



**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD  
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**

<b>Application No:</b>	<b>P/25/040/HH</b>	<b>Date Application Registered:</b>	<b>1st April 2025</b>
<b>Applicant:</b>	<b>Mr &amp; Mrs Rigby C/o Evan Jones Ltd Royal Mews St Georges Place Cheltenham GL50 3PQ</b>	<b>Agent:</b>	<b>Ian Williams Evans Jones Ltd Royal Mews St Georges Place Cheltenham GL50 3PQ</b>
<b>Site address:</b>	<b>Colossus 2 Pilots Retreat Hugh Town St Mary's Isles Of Scilly</b>		
<b>Proposal:</b>	External alterations to dwelling house comprising of replacement of rear bedroom window, blocking in north side door and render to match, adding obscure-glazed windows to front elevation, installing additional picture window, cladding upper floor gable end to the wing, installing decking to facilitate level access to southern side of house, installing solar PV array to roof		

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**
  - **Plan 2 Proposed Block Plan (Amended)**
  - **Plan 3 Proposed Plan and Elevations**
  - **Plan 4 Solar Panel Detail**
  - **Site Waste Management Plan, Evans Jones date stamped 09/05/2025**
  - **Planning Statement, Evans Jones, date stamped 02/04/2025**

**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 The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.**  
Reason: To safeguard the appearance of the building and the character of the area.
- C4 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 the islands.

#### Further Information

1. **STATEMENT OF POSITIVE ENGAGEMENT:** 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.
2. **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. 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](https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf)
3. **BUILDING REGULATIONS:** 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](mailto:buildingcontrol@cornwall.gov.uk).
4. **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.
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:** 09 May 2025



# COUNCIL OF THE ISLES OF SCILLY

Planning Department  
Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD  
☎0300 1234 105  
✉[planning@scilly.gov.uk](mailto:planning@scilly.gov.uk)

Dear Mr & Mrs Rigby

## Please sign and complete this certificate.

This is to certify that decision notice: P/25/040/HH and the accompanying conditions have been read and understood by the applicant: Mr & Mrs Rigby.

1. **I/we intend to commence the development as approved:** External alterations to dwelling house comprising of replacement of rear bedroom window, blocking in north side door and render to match, adding obscure-glazed windows to front elevation, installing additional picture window, cladding upper floor gable end to the wing, installing decking to facilitate level access to southern side of house, installing solar PV array to roof at: Colossus 2 Pilots Retreat 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

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.

