



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/23/012/ROV	Date Application Registered:	14th February 2023
Applicant:	Mr Mike Green 6 Bay View Terrace Telegraph Road Porth Mellon St Mary's Isles Of Scilly TR21 0NE	Agent:	Mr Andrew Golay The Guildhall, Street-An-Pol, St Ives, Cornwall, TR26 2DS
Site address:	Chalet 6 Bay View Terrace Telegraph Road Porth Mellon St Mary's		
Proposal:	Removal of condition C3 (Principal Residence Use Only) of planning permission P/22/072/FUL (Re-construction and extension of lawful residential accommodation (Chalet) and associated landscaping) to allow use of dwelling as a permanent residence, second home or holiday let.		

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 AMENDED, Drawing Number: 2018-P01 Rev A Dated June 2022;**
 - **Plan 2 Proposed Block Plan, Drawing Number: 20018-P07 Dated Oct 2022**
 - **Plan 3 Proposed Site Plan AMENDED, Drawing Number: 2018-P07 Rev C Dated Oct 2022;**
 - **Plan 4 Proposed Elevations AMENDED, Drawing Number: 2018-P05 Rev B Dated May 2022;**
 - **Plan 5 Proposed Plans AMENDED, Drawing Number: 2018-P04 Rev A Dated May 2022;**
 - **Plan 6 Conceptual Elevations AMENDED, Drawing Number: 2018-P06 Rev B Dated July 2022**
 - **Design and Access Statement, Dated October 2022**
 - **Preliminary Roost Assessment (Appendix 2 and 3), Ref: 2021/01 by IOS Ecology, 5th August 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(5) of the Isles of Scilly Local Plan (2015 - 2030).

- C3 The ground floor window in the south east elevation of the dwelling shall be fitted with obscure glazing and shall be of a non-opening design prior to the extension/dwelling hereby approved being brought into use. The obscure glazing shall be installed in order to provide of level of obscurity at least equivalent to levels 3, 4 or 5 on the Pilkington Glass scale and the glazing shall be retained as such thereafter.**

Reason: To protect the amenity of adjacent residential occupiers and in accordance with Policies SS2(1) d) and LC8(1) a) of the Isles of Scilly Local Plan 2015-2030.

PRE-INSTALLATION CONDITION: Submission of Samples of external finishes

- C4 Prior to their installation on the building, details of, including samples or specifications of all external finishes shall be submitted to and be approved in writing by the Local Planning Authority. Once approved the development shall be finished in the agreed materials and retained as such thereafter. All nails and fittings shall be corrosion resistant.**

Reason: To ensure that the character and appearance of this building is sympathetic to this location within the Conservation Area, in accordance with Policy OE7 (5) of the Isles of Scilly Local Plan (2015 - 2030).

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS: Installation of additional windows

- C5 Other than the door and window openings shown on the approved plans and notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no new window or door openings shall be installed in the building in the south east elevation.**

Reason: To protect the amenity of adjacent residential occupiers and in accordance with Policies SS2(1) d) and LC8(1) a) of the Isles of Scilly Local Plan 2015-2030.

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS: Extensions

- C6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions to the dwellings hereby permitted shall be erected and alterations to the roof or other openings shall be installed within the building without the prior permission, in writing, of the Local Planning Authority.**

Reason: In the interests of protecting the privacy and amenity of neighbouring properties in accordance with Policies LC8 (1) a) of the Isles of Scilly Local Plan (2015 - 2030).

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS: External Illumination

- C7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended), (or any order revoking or re-enacting that Order) prior to installation, details of any external lighting shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the agreed details.**

Reason: To protect the amenities of the locality, including those of neighbouring residential properties and to protect this rural area and preserve the dark night skies of the Isles of Scilly and the Garrison Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Isles of Scilly Local Plan 2015-2030.

- C8 No construction plant and/or machinery shall be operated on the premises, as part of the implementation of this permission, 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.

- C9 The development, hereby approved, shall be carried out in accordance with Appendix 2 (Bat Mitigation Measures) and Appendix 3 (Nesting Bird mitigation measures) as set out in the Preliminary Roost Assessment (Ref: 2021/01 by IOS Ecology, 5th August 2021).**

Reason: To avoid adverse impacts upon protected species and to promote measures to improve biodiversity at this site and on the Isles of Scilly in accordance with the requirements of Policies SS1(d) and SS2(g) of the Isles of Scilly Local Plan 2015-2030.

PRE-COMMENCEMENT CONDITION: Submission of Landscaping and Biodiversity Enhancements

C10 Prior to the completion of the dwelling, hereby approved, a plan shall be submitted to and approved in writing by the Local Planning Authority which shall include the following landscaping and biodiversity enhancements:

- the planting of sustainably sourced native planting, within the site boundary; and
- the installation of a minimum of one bat box, appropriately sited and of a design to suit bat species found locally; and
- the installation of appropriate bird nesting boxes.

The measures approved shall be carried out within the first 6 months following the substantial completion of the development and shall be retained as such thereafter. Any tree or hedge within the approved landscaping scheme, found to be dying, damaged or diseased within 10 years from the date on which the scheme has been completed shall be replaced with the same species.

Reason: To ensure appropriate biodiversity net-gain measures and to improve 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.

PRE-COMMENCEMENT CONDITION: Submission of a Site Waste Management Plan

C11 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, including excess material from excavations, 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 fully understand the impact upon landscape and management of waste, to be submitted and agreed by the Local Planning Authority. This is to ensure the sustainable management of waste in accordance with the waste hierarchy and to ensure those characteristics which contribute 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 or the tipping of waste. In accordance with the requirements of Policy SS2(2) of the Isles of Scilly Local Plan (2015-2030).

C12 All plumbing and service pipework, soil and vent pipes, electricity meter cupboards and heating flues shall be incorporated within the building unless specifically agreed in writing by the Local Planning Authority.

Reason: So that the appearance of the proposed buildings is sympathetic to and compatible with the building traditions of the area. In accordance with Policy SS1(1) of the Isles of Scilly Local Plan (2015-2030).

Further Information

1. In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and proactive manner, in accordance with paragraph 38 the National Planning Policy Framework 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
4. 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.
5. Registering for appropriate Business Rates/Council Tax: To ensure appropriate contributions, are made to fund services provided by or on behalf of the Council on the Isles of Scilly please ensure you contact the

Council's Revenues Department: revenues@scilly.gov.uk.

6. 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: 18th April 2023



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 Mr Mike Green

Please sign and complete this certificate.

This is to certify that decision notice: P/23/012/ROV and the accompanying conditions have been read and understood by the applicant: Mr Mike Green.

- I/we intend to commence the development as approved:** Removal of condition C3 (Principal Residence Use Only) of planning permission P/22/072/FUL (Re-construction and extension of lawful residential accommodation (Chalet) and associated landscaping) to allow use of dwelling as a permanent residence, second home or holiday let at: Chalet 6 Bay View Terrace Telegraph Road Porth Mellon St Mary's **on:**
- I am/we are aware of any conditions that need to be discharged before works commence.
- 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) as part of 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)

C11 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, including excess material from excavations, 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.

PRE-INSTALLATION CONDITION(S)

C4 Prior to their installation on the building, details of, including samples or specifications of all external finishes shall be submitted to and be approved in writing by the Local Planning Authority. Once approved the development shall be finished in the agreed materials and retained as such thereafter. All nails and fittings shall be corrosion resistant.

PRE-COMPLETION CONDITION(S)

C10 Prior to the completion of the dwelling, hereby approved, a plan shall be submitted to and approved in writing by the Local Planning Authority which shall include the following landscaping and biodiversity enhancements:

- the planting of sustainably sourced native planting, within the site boundary; and
- the installation of a minimum of one bat box, appropriately sited and of a design to suit bat species found locally; and
- the installation of appropriate bird nesting boxes.

The measures approved shall be carried out within the first 6 months following the substantial completion of the development and shall be retained as such thereafter. Any tree or hedge within the approved landscaping scheme, found to be dying, damaged or diseased within 10 years from the date on which the scheme has been completed shall be replaced with the same species.



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.

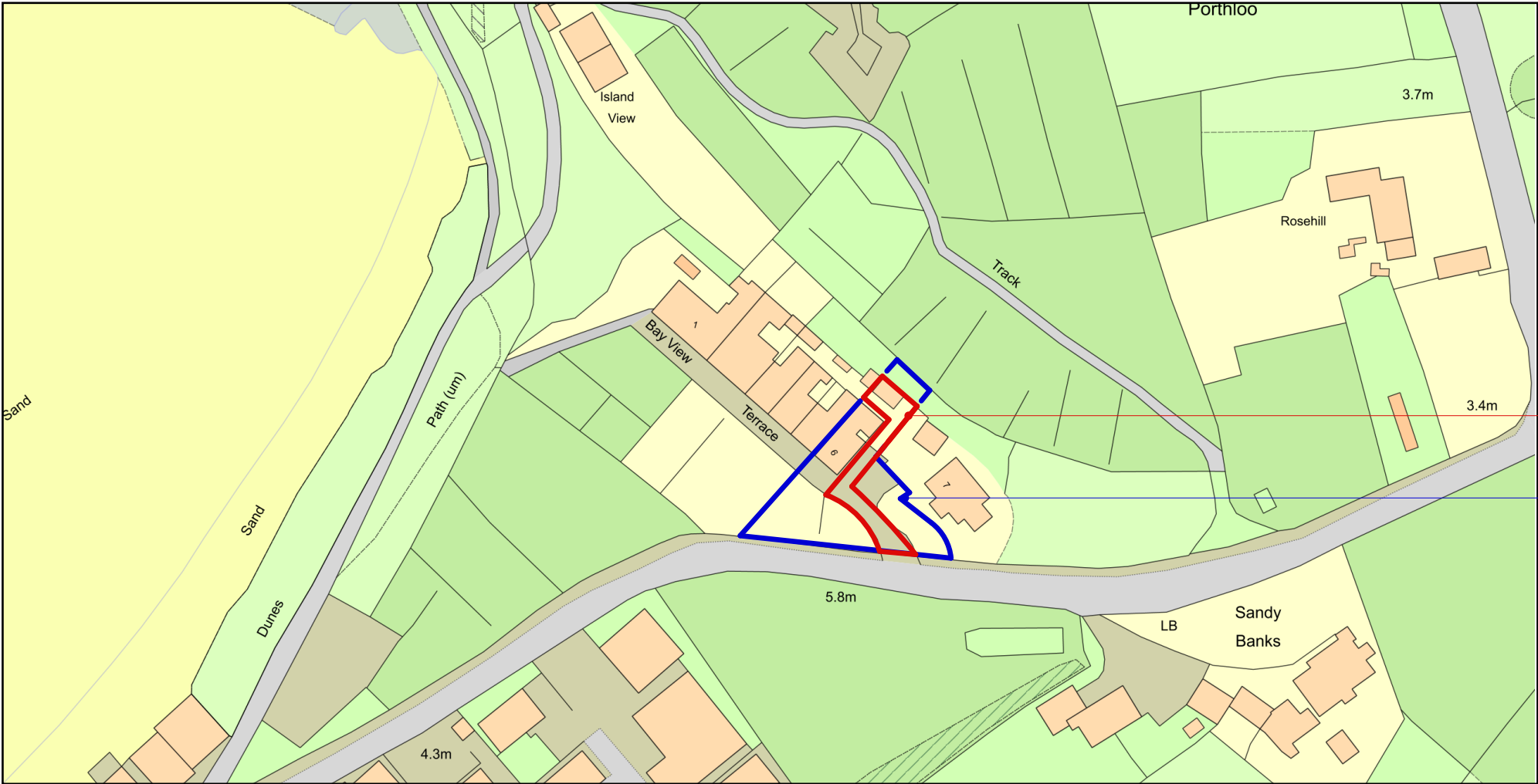
Connections to Utilities

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.

