



**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/23/066/ROV      **Date Application Registered:** 29th August 2023

**Applicant:** Mr Robert Dorrien-Smith  
Tresco Estate Office,  
Tresco,  
Isles Of Scilly,  
TR24 0QQ

**Agent:** Mr Nicholas Lowe  
Home Barn,  
Gattrell,  
Steway Lane,  
Northend,  
Bath,  
BA1 8EH

**Site address:** Valhalla Abbey Road Tresco Isles Of Scilly TR24 0QQ  
**Proposal:** Variation of condition 2 (Approved Plans) of planning permission P/21/108/HH (Demolition of lean-to extension, construction of new single storey extension, installation of new dormer windows, construction of new swimming pool and other internal and external alterations. (Affecting setting of a listed building)) 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 Conditions including varied condition C2:

**C1 The development hereby permitted shall be begun before the expiration of three years from the date of the approved permission P/21/108/HH (17/02/2022).**

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

- **Plan 1 Location Plan, date stamped 21st December 2021**
- ~~Plan 2 Proposed Site Plan, date stamped 21st December 2021~~
- ~~Plan 2A Proposed Site Plan 4137-021-G date stamped 3<sup>rd</sup> April 2023~~
- **Plan 2B Proposed Site Plan 4137-021-H date stamped 29<sup>th</sup> August 2023**
- ~~Plan 3 Proposed Elevations date stamped 21st December 2021~~
- ~~Plan 3A Proposed Elevations 4137-022-D date stamped 3<sup>rd</sup> April 2023~~
- **Plan 3B Proposed Elevations 4137-022-E date stamped 25<sup>th</sup> August 2023**
- ~~Plan 4 Proposed Floor Plans, date stamped 21st December 2021~~
- ~~Plan 4A Proposed Plans 4137-020-L date stamped 3<sup>rd</sup> April 2023~~
- **Plan 4B Proposed Plans 4137-020-M date stamped 25<sup>th</sup> August 2023**
- **Design and Access Statement (Sustainable Design Measures), date stamped 21st December 2021**
- **Bat Survey Report by Plan for Ecology, Project Ref: P4E2099, V1**

**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 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 external illumination 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 this rural area and preserve the dark night skies of the Isles of Scilly and the Tresco Playing Fields Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Isles of Scilly Local Plan 2015-2030

- C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no further extensions (Class A) or alterations to the roof (Class B and Class C) to the dwelling shall be erected without the prior permission, in writing, of the Local Planning Authority.**

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality and to protect the setting of designated heritage assets in the vicinity of the site as well as the wider character of the conservation area.

**PRE-COMMENCEMENT CONDITION: 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 ensure appropriate reduction and management of waste, to be submitted and agreed by the Local Planning Authority. In accordance with Policy SS2(2) of the Isles of Scilly Local Plan (2015-2030)

**PRE-COMMENCEMENT CONDITION: Details of External Finishes**

- C6 Prior to the commencement of the development, hereby permitted, precise details of the finish and appearance of any external surface material, to include samples where possible, used in the construction of the development shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details only which shall be maintained as approved thereafter.**

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application but are required in order to ensure the appearance of the extension does not harm the setting of Tresco Abbey Garden or the wider character of the conservation area. In accordance with Policy OE7 of the Isles of Scilly Local Plan 2015-2030.

- C7 All works involving machinery required in connection with the implementation of this permission shall be restricted to between 0800 and 1800 hours Monday to Saturdays. There shall be no works involving machinery on a Sunday or Public or Bank Holiday.**

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

- C8 The scheme for the protection of the existing bat roosts within the existing roofspace and the provision of additional bats' roost habitat within the roofspace of the approved extension, including the related provision of access to that roof space as set out in the Plan for Ecology Report (REF: P4E2099) and related specifications, shall be fully implemented prior to the occupation of the application building, unless an alternative timetable is agreed in writing by the Local Planning Authority. Once fully implemented the bats' roost area and agreed openings shall be permanently maintained.**

Reason: To retain control over the development, to safeguard bats and these roosts which are specifically protected by law.