**APPROVED**

By Lisa Walton at 10:00 am, May 09, 2025

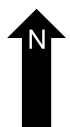
**RECEIVED**

By Tom.Anderton at 11:19 am, Apr 02, 2025

## Location Plan - Colossus



0 50  
Metres



Plan Produced for: Michael and Debra Rigby

Date Produced: 31 Mar 2025

Plan Reference Number: TQRQM25087112556163

Scale: 1:1250 @ A4



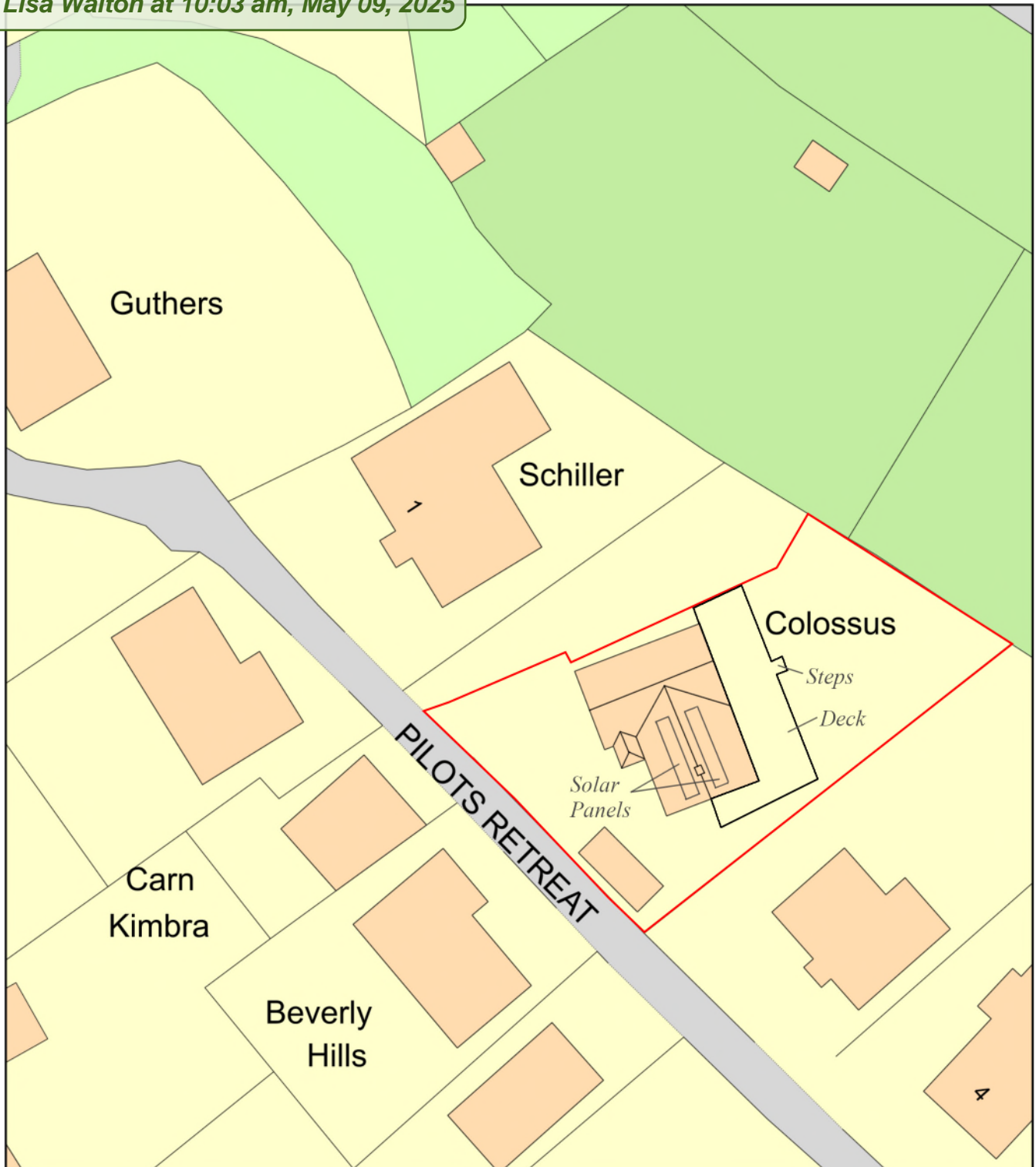
