



**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

## **COUNCIL OF THE ISLES OF SCILLY**

Town Hall, St Mary's TR21 0LW  
Telephone: 01720 424455 – Email: [planning@scilly.gov.uk](mailto:planning@scilly.gov.uk)

Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) Order 2015

### **PERMISSION FOR DEVELOPMENT**

**Application No:** P/23/014/ROV      **Date Application Registered:** 28th February 2023

**Applicant:** Mr & Mrs Clark  
16 Launceston Close,  
Old Town,  
St Mary's,  
Isles Of Scilly,  
TR21 0NJ

**Site address:** Sea View Mcfarland's Down St Mary's Isles Of Scilly TR21 0NS  
**Proposal:** Variation of condition 2 (Approved Plans) of planning permission P/22/006/FUL (Demolish existing bungalow and construction of new dwelling and associated infrastructure) to make amendments to the design of the approved dwelling.

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 including varied condition C2:

**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).

#### **Varied Condition C2**

**C2** The development hereby permitted shall be carried out in accordance with the approved details only including:

- Plan 1A Location Plan, Drawing Number: 22/0505-001 Dated 24/02/2023
- Plan 2 Proposed Site Layout Plan, Drawing Number 10/0380C-P4, Rev A, Dated 19.11.20
- Plan 3A Elevations as proposed Amended Scheme, Drawing Number: 22/0505 – 002 Rev D Dated 11/02/2023
- Plan 3B Floor Plans and Roof Plans Amended Scheme, Drawing Number: 22/0505 – 001 Rev B Dated 27/10/2022
- Plan 3C Detached Garage Plans and Elevations Amended Scheme, Drawing Number: 22/0505 – 005 Dated 24/02/2023
- Plan 4 Design and Access Statement
- Plan 5 Sustainable Design Measures
- Plan 6 Preliminary Ecological Appraisal 23/03/2020 Ref: BS27-2019

These are signed and 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 of the Isles of Scilly Local Plan (2015 - 2030).

- C3** Prior to their installation of the building, details of, including samples and/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).
- C4** 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 dwelling hereby permitted shall be erected and no additional windows, 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 and ensuring the size of the dwelling is such that it remains available to meet a local need in accordance with Policies LC1 and LC3 of the Isles of Scilly Local Plan (2015 - 2030).

#### **Pre-First Occupation Condition**

- C5** From the first occupation of the dwelling hereby approved, the boundary features along the north, south, and west boundaries, shall be maintained at a minimum height of 2m, between the points A, B and C on the attached plan, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To protect the amenities of the area, and in particular the amenities of neighbouring residential properties.
- C6** 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.
- C7** 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.

#### **PRE-COMMENCEMENT CONDITION: Construction Method Statement**

- C8** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives;
  2. Loading and unloading of plant and materials;
  3. Storage of plant and materials used in constructing the development;
  4. Wheel washing facilities;
  5. Measures to prevent contaminated surface water run-off;

6. Measures to control the emission of dust and dirt during construction;
7. A detailed scheme for reducing/re-using/recycling/disposing of waste resulting from demolition, excavation and construction works.

On completion of the development any contractors compound, temporary access and all plant, machinery, fencing, lighting and any other equipment or structures used as part of the construction process shall be removed from the site and, where appropriate, the land reinstated to its approved or former condition within three months.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required to fully understand the impact upon the Islands natural environment designation and to ensure that the construction of the development is adequately controlled and to protect the amenities of the area and essential infrastructure in accordance with Policies SS2 and OE2 of Isles of Scilly Local Plan (2015-2030).

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

- C 9** A) No demolition or development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions, and
1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
- B) No demolition or development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application but are required to fully understand the impact upon the Islands archaeological, historic and built environment, to be submitted and agreed in writing by the Local Planning Authority. This is 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 preserved or enhanced. In accordance with the requirements of Policy OE7 of the Isles of Scilly Local Plan 2015-2030.

#### **POST-COMPLETION CONDITION: Biodiversity Enhancements**

- C10** Within the first planting season following completion of the dwelling, hereby approved, the following biodiversity enhancements and mitigation measures shall be carried out:
- the mitigation measures (excluding bats) recommended in conjunction with the preliminary ecological appraisal survey (BS27a) carried out on the 23rd March 2020, including the planting of native hedgerows within the [north/south and west] boundary between this property and its neighbours and the planting of one native standard tree in the eastern boundary hedge; and

- The mitigation measures for bats comprising the installation of an 'in-line' bat box at the gable end of the property.

**Any tree or hedge 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. The measures approved for bats shall be installed, within the first 6 months following completion of the development and shall be retained as such thereafter.**

Reason: To promote measures to improve and 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: Site Waste Management Plan**

- 11 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 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).

### **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 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 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: [https://ecab.planningportal.co.uk/uploads/english\\_application\\_fees.pdf](https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf)
3. 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 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. There is a fee to apply for a non-material amendment and the most up to date fee will be charged which can be checked here: [https://ecab.planningportal.co.uk/uploads/english\\_application\\_fees.pdf](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](mailto:buildingcontrol@cornwall.gov.uk).
5. 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.

6. Registering for 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](mailto:revenues@scilly.gov.uk).

Signed:



**Chief Planning Officer**

*Duly Authorised Officer of the Council to make and issue Planning Decisions on behalf of the Council of the Isles of Scilly.*

**DATE OF ISSUE:** 27<sup>th</sup> 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 & Mrs Clark

## Please sign and complete this certificate.

This is to certify that decision notice: P/23/014/ROV and the accompanying conditions have been read and understood by the applicant: Mr & Mrs Clark.

1. **I/we intend to commence the development as approved:** Variation of condition 2 (Approved Plans) of planning permission P/22/006/FUL (Demolish existing bungalow and construction of new dwelling and associated infrastructure) to make amendments to the design of the approved dwelling at: Sea View Mcfarland's Down St Mary's Isles Of Scilly TR21 0NS **on:**.....
2. I am/we are aware of any conditions that need to be discharged before works commence.
3. I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.

You are advised to note that Officers of the Local Planning Authority may inspect the project both during construction, on a spot-check basis, and once completed, to ensure that the proposal has complied with the approved plans and conditions. In the event that the site is found to be inaccessible then you are asked to provide contact details of the applicant/agent/contractor (delete as appropriate):

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

Print Name:.....

Signed:.....

Date:.....

Please sign and return to the **above address** as soon as possible.

For the avoidance of doubt you are reminded to address the following condition(s) 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)

- C8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives;
  2. Loading and unloading of plant and materials;
  3. Storage of plant and materials used in constructing the development;
  4. Wheel washing facilities;
  5. Measures to prevent contaminated surface water run-off;
  6. Measures to control the emission of dust and dirt during construction;
  7. A detailed scheme for reducing/re-using/recycling/disposing of waste resulting from demolition, excavation and construction works.
- On completion of the development any contractors compound, temporary access and all plant, machinery, fencing, lighting and any other equipment or structures used as part of the construction process shall be removed from the site and, where appropriate, the land reinstated to its approved or former condition within three months.
- C 9 A) No demolition or development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions, and
1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
- B) No demolition or development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- 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-First Occupation Condition**

- C5 From the first occupation of the dwelling hereby approved, the boundary features along the north, south, and west boundaries, shall be maintained at a minimum height of 2m, between the points A, B and C on the attached plan, unless otherwise agreed in writing by the Local Planning Authority.

### **POST-COMPLETION CONDITION: Biodiversity Enhancements**

- C10 Within the first planting season following completion of the dwelling, hereby approved, the following biodiversity enhancements and mitigation measures shall be carried out:
- the mitigation measures (excluding bats) recommended in conjunction with the preliminary ecological appraisal survey (BS27a) carried out on the 23rd March 2020, including the planting of native hedgerows within the [north/south and west] boundary between this property and its neighbours and the planting of one native standard tree in the eastern boundary hedge; and
  - The mitigation measures for bats comprising the installation of an 'in-line' bat box at the gable end of the property.

Any tree or hedge 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. The measures approved for bats shall be installed, within the first 6 months following completion of the development and shall be retained as such thereafter.



# COUNCIL OF THE ISLES OF SCILLY

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Planning Department

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

☎01720 424455

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

## **THIS LETTER CONTAINS IMPORTANT INFORMATION REGARDING YOUR PERMISSION – PLEASE READ IF YOU ARE AN AGENT DEALING WITH IS ON BEHALF OF THE APPLICANT IT IS IMPORTANT TO LET THE APPLICANT KNOW OF ANY PRE-COMMENCEMENT CONDITIONS**

Dear Applicant,

This letter is intended to help you advance your project through the development process. Now that you have been granted permission, there may be further tasks you need to complete. Some aspects may not apply to your development; however, your attention is drawn to the following paragraphs, which provide advice on a range of matters including how to carry out your development and how to appeal against the decision made by the Local Planning Authority (LPA).

### **Carrying out the Development in Accordance with the Approved Plans**

You must carry out your development in accordance with the stamped plans enclosed with this letter. Failure to do so may result in enforcement action being taken by the LPA and any 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](mailto: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**

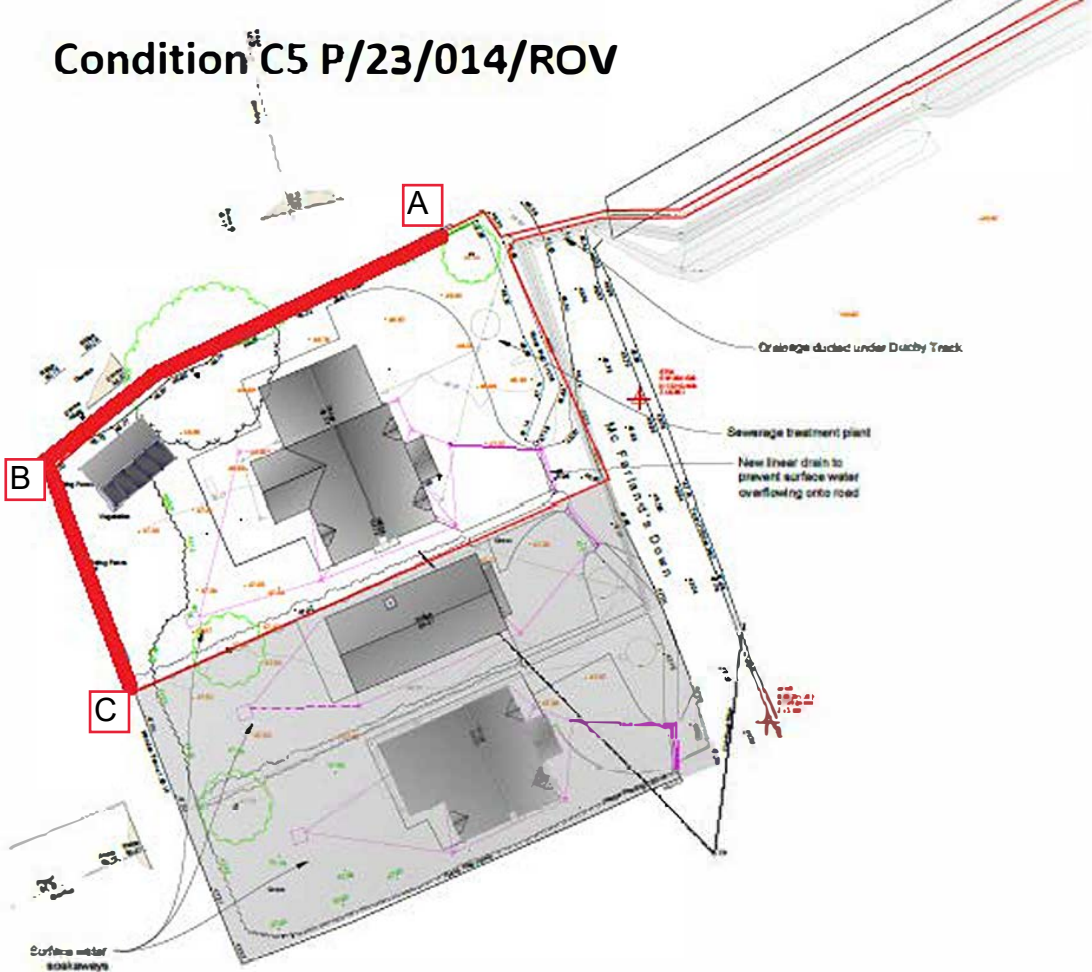
If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

## **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.

# Condition C5 P/23/014/ROV



**2 metre high hedge to be maintained**

Mast

Luitreth

**RECEIVED**  
By A King at 11:29 am, Feb 28, 2023

**APPROVED**  
By Lisa Walton at 10:50 am, Apr 27, 2023

The Windy

Windridge

Minalto

Pednbrose

High Pines

Green Pastures

Fairlawn

Westwinds

Esperance

Mast

Mistral

Sylina

Decca Bungalows

Hilbre

Sea View

Kimmeridge

The Bungalow

Trewearne

LB

Trefusis

Tower View

Mast

Telegraph

Coastguard Bungalows

CG Sta

N

Scale 1 : 1250

0 10m 20m 30m 40m 50m

Metres

Client:  
**Fran & Dale Clark**

Drawing Title:  
**Site Location Map**

Project:  
**Proposed Detached Dwelling on Land at Sea View, McFarlands Down, St Mary's, Isles of Scilly, Cornwall**

Date:  
**24/02/2023**

Drawn:

Scale:

**1 : 1250 @ A4**

Project No.

