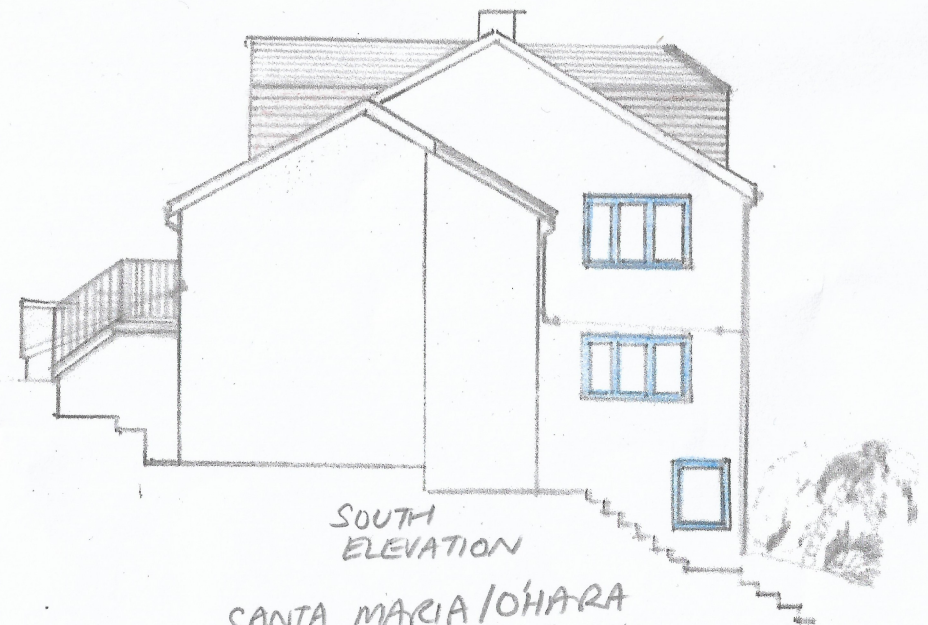
NORTH
ELEVATION

APPROVED

By Lisa Walton at 6:12 pm, Nov 25, 2022



FRONT ELEVATION



SOUTH
ELEVATION

SANTA MARIA / OHARA
PROPOSED ELEVATIONS

SCALE 1:100
AUGUST 2022

APPROVED

By Lisa Walton at 6:13 pm, Nov 25, 2022

RECEIVED

By A King at 1:42 pm, Sep 09, 2022

DESIGN AND ACCESS STATEMENT

Proposed Development:

This application is for external alterations to 44 Sally Port to enhance the appearance of the building and bring it up to current building regulations standards. The architecture of the building is outdated and clashes with the style and colour of the other properties on the street.



Front Elevation



South Elevation



Rear Elevation – View from garrison wall



North Elevation – View from garrison battery

The building currently has white UPVC windows with dark green wooden shutters on the front elevation which are decorative not functional. Window and door heads are out of alignment and the proportions of the plastic windows vary considerably. The request is to replace the windows with Anthracite UPVC frames which will be set at 75mm to bring them inline with building regulations. The shutters will be removed, and the house painted. The downpipes on the front of the property, which are not used, will also be removed. Removing the asbestos-cement tiles and replacing with cedar / composite cladding, and re-roofing in natural slate, will help to transform the property and be regarded as a planning gain.

One window on the southern elevation will be removed. The Samsung air heat pump on the wall directly opposite creates a lot of noise, and there is a significant lack of privacy due to the size of the window and public right of way. The neighbouring house has also blocked up the equivalent window.

View from window



Assessment of the surroundings of the proposed development

44 Sally Port is a large four storey building visible from many aspects of Hugh Town. The building sits directly in front of the garrison wall, which is a Scheduled Ancient Monument.

We have sought pre-planning advice from the planning office. We have a local building firm, Mark Wright Construction Ltd, who will undertake the work if permission is granted.

The proposed improvements are similar to other new build / renovated properties in Hugh Town (Sea glass, Penlee Boathouse, 9 Little Porth, The Tides). The alterations would result in the property being less noticeable in views of the Garrison area, causing no impact on the defensive character of the walls and the Garrison area in general.



