



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/23/075/FUL	Date Application Registered:	3rd October 2023
Applicant:	Mr Phil Moon The Quay, Hugh Town, St Mary's, Isles Of Scilly, TR21 0HU	Agent:	Mr Antonio Berrio 33 Market Harborough, LE16 8BF

Site address: On The Quay The Quay Hugh Town St Mary's Isles Of Scilly
Proposal: Installation of a pergola like awning on the existing balcony in the first floor. (Listed Building)

In pursuance of their powers under the above Act, the Council hereby **PERMIT** the above development to be carried out in accordance with the following Conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- C2 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.
- C3 No part of the canopy/pergola structure, hereby approved, shall be illuminated.**
Reason: To preserve the scenic beauty of the Isles of Scilly as a designated Area of Outstanding Natural Beauty which includes its Dark Night Skies in accordance paragraph 176 of the National Planning Policy Framework 2021 and Policy OE4 of the Isles of Scilly Local Plan 2015-2030.
- C4 The development hereby permitted shall be carried out in accordance with the approved details only including:**
- **Plan 1 Existing Location and Block Plan**
 - **Plan 2 Proposed Block Plan**
 - **Plan 3 Proposed Side and Front Elevation**

- **Plan 4 Proposed North Elevation**
- **Plan 5 Heritage Design and Access Statement**

These are stamped as APPROVED

Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Listed Building and 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.

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. 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.
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
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, where required. You can contact Building Control for further advice or to make a building control application: buildingcontrol@cornwall.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: 28th November 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 Phil Moon

Please sign and complete this certificate.

This is to certify that decision notice: P/23/075/FUL and the accompanying conditions have been read and understood by the applicant: Mr Phil Moon.

1. **I/we intend to commence the development as approved:** Installation of a pergola like awning on the existing balcony in the first floor. (Listed Building) at: On The Quay The Quay 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.

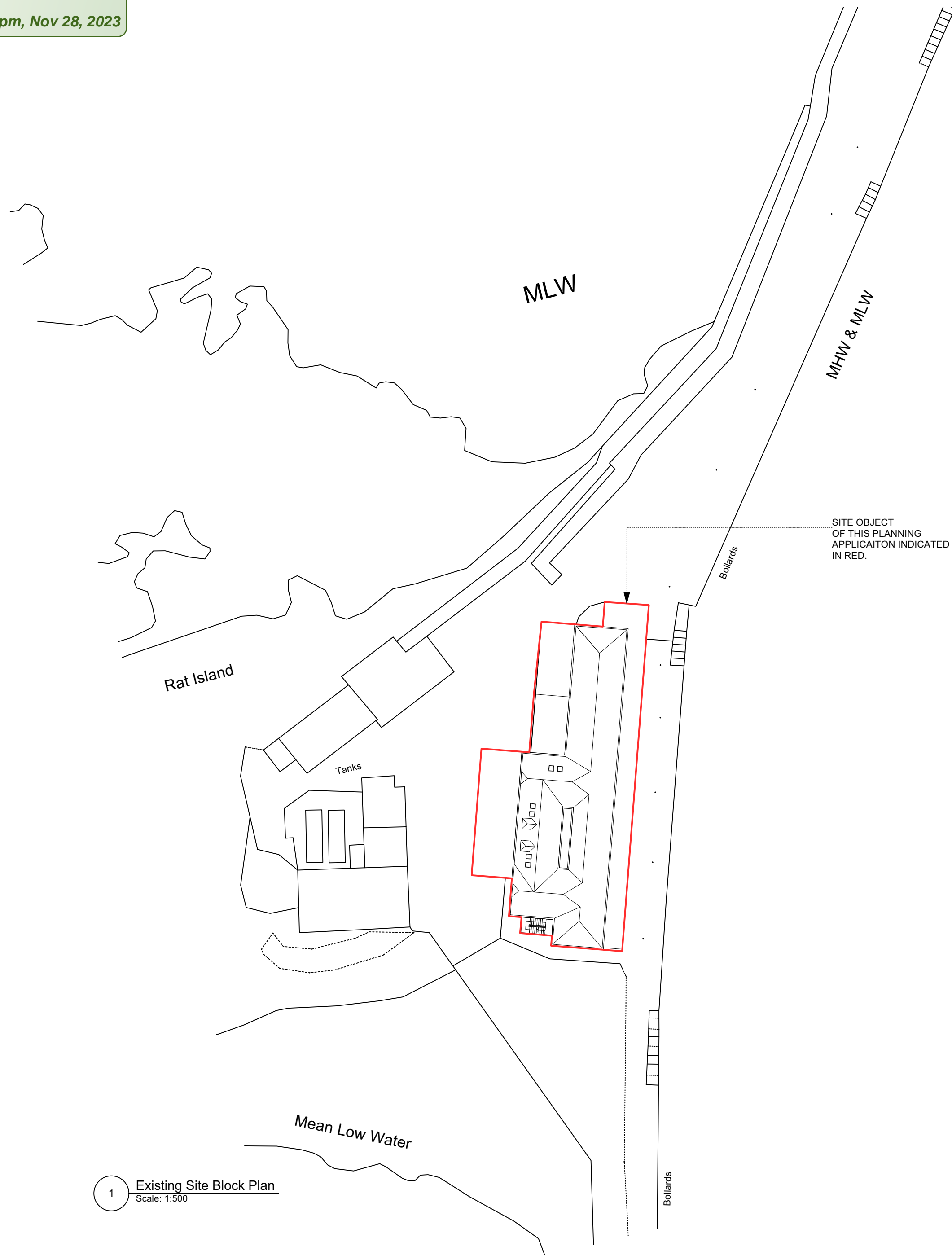
Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.