Drawing No.

Rev.

**22/0505**

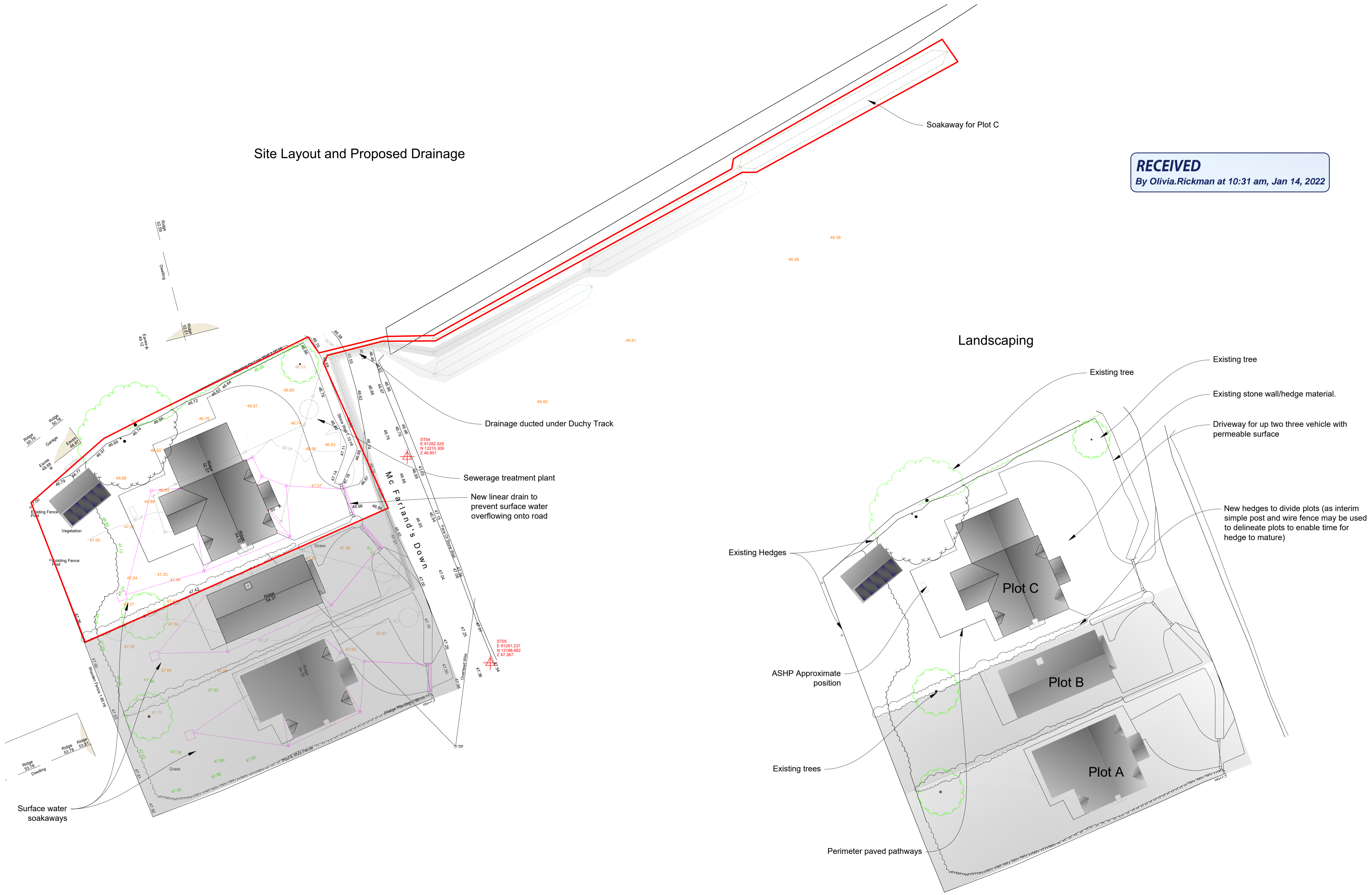
**001**

Plan 2

**APPROVED**  
By Lisa Walton at 11:10 am, Apr 27, 2023

### Site Layout and Proposed Drainage

**RECEIVED**  
By Olivia.Rickman at 10:31 am, Jan 14, 2022



PROJECT	AMENDMENT	DATE
Sea View Development		
McFarlands Down, St Mary's		
Isles of Scilly		
Proposed Site		
Plot C		

PROJECT  
Sea View Development  
McFarlands Down, St Mary's  
Isles of Scilly

DRAWING TITLE  
Proposed Site  
Plot C



SCALE	DRAWN BY	DRAWING NO.	REV.
1:200@A1	ND	10/0380C-P4	A
DATE	DRAWN BY		
18.11.20	ND		

© Crown copyright and database rights 2017.  
 Ordnance Survey License No 100021148  
 All materials and workmanship to comply with the current British Standards and codes of practice.  
 Contractors to check ALL dimensions. Work from figured dimensions ONLY.  
 Report ANY discrepancies to Architect or Surveyor before proceeding.  
 IF IN ANY DOUBT ASK.

**APPROVED**

*By Lisa Walton at 11:10 am, Apr 27, 2023*

# Design and Access Statement

## Sea View Development

### McFarland's Down

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12 JANUARY 2022

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Prepared by: Nathan Dean  
BSc (Hons) MRICS



DUCHY of CORNWALL

# Introduction

The proposal is to provide three detached family dwellings on the site of an existing bungalow.

Sea View is a two bedroom bungalow set in a large garden plot. The plot, located in a residential area, has potential to accommodate further housing. The concept and detailed design has been conceived and developed locally in a response to a perceived need for more homes. With all design work carried out ‘in house’ within the Duchy of Cornwall we are able to fully consider our unique environment and the practical logistics of construction work on the Isles of Scilly. This is important in considering the viability of development of the site.

***“The concept and detailed design has been conceived locally in a response to a perceived need for more homes”***

The intention is to divide the site into three plots. The existing bungalow is of low architectural merit and is in much need of refurbishment. It has been constructed using deleterious materials. The existing bungalow is to be demolished.

## The Development

Each residential dwelling is to be detached and have a private rear garden.

The size of the original plot of the dwelling known as Sea View, and the amount of road frontage has limited the number of homes which can be accommodated. Additional factors which restrict the scale of the development include the lack of mains drainage and the need to fit the surroundings in terms of scale and style.

Whilst, arguably the site could be more intensely developed with terraced housing, the properties are to be detached to enable each plot to be sold off individually and subsequently constructed independently. There is no terraced housing in the area with the exception of the two semi-detached dormer bungalows of Hilbre and Mistral to the west. Isles of Scilly Planning Policy (SS2 (c))

highlights the importance of making efficient use of the land whilst respecting the character of the site and surrounding area and neighbouring land uses.

## Scale

The dimensions of the proposed dwellings are suitable for the setting and site.

Most properties along McFarland's Down are bungalows or dormer bungalows but the more recently constructed properties towards the south of the vicinity are two storey homes with lower eaves giving not quite full storey height into the eaves. The development is to follow on with this level of development. Much effort has been made to keep ridge heights low in a similar manor to achieve the desired street scene.

The eaves have also been kept low along the front façade to replicate that of a typical cottages and to ensure the proportions of the fenestration compliment the traditional historic homes found around the islands.

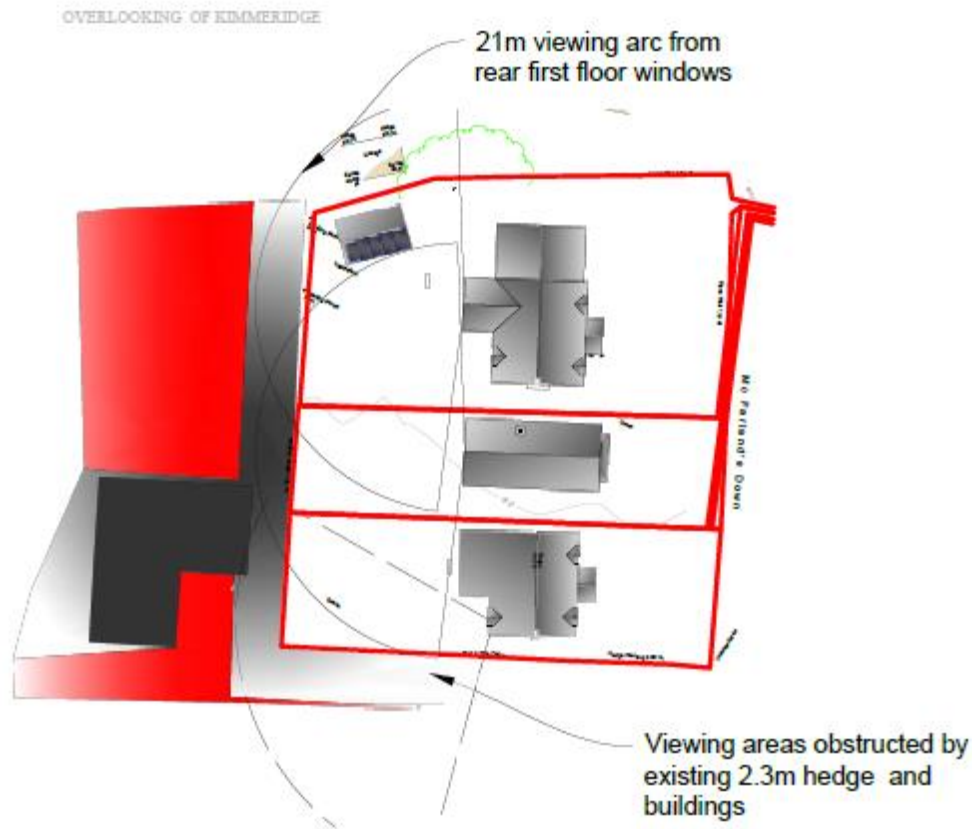
The internal dimensions of the individual units have evolved slightly to provide more storage and ensure the bedrooms meet the 'Technical housing standards – nationally described space standards' issued by the Department for Communities and Local Government in March 2015.

Overlooking of neighbouring properties has been considered. The properties have been sited closer to the road to give large rear gardens with just under 14m clearance to the rear boundary. The principle rooms are positioned to the front of the dwellings and the orientation of the development is perpendicular to the existing development at the rear, and side on with no principle room windows to the sides at first floor level. Existing hedges will be largely retained to afford privacy to neighbouring properties.

