



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/23/024/ROV **Date Application Registered:** 12th April 2023

Applicant: Clive Sibley
Salt Whistle
Mcfarland's Down
St Mary's
Isles Of Scilly
TR21 0NS

Site address: The Tides Jacksons Hill Hugh Town St Mary's Isles Of Scilly
Proposal: Variation of condition C2 (Approved Plans) and discharge of condition C5 (Site Waste Management Plan) of planning permission P/22/041/FUL (Construction of Boathouse/Store incorporating terrace for first floor flat) to make minor amendments to the approved scheme.

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 varied 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 & Block Plan, Ref TTcs22-P01 dated 24 June 2022**
- ~~Plan 2 Proposed Floor Plans and Elevations AMENDED, Ref: TTcs22-P02, Rev A, Dated 3 September 2022~~
- **Plan 2A Proposed Floor Plans and Elevations AMENDED, Ref: TTcs22-P02, Rev B, Dated 3 September 2022**
- **Design and Access Statement**
- **Site Waste Management Plan**

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

C3 The extension, hereby permitted, shall be retained for the purposes of boat and ancillary residential storage in connection with and management of the attached two residential properties known as The Tides (Spring Tide and Neep Tide), Jacksons Hill and shall not be converted to habitable accommodation.

Reason: The creation of an additional residential accommodation on the site, that is not for local need, would be contrary to Policies LC1 and LC2 of the Isles of Scilly Local Plan (2015-2030).

- C4 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 the amenities of neighbouring residential properties and to protect the amenities of 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).

PRE-COMMENCEMENT CONDITION: Submission of Site Waste Management Plan

- ~~**C5 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 and minimisation of waste in accordance with the waste hierarchy, 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 Policies SS2(2) and OE5 of the Isles of Scilly Local Plan (2015-2030).~~

- C6 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 the islands.

Further Information

1. In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and proactive manner, in accordance with paragraph 38 the National Planning Policy Framework 2021.
2. In accordance with the provisions of Section 96A of the Town and Country Planning Act which came into force on 1st October 2009, any amendments to the approved plans will require either a formal application for a non-material amendment (**for which a fee of £234 would be required**) or the submission of a full planning application for a revised scheme. If the proposal relates to a Listed Building you will not be able to apply for a non-material amendment and a new application for a revised scheme will be required. Please discuss any proposed amendments with the Planning Officer.
3. 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 currently £116 for each request to discharge condition(s)** and 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. Should there be any revisions to the balcony hereby approved to meet the requirements of building regulations; the applicant is advised that further approval from the Local Planning Authority may be required.

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: 6th June 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 Clive Sibley

Please sign and complete this certificate.

This is to certify that decision notice: P/23/024/ROV and the accompanying conditions have been read and understood by the applicant: Clive Sibley.

1. **I/we intend to commence the development as approved:** Variation of condition C2 (Approved Plans) and discharge of condition C5 (Site Waste Management Plan) of planning permission P/22/041/FUL (Construction of Boathouse/Store incorporating terrace for first floor flat) to make minor amendments to the approved scheme at: The Tides Jacksons Hill Hugh Town St Mary's Isles Of Scilly **on:**
2. I am/we are aware of any conditions that need to be discharged before works commence.
3. I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.

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

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

Print Name:

Signed:

Date:

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



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

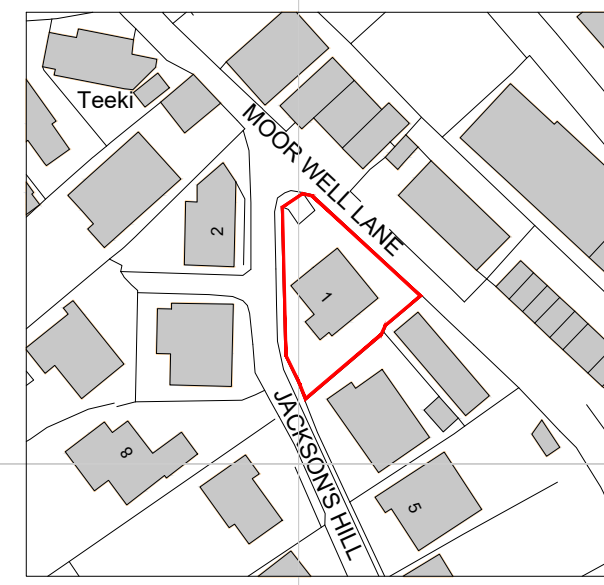
If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