APPROVED
By Lisa Walton at 5:05 pm, Nov 28, 2023

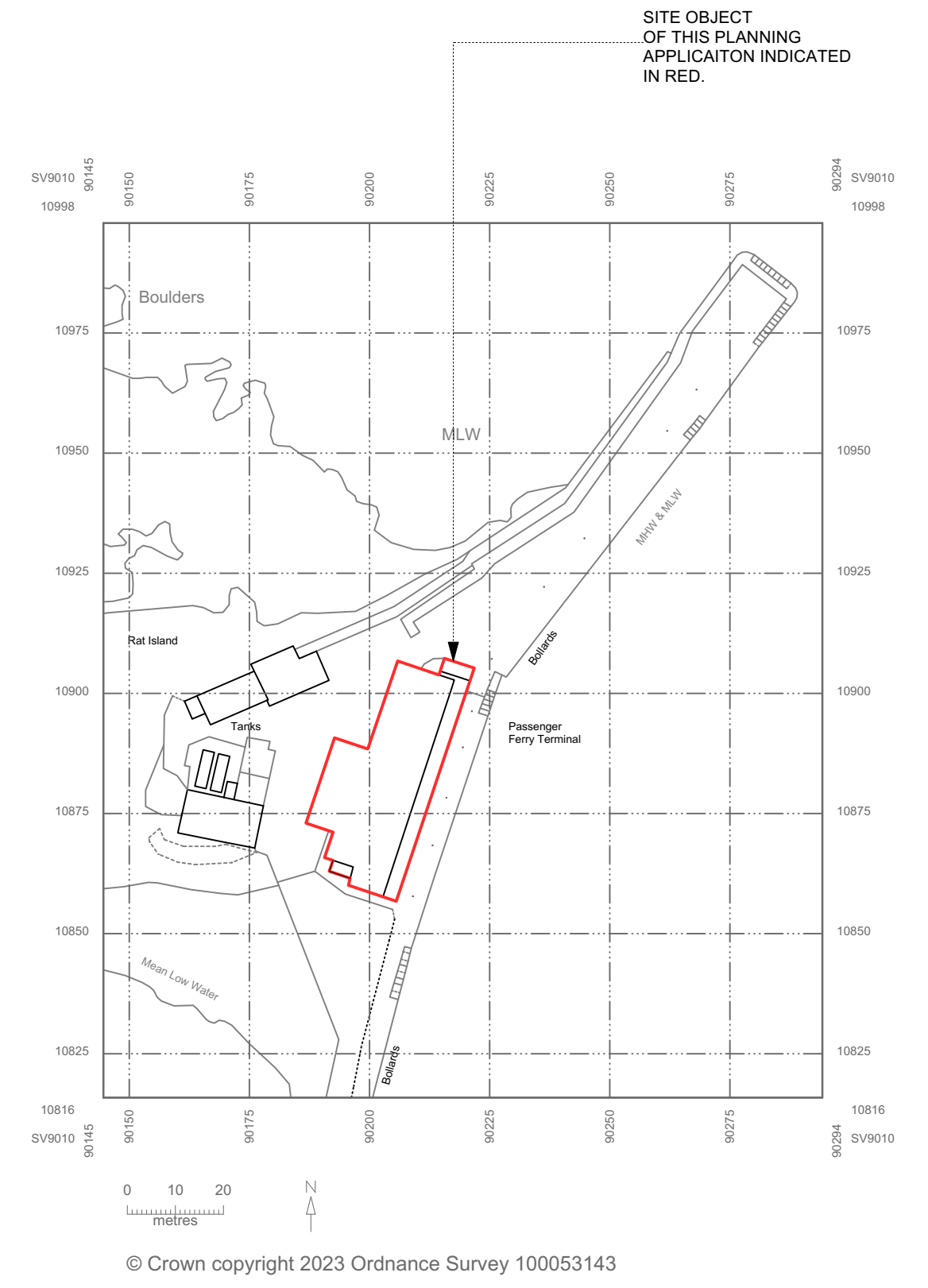
IMPORTANT NOTES

- Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies must be reported to the Architect or Engineer before proceeding.
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RECEIVED
By A King at 1:58 pm, Oct 03, 2023