Since the previous planning applications, ridge heights of the development have been reduced by up to 400mm. Plots A and B have been reduced in volume to be 3 Bedroom dwellings and this has enabled the space between the dwellings to double to 3.6m. This has reduced the density and scale of the development.

To Plots A and C the eaves height of 3.8m is in the range of a "a storey and a half" where typically a modern home would be 5m or more to the height of the eaves. This isn't necessarily obvious from reviewing the elevation drawings as the design has lower than normal first floor windows to achieve cottage style proportions.





## Landscaping

Through consulting with neighbours the landscaping design has evolved.

The site is on a slight decline from the south to the north and as such each finished floor level and ridge height will follow the topography with minimal changes to the existing levels. The east boundary is currently a hedge. This was originally to be largely removed to facilitate shared drainage runs and low stone walls would replace it to delineate the boundaries of each property, set back from the road. However consulting with neighbours highlighted the framing the existing hedge line gives to views as you walk down McFarland's Down and so as much as possible has been retained and driveway entrances have been positioned to facilitate this. Ensuring safe visibility splays and vehicle manoeuvring paths have compromised the ability to retain completely the hedge. Each new dwelling is intended to have a driveway and parking which will have a permeable surface. Consultation with neighbours highlighted concern for road parking which could increase with this development. We have factored this into our design by showing space for up to three vehicles parked in the driveway to each dwelling should it be required. A linear drain is used at the drive entrances to prevent surface water pouring onto the road adding to drainage problems further down the McFarland's Down track.

New hedges will be planted between the three plots to the rear of the dwellings and this, along with the existing boundary treatments, will give each house a private rear garden. Each dwelling should look to plant a tree on the eastern boundary in line with the ecological assessment recommendations and each dwelling will have a habitat bat box or a Schwegler 1FE Bat box at the gable ends.

Cycles can be stored in the shelter at the rear of the properties of Plots A where the roof overhangs. Paved pathways around the perimeter of the houses will assist in access for the less able bodied.

A garage has been included to Plot C and this also can be freely orientated to place solar PV panels on the roof.

## Appearance of the development

The traditional style of the cottages and selection of materials will enhance the street scene.

The concept is not to emulate the existing relatively modern styles of the dormer bungalows but to take the opportunity to provide simple but traditionally styled homes. The frontage attempts to reflect local vernacular with a low eaves and simple fenestration.



Materials used in construction will include painted render finished walls, slate window cills, timber double glazed windows and timber fascia boards. Rainwater good will be painted metal, and the roof will be slate with concrete ridge tiles. External doors will be painted timber.

*Artists Impression of Development*

# Access

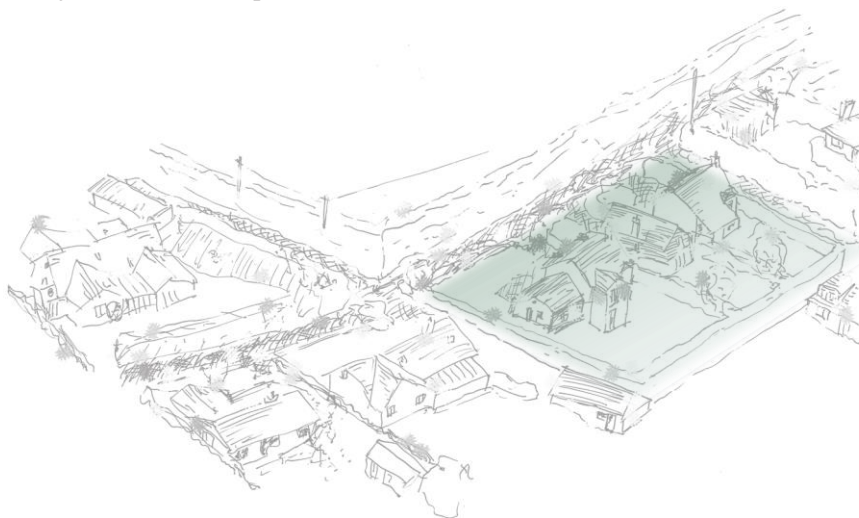
The development is to facilitate inclusivity to all regardless of ability.

Level access to the principle entrance is provided. Doors are of a width to accommodate ambulant disabled who may use walking aids as well as wheelchair users. Plots A includes a rear sheltered areas which may be useful for storage of mobility vehicles. The internal layout of the dwellings include ground floor sanitary facilities for less able guests to use and the stairs cases are single straight flights to make it easier to retro fit chair lifts. Sanitary provision including showers have been provided on ground floors contributing to designing a home which continues to be suitable for occupants through all ages of life.

***“...designing a home which continues to be suitable for occupants through all ages of life”***

Provision for vehicles has been allowed due to the remote location with most day to day facilities approximately 2 miles away, although there is a seasonal bus service with a stop within 200m of the development. Access to the site is a tarmac finished road.

*Birds Eye sketch – Proposed Site*



# SUSTAINABLE DESIGN STATEMENT

**APPROVED***By Lisa Walton at 11:10 am, Apr 27, 2023*

SEA VIEW, MCFARLAND'S DOWN, ST MARY'S

## INTRODUCTION

The Isles of Scilly Planning policy recognises the role of building regulations as the primary means of ensuring energy efficiency in buildings but states support should be given through the planning process to developments that exceed current building regulation standards.

A detailed construction design has not been prepared at this stage of the planning process. However, the approach to the design of these homes is that of a “fabric first”. This approach to building design maximizes the performance of the components and materials that will be used to construct the dwelling before considering “bolt on” heating and microgeneration to compensate for lack of insulation and excessive air leakage. This method will capitalize on heat generated through occupation included appliances such as cookers and electronics devices and retains as much of this energy as possible through control of air tightness and ventilation and insulation of the thermal envelope.

Energy consultants have reviewed the design and it is possible that these dwellings can surpass modern building regulations (which are already more stringent than most homes). The target emission rates and the proposed emission rates for the various plots are outlined below:

Plot	Target Emission Rates (KgCO <sub>2</sub> /yr/m <sup>2</sup> )	Dwelling Emission Rates (KgCO <sub>2</sub> /yr/m <sup>2</sup> )
Plot A	27.24	13.62
Plot B	26	13.06
Plot C	23.1	9.43

The table above shows that a 50% percent reduction in carbon emissions can be achieved from the target prescribed by Building Regulations with the designs. This is without any Solar PV array factored into the calculations.

## ORIENTATION

The orientation of the building is east west and these are the elevations where the majority of window openings are found. This will give early morning sun to the front elevations and evening sun to the rear. There are no windows on the south elevation and this is shaded by other buildings. This will temper overheating by solar gain whilst providing thermal mass to store and release heat over time. Window openings are small; consistent with cottage style of the homes. This will help prevent overheating due to solar gain.

## MATERIALS

It is intended that the insulation standards of these properties will surpass the requirement of building regulations. This will likely to include PIR insulation to sloped first floor ceilings, quilt insulation above flat ceilings and PIR insulation to the walls and floor. Detailing the insulation with tapes and seals will be important to obtain thermal continuity. Thermal mass will be found in the outer skins of blockwork and render which are

dense materials. Internal skins of timber frame would give thermal insulating properties but would be much less dense.

## **WATER**

Following part G of the Building Regulations it is intended to achieve a consumption of wholesome water of 110 litres per person per day through low flow taps, showers and outlets and dual flush low consumption WCs. Rainwater harvesting for use in gardens can be installed in the form of simple external water butts. Rainwater harvesting for use in the dwelling would require localised treatment and would detract from water allowed to percolate through the surface water drainage which into the aquifer which is the safest way to store water in the long-term without the risk of legionnaires or pathogenic bacteria.

## **RECYCLING**

Provision for the storage for recycling will be made through hard standing areas at the side and rear of the properties for lidded wheeled containers with a path to bring them through to the front of the property. Within the splay of the gateways there is space to place waste for collection without impeding onto the highway.

## **TRANSPORT**

Whilst there is a seasonal bus service which is accessible within 200m of the plots, provision for electric vehicles will be made through following the latest version of 18<sup>th</sup> edition of the electrical regulations which ensure new electrical installations of dwellings can cater for future requirements of electric vehicle charging.

## **MICROGENERATION**

A solar PV array has been shown on the plans to Plot C over the detached garage. The array is at a lower height which will ease cleaning and maintenance and the pitch is shallower than the dwelling and is orientated to south to better capture the energy from the sun.

# PRELIMINARY ECOLOGICAL APPRAISAL OF:

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## SEAVIEW McFARLANDS DOWN ST MARY'S ISLES OF SCILLY TR21 0NS

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**APPROVED**

By Lisa Walton at 11:10 am, Apr 27, 2023

*Client: Duchy of Cornwall*

*Our reference: BS27-2019*

*Report date: 23<sup>rd</sup> March 2020*

*Author: Darren Mason BSc (Hons)*

*Report peer reviewed: Darren Hart BSc (Hons)*

*Report signed off: Sarah Mason*

***REPORT ISSUED IN ELECTRONIC FORMAT ONLY***

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# Contents

<b>Non-technical Summary</b> .....	5
<b>1.0 Introduction</b> .....	6
1.1 Survey and reporting .....	6
1.2 Aims and Scope of the report.....	6
1.3 Site Setting and Description.....	6
1.4 Site proposals .....	8
<b>2.0 Methodology</b> .....	9
2.1 Zone of Influence (ZoI) .....	9
2.2 Desk Study .....	9
2.3 Extended Phase 1 Habitat Survey Methods .....	9
2.3.1 Vegetation.....	9
2.3.2 Bats .....	10
2.3.3 Birds.....	10
2.3.4 Reptiles/Amphibians .....	10
2.3.5 Invertebrates .....	10
2.4 Preliminary Ecological Appraisal Limitations .....	11
2.5 Initial Protected Species Assessment.....	11
2.6 Criteria used to Assess Ecological Value.....	11
<b>3. Results</b> .....	14
3.1 Surveyor Details .....	14
3.2 Desktop Study .....	14
3.2.1 Statutory Designated Sites .....	14
3.3 Vegetation.....	15
3.3.1 Scattered Trees.....	15
3.3.2 Improved grassland.....	15
3.3.3 Introduced shrubs .....	17
3.3.4 Scrub .....	17
3.3.5 Species-poor hedgerow.....	17
3.3.6 Wall.....	17
3.3.7 Buildings and hardstanding .....	17
3.3.8 Summary.....	17
3.4 Bats .....	18
3.5 Birds.....	18
3.6 Reptiles/amphibians.....	18
3.7 Invertebrates .....	18



<b>4. Planning Policy Context</b> .....	19
4.1 Planning Policy .....	19
4.1.1 National Policy.....	19
4.1.2 Local Policy .....	19
<b>5. Evaluation, Potential Impacts and Recommendations</b> .....	20
5.1 Site Evaluation .....	20
5.2 Summary of Potential Impacts .....	20
5.3 Summary of Key Recommendations.....	20
5.4 Evaluation Against Relevant Planning Policy .....	21
5.5 Updating Survey .....	24
<b>6.0 Conclusion</b> .....	24
<b>7. Bibliography</b> .....	25

## Non-technical Summary

- On 20<sup>th</sup> March 2020, the Isles of Scilly Wildlife Trust (IoSWT) conducted a Preliminary Ecological Appraisal (PEA) of 'Seaview', McFarlands Down, St Mary's, Isles of Scilly, TR21 0NS (BS27-2019), for which there is a proposal to demolish the existing bungalow to ground level and replace with three new dwellings within the plot. The removal of the Maidenhair (*Muehlenbeckia* sp.) hedgerow to the east and part removal of the *Escallonia* sp. hedge to the south is included in the proposal
- The PEA was undertaken to ascertain the potential for protected habitats and species to be present within the site
- The habitats on site are assessed as being of low ecological value
- The property was deemed as having a low bat roost potential, but the proposals may impact negatively on the feeding and commuting habitat of bats as result of proposals to remove the complete hedge along the eastern boundary and part of the hedge along the southern boundary, as well as some of the scattered trees and introduced shrubs as part of the creation of the new dwellings
- The property was deemed to have high ecological value for breeding birds and these are likely to be negatively impacted as a result of a loss of breeding and feeding habitat.
- The property was deemed to have negligible ecological value for reptiles, amphibians and invertebrates
- Phase 2 bat surveys are recommended to ascertain the presence or likely absence of bats on site in order to enable the demolition of the property.
- Phase 2 bat surveys are recommended to evaluate the impact of the removal of the hedgerows on the feeding and commuting habitat of bats
- Due to the nature of the proposal mitigation will be required to support breeding birds and bats to off-set the loss of the hedgerows, scattered trees and introduced shrubs.
- A net gain in biodiversity is possible on this site if bird boxes and integrated bat boxes are erected on each of the new dwellings
- The proposed development has the potential to provide further ecological enhancements through the planting of native trees and shrub species (not like for like, or Pittosporum) and enhancement of the remaining grassland through over-seeding and plug planting with wild flowers.
- If works have not been completed by December 2021, it is recommended that this ecological appraisal is updated
- **It must be noted that this report alone is not sufficient to support a planning application.**

## 1.0 Introduction

### 1.1 Survey and reporting

This report details the results of a preliminary ecological appraisal (PEA) of 'Seaview', McFarlands Down, St Mary's, Isles of Scilly TR21 0JT, National Grid Reference SV9126212199 (see Map 1). The survey, carried out on 20<sup>th</sup> March 2020, was undertaken in order to inform proposals to demolish the existing bungalow to ground-level and replace with three new dwellings within the plot and includes the removal of the Maidenhair (*Muehlenbeckia* sp.) hedgerow to the east and part removal of the *Escallonia* sp. hedge to the south.