**RECEIVED**

By Liv Rickman at 4:56 pm, Apr 09, 2025

## Block Plan - Colossus

**APPROVED**

By Lisa Walton at 10:03 am, May 09, 2025



0 20  
Metres

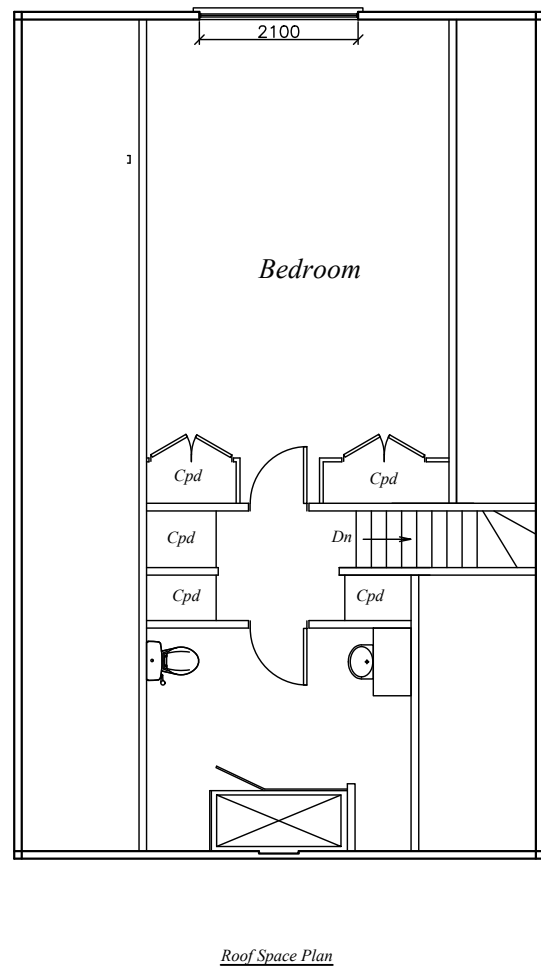