RECEIVED
 By Liv Rickman at 9:43 am, Oct 12, 2022

6 Bayview Terrace, St Mary's



Application site outlined in red

Land also owned by applicant outlined in blue

NOTES

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AMENDMENTS

A Application site revised
 MRB 111022

APPROVED
 By Lisa Walton at 12:29 pm, Dec 15, 2022



Plan Produced for: Mike Bradbury Design
 Date Produced: 14 Jun 2022
 Plan Reference Number: TQRQM22165113547182
 Scale: 1:1250 @ A3
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PLANNING

Studio St Ives
 4 Gabriel Street
 St Ives
 TR26 2LU
 01736 798427

**MIKE BRADBURY
 DESIGN**

PZ

JOB

Reconstruction of Chalet
 at 6 Bayview Terrace
 Portmellon
 St. Mary's
 Isles of Scilly for
 Mike Green & Hannah Barclay

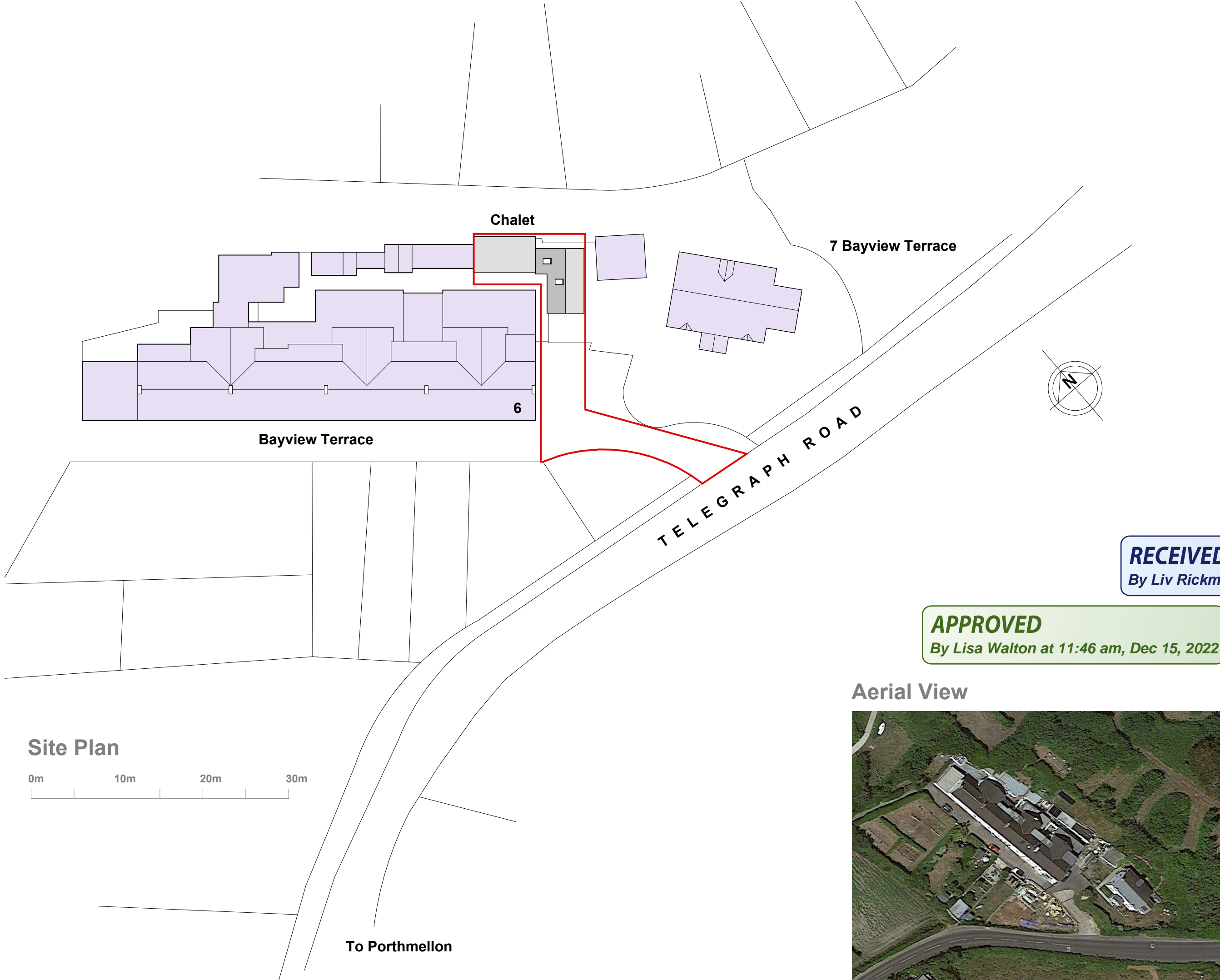
TITLE

Location Plan

DRNG. NO.	REVISION
2018-P01	A

SCALE	DATE
1:625 @ A1	
1:1250 @ A3	June 2022

OFFICE USE / PRE-ISSUE



NOTES

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AMENDMENTS

RECEIVED
By Liv Rickman at 10:41 am, Oct 13, 2022

APPROVED
By Lisa Walton at 11:46 am, Dec 15, 2022

PLANNING

Studio St Ives
4 Gabriel Street
St Ives
TR26 2LU
01736 798427

**MIKE BRADBURY
DESIGN**

PZ

Aerial View



JOB

**Reconstruction of Chalet
at 6 Bayview Terrace
Porthmellon
St.Mary's
Isles of Scilly for
Mike Green & Hannah Barclay**

TITLE

Proposed Site Plan

DRNG. NO. 2018-P07 **REVISION**

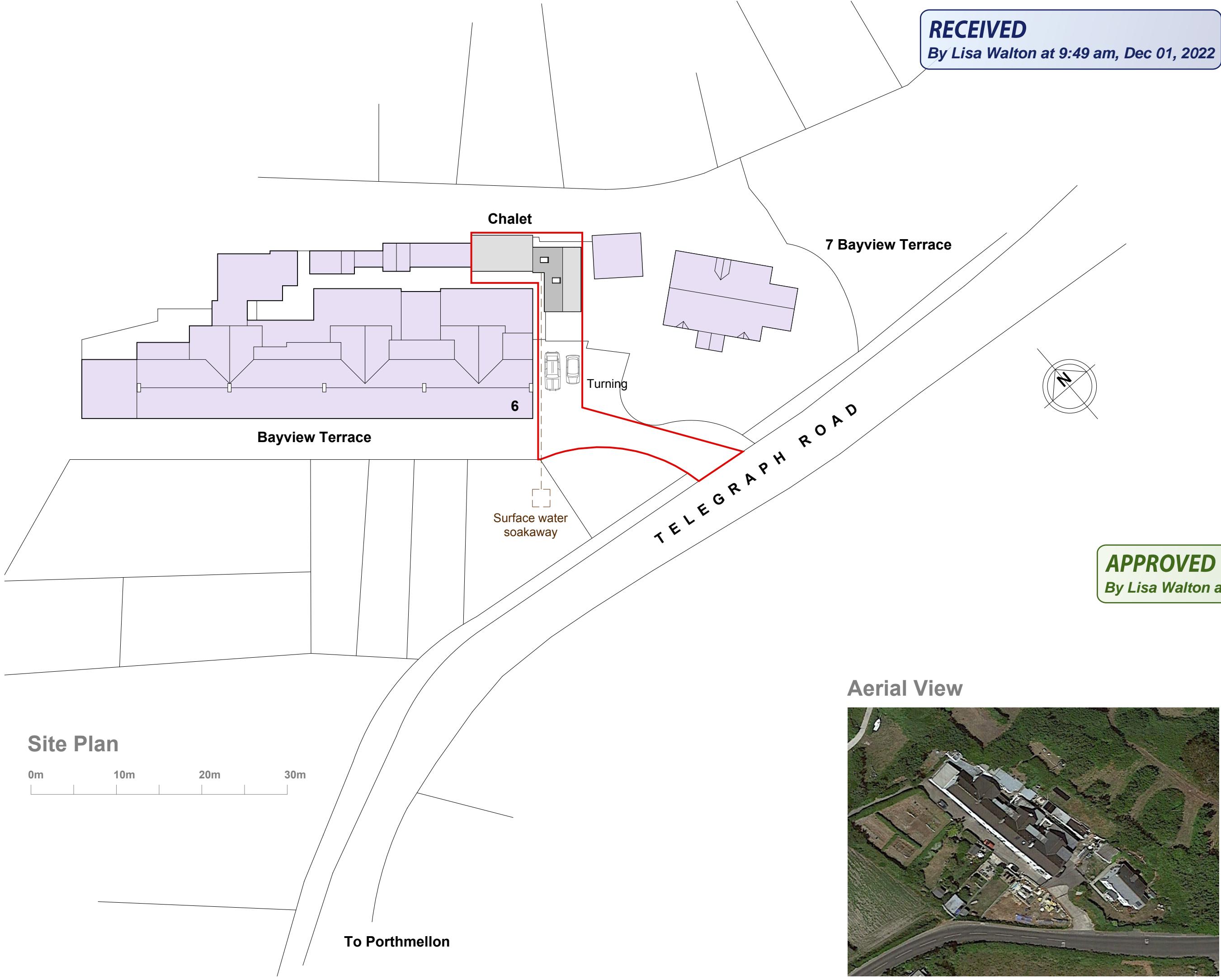
SCALE 1:200 @ A1 1:400 @ A3 **DATE** Oct 2022

OFFICE USE / PRE-ISSUE

RECEIVED
By Lisa Walton at 9:49 am, Dec 01, 2022

- NOTES
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- AMENDMENTS
- A Boundaries updated
 - B Parking and turning shown MRB 251122
 - C Soaway added MB 271122



APPROVED
By Lisa Walton at 12:31 pm, Dec 15, 2022

PLANNING

Studio St Ives
4 Gabriel Street
St Ives
TR26 2LU
01736 798427

**MIKE BRADBURY
DESIGN**

PZ

Aerial View



JOB
**Reconstruction of Chalet
at 6 Bayview Terrace
Porthmellon
St.Mary's
Isles of Scilly for
Mike Green & Hannah Barclay**