### 1.2 Aims and Scope of the report

This report is a Preliminary Ecological Appraisal (PEA). According to the Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines, a PEA "*can be used as a scoping report (for non-Environmental Impact Assessment (EIA) projects), but should be submitted as part of a planning application unless it can be determined that the project would have no significant ecological effects, no mitigation is required and no further surveys are necessary.*"<sup>1</sup>

This report is based on an extended Phase 1 habitat survey and desktop study aimed at assessing the suitability of the site to support notable habitats and protected species. This report will assess the compliance of the scheme with relevant local and national planning policy and will provide an initial assessment of the biodiversity value of the site to be made, identifying the likely ecological constraints associated with the project and identifying any mitigation measures likely to be required following the '*Mitigation Hierarchy*'<sup>2</sup>. Any additional surveys that may be required to inform an Ecological Impact Assessment (EcIA) will be identified, as will any opportunities to deliver ecological enhancement.

### 1.3 Site Setting and Description

Seaview is situated in the Isles of Scilly National Character Area (NCA), described by Natural England as follows<sup>3</sup>; "*The Isles of Scilly comprise over 200 granite islands scattered across 200 km<sup>2</sup>, set out in the Atlantic some 45 km south-west of Land's End. Of these islands only five are currently inhabited, namely the islands of St Mary's, St Agnes, St Martin's, Tresco and Bryher. The occupied islands cover a total area of just over 14 km<sup>2</sup>. The islands contain 26 Sites of Special Scientific Interest and one Special Area of Conservation (SAC), designated for a range of geological and biological features, including maritime heathland and grassland, as well as one Special Protection Area and Ramsar site, highlighting the*

*important seabird colonies. The marine environment between and around the islands is designated as an SAC and a Marine Conservation Zone for the wealth of marine species it supports, from diverse rocky reef to grey seals that breed around the islands. For such a small land area, the islands display a striking diversity of landscape, including lowland heath and small pastures enclosed by stone walls and banks, plus tiny hedged bulb fields and a varied coastline. Many of these features have been in place for 4,000 years, and still retain their original purpose. Harsh conditions created by the maritime climate mean that woodland cover is minimal. It is a landscape rich in history, with 900 historic monuments. The most notable features are the outstanding prehistoric monuments of chambered barrows and standing stones of the late Neolithic and early Bronze Age. The entire NCA has been designated as an Area of Outstanding Natural Beauty (AONB) and is recognised as a Heritage coast.*

The nearest and largest conurbation to Seaview is Hugh Town, situated 1.7km south-west. The proposed development is situated within an open rural landscape dominated by a patchwork of small enclosed cultivated fields used in the flower-farming industry, semi-natural grazed pasture interspersed by small deciduous and coniferous shelterbelts and a mosaic of coastal grassland and heathland (for a more detailed description of the surrounding habitat see report IoSWT-BS27-2019).

The site is approximately .13 hectares (ha.) in size and comprises a residential property sat in the centre of its own well-managed garden. The site is bounded on three sides by similar detached properties with the exception of pasture to the east.

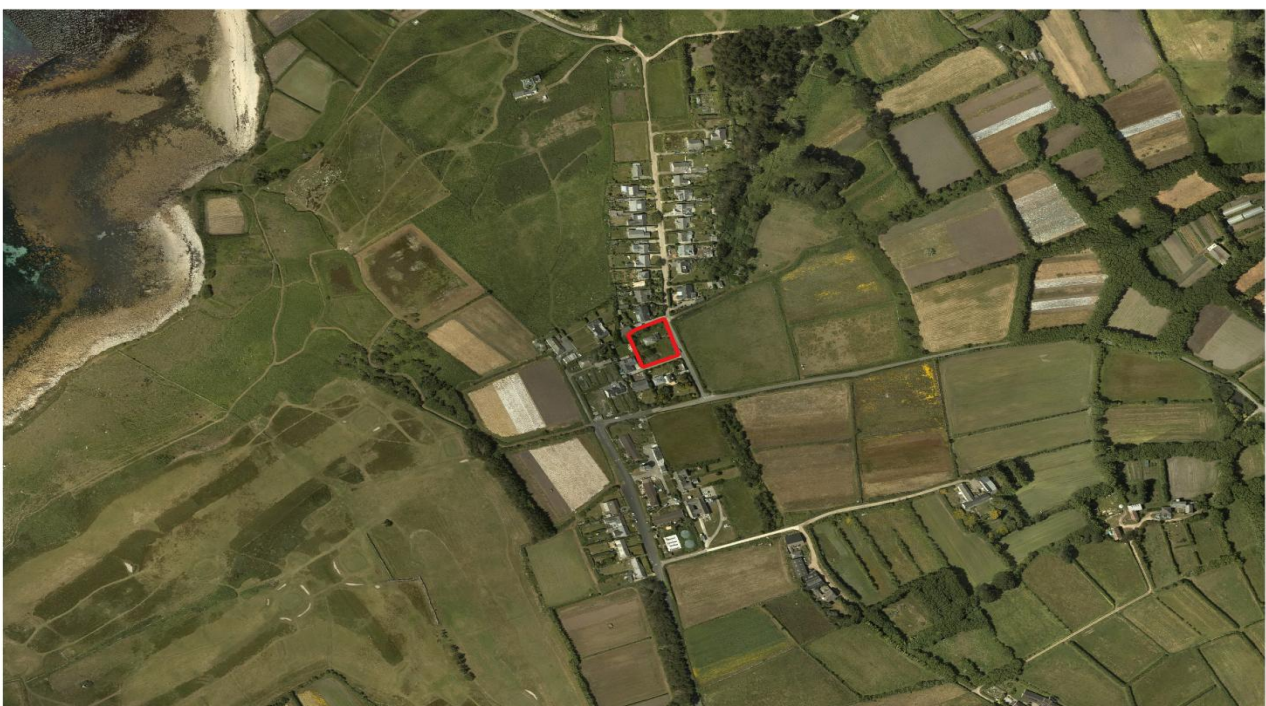


Figure 1 Site Location

## 1.4 Site proposals

This report is provided alongside a Preliminary Roost Assessment (PRA) (IoSWT-BS27-2019) in support of a planning application for the demolition of the existing property to facilitate the construction of three new dwellings. The proposals include the removal of the Maidenhair (*Muehlenbeckia* sp.) hedgerow along the eastern boundary of the site and replace with a low dry stone wall and access into the site and part removal of the *Escallonia* sp. hedge to the south. It is presumed that the existing garden landscaping will remain on site and that the planning application will be submitted in the summer of 2020 with construction commencing soon after planning has been achieved.

## 2.0 Methodology

### 2.1 Zone of Influence (ZoI)

The ZoI is the area encompassing all predicted negative ecological effects from the proposed scheme and is informed by the habitats present within the site and the nature of the proposals. Due to the scale and nature of the proposals it is considered that a ZoI of 1km from the centre of the site is appropriate for the gathering of information for the desk study. For the extended Phase 1 habitat survey the area within the red line boundary (see map 1.) was considered appropriate.

### 2.2 Desk Study

A full biological record centre desktop study was undertaken for the presence of bats (see report IoSWT-BS27-2019), but was not taken for the remaining assessment of the development, as it was not considered necessary given the limited scale of impacts and the nature of the on-site and surrounding habitats. The desk study also included accessing the Multi-Agency Geographic Information for the Countryside (MAGIC)<sup>4</sup> database in order to establish the presence of statutory designated sites, including all internationally and nationally designated sites such as Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Ramsar sites and Sites of Special Scientific Interest (SSSIs) within 1km of the site.

Other resources used were aerial photography to identify the presence of habitats such as woodland blocks, watercourses and hedgerows in close proximity to the site. This assists in the assessment of the potential of the site and its surrounding habitat to support protected species.

### 2.3 Extended Phase 1 Habitat Survey Methods

The survey involved a walkover of the site to identify the habitat types present and to record evidence of the more commonly encountered protected species. The scope of the protected species was based on the habitats present with particular reference to bats, birds, reptiles/amphibians and invertebrates (protected species such as Badger (*Meles meles*), Dormouse (*Muscardinus avellanarius*) and Great Crested Newt (*Triturus cristatus*) are not known to occur on the islands). Details of the species-specific appraisal methods are given below.

#### 2.3.1 Vegetation

An assessment was made of all areas of vegetation within the site based on the standardised Phase 1 survey methodology<sup>5</sup>. This involved a walkover survey to identify broad vegetation types, which were then

classified against Phase 1 habitat types, where appropriate. A list of characteristic plant species for each vegetation type was compiled and any invasive species<sup>6</sup> encountered as an incidental result of the survey are noted.

### **2.3.2 Bats**

An assessment was made of the suitability of the buildings and trees up to the site boundary to support roosting bats based on the presence of features such as loose or missing tiles, lifted lead flashing for buildings and holes, cracks, splits and loose bark for trees. An assessment was made of the suitability of the site and surrounding landscape to support foraging and/or commuting bat species. This survey confirmed to current Bat Conservation Trust (BCT) guidelines<sup>7</sup>. For in depth details of this survey please see report IoSWT-BS27-2019.

### **2.3.3 Birds**

The assessment of breeding and wintering birds on the site was based on the suitability of habitat present, evidence of nesting such as old or currently active nests and the presence of bird species that may potentially nest within the available habitat.

### **2.3.4 Reptiles/Amphibians**

The reptile survey was based on an assessment of the suitability of habitat present within the site to support a population of reptiles. Reptiles particularly favour scrub and grassland interfaces and the presence of these is a good indication that reptiles may be present on site. In addition, reptiles are known to utilise features such as bare ground for basking, tussocky grassland for shelter and compost heaps and rubble piles for breeding and/or hibernating.

### **2.3.5 Invertebrates**

An assessment was made of the site for its potential value to support diverse communities of invertebrates. The assessment was made based on the presence of habitat features which may support invertebrate communities. These features include; an abundance of dead wood, the presence of diverse plant communities, the presence of varied woodland structure, sunny woodland edges, presence of ponds and water courses and free-draining soil. At the time of the Phase 1 survey no attempt was made to identify species present and where a site supports features that may be of importance to invertebrates then further surveys (Phase 2) may be required to assess the importance of the site.