1 Existing Site Block Plan
Scale: 1:500



2 Location Plan
Scale: 1:1250

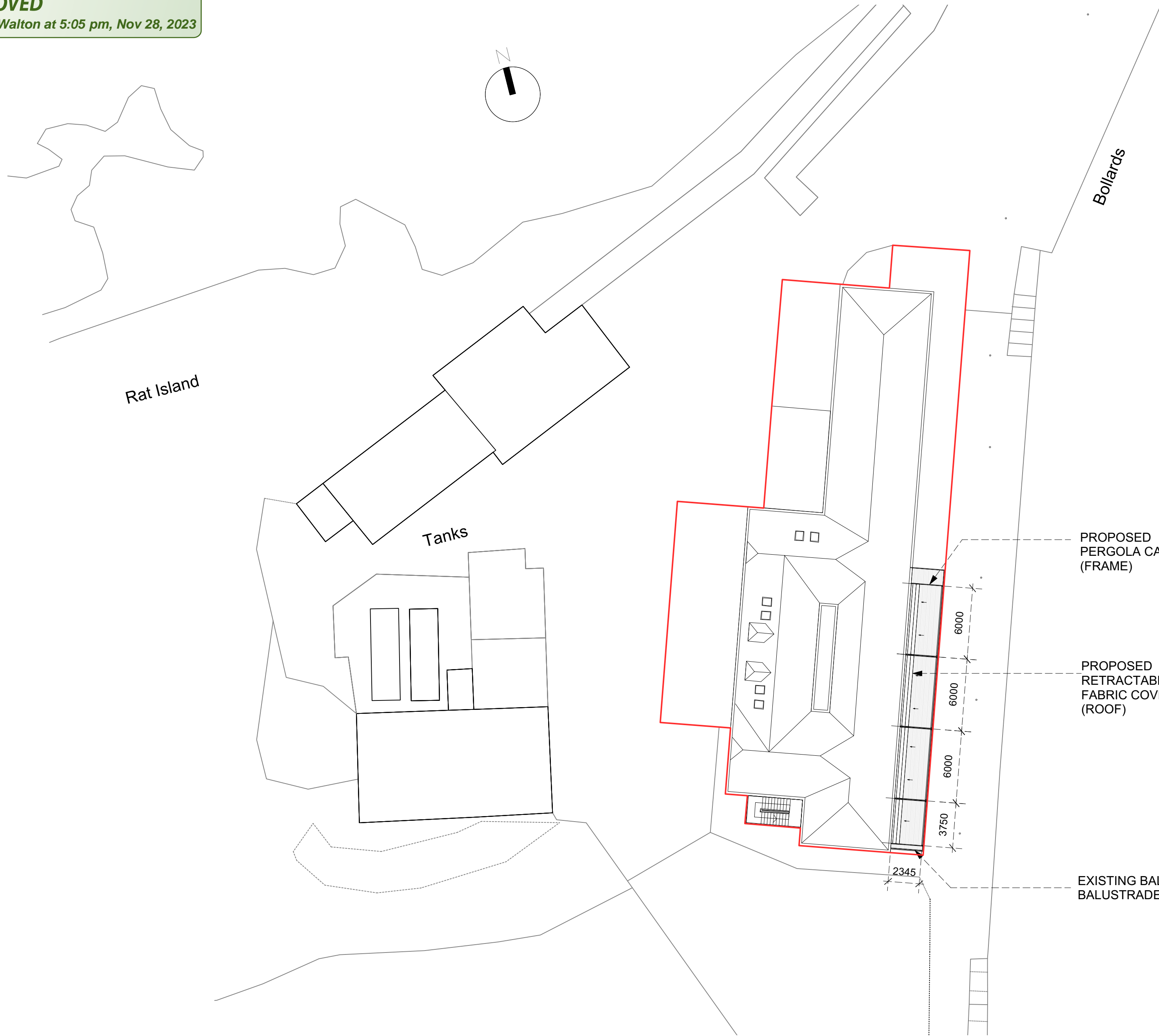
Revision	Description	Drawn	Checked	Date
B				

APPROVED
By Lisa Walton at 5:05 pm, Nov 28, 2023

IMPORTANT NOTES

- Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies