



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 VARIATION OF CONDITION

Application No: P/23/104/ROV Date Application Registered: 15th December 2023

Applicant: Ms Kelly Wood
Beverly Hills
7 Pilots Retreat
Hugh Town
St Mary's
Isles of Scilly
TR21 0PB

Agent: Mr Peter Green
Sea Glass,
4 Porthcressa Road,
St Mary's,
Isles of Scilly,
TR21 0JL

Site address: Beverly Hills 7 Pilots Retreat Hugh Town St Mary's Isles of Scilly
Proposal: Application to vary condition C2 (Approved Plans) of planning permission P/23/037/FUL (Re-configuration of 2 no. existing dwellings into 2 no. 3 bedroom dwellings including extension and dormer windows at rear) to allow for an additional dormer window at the rear.

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

- ~~C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.~~
Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- C2 The development hereby permitted shall be carried out in accordance with the approved details only including:**
- Plan 1 Location Plan & Block Plan, date stamped: 09/06/2023
 - ~~Plan 2 Proposed Elevations, date stamped: 09/06/2023~~
 - Plan 2B Elevations as Proposed, date stamped 18/12/2023
 - ~~Plan 3 Proposed Floor Plans, date stamped: 09/06/2023~~
 - Plan 3B Ground and Second Floor Plans as Proposed, date stamped: 09/06/2023
 - Plan 4 First Floor Plan as Proposed, date stamped: 18/12/2023
 - Plan 5 Roof Plan as Proposed, date stamped: 18/12/2023
 - Site Waste Management Plan, date stamped: 02/06/2023
 - Preliminary Roost Assessment, ref: 23-5-4, report dated 19th June 2023 and date stamped 26/06/2023 (bat and bird mitigation and enhancement)

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 Policy OE1 and OE7 of the Isles of Scilly Local Plan (2015-2030).

- C3 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.

- 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 Submission Draft Isles of Scilly Local Plan (2015-2030).

- C5 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 subsequent extensions (Class A, Part 1), alterations to the roof (Class B and C, Part 1) or chimneys, curtilage buildings (Class E, Part 1), flues (Class G, Part 1) or any means of enclosure (Class A, Part 2) shall be erected or constructed on/within the curtilage of either property, hereby permitted, without the prior permission, in writing, of the Local Planning Authority through the submission of a further application.**

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality and in the interests of the affordability of the dwelling and the local housing stock in accordance with Policy LC3 of the Isles of Scilly Local Plan (2015-2030).

- C6 Within six months of the substantial completion of the works, hereby approved, a minimum of one bat box, as set out in the Preliminary Roost Assessment, ref: 23-5-4, report dated 19th June 2023 and date stamped 26/06/2023, shall be installed as recommended and be retained as such thereafter.**

Reason: In the interests of securing appropriate and proportionate biodiversity net gains at this site in accordance with Policy OE2, SS1(d) and SS2(g) 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. **SECTION 106 AGREEMENT:** The planning permission hereby approved is subject of a section 106 agreement to control the occupancy of the dwellings to ensure it contributes towards the housing need of the local community.
3. **Non-Material Amendments:** 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.
4. **Registering for appropriate Business Rates/Council Tax:** To ensure appropriate contributions, are made to fund services provided by or on behalf of the Council on the Isles of Scilly please ensure you contact the Council's Revenues Department: revenues@scilly.gov.uk to inform them about the changes to this property.
5. **BATS:** 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. **Building Control:** 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.
7. **South West Water:** The application states surface water is proposed to discharge to the public combined sewer, this is not authorised and will require authorisation from South West Water. The applicant will need to demonstrate that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):
 - Discharge into the ground (infiltration); or where not reasonably practicable,
 - Discharge to a surface waterbody; or where not reasonably practicable,
 - Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
 - Discharge to a combined sewer.(Subject to Sewerage Undertaker carrying out capacity evaluation)You can contact the Pre Development Team on 01392 442836 or via email: DeveloperServicesPlanning@southwestwater.co.uk Quote reference number HS 210623 TR21 0PB in all communications and correspondence about this property.
8. **Fire Safety:** The Fire Authority must be consulted when the proposal is submitted for its Building Regulations approval.