TITLE
Proposed Site Plan

DRNG. NO.	REVISION
2018-P07	C

SCALE	DATE
1:200 @ A1 1:400 @ A3	Oct 2022

OFFICE USE / PRE-ISSUE

Building Materials

Roof: Grey fibre-cement slates
 External Walls: Stone grey composite re-cycled cladding to match house
 Windows and doors: Anthracite grey upvc or aluminium
 Rainwater goods: Colour-coated steel Lindab gutters and downpipes



Cladco Stone Grey composite cladding to match house

RECEIVED

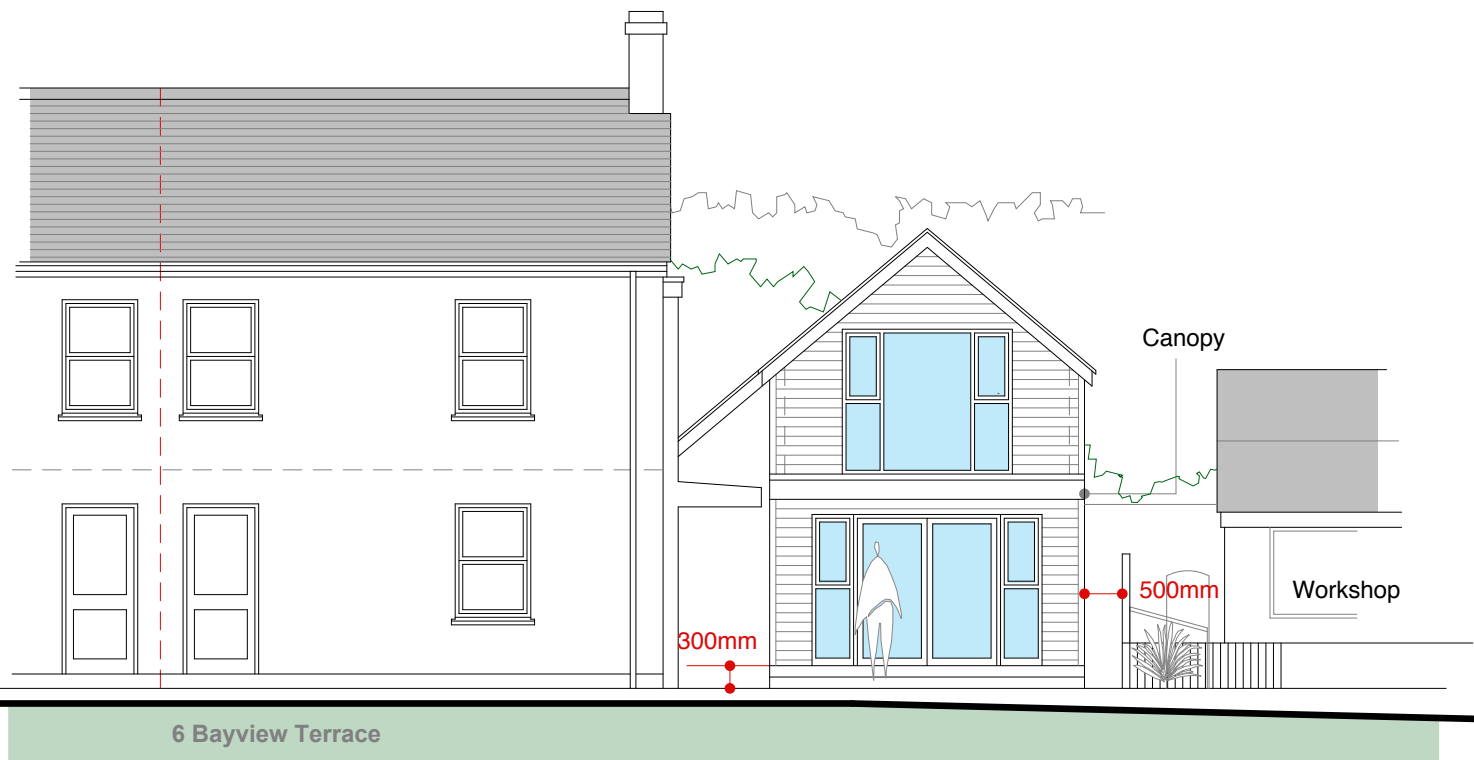
By Lisa Walton at 9:53 am, Dec 01, 2022

APPROVED

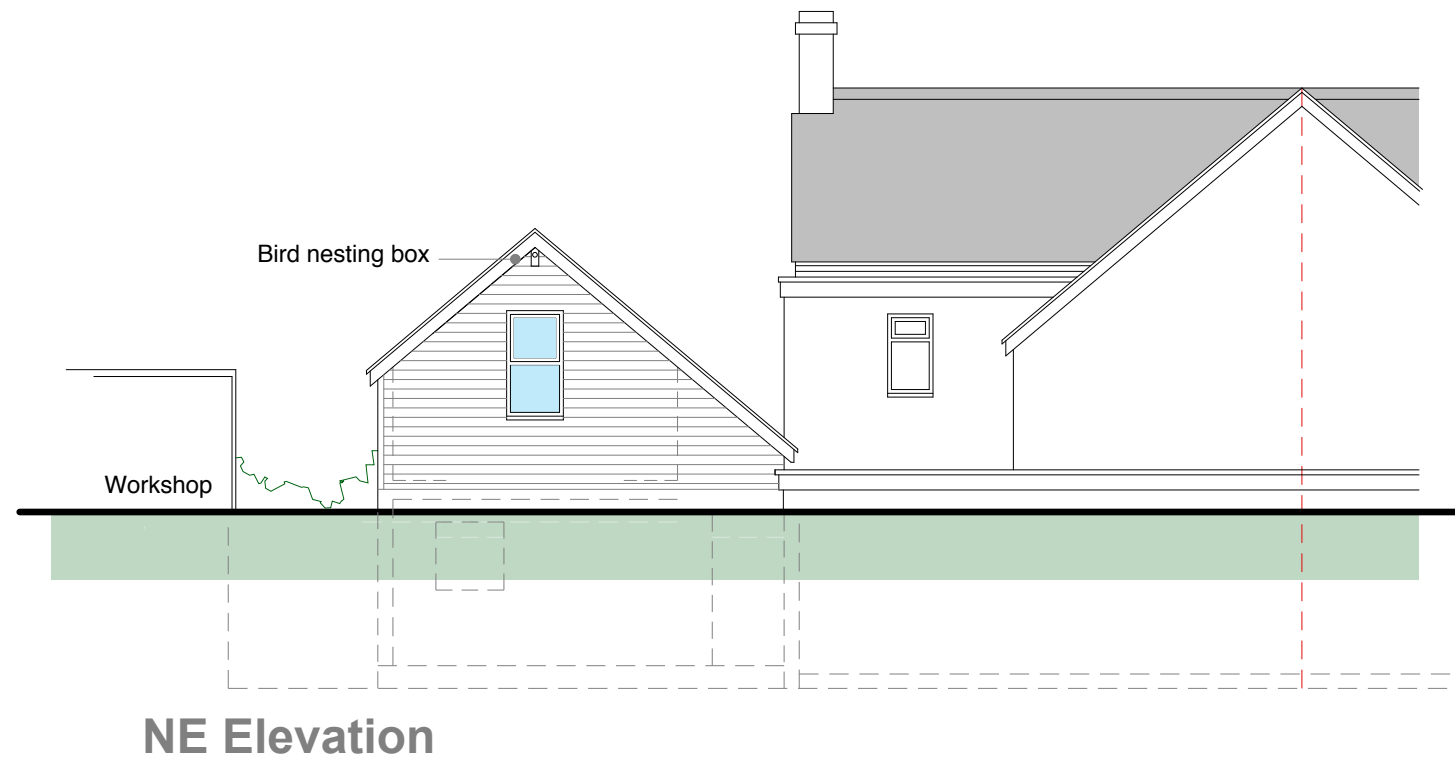
By Lisa Walton at 12:31 pm, Dec 15, 2022

AMENDMENTS

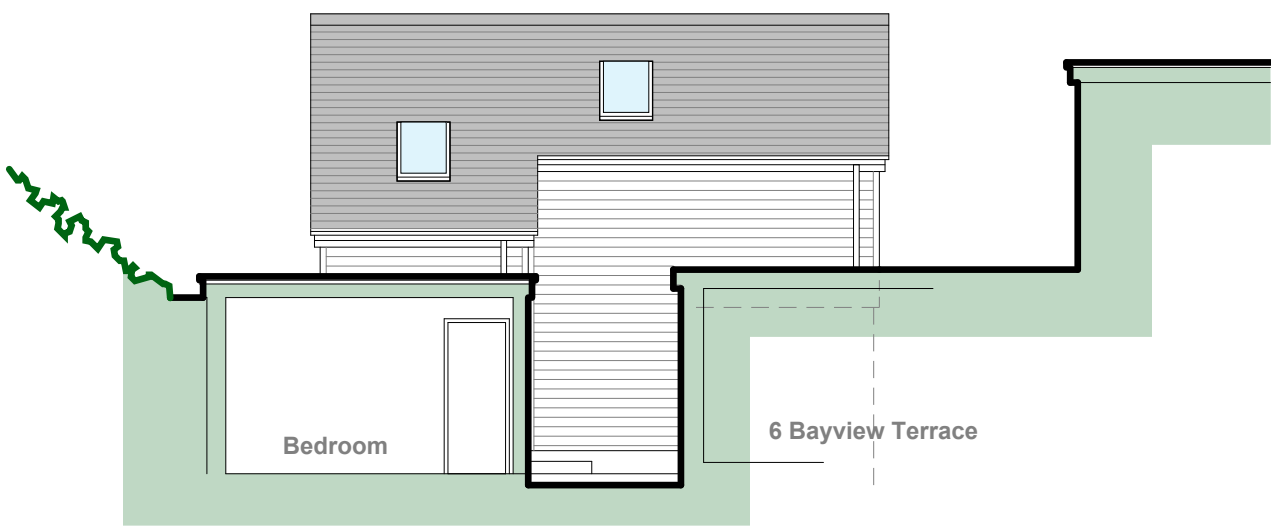
- A Two-storey wing repositioned further from boundary wall MRB 101122
- B Proximity of neighbour's outbuilding to chalet corrected MRB 251122