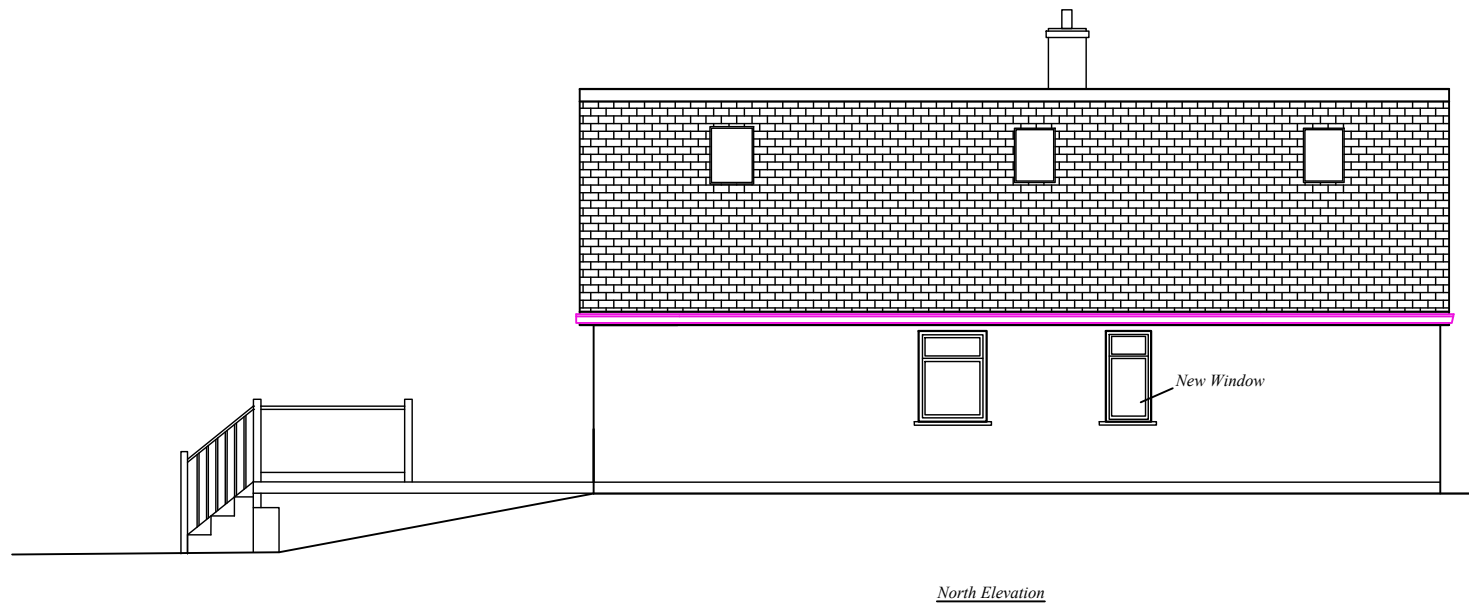
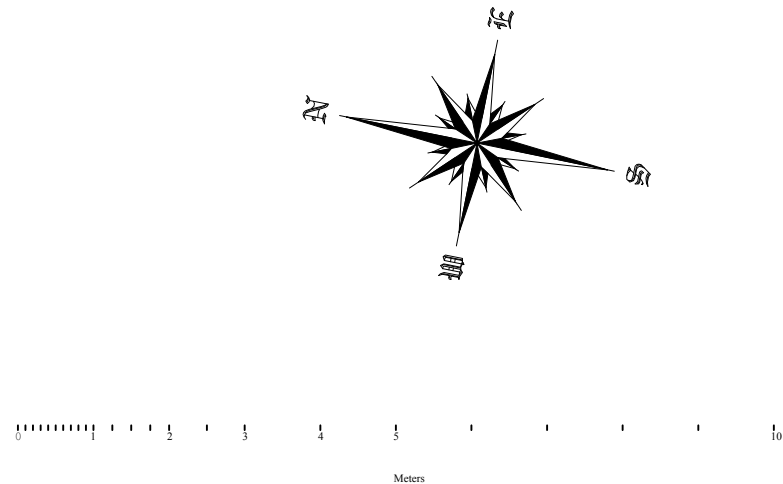
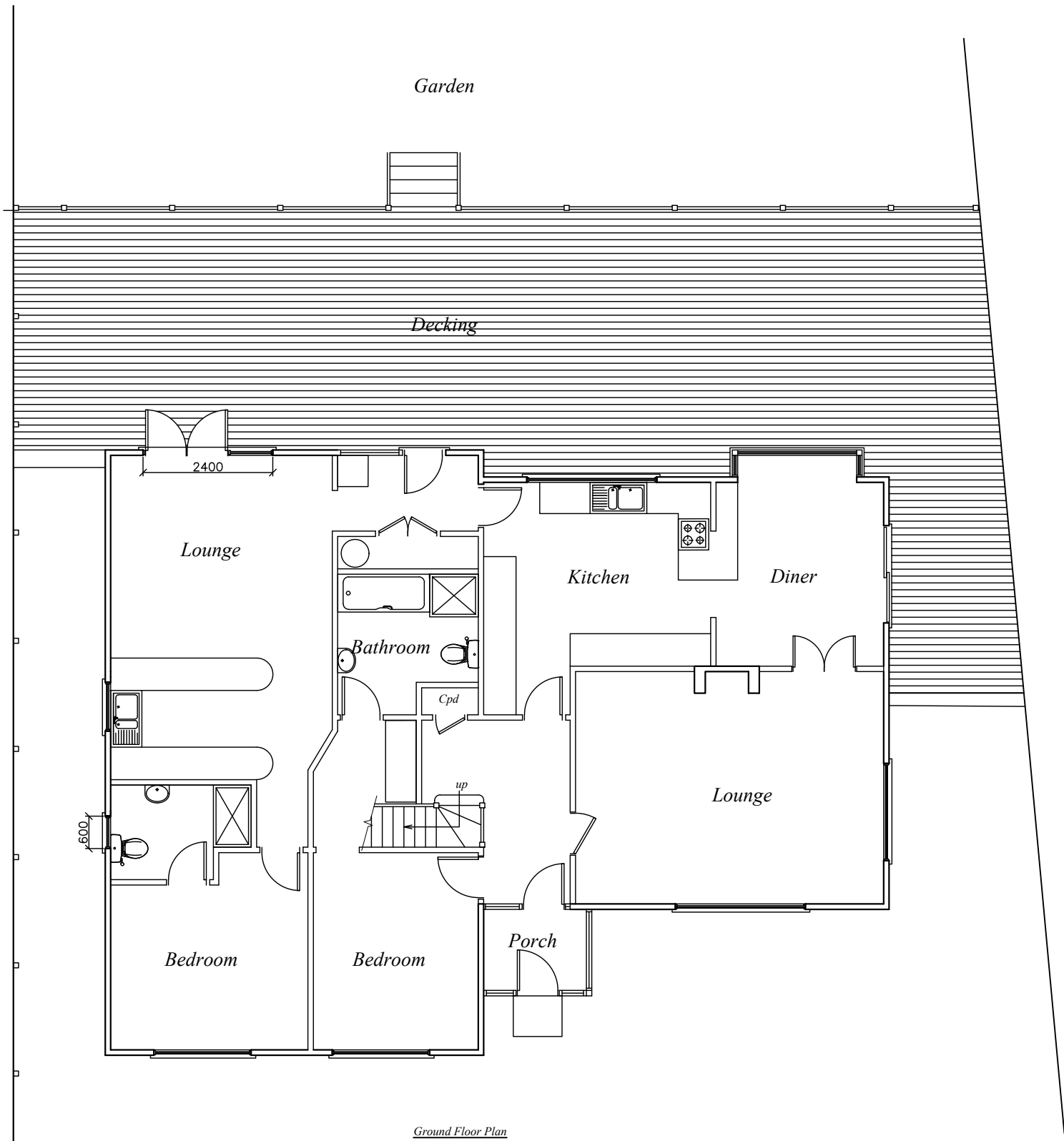
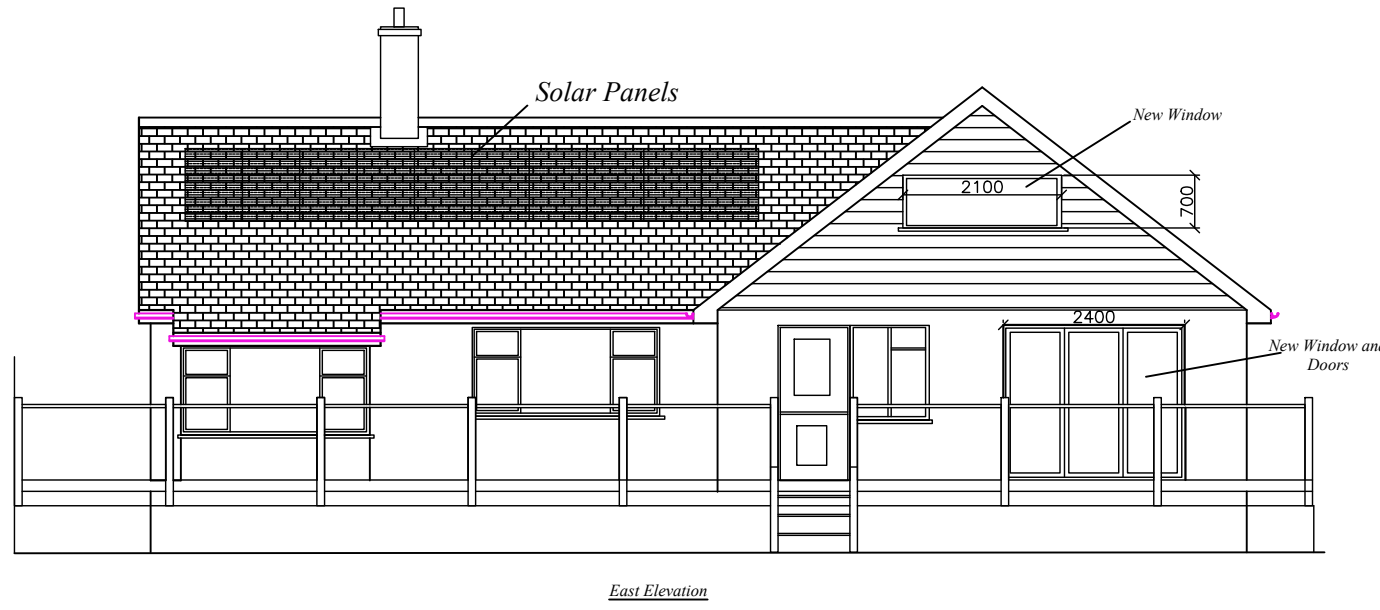
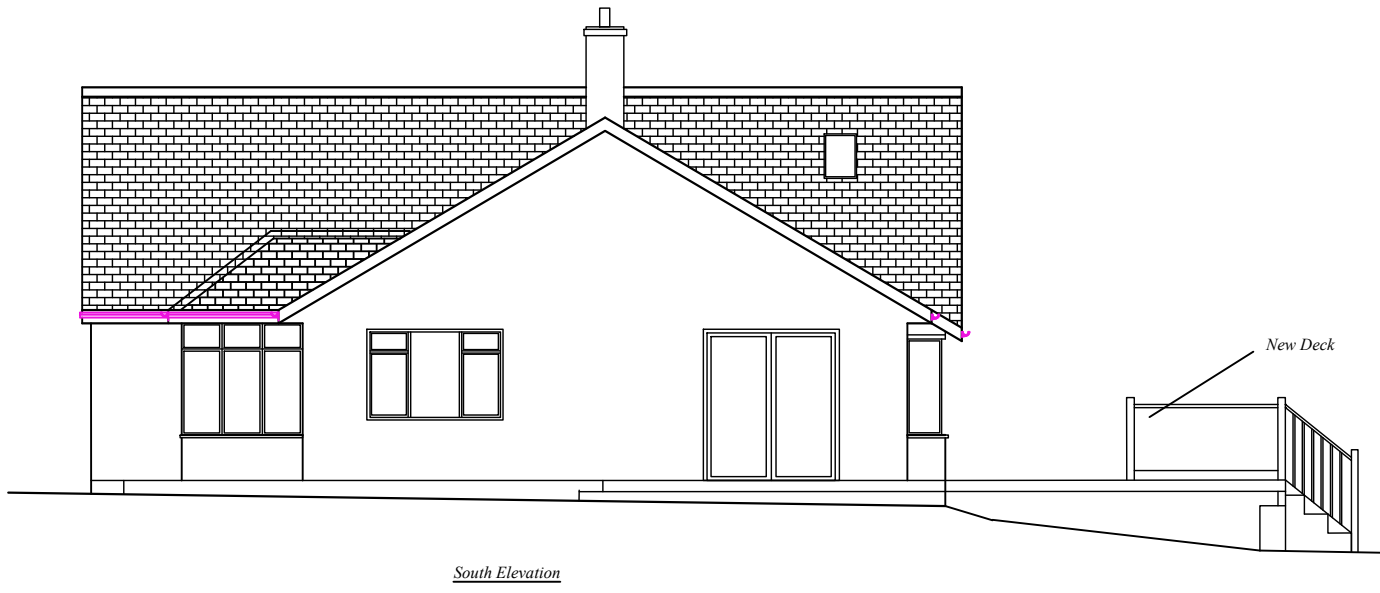