## **PRE-COMMENCEMENT CONDITION European Protected Species License**

**C9** Prior to the commencement of the development, hereby approved, either a copy of the licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the development to go ahead; or a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/ development will require a licence must be submitted to and agreed in writing by the Local Planning Authority. The development must accord with these details thereafter.

Reason: This is a pre-commencement condition imposed in order to secure the 'strict protection' of European protected species.

### **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. Fire Safety: Access and Facilities for the Fire Service as detailed in B5 ADB Volume 2 will be required. Access for a pumping appliance should be provided to within 45m of all points inside the building. It is important to remember that failure to do so may prevent the applicant from obtaining a completion certificate under the Building Regulations but more importantly, the lives of the occupiers will be put at risk.
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 (for which a fee of £34 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.
4. In accordance with the Town and Country Planning (fees for Application and Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 a fee is payable to discharge any condition(s) on this planning permission. The fee is current £34 for each request to discharge condition(s) where the planning permission relates to a householder application. The fee is payable for each individual request made to the Local Planning Authority. You are advised to check the latest fee schedule at the time of making an application as any adjustments including increases will be applied: [https://ecab.planningportal.co.uk/uploads/english\\_application\\_fees.pdf](https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf)
5. 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: [buildingcontrol@cornwall.gov.uk](mailto:buildingcontrol@cornwall.gov.uk)
6. The Applicant is reminded of the provisions of the Wildlife and Countryside Act 1981 and the E.C. Conservation (Natural Habitats) Regulations Act 1994, the Habitat and Species Regulations 2012 and our Natural and Environment and Rural Communities biodiversity duty. This planning permission does not absolve the applicant from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licences required, as described in part IV B of Circular 06/2005. Care should be taken during the work and if bats are discovered, they should not be handled, work must stop immediately and a bat warden contacted. Extra care should be taken during the work, especially when alterations are carried out to buildings if fascia boards are removed as roosting bats could be found in these areas. If bats are found to be present during work, they must not be handled. Work must stop immediately and advice sought from licensed bat wardens. Call The Bat Conservation Trust's National Bat Helpline on 0845 1300 228 or Natural England (01872 245045) for advice.

Signed:



**Chief Planning Officer**

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

**DATE OF ISSUE:** 20th October 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 Robert Dorrien-Smith

## Please sign and complete this certificate.

This is to certify that decision notice: P/23/066/ROV and the accompanying conditions have been read and understood by the applicant: Mr Robert Dorrien-Smith.

1. **I/we intend to commence the development as approved:** Variation of condition 2 (Approved Plans) of planning permission P/21/108/HH (Demolition of lean-to extension, construction of new single storey extension, installation of new dormer windows, construction of new swimming pool and other internal and external alterations (Affecting setting of a listed building)) to make minor amendments to the approved scheme. at: Valhalla Abbey Road Tresco Isles Of Scilly TR24 0QQ **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):

<b>Name:</b>	<b>Contact Telephone Number:</b>
	<b>And/Or Email:</b>

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) 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.

### **PRE-COMMENCEMENT CONDITION(S)**

- 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.
- C6 Prior to the commencement of the development, hereby permitted, precise details of the finish and appearance of any external surface material, to include samples where possible, used in the construction of the development shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details only which shall be maintained as approved thereafter.
- C9 Prior to the commencement of the development, hereby approved, either a copy of the licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the development to go ahead; or a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/ development will require a licence must be submitted to and agreed in writing by the Local Planning Authority. The development must accord with these details 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-authorized 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.