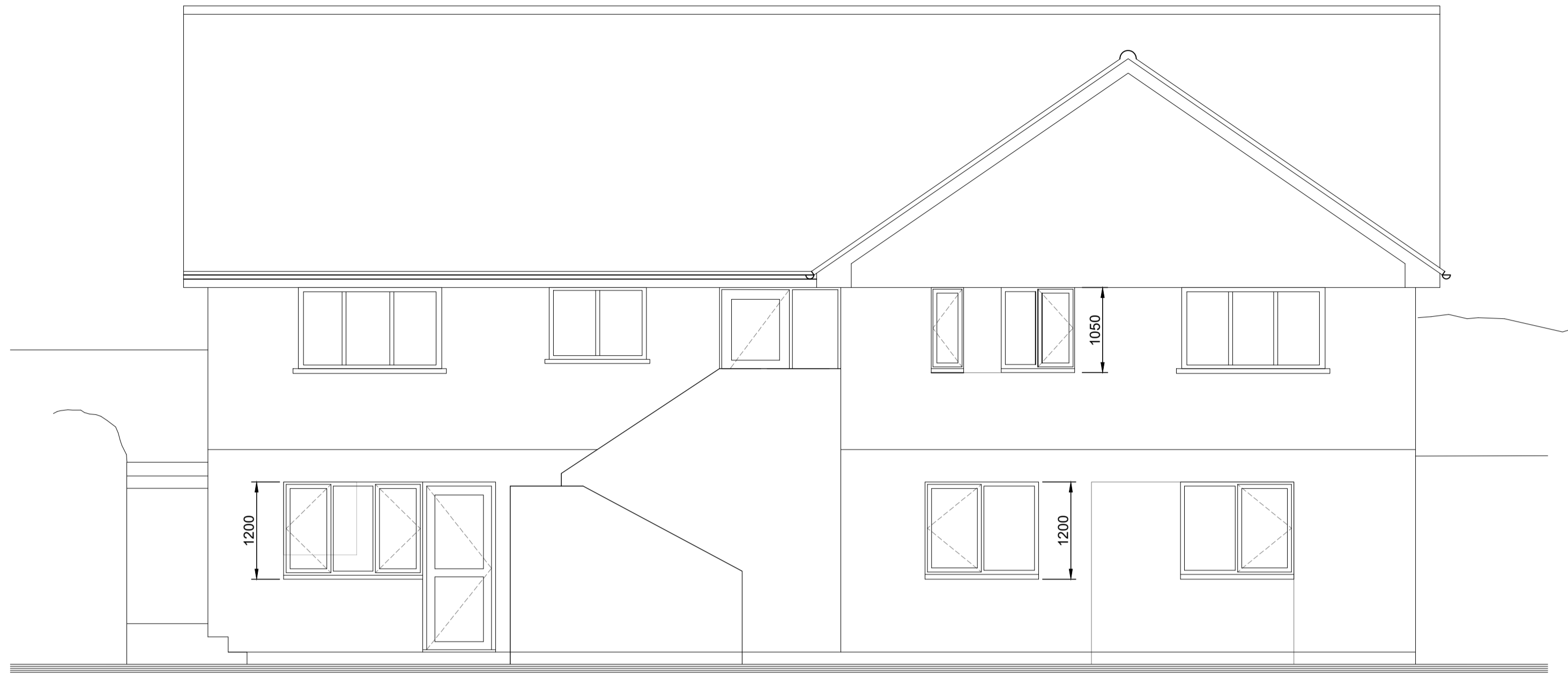
Signed:



Chief Planning Officer

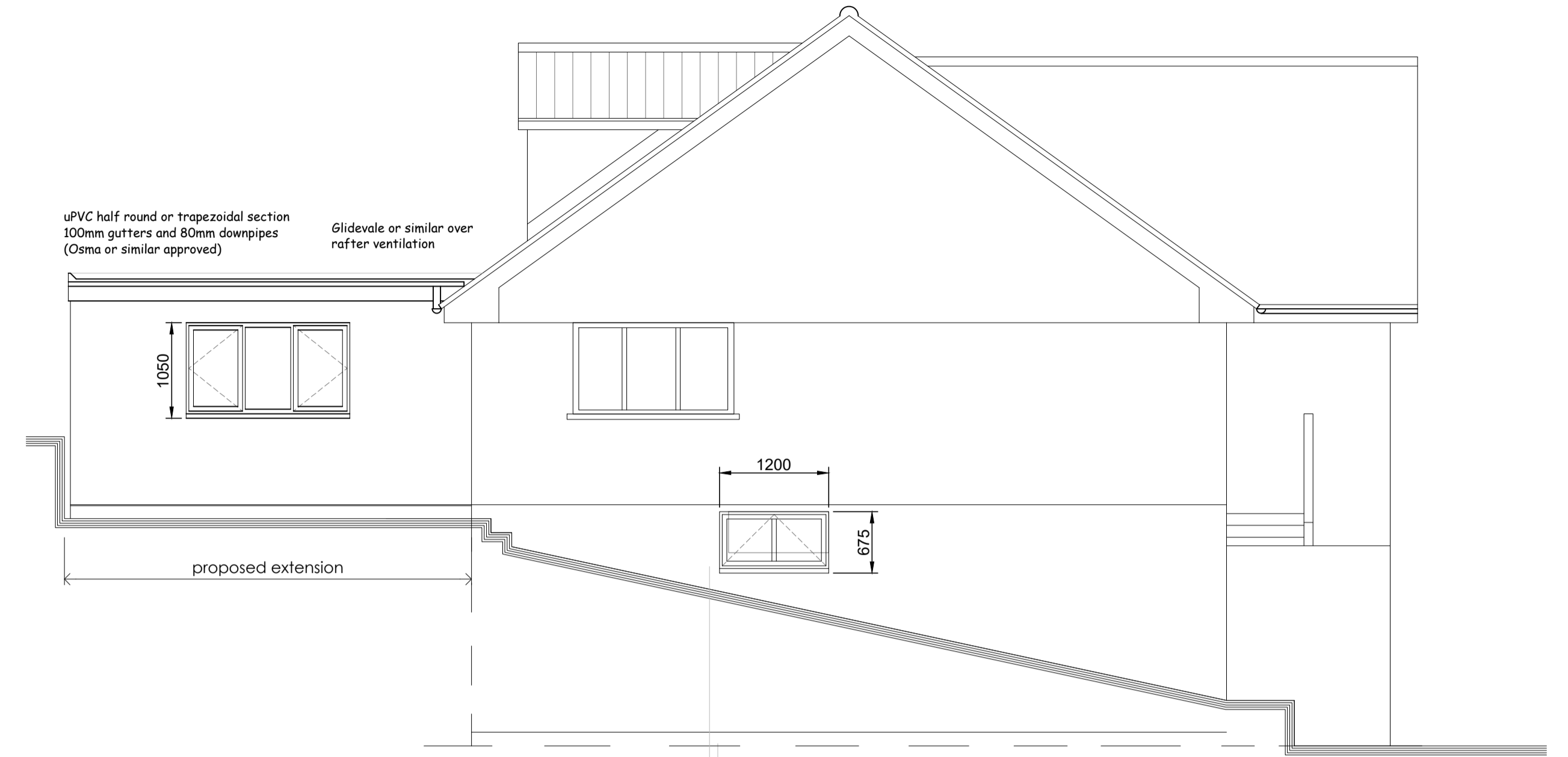
Duly Authorised Officer of the Council to make and issue Planning Decisions on behalf of the Council of the Isles of Scilly.