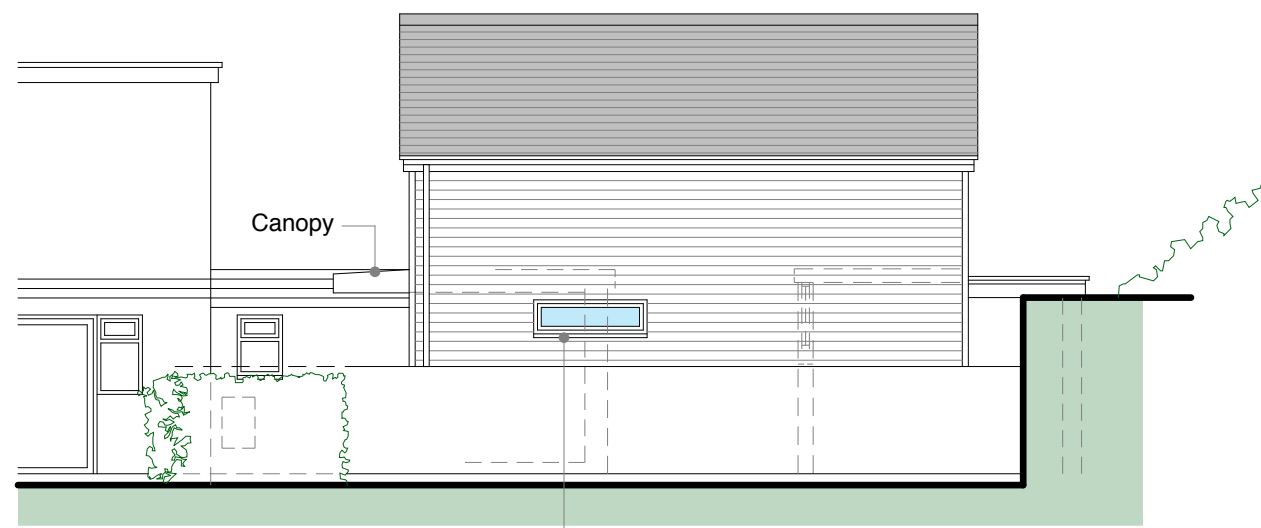
SW Elevation



NE Elevation



NW Elevation



SE Elevation

PLANNING

Studio St Ives
 4 Gabriel Street
 St Ives
 TR26 2LU
 01736 798427

MIKE BRADBURY DESIGN

JOB
Reconstruction of Chalet at 6 Bayview Terrace Portmellon St. Mary's Isles of Scilly for Mike Green & Hannah Barclay

TITLE
Proposed Elevations

DRNG. NO. 2018-P05	REVISION B
SCALE 1:50 @ A1 1:100 @ A3	DATE May 2022

OFFICE USE / PRE-ISSUE

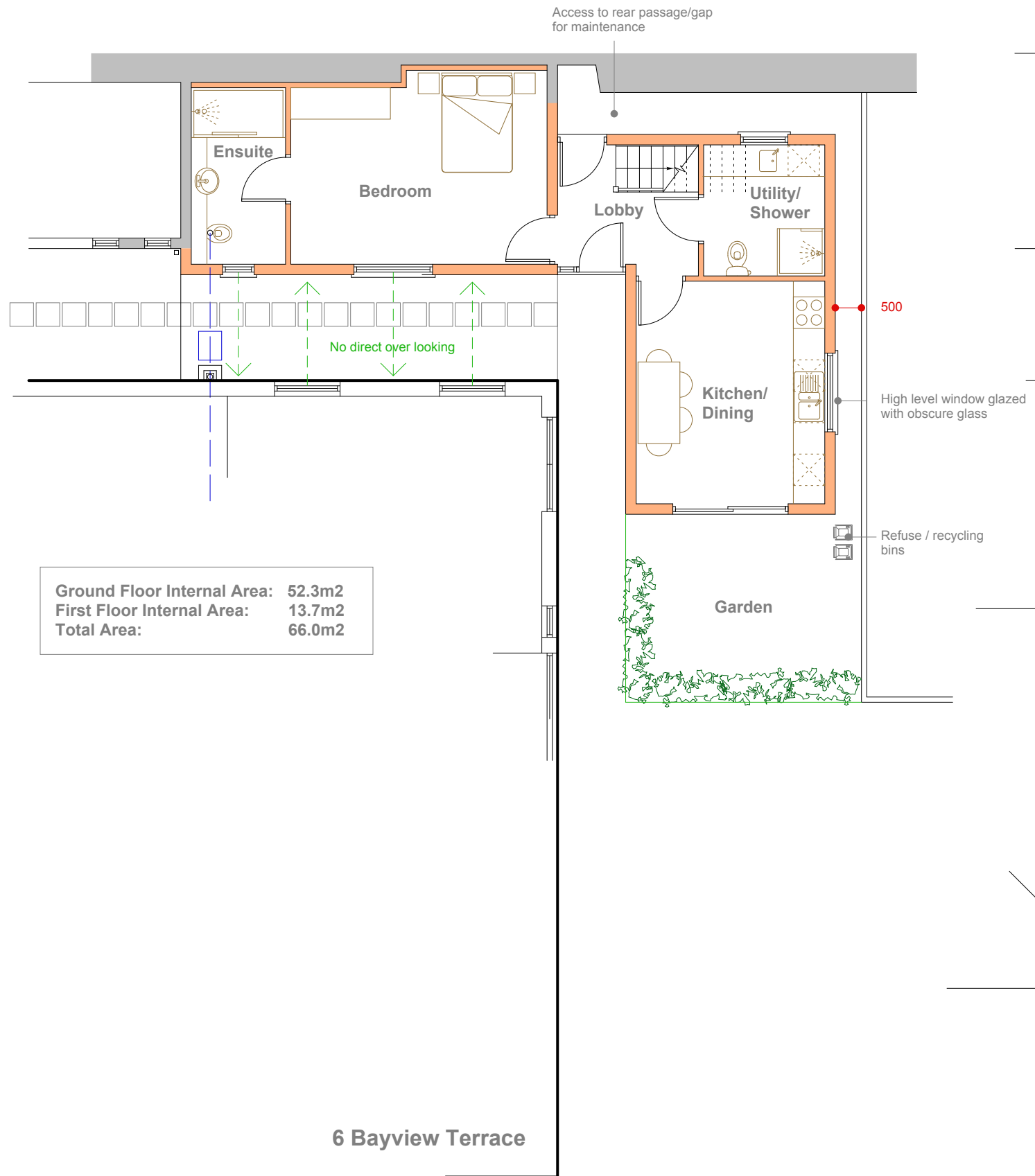
RECEIVED
By Lisa Walton at 11:23 am, Nov 14, 2022

NOTES

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AMENDMENTS

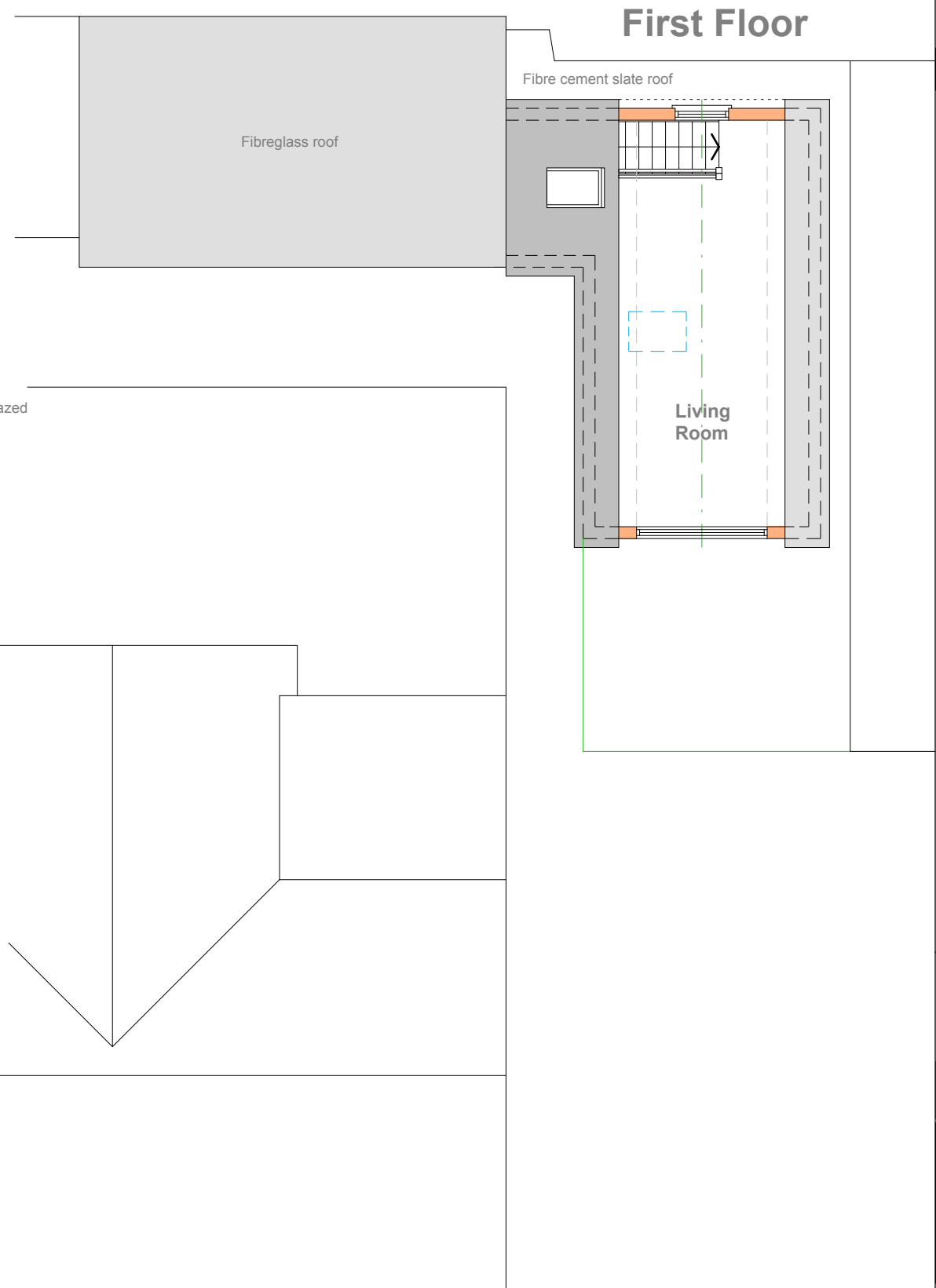
A Two-storey wing repositioned further from boundary wall MRB 101122



Ground Floor Internal Area: 52.3m²
First Floor Internal Area: 13.7m²
Total Area: 66.0m²



Ground Floor



First Floor

PLANNING

Studio St Ives
4 Gabriel Street
St Ives
TR26 2LU
01736 798427

**MIKE BRADBURY
DESIGN**

PZ

JOB

Reconstruction of Chalet
at 6 Bayview Terrace
Portmellon
St.Mary's
Isles of Scilly for
Mike Green & Hannah Barclay