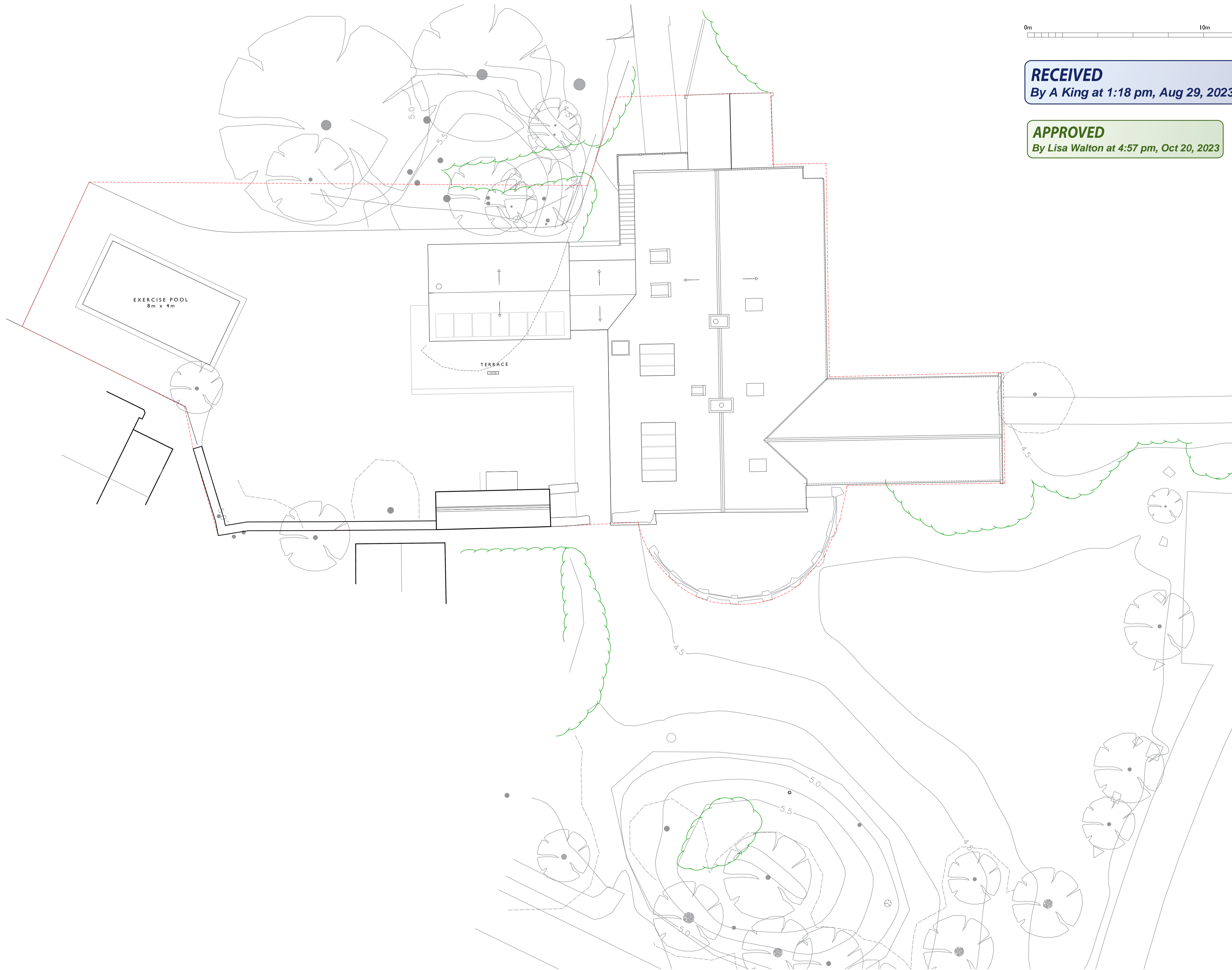
Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.



0m 10m 20m

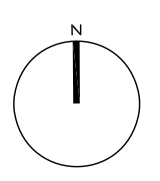
**RECEIVED**  
By A King at 1:18 pm, Aug 29, 2023

**APPROVED**  
By Lisa Walton at 4:57 pm, Oct 20, 2023



H	JW	NL	29.08.23	Variation Application
G	JW	NL	03.04.23	Variation Application
F	JW	NL	23.03.23	Variation Application
E	JW	NL	15.12.21	Planning Proposal
D	JW	NL	02.12.21	Planning Proposal
C	JW	NL	26.10.21	Draft Planning Updates
B	NL	-	12.05.21	Draft Planning Updates
A	NL	-	13.10.21	Draft Planning Updates
-	NL	-	06.10.21	Draft Planning
Rev.	DR	CH	Date	Notes