## 2.4 Preliminary Ecological Appraisal Limitations

Ecological surveys are limited by factors which affect the presence of plants and animals such as the time of year, migration patterns and behaviour. Therefore, the field survey has not produced a complete list of plants and animals and in the absence of evidence of any particular species should not be taken as conclusive proof that the species is not present or that it will not be present in the future. The survey was undertaken at a time of year when many species of plant and animal are either dormant, not visible above ground or simply not present in the UK (such as migratory birds). Therefore, the survey was based upon an assessment of the habitat present on site and the suitability of this habitat to support protected species. For the limitations of the bat survey please see report IoSWT-BS27-2019.

## 2.5 Initial Protected Species Assessment

As part of a PEA, the assessment criteria is based on the potential for the site to support the species considered, this is usually based on habitat features, their suitability for the species and the results of any desk study data obtained as part of the appraisal. In many cases Phase 2 surveys will be required to assess the status of species and hence the importance of a population at a site. Therefore, the assessment should be considered a provisional assessment. Tables 1 and 2 below define the criteria used to assess the potential of the site to support protected species.

## 2.6 Criteria used to Assess Ecological Value

The ecological values provided within this report are based around both the professional judgement of the author of this report and current published relevant guidance, including information sources such as "*A Nature Conservation Review*<sup>8</sup>" and "*Guidelines for Ecological Impact Assessment in the United Kingdom*<sup>9</sup>."



**Table 1 – Description of the categories used to classify a building’s bat roost potential and the survey effort required to determine the likely presence or absence of bats**

	<b>Roost status</b>	<b>Description</b>	<b>Survey effort required to determine the likely presence or absence of bats</b>
<b>Bat Roost Potential</b>	High	Numerous features potentially suitable for use by roosting bats, optimal or good quality bat foraging habitat nearby and good habitat connectivity. Alternatively, a building with fewer features potentially suitable for use by roosting bats and optimal foraging habitat nearby.	Three dusk emergence and/or pre-dawn re-entry surveys between May and September. Optimum period May – August. Two surveys should be undertaken during the optimal period and at least one survey should be a pre-dawn survey.
	Moderate	More than a few features potentially suitable for use by roosting bats, good foraging habitat nearby and limited habitat connectivity. Alternatively, a building with a few features potentially suitable for use by roosting bats but optimal foraging habitat nearby.	Two or three dusk emergence and/or pre-dawn re-entry surveys between May and September (but only if features will be affected by the proposals).
	Low	Only a few features potentially suitable for use by roosting bats but good bat foraging habitat nearby. Alternatively, a building with more than a few features potentially suitable for use by roosting bats but sub-optimal foraging habitat nearby and limited habitat connectivity.	One or two dusk emergence and/or pre-dawn re-entry surveys between May and September (but only if features will be affected by the proposals).
	Negligible	Very few features potentially suitable for use by roosting bats and / or in an area (such as a densely populated urban area) which has limited habitat connectivity and poor foraging habitat.	No further surveys required.

*Table 1. Categorising and classifying a building’s bat roost potential*

7 Collins, J. (ed.) (2016). Bat Surveys for Professional Ecologists: Good Practice Guidelines (3<sup>rd</sup> edn). The Bat Conservation Trust

**Table 2 – Description of the categories used to classify a sites potential and the survey effort required to determine the likely presence or absence of a protected species or protected group of species**

Potential	Description	Survey effort required to determine the likely presence or absence of the species
High	On site habitat is of high quality for a species or species group. The site is within or near a geographic stronghold. Good quality surrounding habitat and good connectivity.	If species are likely to be affected by the proposals, further Phase 2 surveys will be required to establish the presence/likely absence of the species.
Moderate	On site habitat is of moderate quality, providing most of the species/species group requirements. Limiting factors may include small habitat area or disturbance	If species are likely to be affected by the proposals, further Phase 2 surveys will be required to establish the presence/likely absence of the species.
Low	On site habitat is of poor to moderate quality for the species or group. Presence cannot be discounted on the basis of distribution, isolation or surrounding habitats etc.	If species are likely to be affected by the proposals, further Phase 2 surveys will be required to establish the presence/likely absence of the species.
Negligible	Site includes very limited or poor quality habitat for the species or group. Surrounding habitat is unlikely to support wider populations.	Further Phase 2 surveys are unlikely to be required as species is unlikely to be present

*Table 2. Categorising and classifying a sites protected species potential*

## 3. Results

### 3.1 Surveyor Details

The survey was undertaken by Darren Mason BSc (Hons) of the Isles of Scilly Wildlife Trust. Darren has undertaken professional Bat Licence Training to permit him to undertake professional surveys and has gathered sufficient 'working hours' to achieve a Natural England Class Level 2 licence.

### 3.2 Desktop Study

#### 3.2.1 Statutory Designated Sites

There are four statutory designated sites of conservation importance situated within a 1km radius of the site. Details of these designations are provided below. For further information on statutory designated sites please see Appendix 2.

- i.) Isles of Scilly SAC Complex** – Situated 673m north of the proposed development designated for its nationally important numbers of Grey Seal (*Halichoerus grypus*) and the nationally rare Shore Dock (*Rumex rupestris*). Annex 1 habitats that are the primary reason for site selection include; Mudflats; inter-tidal sandflats; reefs and sub-tidal sandbanks
  
- ii.) Isles of Scilly SPA Complex** – Situated 673m north of the proposed development and designated for its internationally important seabird assemblage of 13 species including; internationally important numbers of Lesser Black-backed Gull (*Larus fuscus*) and nationally important numbers of European Storm Petrel (*Hydrobates pelagicus*) and European Shag (*Phalacrocorax aristotelis*).
  
- iii.) Porthloo SSSI** – Situated 815m south-west of the proposed development lies Porthloo SSSI designated for its geology, particularly for its Quaternary sediments in the cliffs that show changes in the climates and environments of the Quaternary period in Scilly.
  
- iv.) Watermill Cove SSSI** – Lying 1km due east of Seaview, Watermill Cove SSSI is designated for its cliff exposures of Quaternary sediments, that clearly show the sequence of changes in the climate and environment during the Quaternary period.

### 3.3 Vegetation

The vegetation within the site is described here in general terms using Phase 1 habitat survey terminology and refers to dominant, characteristic and other noteworthy species in each vegetation type within the survey area. The habitat types on site consist of:

- Scattered Trees
- Improved grassland
- Introduced shrubs
- Scrub
- Species poor hedgerow
- Wall
- Building and hardstanding

#### 3.3.1 Scattered Trees

The trees on site consist of two even age Dutch Elm (*Ulmus x hollandica*) situated along the northern boundary of the property (see photo 1.), a juvenile Blue Gum (*Eucalyptus globulus*) set within the western half of the grounds and a Cherry species (*Prunus* sp.) in the north-eastern most corner of the plot.

#### 3.3.2 Improved grassland

Mown grassland makes up the majority of the landscape of the garden (see photos 2 and 3.). Creeping Bent (*Agrostis capillaris*), Cock's-foot (*Dactylis glomerata*) and Perennial Rye-grass (*Lolium perenne*) are the dominant grasses. The grassland also contains some herbaceous species typical of sandy soils that may also reflect past cultivation practices which include; Common Field Speedwell (*Veronica persica*), Common Fumitory (*Fumaria officinalis*), Hairy Bitter-cress (*Cardamine hirsuta*) and Hairy Tare (*Vicia hirsuta*). More typical species associated with well mown grassland include; Creeping Buttercup (*Ranunculus repens*), Common Daisy (*Bellis perennis*), White Clover (*Trifolium repens*) and Greater Plantain (*Plantago major*).

Along the eastern boundary, north-eastern corner and along the western boundary there appears to have been past ground disturbance, possibly as a result of shrub removal (large brash pile situated in southern



Photo 2. Expanse of improved grassland and brash pile in background



Photo 3. Expanse of improved grassland and Dutch Elm in background

half of the garden (see photos 2 and 4.). As a result the ground flora is dominated by Red Campion (*Silene dioica*), Hogweed (*Heracleum sphondylium*), Common Nettle (*Urtica dioica*) and Scarlet Pimpernel (*Anagallis arvensis*). Immediately to the south-west a small patch of Sheep's-sorrel (*Rumex acetosella*), Cleavers (*Galium aparine*), Common Cat's-ear (*Hypochaeris radicata*) and Procumbent Pearlwort (*Sagina procumbens*) suggest more acid conditions, likely due to a previous fire site. Under all the hedgerows the ground flora is dominated by the non-native invasive Three-cornered Leek (*Allium triquetum*) and Monbretia (*Crocasmia x corocosmiliflora*), which are also found scattered throughout the area of disturbed ground to the north and west of the site.



Photo 4. Disturbed grassland with Pittosporum hedge and Eucalyptus tree

### 3.3.3 Introduced shrubs

Planted within the mown grassland areas are occasional introduced shrub species that include; Common Laurustinus (*Viburnum tinus*), Rhododendron (*Rhododendron ponticus*), Dogwood species (*Cornus* sp.), Yucca species (*Yucca* sp.) and Pittosporum (*Pittosporum tenuifolium*). Found along the eastern boundary several mature specimens of New Zealand Flax (*Phormium tenax*).

### 3.3.4 Scrub

Though rare several shrubs of European Gorse (*Ulex europea*) are found along the eastern border bounding the species poor hedgerow, as is a small stand of Bramble (*Rubus fruticosus*) situated under the Yucca along the southern boundary.

### 3.3.5 Species-poor hedgerow

The development is fully enclosed on two sides by species-poor hedgerow which consists of: a hedgerow of Cordoba (*Escallonia corodbensis*) along the southern boundary; a hedgerow of Pittosporum along the western and northern boundary. The latter is interspersed with two Dutch Elm trees and is not complete towards its north-western corner; the eastern boundary is part enclosed by a hedgerow of Maidenhair (*Muehlenbeckia complexa*) south of the driveway into the property.

### 3.3.6 Wall

Two short sections of granite stone wall extend along part of the northern boundary and the eastern boundary (north of the access drive). These are typical in design for the islands being soil-filled. Species recorded include the lichens; *Flavoparmelia caperata*, *Parmotrema perlatum*, *Ramalina siliquosa* and *Ochrolechia parella*, all species typical of a granite substrate.

### 3.3.7 Buildings and hardstanding

The property sits almost centrally within the plot, comprising of a detached bungalow which is described in detail in the corresponding report IoSWT-BS27-2019. The hardstanding comprises of a short access drive that intersects the eastern boundary and runs up to the front door of the bungalow, comprised of compacted 'ram.'

### 3.3.8 Summary

The site comprises a residential property with the associated managed garden landscape. The most significant habitat features in the context of the site itself are the species-poor hedgerows. However, these are not rare or notable and overall the site is assessed as being of **low ecological value**.

### 3.4 Bats

For a full assessment of the potential for the building, immediate garden and surrounding foraging and commuting habitat potential for bats please see the corresponding report IoSWT-BS27-2019. In summary however, the building has only a few features potentially suitable for use by roosting bats, in particular crevice-dwelling species of the pipistrellus genus, but the site has optimal foraging habitat nearby and has good habitat connectivity. Overall, the site is assessed as being of **low roost potential**. However, the proposed complete removal of the Maidenhair hedge and part removal of the Escallonia hedge may have implications on both foraging and commuting habitat and is worthy of further investigation.

### 3.5 Birds

During the site visit Song Thrush (*Turdus philomelos*), Blackbird (*Turdus merula*), Wren (*Troglodytes troglodytes*) and Dunnock (*Prunella modularis*) were recorded. Song Thrush was seen feeding on the lawns, Wren singing from the top of the large brash pile in the south of the garden and Dunnock feeding along the bottom of the Pittosporum hedge that forms the western boundary. No active bird nests were recorded. The wider landscape comprises ample suitable nesting bird habitat in the form of grazed pasture, heathland, shelterbelts and a contiguous hedgerow network. Overall, the site is considered to have **high potential** for supporting nesting birds.