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 10:47 am, Jun 29, 2022



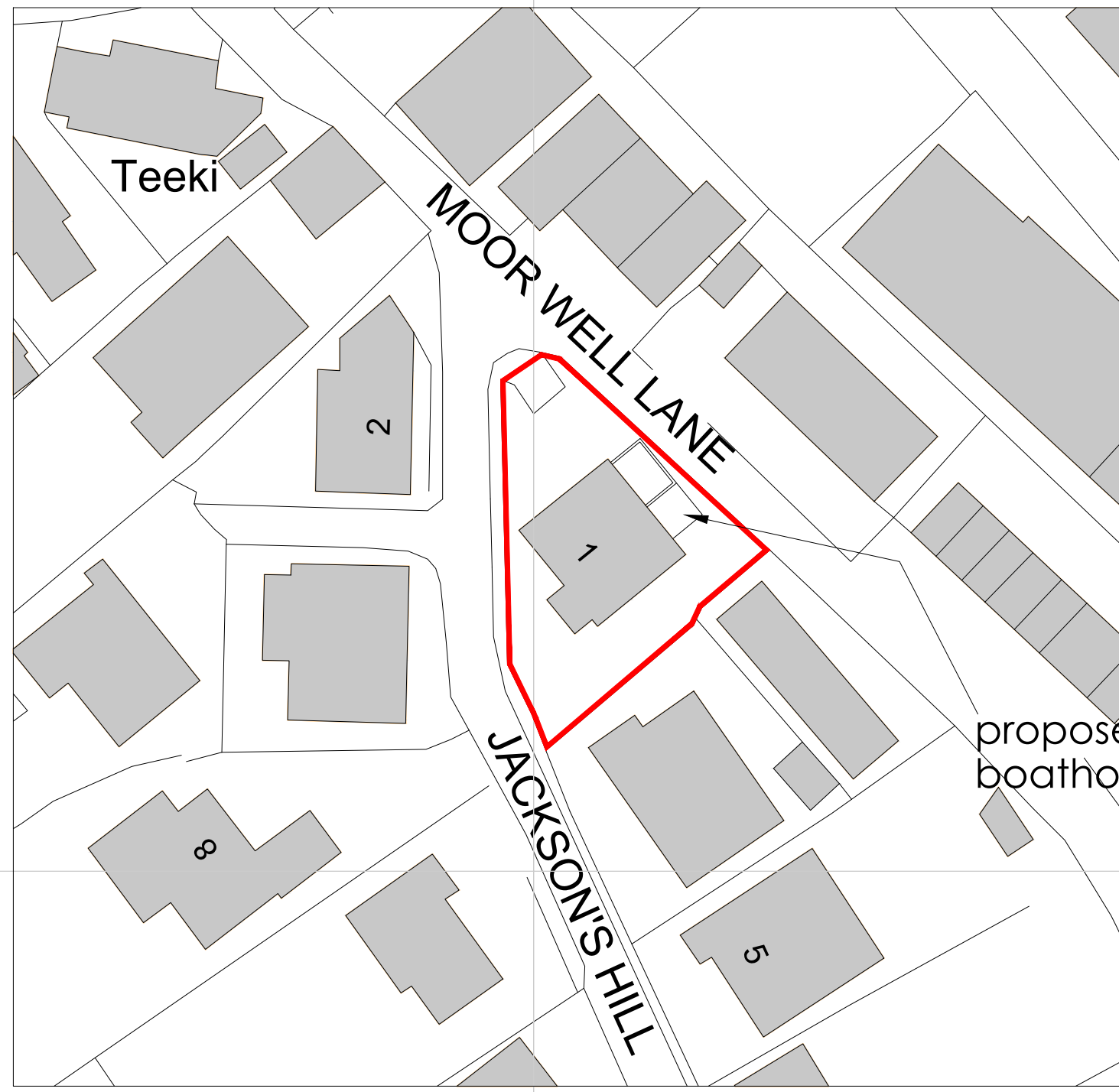
(c) Crown copyright, All rights reserved.
2022. License number 0100031673