PROJECT: VALHALLA  
DRAWING: PROPOSED SITE PLAN  
DRAWING No: 4137 - 021 H.  
DRAWING SIZE: I:100 @ A1 DATE: Jul 2020  
I:200 @ A3



**llewellyn  
harker  
lowe**

**RECEIVED**  
By A King at 12:09 pm, Aug 25, 2023

**APPROVED**  
By Lisa Walton at 4:57 pm, Oct 20, 2023



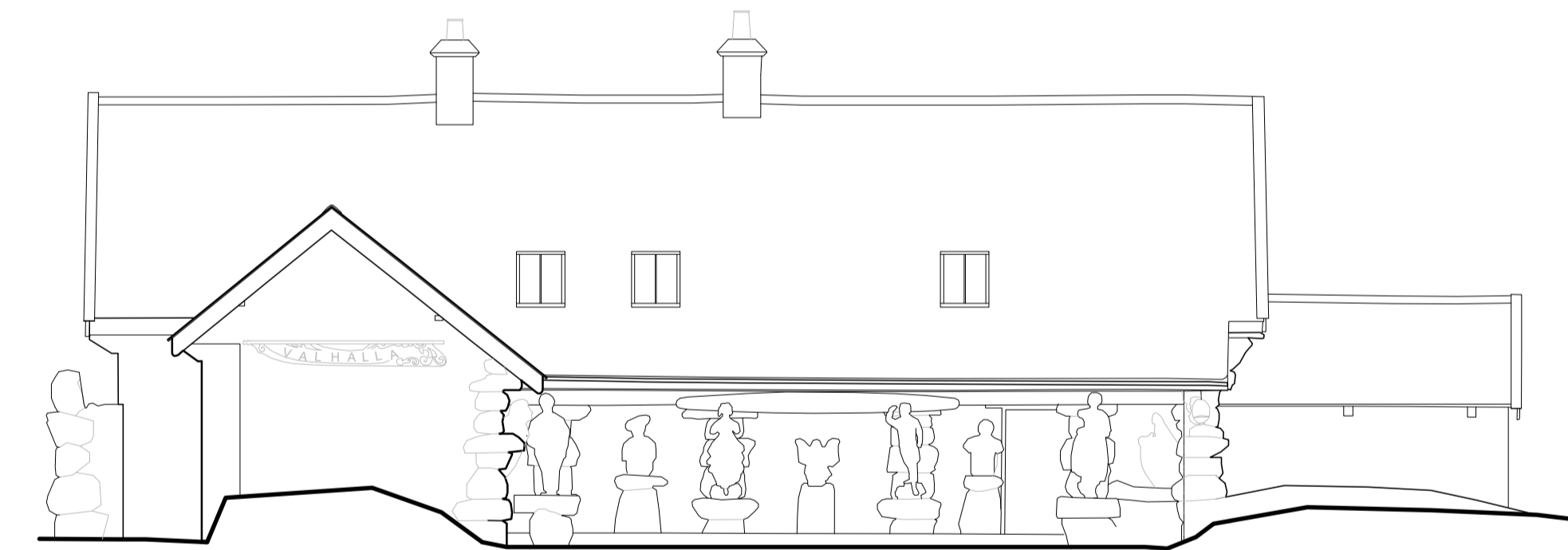
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