DATE OF ISSUE: 31st January 2024



East (Front) Elevation
No.1

No. 2



South Elevation
No.1



North Elevation
No. 2



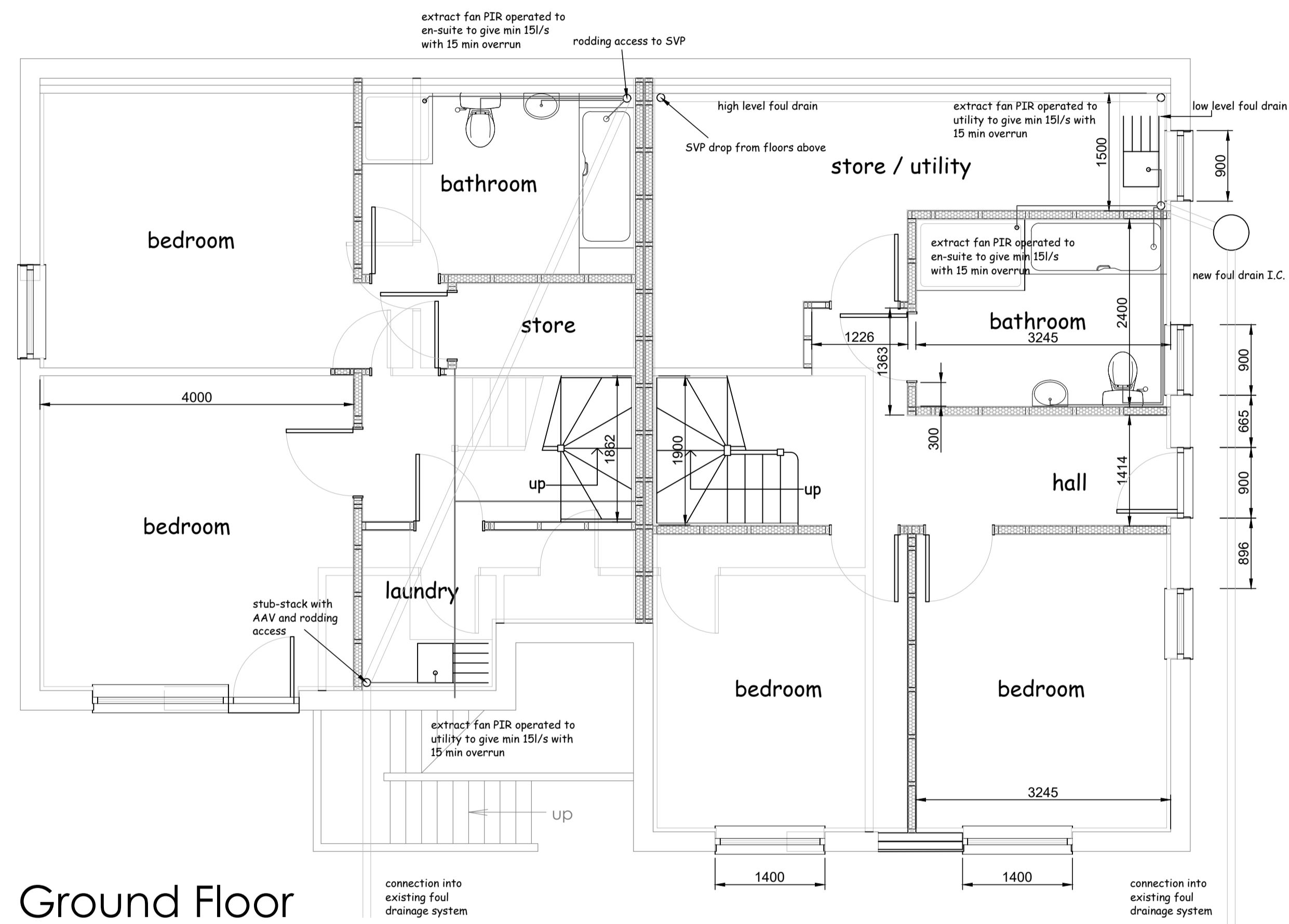
West (Rear) Elevation

APPROVED
By Lisa Walton at 4:41 pm, Jan 31, 2024

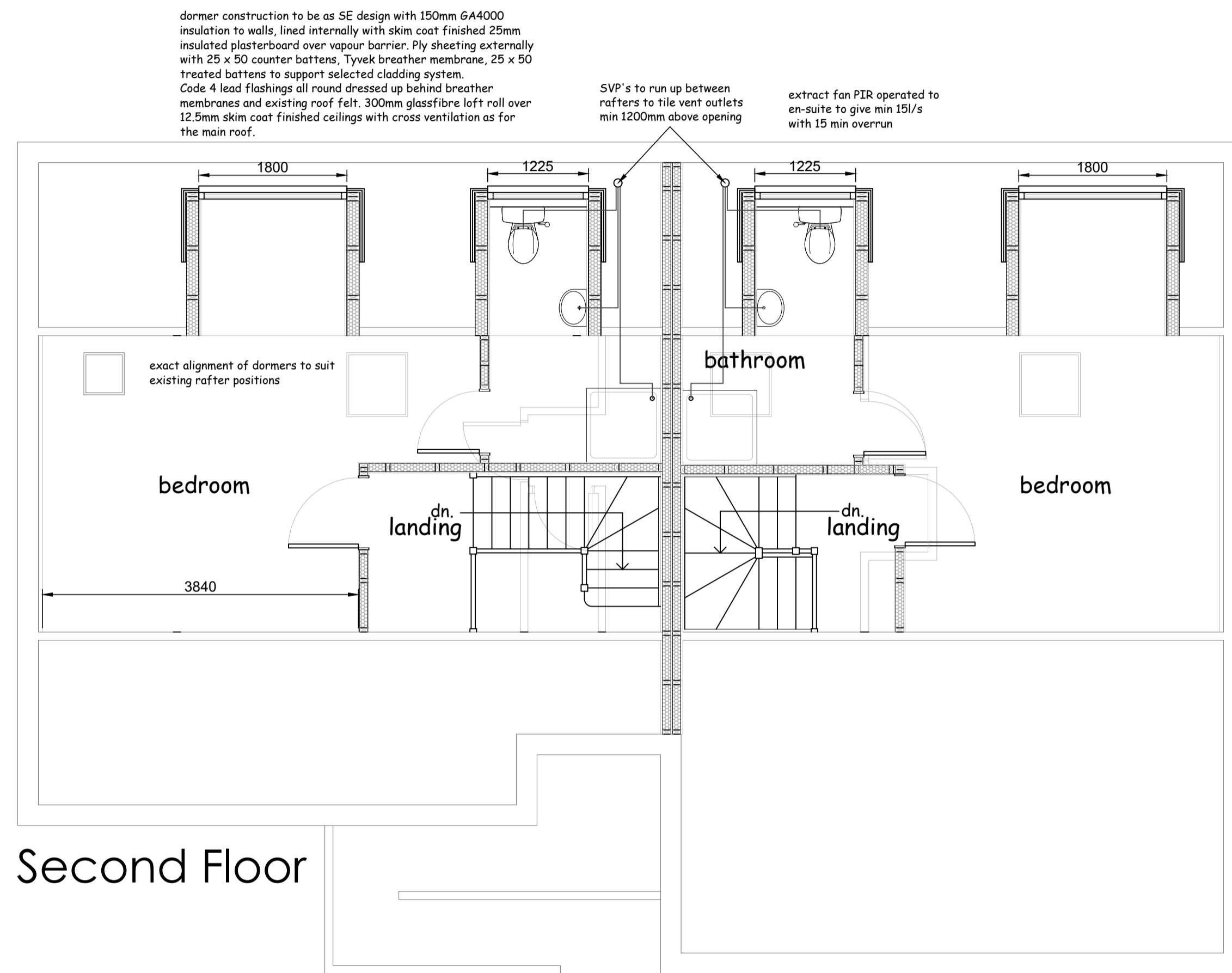
RECEIVED
By A King at 4:11 pm, Dec 18, 2023

All drawings to be read in conjunction with Structural Engineer's details and drawings
All dimensions, heights and levels to be checked on site
All works to be completed in accordance with current CDM regulations, the Contractor to take all measures to ensure the safety and welfare of all operatives and visitors to site

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| PROJECT TITLE: PROPOSED DIVISION OF SINGLE DWELLING INTO TWO BEVERLY HILLS, PILOTS RETREAT, ISLES OF SILLY FOR MR PETER GREEN |
| DRAWING TITLE: ELEVATIONS AS PROPOSED |
| DATE DEC 2023 |
| SCALE: 1:50 @ A1 |