### 3.6 Reptiles/amphibians

The majority of the site is sub-optimal for reptiles, with only the introduced shrub and the species poor hedgerow suitable for hunting and commuting along with the drystone walls as potential hibernacula. There are no ponds on site and no ponds within 500m of the development. Though the surrounding habitat has good habitat connectivity in the form of mature garden and hedgerows the site is considered to have **negligible potential** to support reptiles and amphibians

### 3.7 Invertebrates

The site consists of a managed garden landscape and is highly unlikely to support an important food plant or rare or notable species, or species assemblage of terrestrial invertebrate. Therefore, the site is considered to offer **negligible potential** for supporting any rare or scarce species or species assemblage of invertebrate.

## 4. Planning Policy Context

### 4.1 Planning Policy

#### 4.1.1 National Policy

The National Planning Policy Framework (NPPF)<sup>10</sup> sets out the government's requirements for the planning system in England. A number of sections of the NPPF are relevant when taking into account development proposals and the environment. As set out in within Paragraphs 7 to 10 of the NPPF "*the purpose of the planning system is to contribute to the achievement of sustainable development.*" The general impetus of the NPPF in relation to ecology and biodiversity is for development proposals to not only minimise the impacts on biodiversity but also to provide enhancement. Paragraph 170 states that "*Planning policies and decisions should contribute to and enhance the natural and local environment and minimise impacts on and providing net gains for biodiversity.*" A number of principles are set out in Paragraph 175 including the principle that where harm cannot be adequately avoided then it should be adequately mitigated, or, as a last resort, compensated for.

In addition to the NPPF, the Office of the Deputy Prime Minister (ODPM) circular 06/05<sup>11</sup> provides guidance on the application of law relating to planning and nature conservation as it applies in England. Paragraph 98 states "*the presence of a protected species is a material consideration when a planning authority is considering a development proposal, that if carried out, would be likely to result in harm to the species or its habitat.*" Whilst Paragraph 99 states "*it is essential that the presence or otherwise of a protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted.*"

#### 4.1.2 Local Policy

Local planning policy with the Isles of Scilly Council is provided by the current Local Plan 'A 2020 Vision.' A single over-arching policy within this document makes specific reference to environmental protection.

#### **Policy 1 – Environmental protection**

- *Protect a statutorily-protected plant or animal species and the wildlife, geological and geomorphological interest and features of designated Sites of Special Scientific Interest; and locally important biodiversity habitats, species and landscape features;*



## 5. Evaluation, Potential Impacts and Recommendations

### 5.1 Site Evaluation

The site is approximately .13ha. in size and comprises a residential property and associated managed garden. The protected species potential on site includes roosting, foraging and commuting bat and nesting birds. Overall, the site is assessed as being of low ecological value.

### 5.2 Summary of Potential Impacts

The proposed development entails the demolition of the existing building, replacing it with three new dwellings along with the complete removal of the hedge along the eastern boundary and replacing it with a low dry-stone wall and the part removal of the hedge along the southern boundary. In the absence of mitigation, the potential ecological impact of these works is:

- Direct impact on roosting bats as a result of building demolition and long-term loss of roost(s)
- Loss of feeding or commuting habitat for bats as a result of complete removal and partial removal of species poor hedgerows
- Loss of nesting habitat for breeding birds as a result of complete removal of species poor hedgerow
- Loss of feeding habitat for breeding birds as a result of complete removal of species poor hedgerow, loss of open grassland area and associated shrubs due to the erection of two further developments within the plot

### 5.3 Summary of Key Recommendations

The following recommendations have been designed to minimise the potential impacts and enhance the site for wildlife:

- Phase 2 bat surveys to be undertaken (as per the recommendations set out in the report IoSWT-BS27-2019) to assess the presence or likely absence of bats at the existing property
- Phase 2 bat survey (as above) to assess the likely impact of the removal of the hedgerows around the property on the foraging and community habitat of bats
- The planting of native trees and shrubs (not like for like replacement, or use of Pittosporum) along the eastern boundary as mitigation for the removal of the Maidenhair hedge and any introduced shrubs within the existing grassland to provide continued nesting and feeding habitat for breeding birds and foraging bats

- To mitigate against losses of the existing grassland to the new footprints of the two new dwellings any remaining grassland should be enhanced. Enhancement to include over-seeding and plug planting of wildflowers.

#### **5.4 Evaluation Against Relevant Planning Policy**

Given the impacts identified and the subsequent recommendations made it is considered that the proposals will accord with all relevant national and local planning policy in relation to ecology (see Section 4). Providing there is scope within the proposals to support the necessary mitigation for roosting bats.

Ecological Feature	Summary	Potential Impacts of the Development	Recommendations
Designated Sites	Isles of Scilly SAC and SPA complex and associated SSSIs	The development proposal may result in an increase in residents, therefore there is a risk that there will be an increase in recreational pressure on designations within the wider countryside	Monitoring, evaluation and resolution of recreational disturbance events should be carried out in accordance with the local authorities recreational pressure assessment and strategy
Vegetation	The site comprises a managed garden landscape of <b>low ecological value</b>	The proposal is anticipated to result in a loss in a large area of improved grassland and associated introduced shrubs; the complete removal of one hedgerow along the eastern boundary and the part removal of the hedgerow along the southern boundary	The proposal should include the planting of native trees and shrubs to replace those lost in the development works and any remaining grassland should be enhanced with over-seeding and plug planting of wildflowers
Bats (for greater detail see report IoSWT-BS27-2019)	The site has few features that has the potential to host roosting bats and surrounding landscape provides optimal foraging and commuting habitat. The development is deemed to have <b>low bat roost potential</b>	Demolition of the building may lead to the loss of a bat roost(s) and may cause harm to roosting bats. The loss of suitable foraging and commuting habitat has the capacity to impact on bats	Phase 2 surveys of the development and hedgerows to ascertain presence or likely absence of bats and an assessment of how they use the site.
Birds	The site has been assessed as having <b>high potential</b> to support nesting birds within the scattered trees, introduced shrubs and hedgerows	The complete removal of the hedgerow on the eastern boundary, the part removal of the hedgerow along the southern boundary and any introduced shrub or scattered tree within the existing grassland to make way for the new dwellings is likely to have a negative impact on nesting birds. The loss of grassland and hedgerows are also likely to have a negative impact on feeding birds.	There is potential to mitigate against these losses by replanting of native trees and shrubs as part of the proposal and an opportunity to make net gains in biodiversity by installing Shwegler bird boxes on each of the new properties

Table 4. Potential impacts and recommendations

Ecological Feature	Summary	Potential Impacts of the Development	Recommendations
Reptiles/Amphibians	The dry stone wall has the potential to support hibernating amphibians. But, overall the site is assessed as having <b>negligible potential to support</b> reptiles/amphibians	There are no anticipated impacts associated with reptiles and amphibians as the existing dry stone walls are to be retained and new dry stone walls are proposed along the eastern boundary	There are no recommendations to be made in respect of reptiles and amphibians
Invertebrates	The site is assessed as having <b>negligible potential</b> to support any rare or notable invertebrate species or species assemblages	There are no anticipated impacts associated with rare or notable invertebrates and the proposals	There is potential to improve the habitat for invertebrates when native trees, shrubs and wildflowers are planted as part of any mitigation scheme

*Table 4. Potential impacts and recommendations cont....*

## 5.5 Updating Survey

If the works have not commenced by December 2021, it is recommended that this PEA is updated. This recommendation is made as many of the species considered during the current survey are highly mobile and the ecology of the site is likely to change over a two year period. Similarly, if the planning application boundary changes or the proposals of the site alter, a re-assessment of the impacts may be required.

## 6.0 Conclusion

Seaview comprises a residential property with its associated managed garden landscape which has been assessed as low ecological value. The property has been surveyed for its bat roost potential (see IoSWT-BS27-2019) and has been assessed as low roost potential. Further Phase 2 surveys will be required to ascertain the presence or likely absence of bats and to ascertain if/how bats use the hedgerows bounding the property as feeding or commuting habitat. The site also has potential to host nesting birds and the loss of the hedgerows and introduced shrubs is likely to have a negative impact on these species. There is no impact on reptiles/amphibians and invertebrates anticipated. The site does have the potential to provide a net gain in biodiversity, in keeping with national and local planning policy via the erection of bird boxes for breeding birds and integrated bat boxes in the new dwellings. Mitigation in the form of planting new native trees and shrubs and improvement of the remaining grassland has the potential to enhance the development for all protected species.

## 7. Bibliography

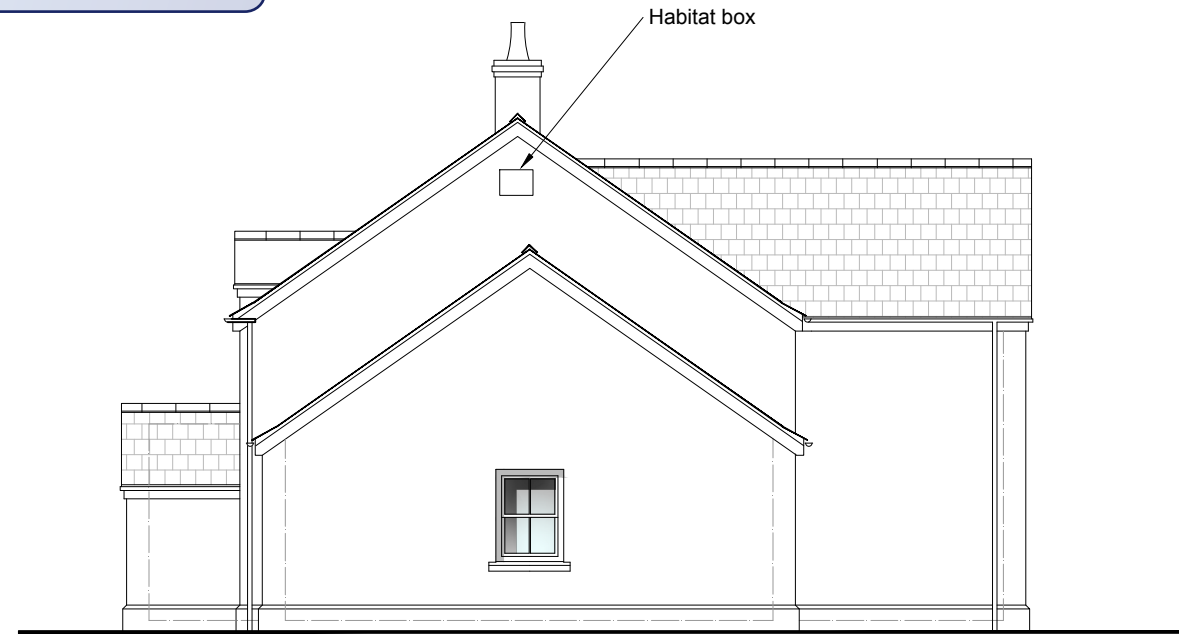
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**APPROVED**  
By Lisa Walton at 10:57 am, Apr 27, 2023