must be reported to the Architect or Engineer before proceeding.
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RECEIVED
By A King at 1:56 pm, Oct 03, 2023



1 Proposed Block Plan
Scale: 1:250

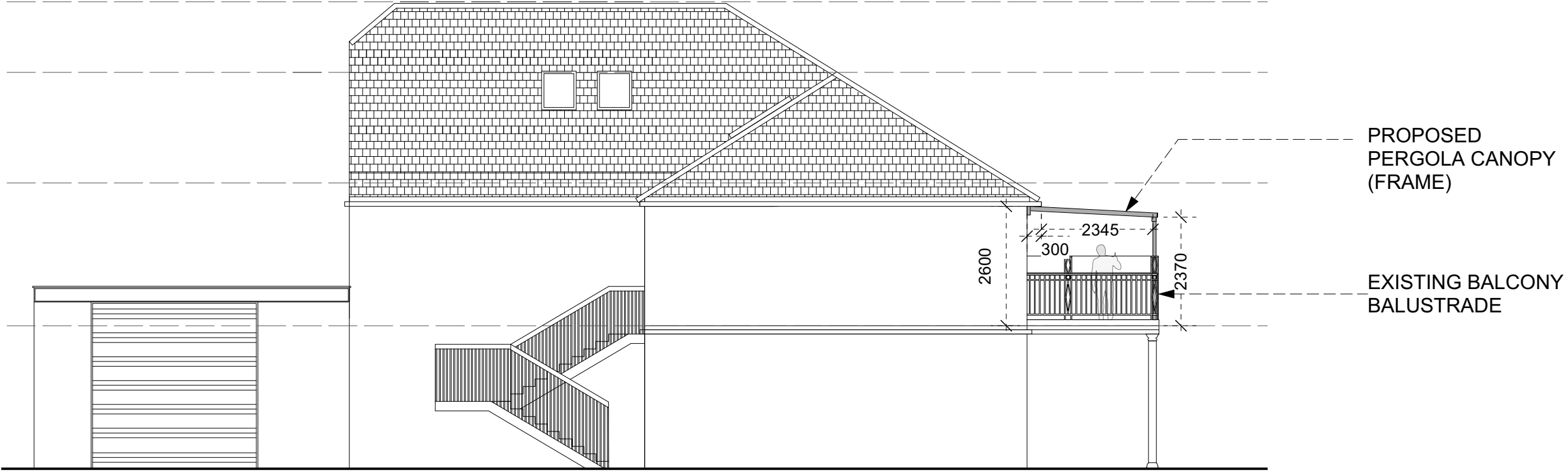
Revision	Description	Drawn	Checked	Date
B				