Ground Floor



Second Floor

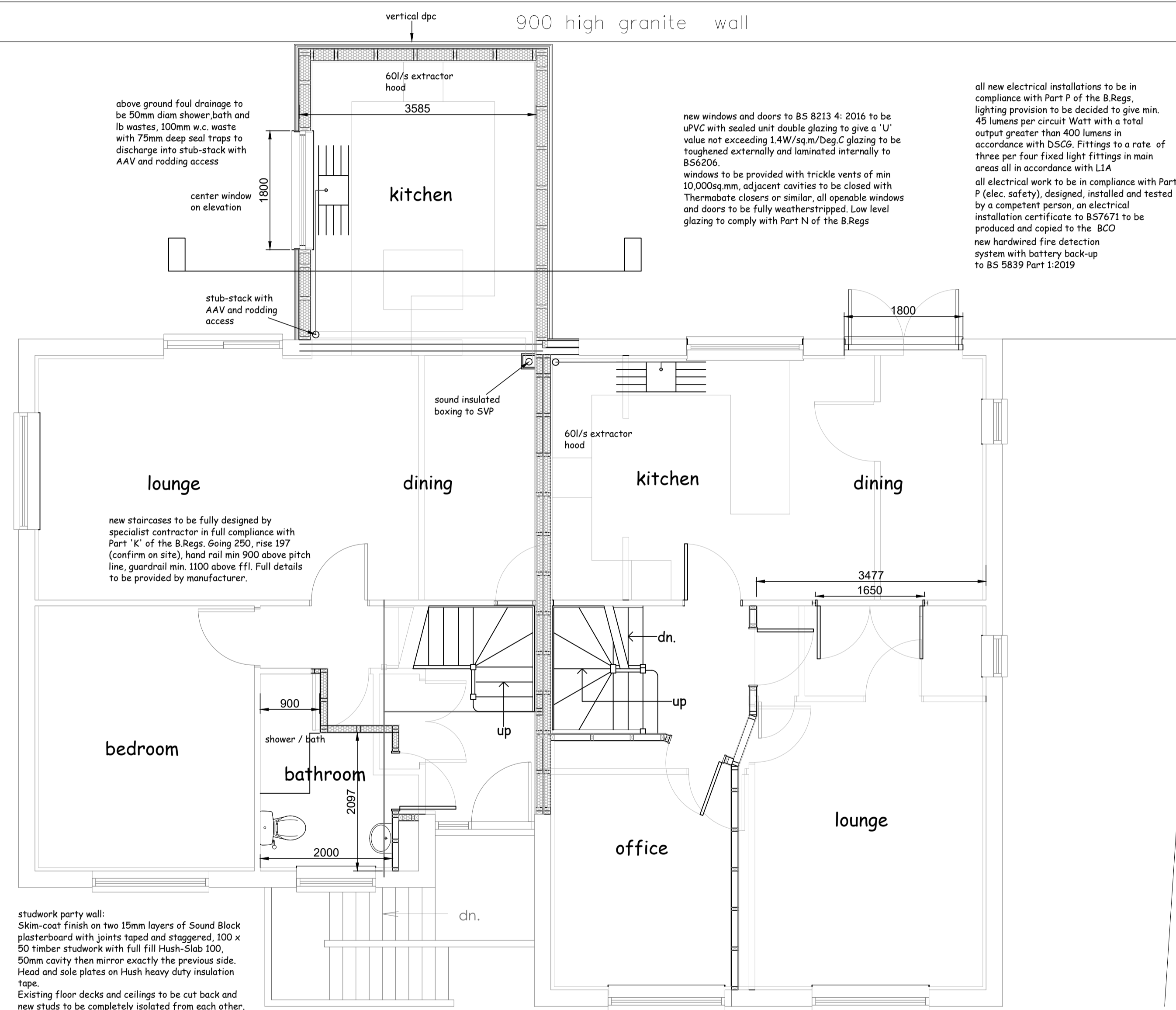
APPROVED
By Lisa Walton at 4:42 pm, Jan 31, 2024