9 Little Porth – 44 Sally Port visible in the background



Seaglass – 44 Sally Port visible in the background



Anthracite Grey UPVC Windows

[Home](#) > [Anthracite Grey UPVC Windows](#)

All made to measure supply only anthracite grey grain foil effect UPVC windows come with A rated 28mm double glazed units as standard and our handy window designer tool makes it easy to buy RAL 7016 grey windows online.

Our modern anthracite grey diy windows come with a comprehensive 10 year guarantee ensuring peace of mind and can be upgraded with various furniture, security and hinge extras. Choose your high quality grey windows below and take advantage of delivery direct to your door. Our grey windows are available in other RAL numbers so why not ask us about our light grey and agate grey windows?

What's included?

- A Rated double glazed unit
- 85mm or 150mm cill
- White/Chrome/Gold handle*
- Espagnolette locking system*
- BFRC spacer bar
- Internally beaded for easier installation
- Featured profile
- 10 year manufacturers guarantee
- Building regulations compliant

Frame extras

- [Shootbolt locking](#) (min. 470mm width)*
- [Sashbolt](#)*
- [15mm and 35mm frame extenders](#)
- [Trickle vent](#)
- [Easy clean/fire egress hinge](#)*
- [Child restrictor latch](#)*

Glazing extras

- [Obscure Glass](#)
- [Toughened Glass](#)
- [Triple Glazing](#)
- [Georgian Bar](#)
- [Diamond Lead](#)


*Only available for opening windows

composite cladding - Search

Cedral Weatherboard Cedral Lap

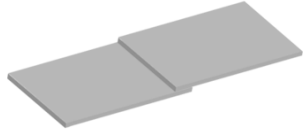
Email - O'Hara, Liz - Oxfordshire

https://smartcladdingsupplies.co.uk/cladding-profiles/cedral-lap-weatherboard.php



Cedral Lap Weatherboard

Cedral Lap Weatherboard is a low maintenance composite cladding, and is a rot free alternative to common timber cladding. Fitted in the traditional overlapping style like traditional cladding, but with easier maintenance and a more attractive look.




Benefits of Cedral Lap Weatherboard

✓ Low maintenance	✓ Resistant to rot and insects
✓ Used just like wood	✓ Easy to install
✓ Can withstand harshest weather conditions	✓ Factory applied colour
✓ Optional aluminium trims	✓ Non-combustible material

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https://smartcladdingsupplies.co.uk/timber-cladding/cedar-cladding.php

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Cedar Cladding

- ✓ Cedar cladding is a natural and sustainable product
- ✓ It reduces the carbon footprint of your building
- ✓ Cedar cladding is a very effective insulator meaning you can save money on your energy bills
- ✓ Requires very little maintenance if installed well and looked after
- ✓ Looks fantastic on practically any type of building
- ✓ Relatively cheap to purchase- buy the best quality you can afford
- ✓ You can stain it any colour you wish but it looks beautiful in its natural reddish colour which naturally fades into a silvery grey over time
- ✓ Major potential for recycling or re-use at end of life
- ✓ Suitable for both renovation and new build projects
- ✓ It offers protective and decorative design functions



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12:59 05/09/2022

APPROVED

By Lisa Walton at 6:34 pm, Nov 25, 2022

PRELIMINARY ROOST ASSESSMENT (PRA)

SELECTED ASPECTS OF SANTA MARIA, HUGH TOWN, ST MARY'S, ISLES OF SCILLY



Client: Liz O'hara

Our reference: 22-9-1

Planning reference: P/22/066/FUL

Report date: 20th September 2022

Author: James Faulconbridge BSc (Hons), MRes, MCIEEM

Contact: ios.ecology@gmail.com

Executive Summary

Bats – Results and Findings

The preliminary roost assessment (PRA) survey concluded that there was **negligible potential** for use by bats of the structures under consideration. This assessment relates solely to the aspects of the structure to be directly or indirectly affected by the proposed works. It does not provide a comprehensive assessment of the building in question nor assess the potential impacts of works beyond the scope specified in this report.

Whilst a negligible potential is concluded, it is noted that there is a small chance of opportunistic/transient use of individual discreet features. This potential is not sufficient to justify further surveys or significant constraints to works, but should be taken into account in accordance with the precautionary principle.

This judgement was reached in accordance with the survey methodologies and evaluation criteria outlined in the Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd edition¹

Bats – Further Survey Requirements

No further surveys are recommended – the PRA conclusion does not require further survey information with regards to bats in order to inform a planning application.