TITLE

Proposed Plans

DRNG. NO.	REVISION
2018-P04	A
SCALE	DATE
1:50 @ A1 1:100 @ A3	May 2022
OFFICE USE / PRE-ISSUE	

APPROVED
By Lisa Walton at 12:34 pm, Dec 15, 2022

Studio St Ives
4 Gabriel Street
St Ives
TR26 2LU
01736 798427

**MIKE BRADBURY
DESIGN**

Contextual Elevation

Scale 1:50 @ A1 / 1:100 @ A3
Drawing number 2018-P06 RevB
July 2022

RECEIVED
By Lisa Walton at 12:02 pm, Nov 25, 2022

APPROVED
By Lisa Walton at 12:35 pm, Dec 15, 2022



PLANNING

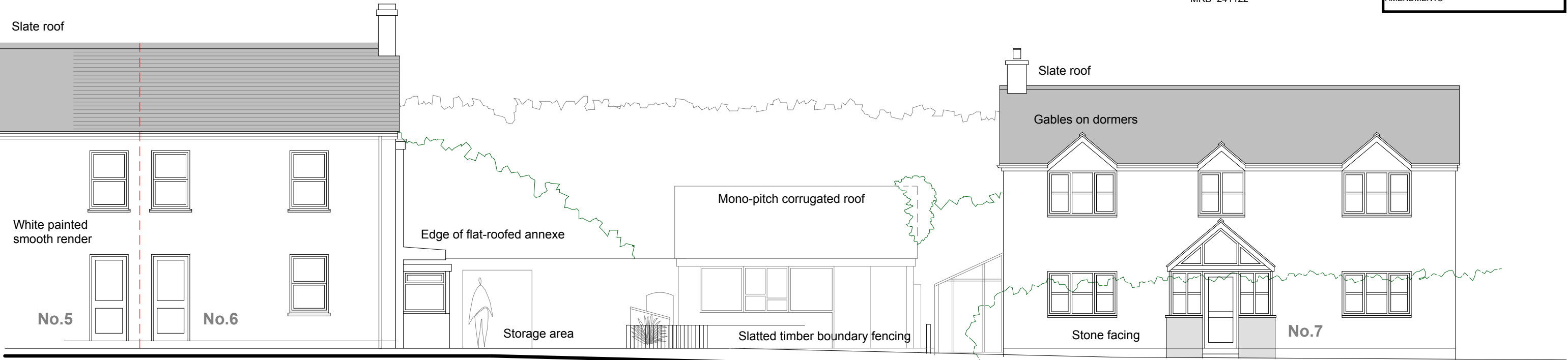
AMENDMENTS

- A Two-storey wing repositioned further from boundary wall
MRB 101122
- B Relationship of houses 6 and 7 adjusted
MRB 241122

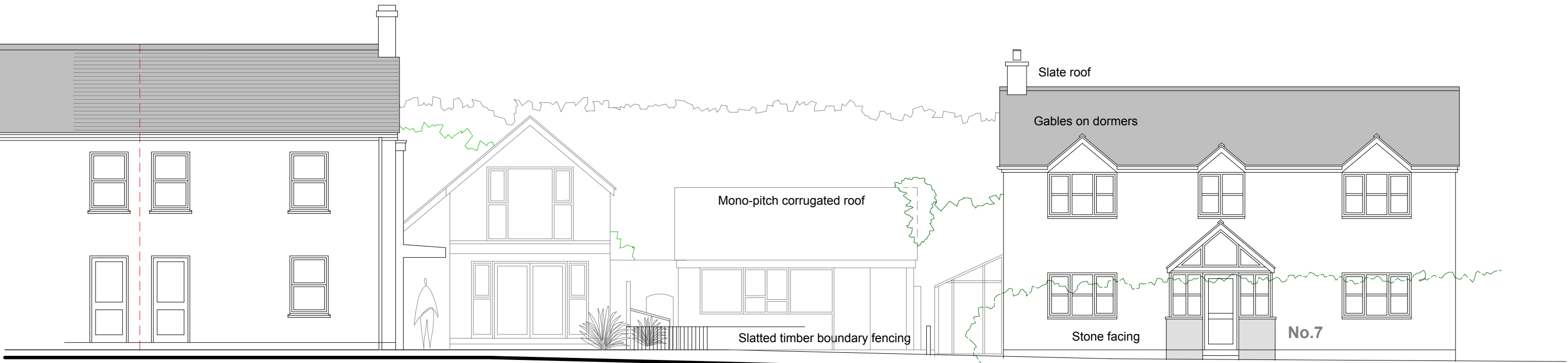
NOTES

- 1 THIS DRAWING IS THE COPYRIGHT OF THE ARCHITECT AND MAY NOT BE REPRODUCED WITHOUT LICENCE
- 2 DO NOT SCALE OFF THIS DRAWING FOR CONSTRUCTION PURPOSES
- 3 ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE BY THE CONTRACTOR BEFORE COMMENCEMENT OF WORK AND ANY DISCREPANCIES REPORTED TO THE ARCHITECT
- 4 NO RESPONSIBILITY CAN BE ACCEPTED FOR ERRORS ARISING ON SITE DUE TO UNAUTHORISED VARIATIONS FROM THE ARCHITECT'S DRAWINGS.

AMENDMENTS



Existing SW Elevation



Proposed SW Elevation

APPROVED

By Lisa Walton at 12:37 pm, Dec 15, 2022

RECEIVED

By Lisa Walton at 9:51 am, Dec 01, 2022

**Re-construction of Chalet at
6 Bayview Terrace
Porthmellon, St.Marys
Isles of Scilly, TR21 0NE
for
Mike Green and Hannah Barclay**

DESIGN AND ACCESS STATEMENT

October 2022

1. Background

Mike Green and Hannah Barclay own number 6 Bayview Terrace overlooking Porthmellon Beach on St.Mary's. The property is on the far right of the aerial photograph below. Their land stretches down to Telegraph Road at the front and includes a strip of the sloping hillside behind the cottage. This land at the rear incorporates a residential chalet in a row of outbuildings that are detached from the main terrace.



The chalet benefits from an established Certificate of Lawful Use as residential accommodation dating back to 2019. The reference number for this is P/19/015/CLE. However, the internal area falls far short of the National minimum space standards for dwellings so there would be a real benefit in re-configuring the chalet to improve living conditions.

This written statement supports a full planning application to extend and alter the chalet to improve these space standards. It follows a Pre-App enquiry to the Isles of Scilly Council in June 2022 and has been informed by the 19 July 2022 Pre-App Report (PA/22/039). It should be read in conjunction with drawings 2018-P01 to P07 inclusive, extracts from which are included in this document.

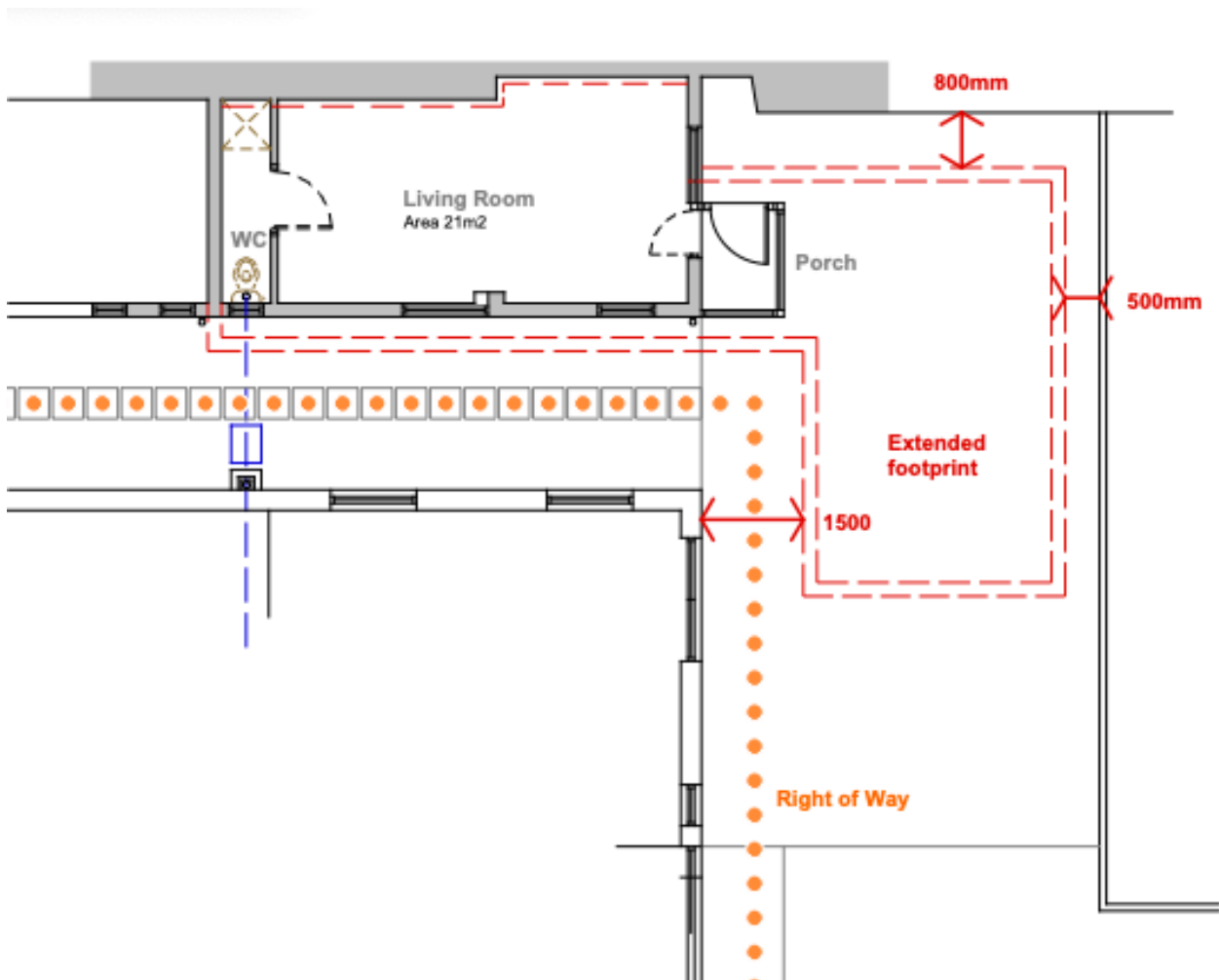
2. Existing Property

The existing chalet is a single storey flat-roofed building constructed from single-skin concrete blockwork. Unlike the main terrace of six houses, the row of flat-roofed outbuildings at the back of the houses have no real architectural value. They nestle into the hillside with the rear wall of the main living space also serving as a retaining wall. Internally, there is a small entrance lobby, a large open-plan living space and a former shower room and toilet to the rear.



As the top photo above shows, there is a wide pathway separating the chalet from the back of 6 Bayview Terrace.

The internal floor area of the chalet measures 23m². This is well below the National Space Standards for housing that stipulate that single bedroom homes should have a minimum of 50 - 58m² of accommodation (also see Design Brief section below). The floor plan on the following page was submitted to the Isles of Scilly Council with a 'Pre-App enquiry' and illustrates the cramped existing internal space. The red dotted lines show the intended increase in footprint.