RECEIVED
By A King at 4:11 pm, Dec 18, 2023

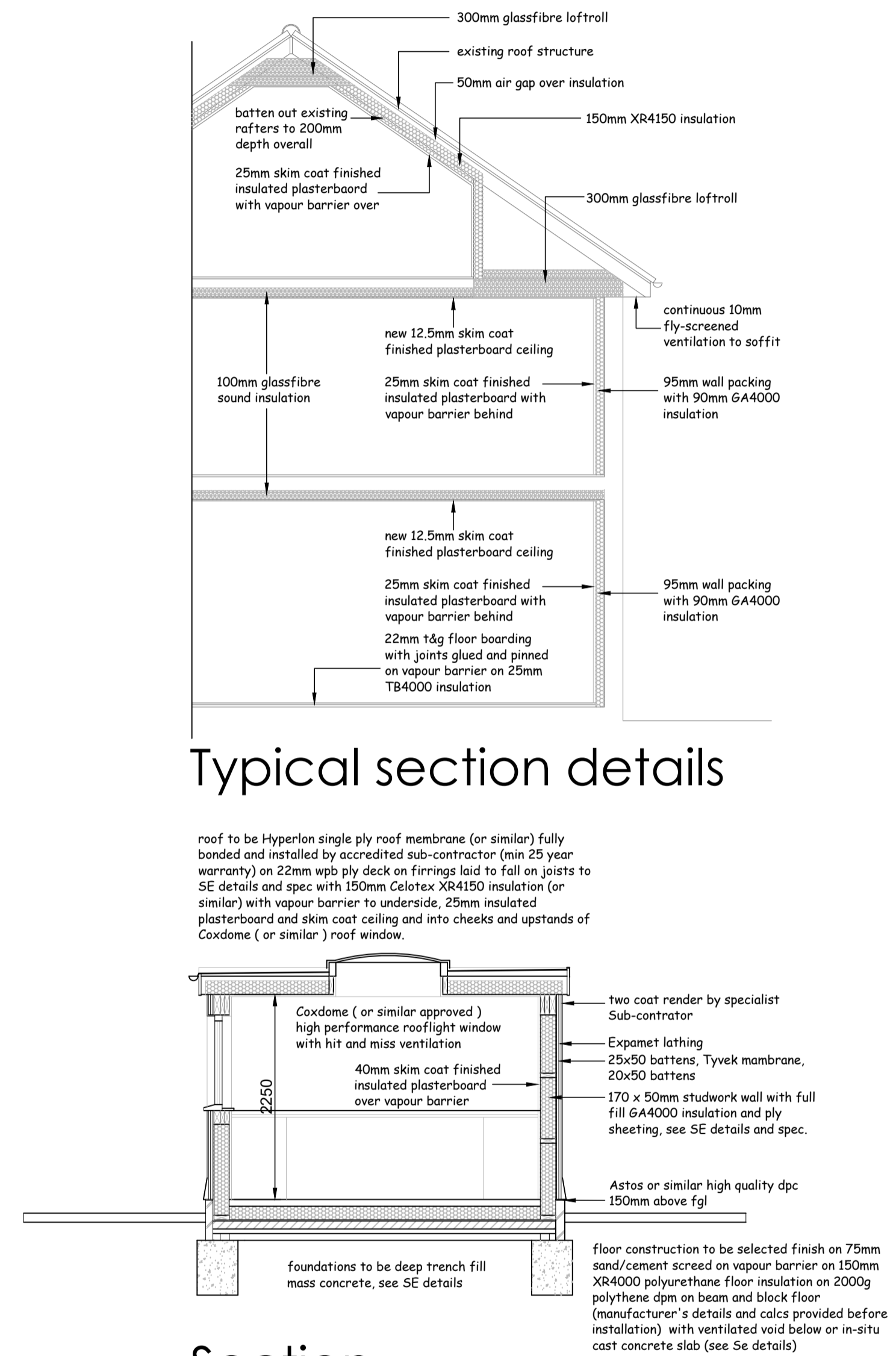
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| PROJECT TITLE: PROPOSED DIVISION OF SINGLE DWELLING INTO TWO BEVERLY HILLS, PILOTS RETREAT, ISLES OF SILLY FOR MR PETER GREEN |
| DRAWING TITLE: GROUND AND SECOND FLOOR PLANS AS PROPOSED |
| DATE DEC 2023 |
| SCALE: 1:50 @ A1 |