Bats – Recommendations

Standard good practice and vigilance should be observed by the contractors undertaking the proposed works in acknowledgement that bats are transient in their use of roosting opportunities and may explore potential locations. Recommendations to ensure legislative compliance are provided in Appendix 2.

Adherence to the Method Statement provided in Appendix 2 could be secured through a Planning Condition at the discretion of the Planning Authority, though it is noted that this should be a compliance rather than a pre-commencement condition and should not require discharge.

Nesting Birds – Results and Findings

There is a minor risk of individual bird species finding occasional nesting habitat associated with gaps behind the wooden shutters though no evidence was noted at the time of survey. The survey did not identify any other suitable nesting habitat for breeding birds associated with the elements of the structure under assessment.

Nesting Birds - Recommendations

Works to remove the shutters should take account of the minor residual risk of species such as wren or robin making use of nesting opportunities during the breeding season. There is no requirement to replace nesting habitat for breeding birds.

¹ Collins, J. (ed.) 2016 Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

APPENDIX 1 – PRELIMINARY ROOST ASSESSMENT (PRA)

Planning Authority: Isles of Scilly	Location: SV 90119 10424	Planning Application ref: Report produced in support of application
Planning application address: Santa Maria, Sally Port, Hugh Town, St Mary's, Isles of Scilly		
Proposed development: <p>The proposed works were identified by the client and should accord with the documentation submitted in support of the application. These involve:</p> <ol style="list-style-type: none"> 1) The removal of asbestos hanging tiles from dormers and replacement with timber cladding; 2) The like-for-like replacement of existing windows; 3) The removal of aesthetic window shutters from the frontage of the property. 		
Building references: <p>The elements of the structure under assessment in this report are identified in the plans provided in Appendix 3.</p>		
Name and licence number of bat-workers carrying out survey: <p>James Faulconbridge (2015-12724-CLS-CLS)</p>		
Preliminary Roost Assessment date: <p>The visual inspection was undertaken on 13th September 2022 in accordance with relevant Best Practice methodology².</p>		
Local and Landscape Setting: <p>The property is situated at the southern end of Sallyport, which is situated at the south-western tip of Hugh Town, St Mary's.</p> <p>The land immediately north and east of the property is dominated by Hugh Town, a small but densely developed area of residential and small-scale commercial properties. The shoreline of Little Porth lies close to the south of the property and beyond individual dwelling houses, the more vegetated landscape associated with the Garrison and Star Castle lie to the east.</p> <p>Three records of common pipistrelle roosts are identified in Hugh Town to the east of the property – these relate to individual bats utilising features such as hanging slates around dormer windows. There is also a single record of brown long-eared bat utilising a roosting feature in a pine tree in the Garrison woods to the west. All of these records are within 400m of the property.</p>		

² Collins, J. (ed.) 2016 Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

Building Description:

Overview

The building is three stories with an effective fourth built into the roof space through the incorporation of dormer windows which occupy the majority of the pitch on both aspects. The building is rendered throughout and the finish is in good condition with no cracks, cavities or other accessible features noted. The pitched roof is tiled with asbestos slate-effect tiles including hanging tiles associated with the dormers. There is a small chimney situated on the northern aspect.

A separate staff accommodation building is attached on the southern aspect and a single-storey conservatory is present on the western aspect – these elements of the construction were not included within the scope of the survey.

Whilst a generic building description is provided above for context, the remainder of the description will focus on those aspects of the property which may be directly or indirectly impacted by the proposals.

Window shutters

There are wooden window shutters on the eastern frontage of the property – these appear to be aesthetic and are attached directly to the wall by battens in an ‘open’ position. Whilst window shutters can provide suitable roosting habitat for bats, especially on the continent, the width and open character of this void behind these features would be too wide to provide suitable roosting opportunities for bats.

Windows and doors

The windows and doors throughout the property are uPVC and are well-fitted with no gaps noted between the frames and the walls. No roosting opportunities were identified associated with these windows.

Dormer and roof tiles

The asbestos tiles around the windows were thin and well-fitted throughout. Their manufactured character means there is negligible variation in shape or surface which could offer natural gaps beneath tiles. The tiles were well fitted and in good condition throughout. Although a fully comprehensive inspection could not be achieved from ground-level due to angles of visibility, the inspection was sufficient to provide a high degree of confidence that there were no roosting opportunities for bats associated with the tiles either on the dormer windows or the adjacent roof sections.