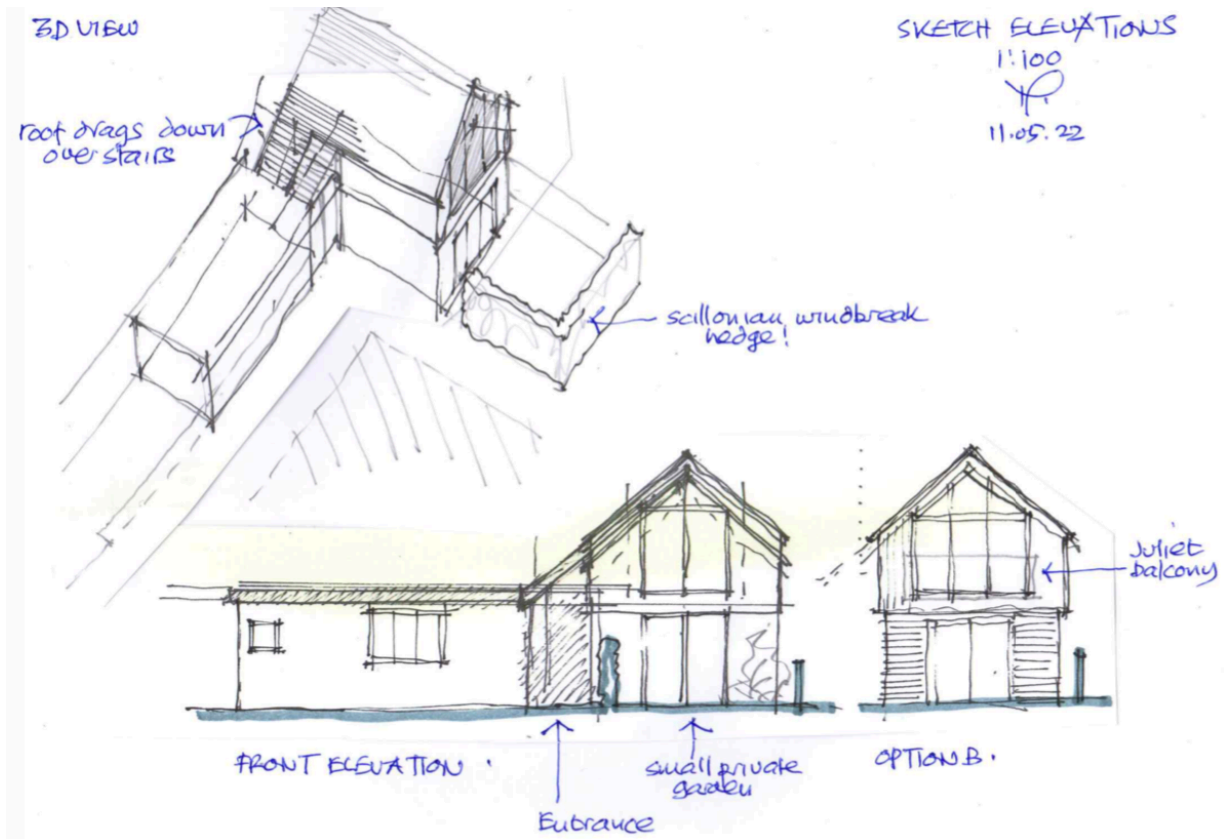
Above: Existing floor plan with intended layout Indicated in red

3. Pre-App Planning Enquiry

In June 2022, sketch designs for a 2-storey chalet were submitted to the Council's Planning Department for pre-planning submission advice (Ref PA/22/039). The enquiry was dealt with by Lisa Walton who gave an informative and generally positive report. The main outcomes of the planning advice can be summarised as:

- Visual Impact: The planning submission would need to demonstrate that there is no adverse impact on privacy or amenity of existing properties
- Scale / Standard of Accommodation: These should meet Nationally Described Space Standards or improve on them by no more than 30%
- Enhancing the Conservation Area: The relationship with the existing terrace should be carefully considered and the wider Conservation Area. 'Scale, design, orientation and materials' are key issues
- Building Regulations: Can the chalet designs meet prescribed standards?
- Rights of Way: Existing rights enjoyed by neighbouring properties should be preserved
- Flood Risk: Although the site is not susceptible to flooding, risks should be considered
- Sustainability: Sustainable Design Measures should be incorporated
- Waste Management: Management of waste should be controlled through a Site Waste Management Plan
- Water usage and Drainage: Detailed designs must ensure that water usage is limited to 110 litres per person per day. Mains drainage should be utilised if possible

- Historic Environment: Impact on nearby monuments (such as Harry's Walls) or archaeology should be considered, and any relevant Historic Environment Records should be checked
- Ecology: As the project involves works to an existing building, a bat survey will be required



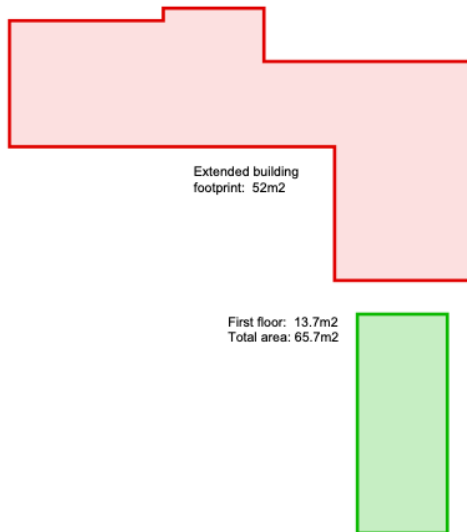
Above: Sketch Designs submitted to the Isles of Scilly Council in June 2022 with a pre-app enquiry

4. Design Brief

The objective is to extend and upgrade the existing chalet to provide a sustainable, low energy accommodation, meeting or exceeding current Building Regulations standards. A number of site constraints were identified at the outset that influence the design possibilities. For example, a right of way exists from the back of neighbouring properties in the terrace around the gable of 6 Bayview Terrace. This pedestrian access clearly needs to be preserved. A development 'plot' exists in the existing courtyard, but a decision was taken to inset any extension slightly from the boundary with 7 Bayview Terrace. At the back of the chalet site there is an existing retaining wall and it is clearly sensible to avoid building right up to this. The front of the extension cannot extend too far as this could have an impact on daylight entering the patio doors of the 1970's house extension. As a result of the footprint constraints it quickly became apparent that the new designs should include some first-floor accommodation.

National housing standards specify a minimum area of 58m² + storage (say 60m²) for two storey dwellings, well in excess of the existing 23m² (including the lobby and toilet). Mike and Hannah felt that this minimum level of accommodation would meet their needs perfectly. As the 'plot' for the extension faces South, the prime spaces in an extension should be devoted to the

new living areas. The kitchen / dining space should ideally be located at the ground floor with access to a small garden. A living room above in room-in-the-roof space would have good views towards Hugh Town and the surrounding landscape. The current living space in the flat-roofed chalet overlooks the shared pathway and would be suitable for a bedroom. The existing shower room at the far end is already connected to mains drainage so this is the perfect location for an en-suite bathroom. The final design requirement was for a utility room with shower on the ground floor.



Above: Initial spatial analysis of chalet. Finished designs have slightly improved accommodation to 66m²

5. Proposed Designs

Extracts from the planning drawings are included in this report. The plan below shows the new construction work coloured in orange and the relationship with the existing end-of-terrace house. The extension creates an 'L' shaped chalet with the entrance at the end of the existing footpath in the corner of the building. This produces a very efficient plan-form with minimal internal circulation.



The lobby leads into the ground floor kitchen dining space to the right, the double bedroom to the left within the existing building and also the utility / laundry room. There is a back door providing access to the external lightwell for maintenance of the rear garden retaining wall. There is also a staircase leading to the first floor and access to a small under-stair cupboard.

The staircase arrives in the perfect position upstairs, directly below the ridge of the vaulted pitched roof where there is maximum headroom. The entire upper floor is seen as a quiet living space with a main picture window facing the harbour, and a smaller glimpse window looking back to the green bank behind the chalet.

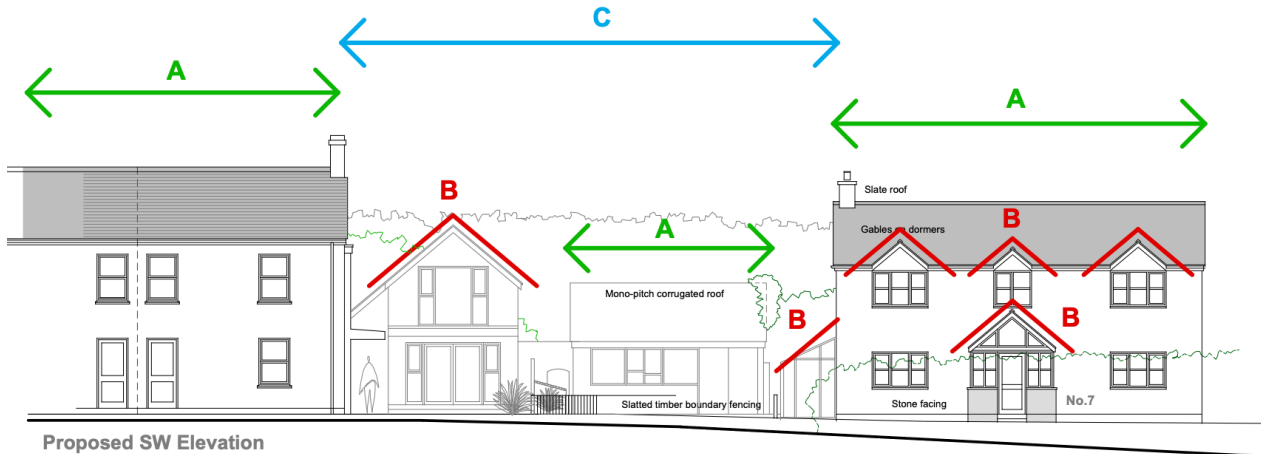


The proposed elevations show the three-dimensional form of the extended chalet with a pitched roof spanning from side to side of the two-storey element. This is the practical way to construct the roof using the shortest wall-to-wall span and keeping the ridge height as low as possible. The traditional roof pitch at 40 degrees is similar to that on the existing terrace. The proposed external wall finishes are grey horizontal composite weather boarding for the external walls and grey fibre-cement tiles for the pitched roof. The weather boarding will match the 'Cladco' cladding on the rear extension to no.6 and a stock of existing roof tiles will be used for the pitched roof, avoiding the need to import roofing materials from the mainland. The existing extended flat roof hidden from public view behind the terrace will be finished in grey liquid applied fibreglass.

The front-facing gable of the extension was questioned at pre-app stage and it was suggested that this element of the design should be explained in a Design Statement. To help to illustrate the design logic a contextual elevation has been prepared to show the chalet sitting next to its' neighbours. The diagram on the following page shows the long ridge lines of the main terrace and neighbouring detached house running parallel with the front elevation (A). Both of these buildings have pitched gable ends – there is not a hipped roof in sight! The gable on the new extension has been rotated through 90 degrees to face the front elevation (B). This reflects pitched roof dormers and entrance porch on no.7 Bayview next door. These features were

deemed to be acceptable in 2009 when Terry Hiron designed the new house and obtained planning permission.