Location Plan

0 | 10 | 20 | 30 | 40 | 50 | 60m

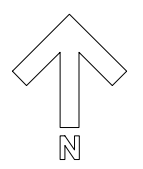
1:1250 @ A3

APPROVED
By Lisa Walton at 9:13 am, Sep 07, 2022



BLOCK PLAN
1:200 @ A3

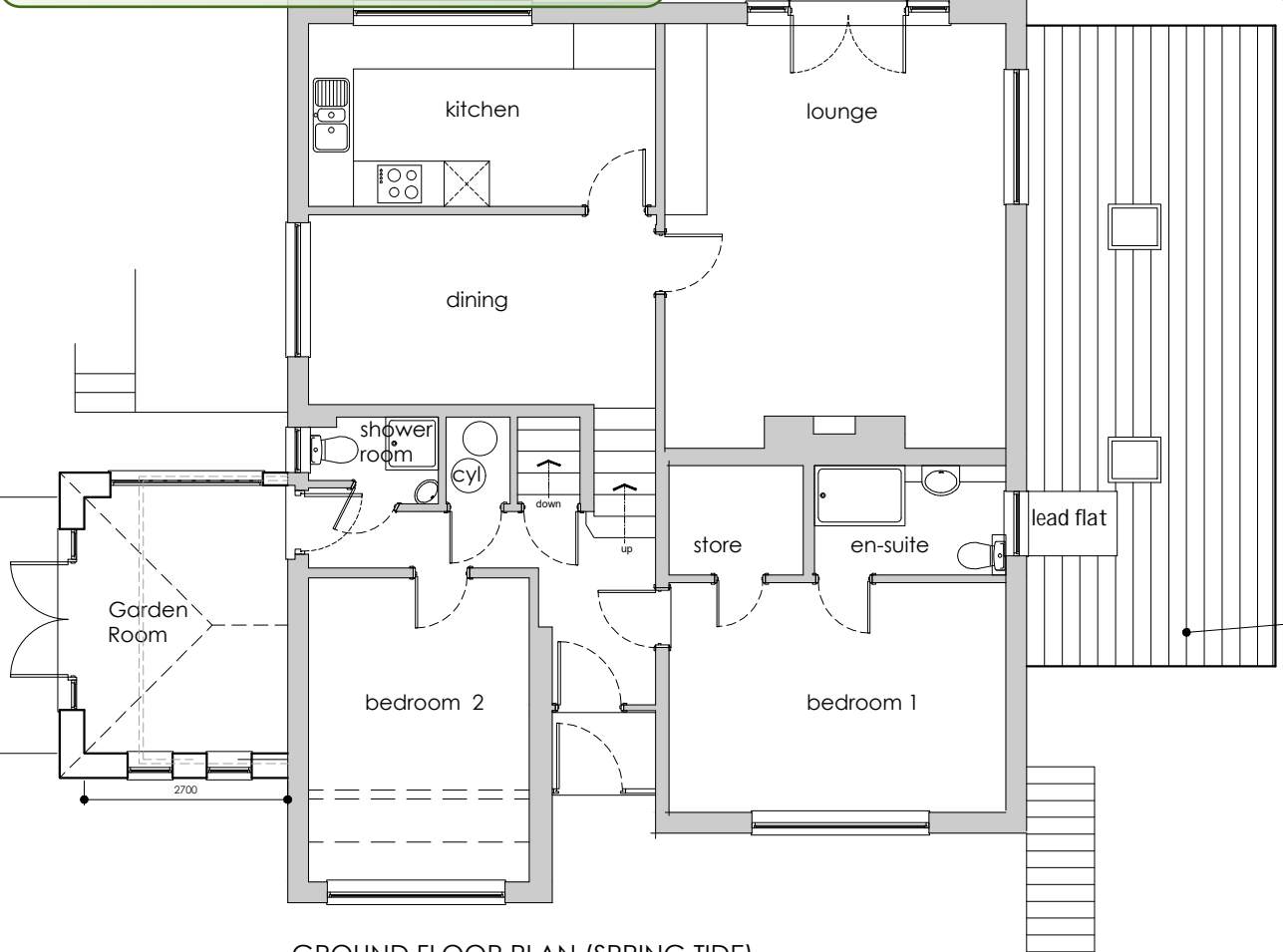