APPROVED
By Lisa Walton at 5:05 pm, Nov 28, 2023

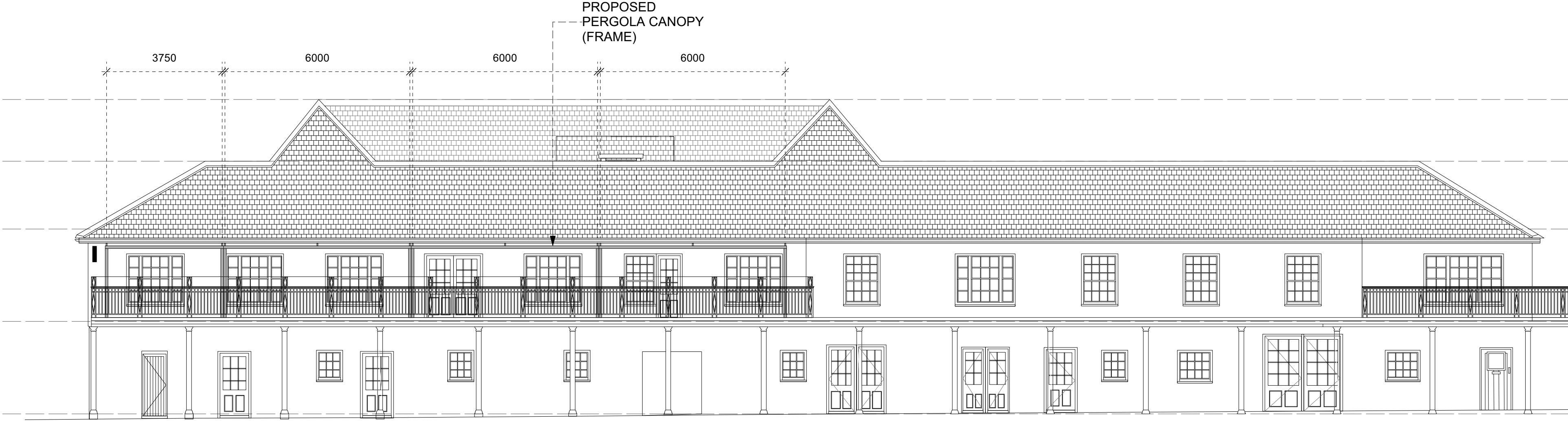
RECEIVED
By A King at 1:41 pm, Sep 25, 2023

IMPORTANT NOTES

- Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies must be reported to the Architect or Engineer before proceeding.
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1 Proposed South Elevation
Scale: 1:100



2 Proposed East Elevation
Scale: 1:100

Revision	Description	Drawn	Checked	Date
A	Preliminary			
	Information			
	Tender			
	Construction			
	As Built			

APPROVED
By Lisa Walton at 5:05 pm, Nov 28, 2023

RECEIVED
By A King at 1:42 pm, Sep 25, 2023

IMPORTANT NOTES

1. Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies must be reported to the Architect or Engineer before proceeding.
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1 Proposed North Elevation
Scale: 1:100

Revision	Description	Drawn	Checked	Date					
Preliminary	<input type="checkbox"/>	Information	<input checked="" type="checkbox"/>	Tender	<input type="checkbox"/>	Construction	<input type="checkbox"/>	As Built	<input type="checkbox"/>

Heritage, Design and Access Statement

Address Development: Harbourside Hotel, St Mary's Quay, Isles of Scilly, TR210HU.