There are fascia boards running along the eaves of the dormers above uPVC windows – these were inspected using an endoscope at height and did not provide suitable cavity sizes or dimensions to support roosting bats.

The lead flashing which seals the joins between dormer windows and roof tiles appeared to be in good condition – very occasional superficial gaps were noted.

Internal Opportunities

There were no internal roof spaces or lofts – this is due to the extent to which the dormers and associated top-floor living area occupy the roof space. The top floor of the property was accessed and inspected and the absence of sealed or accessible loft spaces was confirmed.

Summary

The following features were identified as potentially suitable for use by roosting bats – however in all cases the potential identified falls below the level which would require further surveys and can be addressed through a Precautionary Method of Working (PMW).

- The gaps behind the shutters – these appear unsuitable due to their wide and exposed dimensions but occasional transient or exploratory use by individual bats cannot be ruled out;
- The very minor gaps where lead flashing has lifted – these appear too small and lack a suitable fly-in but occasional transient or exploratory use by individual bats cannot be ruled out.

Survey Limitations

It was not possible to comprehensively inspect all tiles around the roof and dormers due to the lack of access at height and intervening structures. However the majority of the relevant features could be fully inspected with binoculars and their structure and condition does not indicate a high probability of unobserved features on other aspects. This residual limitation can be addressed through a PMW.

There were no other significant limitations to access or survey inspection which might affect the evidence base or subsequent conclusions of this survey.

Assessment of Potential for use by Roosting Bats

No evidence of current or historic use by bats was identified during the survey and an overall **negligible potential** was determined; however it is noted that there is a small residual risk of opportunistic/transient use of the features noted.

Recommendations and Justification (Bats):

No further surveys are recommended – the conclusion of **negligible potential** related to the structures to be impacted does not require any further information with regards to bats in order to inform a planning application.

Standard good practice and vigilance should be observed by the contractors undertaking the works in acknowledgement that bats are transient in their use of roosting opportunities and may explore potential locations. The potential for individual common pipistrelle bats to make use of minor opportunities associated with listed features should be considered. The lead flashing and wooden shutters should be removed carefully and by hand in order to ensure that, in the unlikely event of bats being present at the time of works, they would not be harmed or killed. Recommended measures to ensure legislative compliance are provided in Appendix 2.


At the discretion of the Planning Authority, a compliance condition could be included in any Planning Application approval requiring that works proceed in line with the PMW requirements outlined in Appendix 2 of this report. This is in order to ensure that roosting bats are not impacted by the proposed works.

Assessment of Potential for use by Nesting Birds

It is considered that the structures under consideration in this report provide **negligible potential** for use by nesting birds; however there is a minor residual risk of species such as wren or robin making use of gaps behind the shutters to build a nest.

Recommendations and Justification (Birds):

Removal of the wooden shutters should be undertaken outside of the breeding season which runs from March – September inclusive. If this is not possible, then contractors should visually inspect behind the shutters before their removal to confirm that no nests are present. In the unlikely event that a birds nest is present, it must be left undisturbed until chicks have fledged the nest, at which point removal works can proceed.

There is no requirement to mitigate for loss of nesting habitat for breeding birds.	
Signed by bat worker(s): 	Date: 20 th September 2022

APPENDIX 2

-

PRECAUTIONARY METHOD STATEMENT WITH REGARDS TO BATS

The purpose of this Method Statement is to ensure that works can proceed where presence of bats has been determined to be unlikely, but a precautionary approach is still advisable. It has been determined that direct harm to roosting bats during the proposed works would be highly unlikely.

Contractors should, however, be aware of **their own legal responsibility with respect to bats**:

Relevant Legislation regarding Bats

The Conservation of Habitats and Species Regulations 2017, or the 'Habitat Regulations 2017', transposes European Directives into English and Welsh legislation. Under these regulations, bats are classed as a European Protected Species and it is, therefore, an offence to:

- *Deliberately kill, injure or capture bats;*
- *Deliberately damage or destroy bat roosts.*

A bat roost is commonly defined as being any structure or place that is used as a breeding site or resting place, and since it may be in use only occasionally or at specific times of year, a roost retains such a designation even if bats are not present.