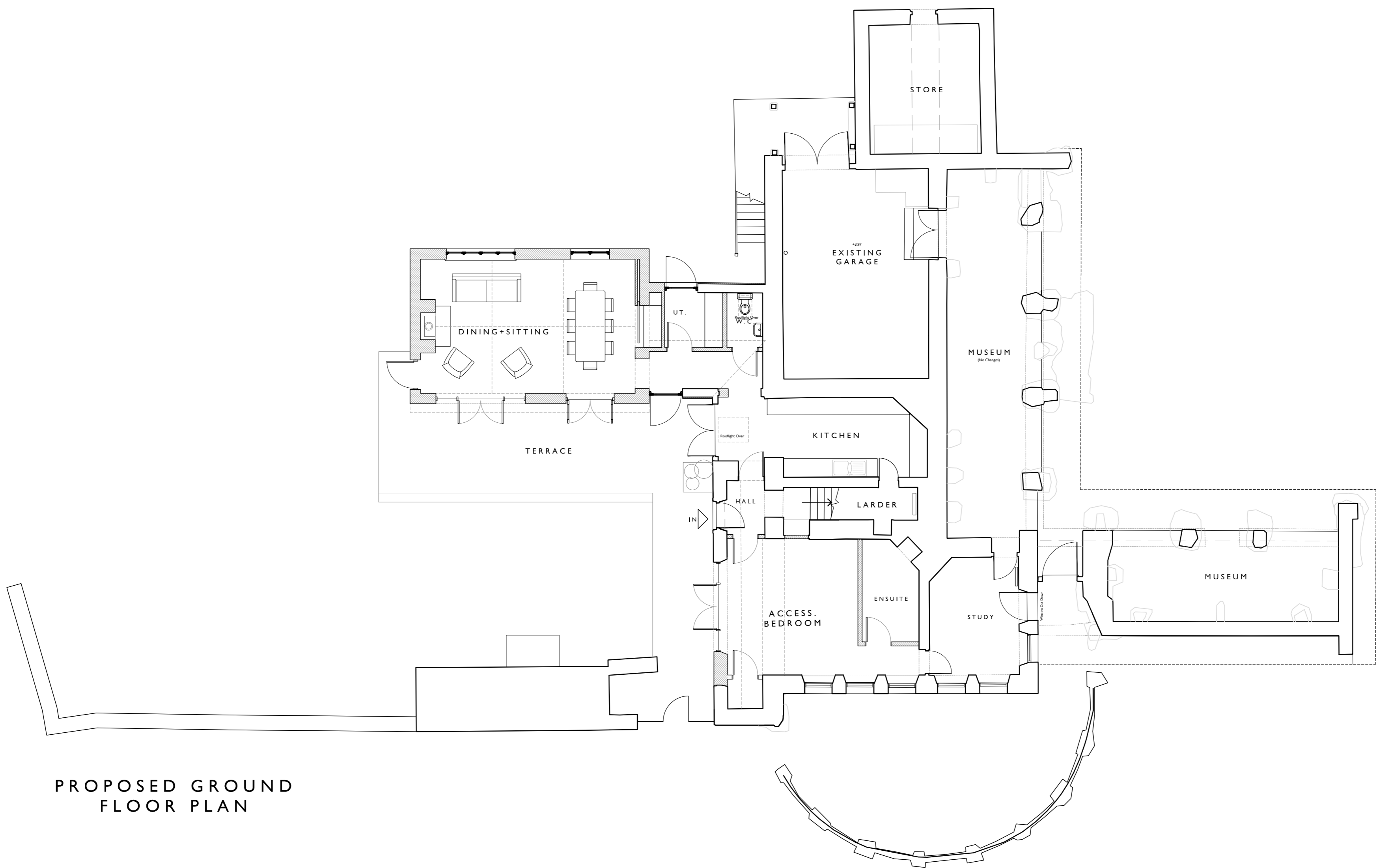
E	JW	NL	24.08.23	Planning Amendment Issue
Rev.	DR	CH	Date	Notes
PROJECT VALHALLA				
DRAWING PROPOSED ELEVATIONS				
DRAWING No. 4137 - 022 E.				
DRAWING SIZE 1:100 @ A1 DATE Dec 2021				
1:200 @ A3				

**RECEIVED**  
By A King at 12:07 pm, Aug 25, 2023

**APPROVED**  
By Lisa Walton at 4:58 pm, Oct 20, 2023

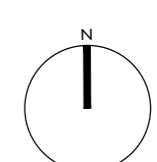


PROPOSED FIRST FLOOR PLAN



PROPOSED GROUND FLOOR PLAN

M	JW	NL	24.08.23	Planning Amendment Issue
Rev:	DR	CH	Date	Notes
PROJECT VALHALLA				
DRAWING PROPOSED PLANS				
DRAWING No: 4137 - 020 M.				
DRAWING SIZE		DATE		
1:100 @ A1	1:200 @ A3	Jul	2020	



**llewellyn harker lowe**