First Floor area 122.46 SqM

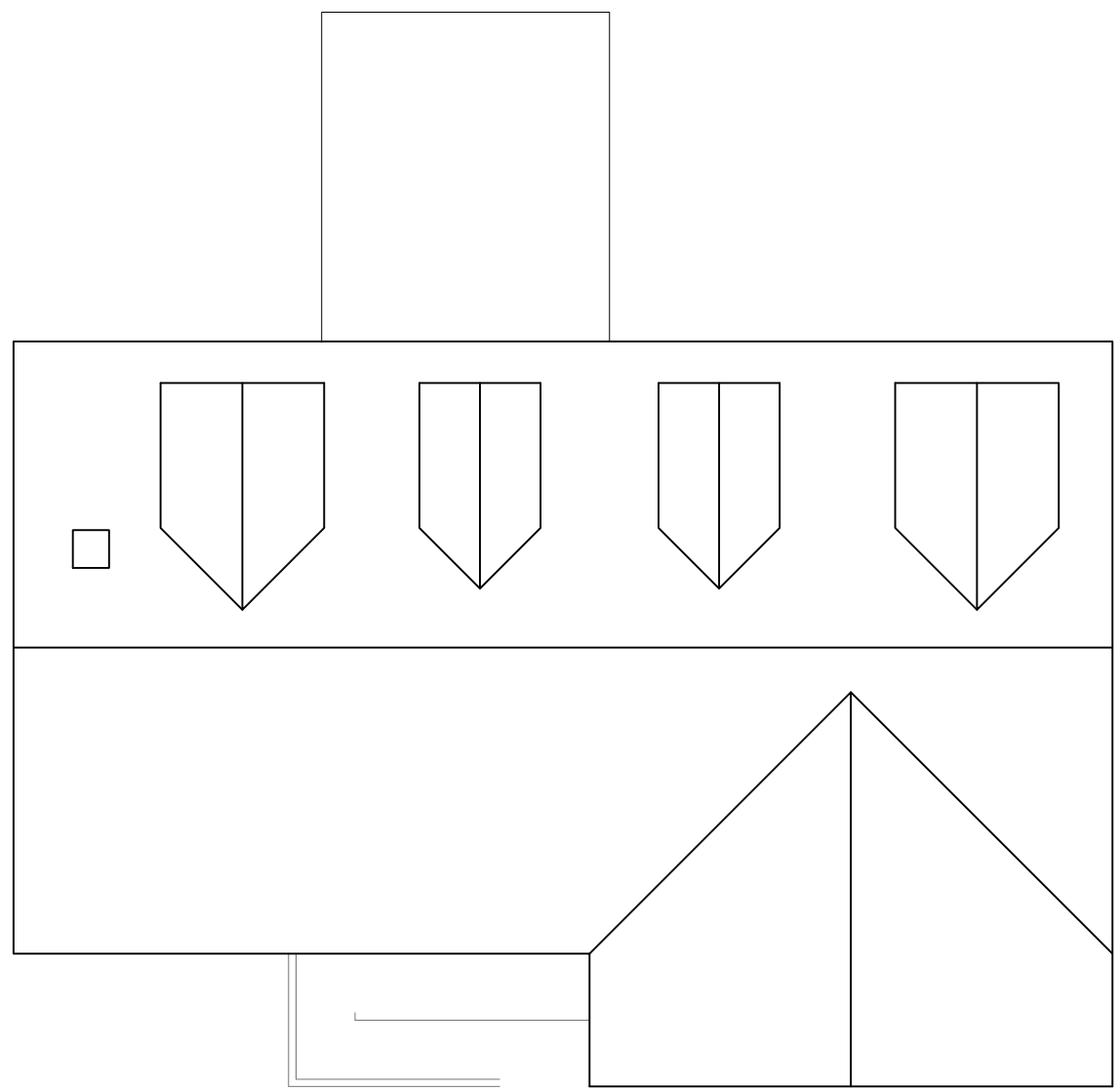


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| PROJECT TITLE: PROPOSED DIVISION OF SINGLE DWELLING INTO TWO BEVERLY HILLS, PILOTS RETREAT, ISLES OF SILLY FOR MR PETER GREEN |
| DRAWING TITLE: FIRST FLOOR PLAN AS PROPOSED |
| DATE DEC 2023 |
| SCALE: 1:50 @ A1 |



Roof Plan

APPROVED
By Lisa Walton at 4:43 pm, Jan 31, 2024

RECEIVED
By A King at 4:11 pm, Dec 18, 2023

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| PROJECT TITLE: PROPOSED DIVISION OF SINGLE DWELLING INTO TWO BEVERLY HILLS, PILOTS RETREAT, ISLES OF SILLY FOR MR PETER GREEN |
| DRAWING TITLE: ROOF PLAN AS PROPOSED |
| DATE DEC 2023 |
| SCALE: 1:100 @ A3 |