Bats are also protected from disturbance under Regulation 43. Disturbance of bats includes in particular any disturbance which is likely:

(a) *To impair their ability -*

- *to survive, to breed or reproduce, or to rear or nurture their young; or*
- *in the case of animals of a hibernating or migratory species, to hibernate or migrate; or*

(b) *To affect significantly the local distribution or abundance of the species to which they belong.*

Bats also have limited protection under the Wildlife and Countryside Act 1981 (as amended) and the Countryside Rights of Way Act 2000 (as amended). It is, therefore, an offence to:

- *Intentionally or recklessly destroy, damage or obstruct any structure or place which a bat uses for shelter or protection.*
- *Intentionally or recklessly disturb bats whilst occupying any structure or place used for shelter or protection.*

Contractors should be aware of **where bats are most likely to be found** in respect to the structures in question:

Wooden shutters

There is a small risk of bats making transient or exploratory use of the cavity behind the wooden shutters. These shutters should be removed carefully in such a way that in the highly unlikely event of a bat being present in the apex of the gap between the shutter structure and the wooden batten attached to the wall, they are not crushed by the removal of the feature.

Lead flashing

Very minor lifted sections occur within the lead flashing where the dormers meet the roof. If these are to be removed as part of the works, locations where the flashing is lifted should be exposed carefully such that if any bats were present behind the lifted element, they would not be crushed or otherwise injured by the operation.

Contractors should be aware of **the process to follow in the highly unlikely event of finding bats** or evidence indicating that bats are likely to be present:

If bats are identified, works should cease and the named ecologist contacted immediately for advice.

If the bat is in a safe situation, or a situation which can be made safe, they should remain undisturbed.

Only if the bat is in immediate risk of harm can the bat be moved with care and using a gloved hand. This is a last resort and should only be undertaken for humane reasons if the bat is at immediate risk of harm **and** if the ecologist cannot be contacted for advice.

APPENDIX 3

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LOCATION PLAN AND PHOTOGRAPHS



Map 01 – Illustrating location of property within the local environs (red circle). Reproduced in accordance with Google's Fair Use Policy.



Map 02 – Showing the Santa Maria property highlighted in red.



Photograph 1: Showing the front aspect of the property with the shutters visible.



Photograph 2: Showing the rear of the property taken from an elevated position within the back garden.



Photograph 3: Showing detail of the shutters on the front of the property.



Photograph 4: Showing the battens attaching the shutters to the wall and the cavity created behind.



Photograph 5: Showing a typical example of a well-fitted uPVC window found throughout the property.



Photograph 6: Showing the well-fitted asbestos tiles on the front and side of the dormer window on the rear of the property.



Photograph 7: Showing the join between the dormer window and the roof in which it is situated.



Photograph 8: Showing the hanging tiles on the dormer window viewed at height.

RECEIVED

By Liv Rickman at 4:04 pm, Nov 16, 2022

APPROVED

By Lisa Walton at 6:14 pm, Nov 25, 2022

Site Waste Management Plan – Santa Maria Guest House, 44 Sally Port, TR210JE

This SWMP sets out how resources will be managed and waste controlled at all stages during the project.

Person Responsible

Elizabeth O'Hara (owner) will be responsible for all resource management (i.e. source and disposal of materials)

Types and volumes of waste

18 large and 2 small UPVC windows and 3 UPVC doors will be removed for disposal.

• How the waste will be managed – will it be reduced, reused or recycled?

We will advertise the windows locally to see if anyone wants to re-use them. As the windows are a bespoke size we may not find anyone to take them.

As a secondary (and more likely) option, the UPVC will be separated into glass and UPVC frames and disposed by the Elizabeth O'Hara at the Porthmellon Waste Site in a domestic vehicle.

We have consulted with the recycling site who are also aware that we will need to dispose of asbestos tiles. These will be double bagged in bags provided from the site.

This is classed as extra ordinary DIY waste and the costs to dispose of the waste have been accounted for in our budgeting and will be paid for by Elizabeth O'Hara.

• Which contractors will be used to ensure the waste is correctly recycled or disposed of responsibly and legally.

Contractors will not be used in the disposal of the waste and Elizabeth O'Hara remains responsible for removal off the site.

• How the quantity of waste generated by the project will be measured.

Once the waste has been broken down, we anticipate there to be approximately 2 carloads of waste to be removed. This can be weighed on the weigh bridge if required.