Development: Installation of a new awning on first floor balcony.

Date: September 2023

Introduction

1. This Design & Access Statement (DAS) has been prepared in support of a Full Planning Application and Listed Building Consent Application on Harbour side Hotel at St Mary's Quay, Isles of Scilly to install a new awning on the existing first floor balcony.
2. The level of detailing on this DAS reflects the scale and nature of the works subject of the application, relative to the scale and nature of the building, the location and planning history.

Site and Context

The site is situated at the Harbour side on the east of the Scilly island, next to St Mary's of Isles Ferry Terminal.

The building is part of a cluster of industrial buildings associated with the Harbour and it sits more than 100 m away from the nearest building.

The building and the area is listed grade II by association to the Pier which list entry number is 1141209. The building in itself is not listed.



Photo 1. Harbour Aerial View

Use and Amount

1. No change is proposed to the size and amount of floor space of the premises. The floor area and use will remain the same.
2. No change is proposed to the existing planning use.
3. The only proposed alteration is the addition of an external light weight pergola frame to the existing first floor balcony to sustain a retractable canopy. The dimensions of this frame are 21.5 m (L) x 2.40 m (W).
4. This awning system will not have any lettering, advertising or lighting on the roof or on the frame. It will not be used to advertise the premises.



Photo 2. On the Quay. Building Photo.

Design and Layout

The use of the existing balcony of the building as a tourist attraction has become very popular as the ideal destination to enjoy unique views of the harbour, the beach and the town.

The proposed development intends to provide weather proof canopy for this balcony in case of rain or extreme heat conditions, so visitors can continue using the balcony and extend the season and the capacity of the restaurant with additional 40 covers.

The main design features for this development are:

1. A pergola like awning made of extruded aluminium will be installed, the selected product is Weiner Pergo Tex II, a pergola like awning system that is capable of collecting rain water and offer rain cover and shading protection.
2. The installation and position of this pergola frame has been carefully designed in elevation to avoid blocking any direct views from each of the windows or doors in the first floor. Please refer to planning drawings P02.
3. To minimize the impact on the local scene the frame will be painted light grey, as the current balcony balustrade, doors and roof features. Light Grey RAL 7035.



Photo 3. Weinor Pergo Tex II Awning System.

Appearance, Heritage and Design

The existing building on the quay has very little historical value or heritage significance as it has been altered several times and it is only listed by association with the quay and the pier. Heritage England does not mention the building in their listing and there's no substantial records of the original architectural design. The building has gone over several renovations and refurbishments over the decades to accommodate the different demands for commerce in the islands so it holds a very eclectic architectural character.

Regardless of the current building condition the development intends to minimise the impact on the building to maintain the current view and character of the harbour.

To be able to achieve that, the awnings have been meticulously designed to be in keeping with the character of the building. The pergola frame is proportionate and in rhythm with the current building frame supporting the balcony and it will be painted light grey to match existing features as much as possible.

The impact of the canopy roof will be minimal as it is retractable and when not in use it will be pulled back leaving a light weight frame visible. The remaining frame will merge into the populated harbour landscape made of seals and masts.



Photo 4. On the Quay. Masts Landscape. Marina View.

Conclusion

The proposed development will: enhance the visual appearance of the property, enhance the comfort of visitors on the premises, enhance the vitality and viability of the business on this location. The proposal is therefore considered a sustainable development and complies with planning policy and guidance.

Based on these reasons we would like to suggest this planning application to be considered for approval.