Plan Produced for: Michael and Debra Rigby

Date Produced: 31 Mar 2025

Plan Reference Number: TQRQM25087112715493

Scale: 1:500 @ A4



**APPROVED**  
By Lisa Walton at 10:04 am, May 09, 2025

**RECEIVED**  
By Tom.Anderton at 11:19 am, Apr 02, 2025

*Colossus  
Pilots Retreat  
St. Mary's  
Isles of Scilly*

*Proposed  
Layout and  
Decking*

*Mr Mrs Rigby*

**N.B.**-No measurements to be scaled from this drawing unless specified. Whilst all efforts are made to insure accurate measurements Any discrepancies should be reported immediately to the architect.

© Copyright Paul Osborne

Date - January 2025  
Amended -  
Scale - 1 : 100 @ A1

PAUL OSBORNE  
Kavarna, Hugh St  
St. Mary's, Isles of Scilly.  
TR21 0PT Tel (01720) 423066  
Email: scillyoz@me.com

**CL-PL-3a**

18039 - Colossus, 2 Pilot's Retreat,  
St Mary's, Isles of Scilly TR21 0PN

**RECEIVED**

By Liv Rickman at 1:26 pm, Apr 10, 2025

### Detail of Proposed Solar Photo Voltaic Panel

The proposed solar PV array will be comprised of the following or similar panels:

#### LG Solar (LG Electronics), 380W Lg Neon® 2 Monocrystalline Solar Panel

- **Dimensions: 1768 x 1042 x 40 mm**



This high-quality 380W solar panel is the best-selling solar module from world-leading solar manufacturer **LG Solar**. This **MCS certified** panel is perfect for a wide variety of applications, including grid-tie household systems.

**Cello Technology™** enhances efficiency and reliability of the panel by replacing the small number of wide busbars in standard solar panels with nine thin wires. With decreased spacing between wires, electrical losses are reduced by giving electricity a shorter path to travel. Cylindrical cross-section keeps resistance low while deflecting more light onto the solar cell, unlike flat busbars which reflect light that hits them back out of the panel. The tight layout of the wires also gives electricity multiple paths, enhancing long-term reliability through added redundancy.

**Robust Construction:** Fully waterproof and designed for strong performance in a wide range of environments, this robust panel continues to perform well even in high temperatures or low irradiance – up to 30% more power than similar panels under high temperature conditions. The panel is rated for a load of up to **6,000Pa** from the front, equivalent to being buried under 1.8m of snow, and a rear load of **5,400Pa** which is greater than the force applied by hurricane-strength winds.

**Superior Performance Warranty:** Both the output and workmanship of the panel are guaranteed for an industry-leading **25 years**.

**Roof Aesthetics:** LG NeON® 2 has been designed with aesthetics in mind using thinner wires that appear all black at a distance. The LG NeON® 2 can increase the aesthetic value of your home with a more modern design.

**APPROVED**

By Lisa Walton at 10:05 am, May 09, 2025

**RECEIVED**

By Tom.Anderton at 11:19 am, Apr 02, 2025

**APPROVED**

By Lisa Walton at 10:05 am, May 09, 2025



## Planning Statement

Colossus  
2 Pilots Retreat  
St Mary's  
Isles of Scilly. TR21 OPB

Prepared on Behalf of: Michael and Debra Rigby

Project: 18039

Date: 28 Mar 2025

---

Cheltenham | London | Reading

☎ 0800 001 4090

✉ info@evansjones.co.uk

**evansjones.co.uk**



Project  
Management



Planning  
Consultants



Building  
Surveying



Disabled Access  
Consultancy

## Contents

<b>Executive Summary</b> .....	<b>i</b>
<b>1. INTRODUCTION</b> .....	<b>1</b>
<b>2. SITE AND SURROUNDINGS</b> .....	<b>2</b>
<b>3. DEVELOPMENT PROPOSAL</b> .....	<b>4</b>
<b>4. PLANNING HISTORY</b> .....	<b>6</b>
<b>5. PLANNING POLICY CONTEXT</b> .....	<b>6</b>
The Development Plan.....	6
National Planning Policy Framework .....	7
Other Material Policy Consideration .....	8
Appropriate Weight .....	8
<b>6. PLANNING CONSIDERATIONS</b> .....	<b>10</b>
<b>7. SUMMARY AND CONCLUSIONS</b> .....	<b>13</b>
Figure 1 - Site Location (taken from Google Maps) .....	2
Figure 2 - Proposed Site Layout (extracted from submitted plans).....	4

## Executive Summary

Evans Jones Ltd have been instructed by Michael and Debra Rigby to submit an application to make alterations to a dwellinghouse, including erection of rear decking

The application site is within the boundary Isles of Scilly Council.