**RECEIVED**  
By A King at 11:51 am, Feb 27, 2023



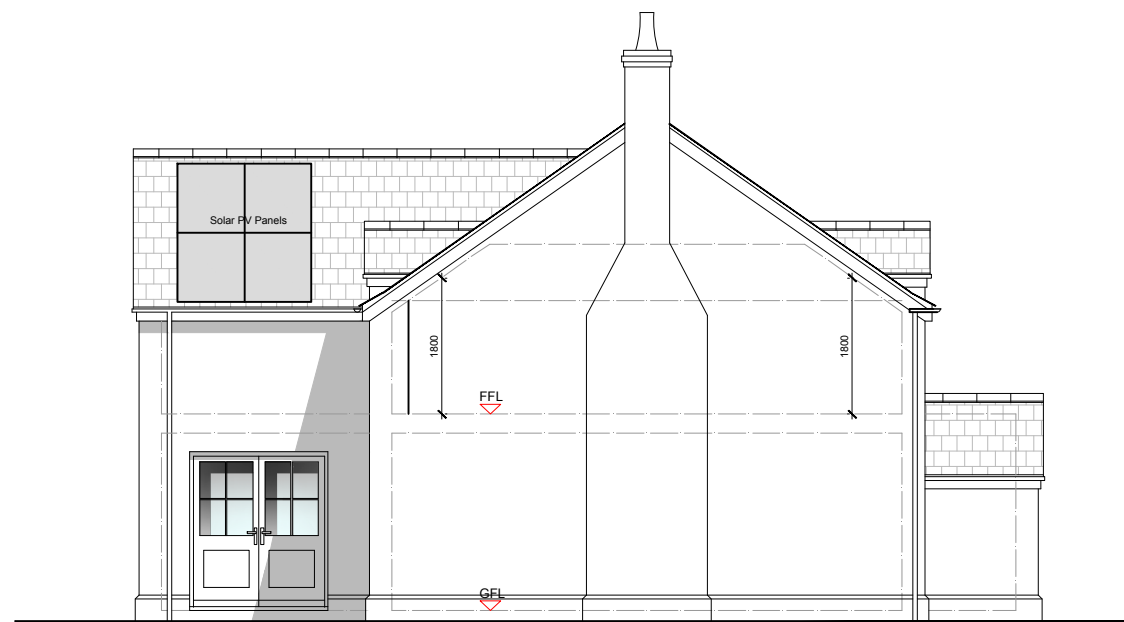
East Elevation



North Elevation



West Elevation



South Elevation

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Revisions

EXTERNAL MATERIAL SCHEDULE	
Roof:	Slate tiles with concrete ridge tiles
Walls:	Painted Render with stone dressings
Windows:	Painted timber
Doors:	Painted timber
Rainwater:	Painted aluminium



Client:

Fran & Dale Clark

Project:

Proposed Detached Dwelling on Land at Sea View, McFarlands Down, St Mary's, Isles of Scilly, Cornwall

Drawing Title:

**DRAFT Elevations as Proposed**  
**Amended Scheme**

Date:

11/02/2023

Drawn:

Scale:

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Project No.

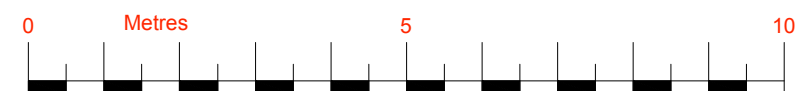
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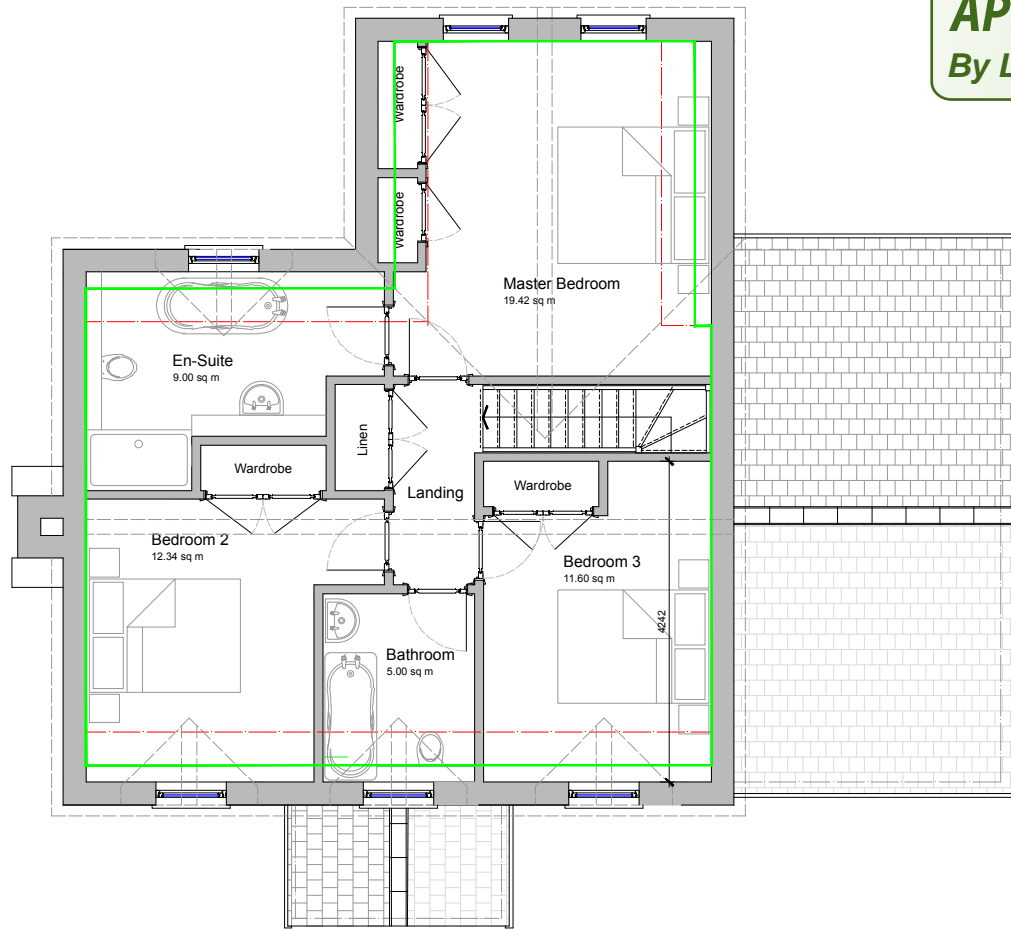
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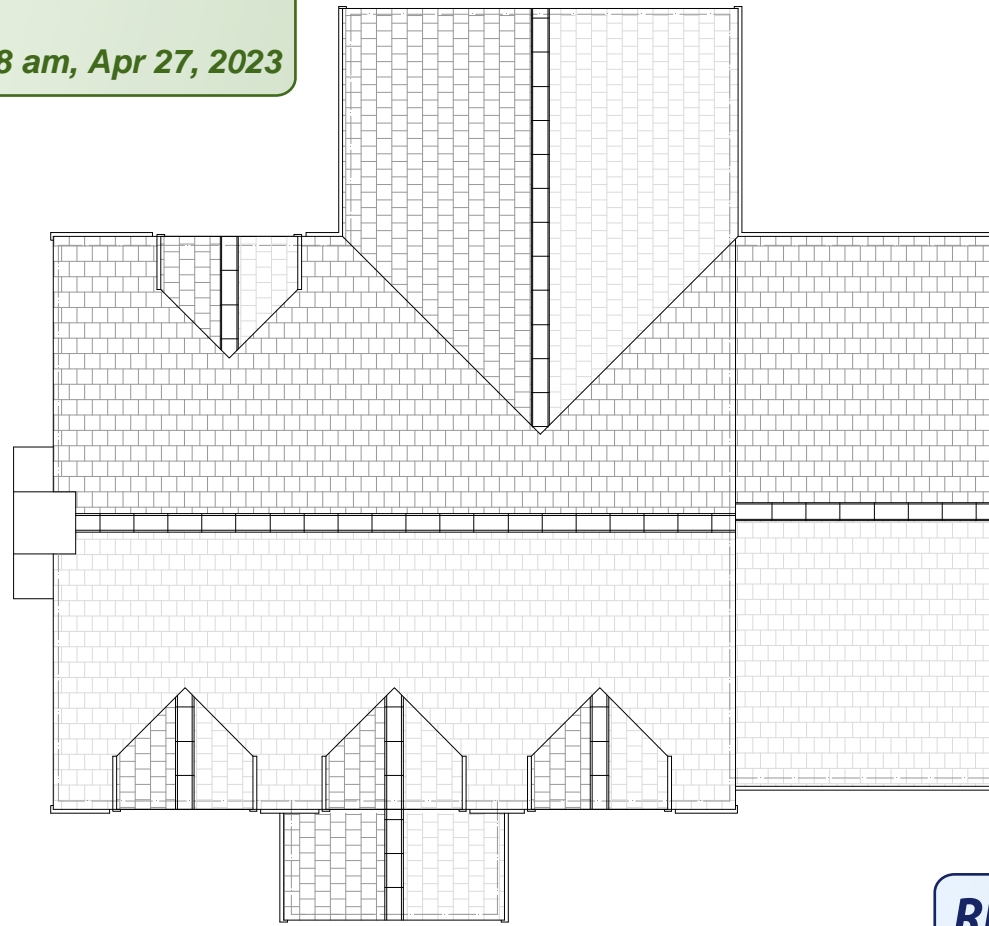


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**APPROVED**  
By Lisa Walton at 10:58 am, Apr 27, 2023



First Floor Layout GIFA: 65.10 sq m



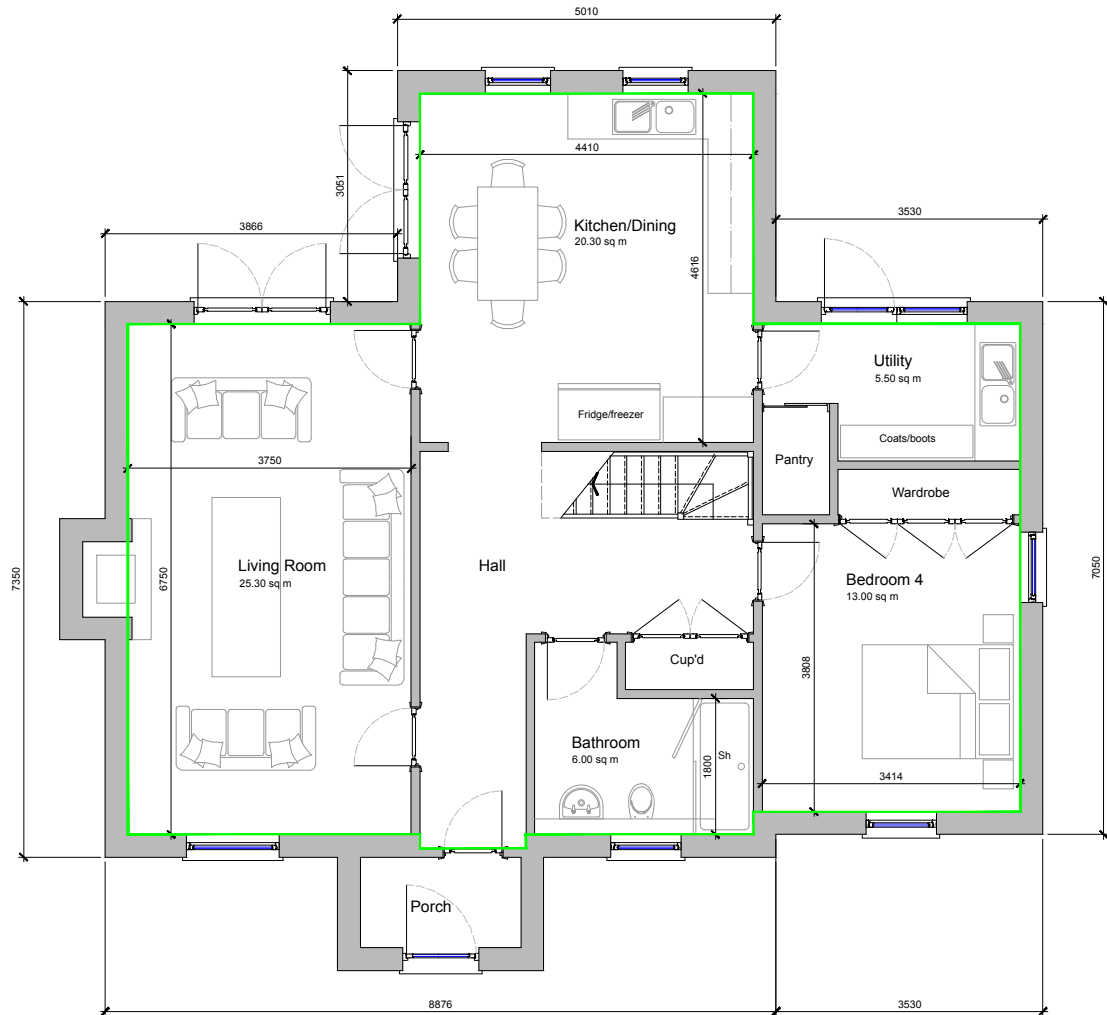
Roof Plan

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By A King at 11:57 am, Feb 27, 2023

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Revisions



Ground Floor Layout GIFA: 92.30 sq m



SCALE 1:100 on A3 sheet



Client:

Fran & Dale Clark

Project:

Proposed Detached Dwelling on Land at Sea View, McFarlands Down, St Mary's, Isles of Scilly, Cornwall

Drawing Title:

**DRAFT Floor & Roof Plans as Proposed**  
**Amended Scheme**

Date:

27/10/2022

Drawn:

Scale:

1 : 100 @ A3

Project No.