0 | 2 | 4 | 6 | 8 | 10m



24 June 2022
TTcs22-P01

APPROVED
By Lisa Walton at 12:55 pm, Jun 06, 2023

RECEIVED
By Lisa Walton at 6:08 pm, Apr 11, 2023

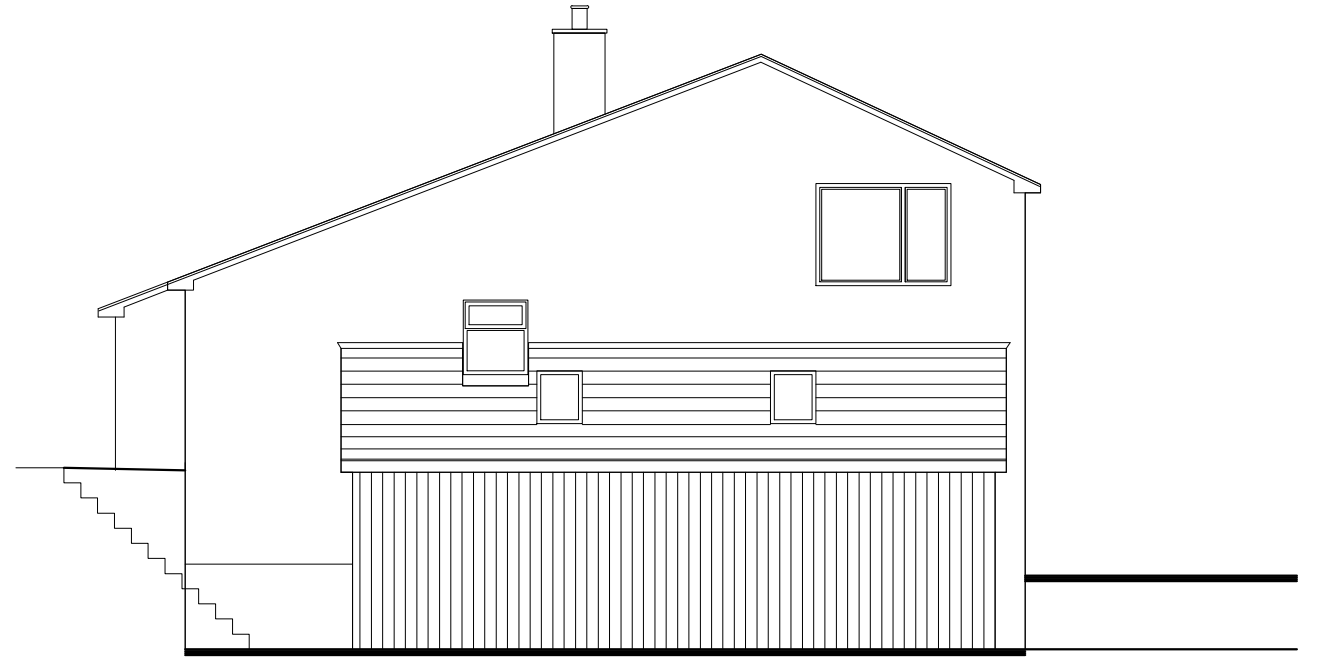


GROUND FLOOR PLAN (SPRING TIDE)