The drawing below shows that there is a clear break of approximately 15.6 metres between the terrace and the new detached house (C). These buildings are clearly the dominant architectural forms and neither the new chalet nor the mono-pitched roof workshop detract from them. The fact that both structures are set back from the main houses also helps to preserve the character of the host buildings.



6. Other Planning Considerations

Impact on Conservation Area: The extended chalet will have a negligible impact on the wider Conservation Area. Telegraph Road is the obvious vantage point running in front of Bayview Terrace. The photo below shows the end of the terrace and neighbouring house from the centre of the main road in front of the application site.



From here the tall Scillonian boundary hedge obscures the ground floor of both properties so only the roofscape and upper storeys are really visible. The top of the neighbour's workshop is

scarcely visible behind the hedge (orange dotted line). The top of the gable roof of the chalet will just nudge above the hedge-line but it will hardly be a prominent feature. It is also worth noting that it will sit well below the skyline of trees on the tall bank to the North of the properties.

Building Regulations: The new element of the extension will fully comply with the latest edition of the Building Regulations. Where the existing structure is to be retained it will be upgraded. For example, uninsulated concrete block walls will be tanked internally and lined with an inner insulated wall. Insulation will also be introduced for the first time on top of the concrete ground floor and the flat roof will be upgraded to a compliant 'warm roof' by adding PIR insulation board to the top decking. A full Building Regulations application will be submitted to Cornwall Council Building Control in due course once the planning application has been processed.

Rights of Way: Before submitting this application, Mike and Hannah carefully checked their deeds and Duchy of Cornwall records. Rights of way run in front of the terrace over their land, and also around the rear. The latter right of way is shown on the existing plan in section 2 of this report. These rights have informed the design process and we confirm that they will be uninterrupted as a result of this planning development. During the course of construction, the rights of way will be maintained and made safe at all times.



Above: View from Western end of Bayview Terrace showing the right of way in front of the houses that must be preserved

Flood Risk: The Pre-App report notes that 'Although close to land that does flood, it does not appear that the site is susceptible to flood risks'. The government website dealing with flood risks states that 6 Bayview Terrace is at 'very low risk' from either the rivers and sea or surface water. The Isles of Scilly Interactive Map provides the most detailed information on potential flooding. The extract from the map on the following page clearly shows Bayview Terrace sitting outside the blue shaded 'St.Mary's Flood Prone Land'. The elevated position clearly puts the entire terrace and outbuildings at an advantage. Despite this it is proposed that the ground floor of the new chalet is slightly elevated at 300mm above surrounding natural ground level.

Tudor Fort (see extract from Register Plan below). The structure, now heavily robbed of its dressed stone dates back to 1551. Behind the fort, a standing stone is clearly marked on the historic maps. The southern point of the fort is approximately 80 metres from the application site. It is also significantly higher than the chalet and completely hidden from view by the hillside, existing trees and shrubs and the gardens that separate the old and new constructions. The row of outbuildings also serves as a physical barrier so there is no possibility that the proposals can have an impact on this historic site. In terms of archaeology, a planning condition is welcomed stipulating that a programme of archaeological monitoring should be put in place before any excavations are carried out.



Above: Extract from historic Register Plan

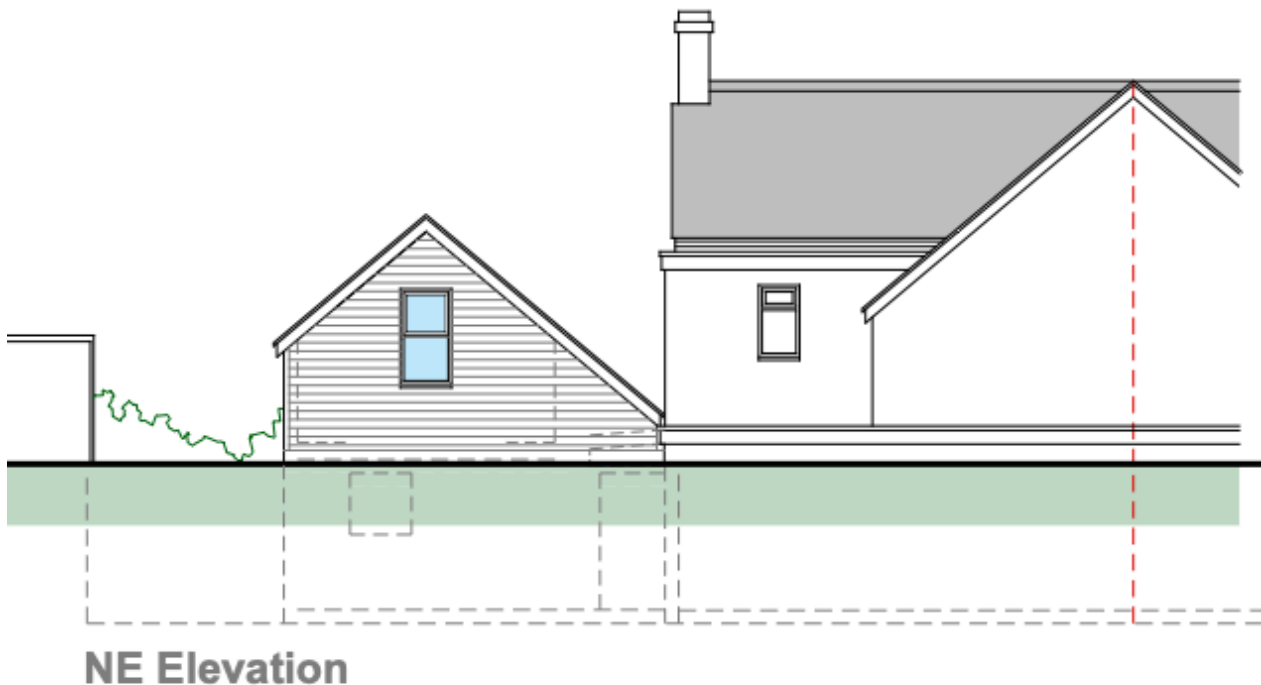
Ecology: A Preliminary Roost Assessment has already been carried out by James Faulconbridge of IOS Ecology. His report is included with the planning application pack. In the executive summary section, it explains that there is negligible potential in the existing structures for use by bats and that no further surveys are recommended. The report did, however, identify nesting sparrows and recommended that replacement nesting boxes are incorporated in the new project. These are shown on the application drawings. If any work is undertaken in the nesting season the contractors are to ensure that nesting birds are not disturbed.

7. Access

The majority of the chalet is at ground level with only the upper floor living space at first floor reached by a straight staircase. The increase in floor space will transform the current very cramped accommodation. Internally it will therefore be a much more accessible building. The utility room has an outward opening door so it will classify as an accessible toilet under Part M of the Building Regulations. New doorways will be wide enough to accommodate a wheelchair. Large windows will floor the property with natural light in the daytime making it suitable for anyone who is visually impaired. The location of the chalet is also good – close to the main house and a short walk from the town centre.

8. Summary

The Pre-App report acknowledges that the chalet benefits from a Certificate of Lawful Use so this project does not involve a net gain in residential accommodation. Designs have been carefully prepared in close collaboration between the applicants and their architect. The result is a well-considered design for a re-modelled property that will make a positive contribution to the immediate neighbourhood and Conservation Area. Feedback from the Isles of Scilly Council Planning Department has been taken into account and has informed this planning application.



Rear view showing back gable – extract from drawing number 2018-P05

Michael R Bradbury RIBA
Mike Bradbury Design
Studio St.Ives
4 Gabriel Street, St.Ives, TR26 2LU
Tel 01736 798427 / 07968 824045

06 October 2022
(Revised 12 October and 25 November 2022)

RECEIVED

By Liv Rickman at 11:22 am, Oct 10, 2022

PRELIMINARY ROOST ASSESSMENT (PRA)

6 BAY VIEW TERRACE, PORTHMELLON, ST MARY'S,
ISLES OF SCILLY

APPROVED

By Lisa Walton at 12:36 pm, Dec 15, 2022



Client: Hannah Barclay

Our reference: 2021/01

Planning reference: Planning Application not submitted at the time of writing.

Report date: 5th August 2021

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 of the structures by bats. This assessment relates solely to the roof structures identified by the client as those subject to a Planning Application as detailed in Appendix 1.

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 edition.¹

Bats – Further Survey Requirements

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

Bats – Recommendations

It is not recommended that any Planning Conditions are required with regards to bats in relation to the proposed renovation works assessed in this report.

Standard good practice and vigilance should be observed by the contractors undertaking the renovation works in acknowledgement that bats are transient in their use of roosting opportunities and may explore potential locations. This may include opportunities created as a result of renovation or construction works. Recommendations to ensure legislative compliance are provided in Appendix 2.

Nesting Birds – Results and Findings

The survey identified nesting sparrows within structures which may be affected by proposed renovation works and further potential for common bird species to use additional features.

Nesting Birds - Recommendations

In order to ensure legislative compliance, the contractors undertaking the works must ensure that nesting birds are not disturbed in accordance with requirements under the Wildlife and Countryside Act (1981)². Observation of the recommendations provided in Appendix 3 will ensure this.

It is the responsibility of the contractors undertaking the works to ensure legislative compliance with regards to nesting birds – it is not recommended that Planning Conditions or other mechanisms are required to support this.

Replacement nest boxes are recommended – these should be tailored to the species identified.

Other Ecological Receptors

No further ecological impacts relevant to planning are identified.

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

² HMSO (1981). Wildlife and Countryside Act 1981 (as amended). HMSO, London.

APPENDIX 1 – PRELIMINARY ROOST ASSESSMENT (PRA)

Planning Authority: Isles of Scilly	Grid reference: SV 90969 10798	Planning Application ref: Not submitted at the time of writing.
Planning application address: 6 Bay View Terrace, Porthmellon, St Mary's, Isles of Scilly		
Proposed development: The proposed works were identified by the client on site at the time of survey. These involve: <ol style="list-style-type: none"> 1) The renovation of a chalet to the rear of the property including replacement of the existing flat roof; 2) The replacement of the flat roof over the garage which is attached to the residential property on the north-eastern aspect; 3) The replacement of the roof on the existing flat-roof dormer bathroom on the eastern aspect of the property including tying into the adjacent pitched roof. 		
Building references: The elements of the building referred to in this report are illustrated in the plans provided in Appendix 4. These are the Chalet , the Garage and the Bathroom Dormer .		
Name and licence number of bat-workers carrying out survey: James Faulconbridge (2015-12724-CLS-CLS)		
Preliminary Roost Assessment date: The visual Inspection was undertaken on 3 rd August 2021 in accordance with relevant Best Practice methodology ³ .		
Local and Landscape Setting: 6 Bay View Terrace is situated at the end of a terraced row of six residential properties built circa 1900. They are located at the north-eastern edge of Porthmellon with Harry's Walls and open countryside to the east and Lower Moors SSSI to the south. The property is close to the coastline with the dunes above Porthmellon Beach lying less than 100m to the north-west. The location of the site on the boundary between the developed residential areas of Porthmellon and Hugh Town to the west; and the more open countryside which lies beyond these conurbations to the south and east would represent a suitable location for roosting bats. Several common pipistrelle roosts are known in Hugh Town and Porthmellon, the closest being situated 370m to the south-west.		
Building Description(s): Three discrete elements of the property were identified as subject to the Planning Application by the client. All areas identified were assessed during the PRA and are described individually.		