The proposal is acceptable in principle complying with the relevant Development Plan policies. This statement has assessed all the other relevant planning considerations and found that the scheme is fully compliant with the Development Plan and other material policy considerations, including national policy and the pursuit of sustainable development.



## 1. INTRODUCTION

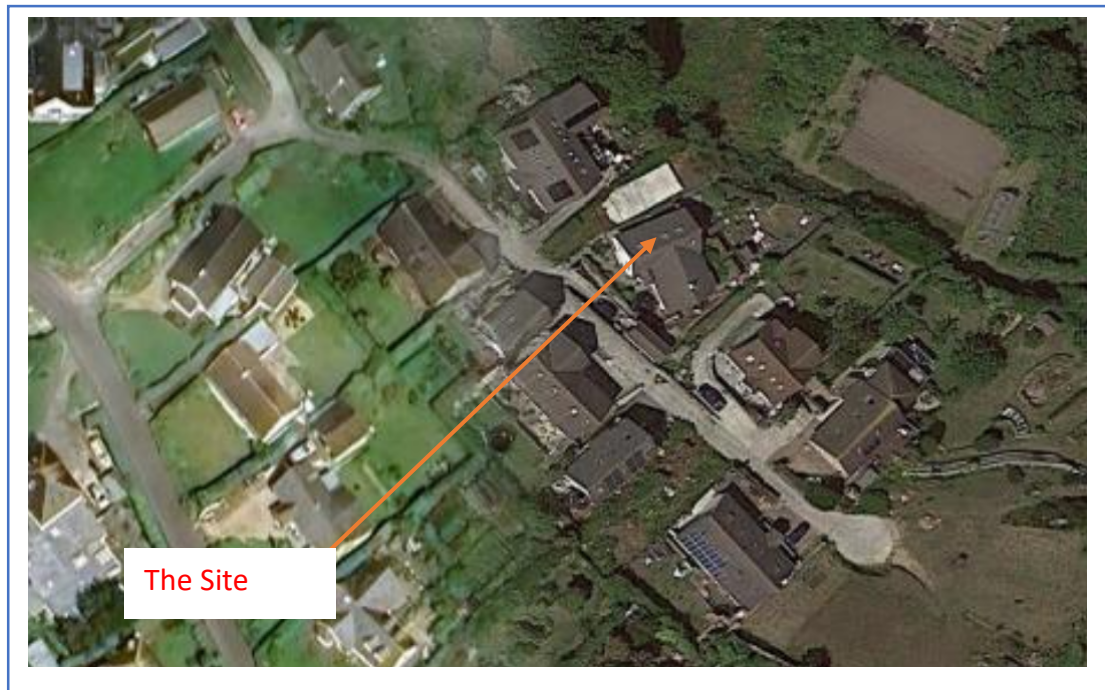
- 1.1 This Planning Statement is submitted in support of the full planning application seeking permission for alterations to a dwellinghouse, including erection of rear decking.
- 1.2 This Statement sets out the main planning considerations and justifications for the scheme. In support of the application, this Statement demonstrates that the proposed scheme is acceptable in principle and expands upon issues relating to inter alia ...
- 1.3 The application submitted comprises the following plans and documents.
- Location Plan
  - Block Plan
  - Existing Plans
  - Proposed Plans
- 1.4 This statement should be read in conjunction with the plans and documents that make up the application as a whole.



## 2. SITE AND SURROUNDINGS

2.1 The application site is located at Pilot's Retreat, off Church Road via Silvester's Lane, to the north east of Hugh Town, St Mary's Isles of Scilly.

2.2 The site comprises a dwellinghouse and its plot... This can be seen in Figure 1



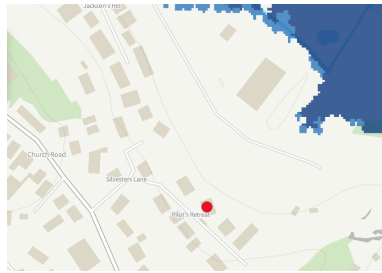
*Figure 1 - Site Location (taken from Google Maps)*

2.3 The character of the area is residential, being at the edge of the built up area of Hugh Town. Behind the site, to the north, is land in agricultural use including osier land within the southern edge of the Lower Moors.