22/0505

Drawing No.

001

Rev.

B



**APPROVED**

By Lisa Walton at 10:58 am, Apr 27, 2023

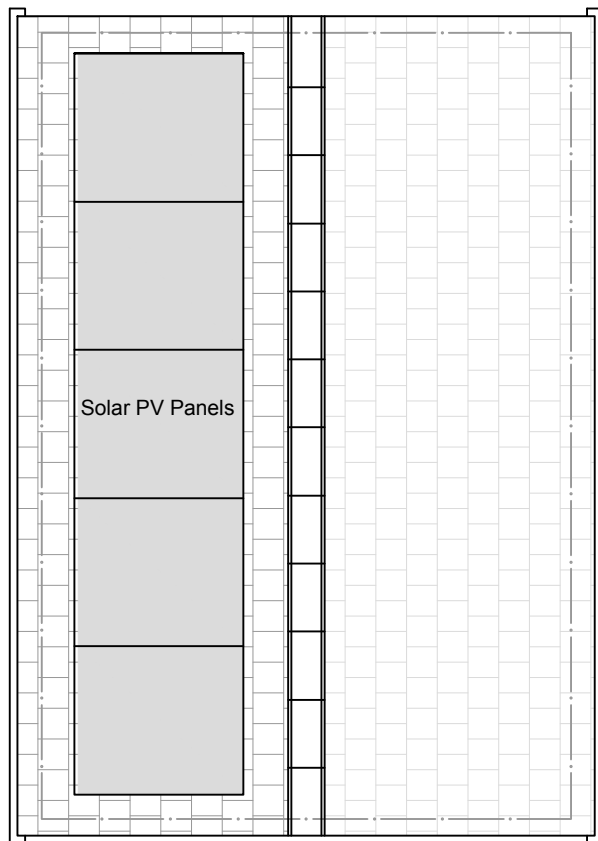
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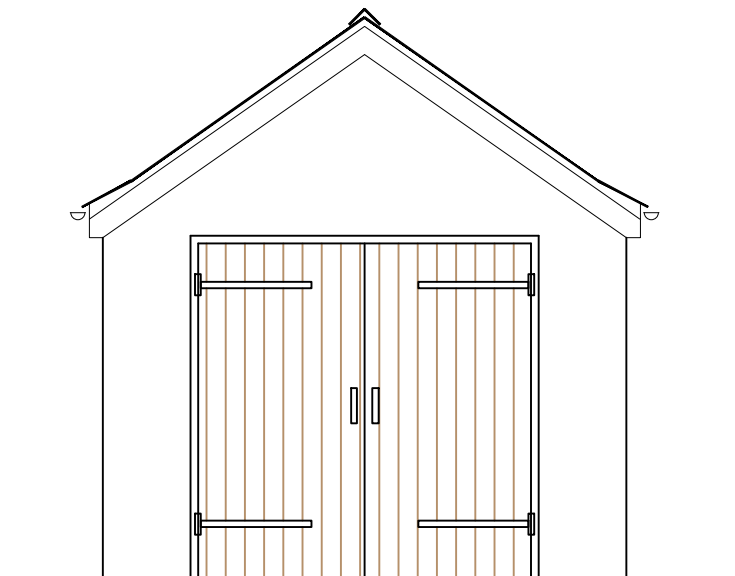
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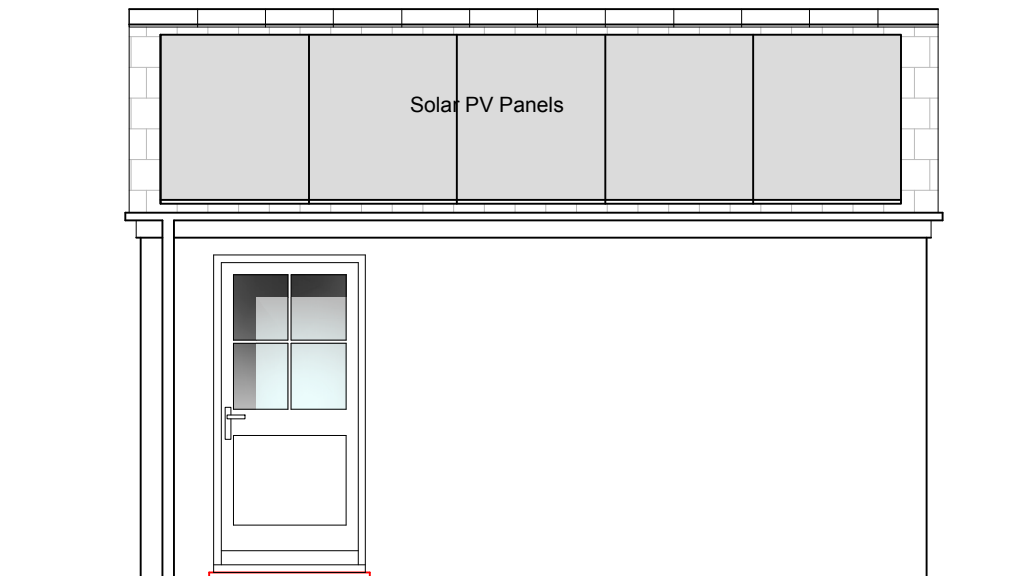
Revisions



Roof Plan



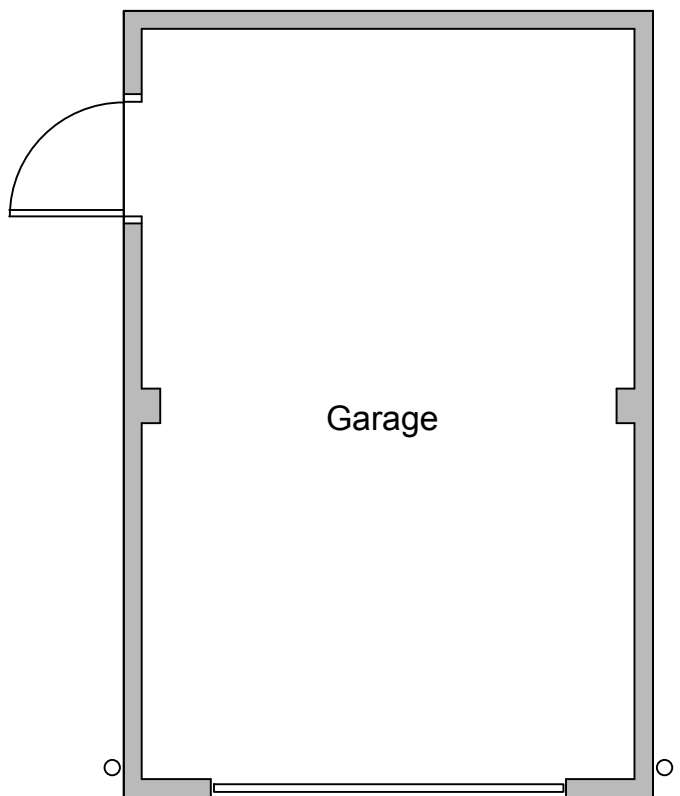
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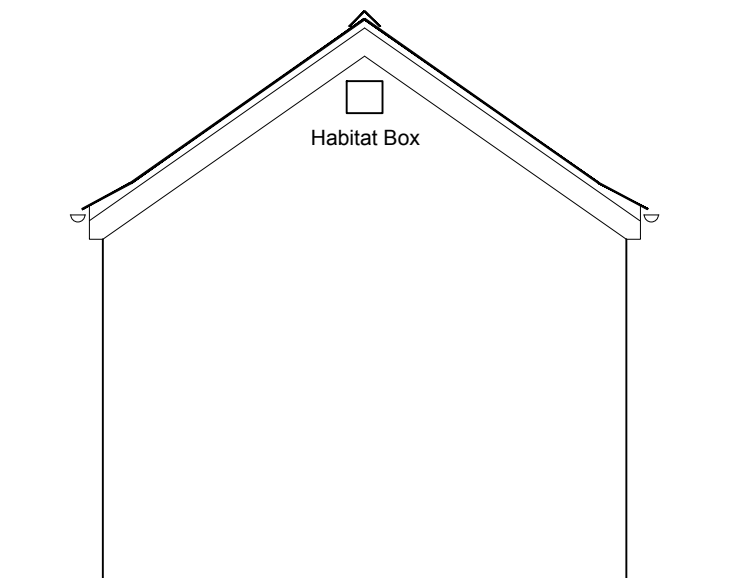
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EXTERNAL MATERIAL SCHEDULE

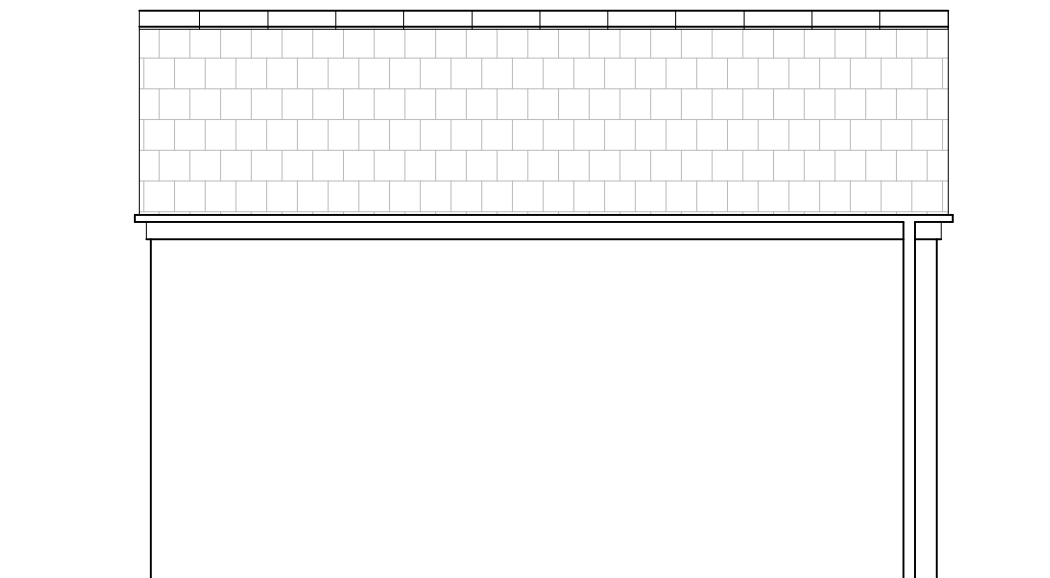
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Walls:	Painted Render
Windows:	Painted timber
Doors:	Painted timber
Rainwater:	Painted aluminium



Ground Floor Layout GIFA: 16.10 sq m



West Elevation



North Elevation



Client:

Fran & Dale Clark

Project:

Proposed Detached Dwelling on Land at Sea View, McFarlands Down, St Mary's, Isles of Scilly, Cornwall

Drawing Title:

Proposed Detached Garage - Plans & Elevations  
**Amended Scheme**

Date:

24/02/2023

Drawn:

Scale:

1 : 50 @ A3

Project No.

22/0505

Drawing No.

005

Rev.



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