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

CHALET	<p>The chalet is a breeze-block structure situated to the rear of the main residential property. It has single-skin walls and a flat, bitumen felted roof. There is a small uPVC porch area at the entrance and uPVC windows continue throughout the building – all of these features are tightly fitted. The walls are rendered externally – this is in good condition providing an effective seal to the breeze block walls. The breeze blocks are exposed internally with no plasterboard remaining.</p> <p>The roof is supported by timber battens – these are exposed internally with no ceiling void. Chipboard is visible above the timbers and the felting is laid directly onto this offering no voids or gaps associated with the structure. The felting is tightly lapped over the eaves offering no roosting opportunities at this location.</p> <p>There is potential access for bats or birds to enter the building through a hole in the wall close to the eaves in the bathroom, or through open windows. Internally there are suitable niches for use by nesting birds including ledges. Potential roosting opportunities for bats entering through openings would be restricted to free-hanging from the timbers, or minor discreet gaps between the wall plate and the timber above. These gaps are occasional and were all well-cobwebbed showing no evidence of occupation at the time of survey.</p> <p>The chalet was stripped bare of fittings and internal decoration at the time of survey and was unused, awaiting renovation. A full inspection for signs of bat occupation including droppings or feeding remains identified no evidence of current or historic presence.</p>
GARAGE	<p>The garage is a single-story construction attached to the main residential property on the north-eastern aspect. It is a twin-skinned breeze block construction with no insulation in the void between the blocks. It has a flat, bitumen felted roof. There is no external door fitted at present with the void partially filled allowing free access above. uPVC windows are present on the north-eastern aspect - these are tightly fitted.</p> <p>The walls are rendered externally – this is in good condition providing an effective seal to the breeze block walls which are exposed internally. The void between the blocks is accessible where the door has been removed, but this is open at the top internally which both minimises its suitability as a roosting opportunity (offering no apex niches) and ensures that in the unlikely event of bats accessing this temporarily exposed void, there is no risk of entombment.</p> <p>The roof is supported by timber battens – these are exposed internally with no ceiling void. Chipboard is visible above the timbers and the felt is laid directly onto this offering no voids or gaps associated with the structure. The felting is tightly lapped over the eaves offering no roosting opportunities.</p> <p>There is potential access for bats or birds to enter the building through the missing garage door at present. Internally there are suitable niches for use by nesting birds. Potential roosting opportunities for bats entering through openings are restricted to free-hanging from the timbers.</p> <p>The garage remained in use for storage at the time of survey. A full inspection for signs of bat occupation including droppings or feeding remains identified no evidence.</p> <p>A fibreglass roof connecting the garage to the main dwelling was also inspected – no potential features suitable for use by roosting bats or nesting birds associated with this element of the construction were identified.</p>

DORMER BATHROOM	<p>The dormer provides an upstairs bathroom and is located on the eastern aspect of the property. The two walls adjacent to the property comprise the exterior walls of the main dwelling whilst the remaining two walls which face externally are constructed from timber frames with membrane and a timber cladding externally. The external cladding is well-fitted thereby offering no voids between the cladding and the membrane. Where the dormer abuts the residential property to the north-west, there is a small retaining wall sealed with fibreglass and a gully where it meets the pitch of the adjacent roof.</p> <p>There is a well-fitted fibreglass roof which has a gentle single pitch. The roof is supported by timber battens – these are exposed internally with no ceiling void. Chipboard is visible above the timbers and the fibreglass is laid directly onto this offering no voids or gaps associated with the structure. The fibreglass is tightly lapped over the eaves offering no roosting opportunities associated with this area.</p> <p>The proposals involve tying the new structure into the existing roof of the residential property; therefore this roof was included within the assessment to fully assess potential impacts. The roof of the main dwelling is open internally due to ongoing renovation works and the felting upon which the tiles are placed can be seen – no loft void or other cavity is present. The slate tiles are very well fitted offering no access beneath. There are no potential access points beneath the tiles from the eaves – these are well fitted and guttering further blocks any potential access to these.</p> <p>The proposals will also involve the replacement of soffits along the north-eastern aspect of the residential property. Sparrows were observed accessing a hole in this soffit in a manner which indicates an active nest at the time of survey. This use by nesting birds close to the entrance would make it highly unlikely for bats to use this feature.</p>
<p>Survey Limitations</p> <p>There were no limitations on access or visibility which would affect the results of the survey.</p>	
<p>Assessment of Potential for use by Roosting Bats</p> <p>It is considered that the chalet, garage and dormer bathroom all provide negligible potential for use by roosting bats.</p> <p>Those aspects of the retained main dwelling which would be affected by the works to the dormer bathroom, namely the slate-tiled roof and soffits, are also considered to provide negligible potential for use by roosting bats.</p>	
<p>Assessment of Potential for use by Nesting Birds</p> <p>It is considered that the openly accessible interiors of the chalet, and to a lesser extent the garage, provide potential nesting habitat for common bird species, though no current or historic nests were identified at the time of survey.</p> <p>The dormer bathroom itself offers no nesting opportunities for common bird species, though a sparrow nest was identified in the adjacent soffit which it is understood would be affected by the proposals.</p>	
<p>Recommendations and Justification (Bats):</p> <p>No further surveys are recommended – the conclusion of negligible potential does not require any further information with regards to bats in order to inform a planning application.</p> <p>It is not recommended that any Planning Conditions are required with regards to bats in relation to the works affecting the structures identified by the client as those subject to a Planning Application.</p>	

Standard good practice and vigilance should be observed by the contractors undertaking the renovation works in acknowledgement that bats are transient in their use of roosting opportunities and may explore potential locations. This may include opportunities created as a result of renovation or construction works or opportunities within the soffit box if the sparrows cease to nest within this feature. Recommendations to ensure legislative compliance are provided in Appendix 2.

Recommendations and Justification (Birds):

In order to ensure legislative compliance, the contractors undertaking the works must ensure that nesting birds are not disturbed in accordance with requirements under the Wildlife and Countryside Act (1981). Observation of the recommendations provided in Appendix 3 will ensure this.

It is the responsibility of the contractors undertaking the works to ensure legislative compliance with regards to nesting birds – it is not recommended that Planning Conditions or other mechanisms are required to support this.

As the proposals will result in the loss of a confirmed nest site for sparrows, it is recommended that mitigation measures to replace lost nesting features are incorporated into the design. House sparrows nest communally and nest boxes should accommodate this, either through the installation of a single purpose-built nest box comprising several individual chambers with separate entrances, or the installation of 3+ nest boxes in close proximity. These should be mounted on the wall of the house if possible, at a height of at least 3m above the ground with an entrance clear of vegetation/other features which may put them at risk of predation from cats. Boxes can be sourced online, or can be constructed on site using methodology and specifications provided by the RSPB (<https://www.rspb.org.uk/get-involved/activities/give-nature-a-home-in-your-garden/garden-activities/createasparrowstreet/>)

Signed by bat worker(s):

Date: 5th August 2021



APPENDIX 2

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PRECAUTIONARY METHOD STATEMENT WITH REGARDS TO BATS

The purpose of this Method Statement is to ensure that renovation 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 renovation 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 given building structures:

If the nesting sparrows vacate the soffit box, there is a low potential for bats to find roosting opportunities within this structure throughout the year. It should be removed carefully by hand such that in the unlikely event of bats being present, they are identified before they are harmed.

There is a negligible potential for bats to find roosting opportunities on top of the wall plate in the chalet. Any roosting opportunities, if present, would be between the blockwork and attached timbers. These timbers should be removed carefully by hand such that, in the unlikely event of bats being present, they are identified before they are harmed.

No potential roosting opportunities were identified associated with the dormer bathroom or garage.

Contractors should be aware of **the process to follow in the 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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METHOD STATEMENT WITH REGARDS TO BREEDING BIRDS

Timing of Works

The most reliable means of ensuring nesting birds are not impacted by the works is for renovation works to be conducted outside the bird breeding season of March to September inclusive. Renovation works can be undertaken outside of the breeding season, March to September inclusive, without constraint.

In the specific situation of 6 Bay View Terrace, the only location where this timing is strongly recommended is in the case of the soffit box where an active sparrow nest was identified at the time of survey. No other evidence of active or historic nests were identified associated with the proposed renovation works.

Works Undertaken during the Breeding Season

If renovation works proceed during the breeding season, a nesting bird survey would need to be carried out by a suitably qualified person prior to clearance.

In the case of the soffit, careful observation would be required to ensure that the parent birds are no longer visiting the nest and provisioning the young.

In the case of the garage and chalet, it is recommended that the internal ledges and niches within the buildings are carefully inspected before the roof is removed if undertaken during the nesting season. Nests are only protected if they are active (i.e. being used to rear young) or in the process of being built.

- Where active nests are identified, works affecting these must be delayed until the chicks have fledged the nest.
- Once it is confirmed that nests are absent or no longer active, the relevant features should be dismantled carefully and by hand as a precaution.

APPENDIX 4

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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 – Illustrating the discrete elements of the property surveyed. The **Chalet** is shown in red; the **Garage** is shown in yellow and the **Dormer Bathroom** is shown in blue. Other elements of the property, excepting those directly impacted by the proposals for the dormer bathroom, were not subject to survey.



Photograph 1: Showing the interior of the bathroom dormer. The wall of the residential building is visible to the left with the timber frame of the external wall visible to the right. The timber roof structure and chipboard can also be seen above.



Photograph 2: Showing the timber cladding on the exterior of the bathroom dormer.



Photograph 3: Showing the existing gully between the fibre-glassed back wall of the dormer and the slate roof of the main property



Photograph 4: Showing the tightly fitted slate roof on the existing property. This is the retained roof into which the new roof structure of the bathroom dormer will be tied.



Photograph 5: Showing the interior of the roof of the main residential dwelling. This is the roof into which the new roof structure of the replacement bathroom dormer will be tied.



Photograph 6: Showing the exterior of the chalet building with the rendered wall, uPVC window and felted roof visible.



Photograph 7: Showing the interior of the chalet with exposed timber framework and chipboard above. The exposed breezeblock walls can also be seen.



Photograph 8: Showing the porch entrance to the chalet.



Photograph 9: Showing the garage (bottom right) with the open door visible. The bathroom dormer can be seen to the upper left of the image.



Photograph 10: Showing the interior of the garage with exposed breeze block walls and exposed timber roof structure above.