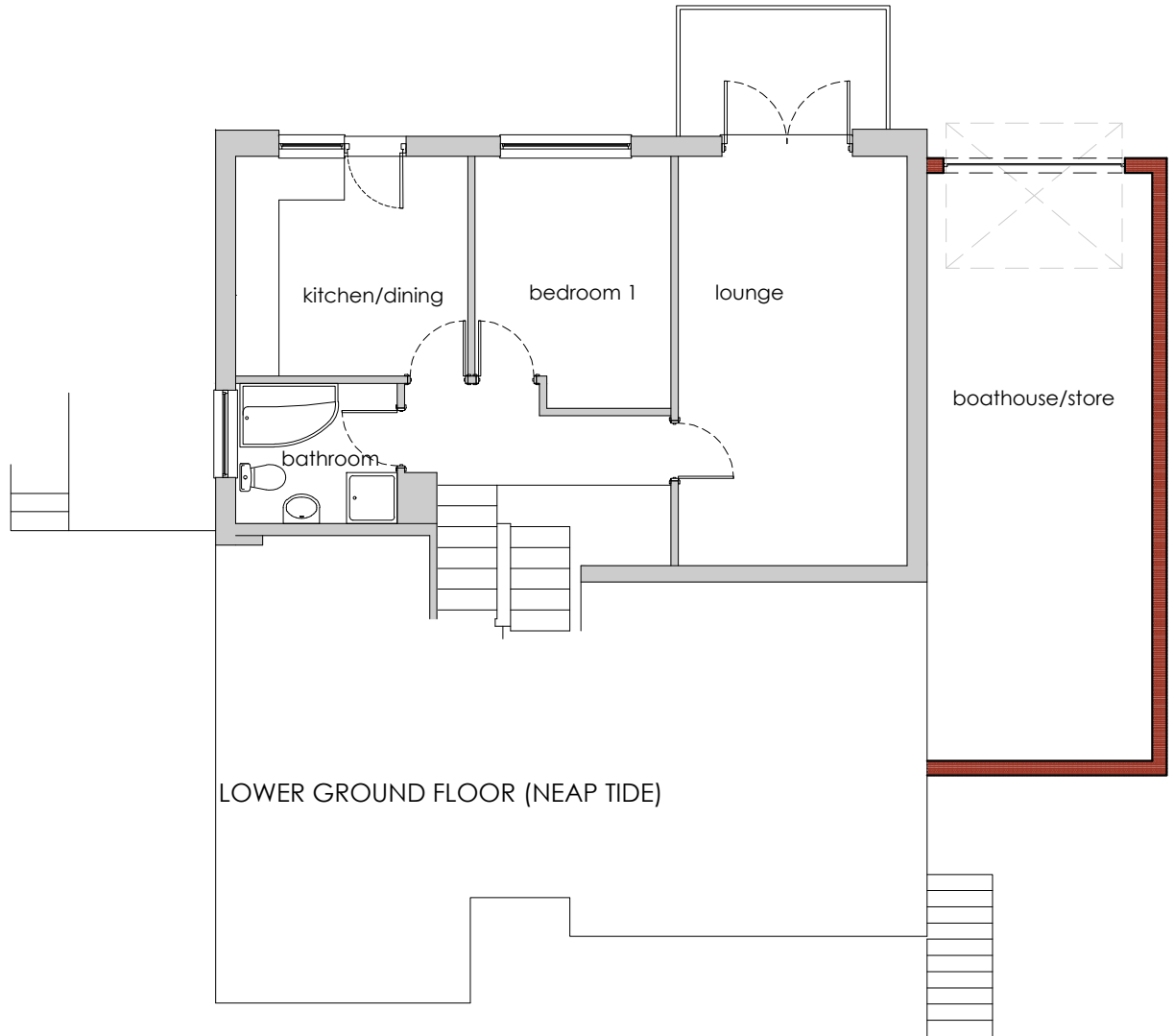
tiles to match main house roof



NORTH WEST ELEVATION



NORTH EAST ELEVATION



LOWER GROUND FLOOR (NEAP TIDE)



SOUTH EAST ELEVATION



THE TIDES, St Mary's, ISLES of SCILLY

1:100 @ A3 24 June 2022
0 1 2 3 4 5m

Rev B: 2 April 2023
more planner requested
amends
Rev A: 3 Sept 2022
Redesign requested by
planner to alter NE
elevation

TTcs22-P02
Rev B

DESIGN & ACCESS STATEMENT

THE TIDES BOATHOUSE

ST MARY'S

APPROVED

By Lisa Walton at 9:16 am, Sep 07, 2022

DESIGN & FUNCTION

This application is for a new boathouse, to be sited alongside the Eastern elevation of 'The Tides' at the foot of Jackson's Hill, St. Mary's. The building will be of mixed construction, having block to the lower part and timber frame to the remainder. All elevations will have a rendered finish, colour matched to the existing building. A garage door will provide access from the front of the building, with a pedestrian door to the rear. The building will be surmounted with a mono pitch roof with tiled finish, matching the existing building.

A balcony, with glazed screens, will be provided on the Northern end of the building which will be accessed from the Spring Tide flat at first floor level. This will provide outside space for the flat and enhance the visitor experience.

The Boathouse will primarily be used for storage, but will also afford Ancillary space to both of the self catering apartments (wet suit drying, BBQ storage, garden furniture storage etc). The building will have no detrimental effect on the amenity of either flat and to the contrary, will improve the visitor experience in both (especially the provision of patio seating for the upper part).

ACCESS

The Tides has a vehicular driveway which affords access to Jackson's Hill via a set of timber gates. This access will remain and will be unaffected by the works.

RECEIVED

By Lisa Walton at 6:10 pm, Apr 11, 2023

APPROVED

By Lisa Walton at 12:49 pm, Jun 06, 2023

SITE WASTE MANAGEMENT PLAN

THE TIDES

ST. MARY'S

DESCRIPTION OF PROJECT

Erection of boathouse store on the Eastern elevation of The Tides. The location is undeveloped and there will be no demolition required prior to start of construction.

WASTE RESULTANT FROM FOUNDATION EXCAVATION

There will be minimal soil / debris created as a result of the excavation. Any top soil that is removed can be redistributed about the garden area of the property.

CONSTRUCTION WASTE

The project has been carefully costed and materials required estimated accurately. We do not envisage any surplus from the construction phase. Off cuts of timber will be used on future jobs and any packaging recycled via the existing waste streams.