



**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

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

Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990  
Town and Country Planning (Development Management Procedure) Order 2015

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### **GRANTING OF LISTED BUILDING CONSENT**

<b>Application No:</b>	P/25/017/LBC	<b>Date Application Registered:</b>	10 March 2025
<b>Applicant:</b>	Mr and Mrs Murray North Farm Higher Town St Martin's Isles of Scilly TR25 0QL		
<b>Site Address:</b>	North Farm Higher Town St Martin's Isles of Scilly TR25 0QL		
<b>Proposal:</b>	Replacement of single glazed timber framed window on the East end wall with a double-glazed timber frame window (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 authorised shall be begun not later than three years from the date of this consent.**  
Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- C2 The replacement window, hereby approved, shall be constructed in timber to match the existing in appearance, finish, and profile, and shall be painted, not stained or varnished.**  
Reason: In order to maintain the visual and material consistency with the listed building.
- C3 No further alterations to the window opening or surrounding fabric shall be carried out without the prior written consent of the Local Planning Authority.**  
Reason: In order to prevent incremental harm to the listed fabric.

#### **Further Information**

- In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and creative way, in accordance with paragraph 39 of the National Planning Policy Framework 2024.
- The assessment considered the following plans, which should be followed when carrying out the works. Any deviation from these approved plans may trigger the need to obtain further listed building consent. The applicant is advised to speak to the Planning Department if this is the case:
  - Location Plan, received 06/03/2025
  - Block Plan, received 06/03/2025
  - Proposed window dimensions, received 06/03/2025
  - Heritage Impact Assessment, received 12/03/2025

- Photos of Existing Windows, received 018/02/2025
- Specification of Proposed Windows, received 12/06/2025
- Window Specifications, received 12/06/2025
- Existing Plan, received 18/02/2025

3. **BIODIVERSITY NET GAIN:** Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply. These can be found in the legislation. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that, unless an exception or a transitional arrangement applies, the planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:
- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
  - (b) the planning authority has approved the plan.
- The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be the Planning Department at the Council of the Isles of Scilly.
4. **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 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 licenses 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.
5. **COMMENCEMENT NOTICE:** Under Section 93G of the Town and Country Planning Act 1990 (as amended), this decision notice informs you that a 'commencement notice' must be served on the Local Planning Authority - subsections (2) and (3) are set out below:
- (2) Before the development is begun, the person proposing to carry it out must give a notice (a "commencement notice") to the local planning authority specifying the date on which the person expects the development to be begun.
  - (3) Once a person has given a commencement notice, the person:
    - may give a further commencement notice substituting a new date for the date previously given, and
    - must do so if the development is not commenced on the date previously given
- The notice should be provided to the Local Planning Authority a minimum of seven (7) days before the development commences.
- Failure to provide the commencement notice could lead to the Local Planning Authority serving notice on them to require information to be provided, and if that is not provided within 21 days, they will be guilty of an offence, as below:
- (5) Where it appears to the local planning authority that a person has failed to comply with the requirements of subsection (2) or (3)(b), they may serve a notice on any relevant person requiring the relevant person to give the authority such of the information prescribed under subsection (4)(a) as the notice may specify.
  - (7) A person on whom a notice under subsection (5) is served is guilty of an offence if they fail to give the information required by the notice within the period of 21 days beginning with the day on which it was served.
  - (9) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- PLEASE NOTE: The requirement under Section 93G of the Town and Country Planning Act 1990 (as amended) is separate from any requirements under the Community Infrastructure Levy Regulations 2010 (as amended) or any requirements for serving notices secured through the signed Section 106 Legal Agreement.

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:** 12 June 2025



# **COUNCIL OF THE ISLES OF SCILLY**

Planning & Development Department  
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW  
?0300 1234 105  
?planning@scilly.gov.uk

Dear Mr and Mrs Murray

**IMPORTANT:** Please sign and complete this **Commencement Certificate**.

Anyone intending to begin development under a granted planning permission (including permissions varied under Section 73) is required to notify the local authority of the Commencement Date.

### **What if plans change?**

If development does not start on the stated date, a new notice must be submitted with the revised date.

### **What happens if you don't comply?**

The local planning authority (LPA) can serve a notice requiring the information. Failure to respond within 21 days is an offence, punishable by a fine of up to £1,000, unless the person has a reasonable excuse.

### **Why is this important?**

It gives LPAs better oversight of when development begins, helping with enforcement, monitoring, and infrastructure planning.

### **Relation to other notices:**

This is separate from Building Control commencement notices, though similar in purpose.

This is to certify that decision notice: P/25/017/LBC and the accompanying conditions have been read and understood by the applicant: Mr and Mrs Murray.

1. **I/we intend to commence the development as approved:** Replacement of single glazed timber framed window on the East end wall with a double-glazed timber frame window (Listed Building) at: North Farm Higher Town St Martin's Isles of Scilly TR25 0QL  
**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.

Print Name:

Signed:

Date:

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

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. If the site is found to be inaccessible, then contact details of the applicant/agent/contractor (delete as appropriate) are:

**Name:**

**Contact Telephone Number:**



# COUNCIL OF THE ISLES OF SCILLY

Planning Department

Old Wesleyan, Garrison Lane, St Mary's, Isles of Scilly, TR21 0JD

☎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 unauthorised 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 - £86 per application
- Other permissions - £298 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). 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 £44 for householder type applications and £298 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.

If the scale of change is not considered to be 'non-material' you may be able to make a 'minor material amendment' which would require to you apply to vary the conditions (providing the change is not contrary to a specific condition). The fee for a householder variation of condition application would be £86, for other non-major (other than householder) development applications the fee would be £586 and for major development the fee would be £2,000.

### **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 by email: [planning@scilly.gov.uk](mailto:planning@scilly.gov.uk) 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 0800 0831821. 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.