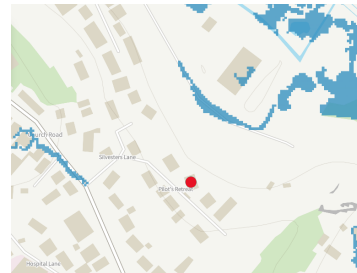
2.4 There are no listed buildings or other sensitive heritage assets nearby.

2.5 The site is within the Isles of Scilly National Landscape (Area of Outstanding Natural Beauty). It is also within the Impact Risk Zone for the Lower Moors St Marys Site of Special Scientific Interest (SSSI); however, the nature and scale of the proposed development does not make it Natural England notifiable.

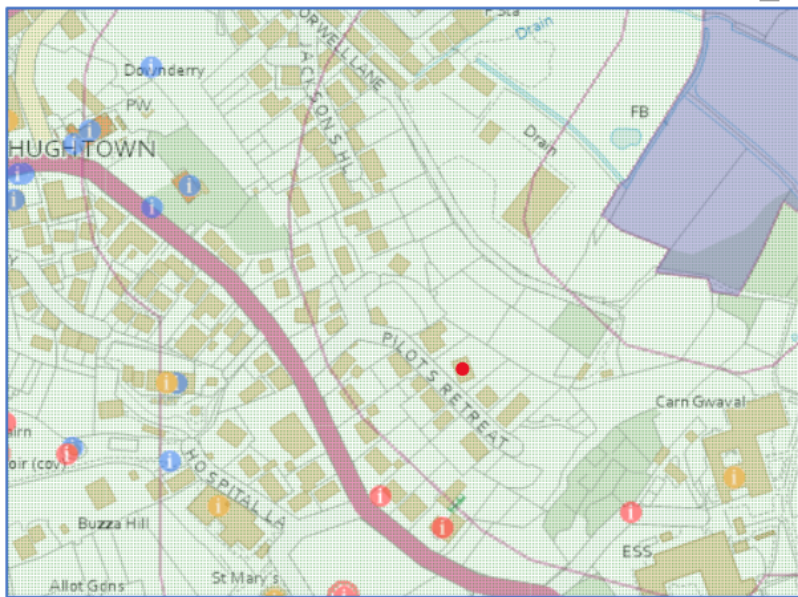
2.6 The site is within Flood Zone category 1, with a low risk of flooding and similarly there is no surface water flood risk.



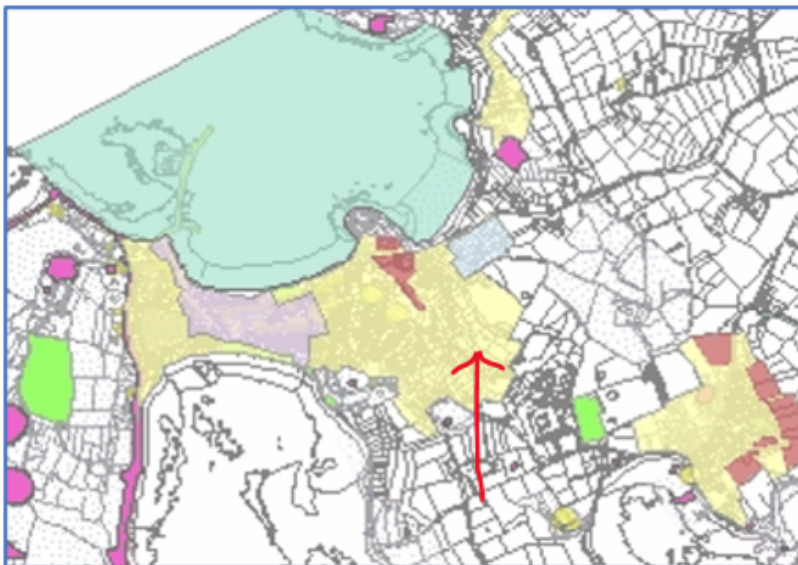
**Flood Risk for Planning**  
Extract from 28.03.25



**1 in 1000 year Surface Water  
Flood Risk Flood Risk for Planning**  
Extract from 28.03.25



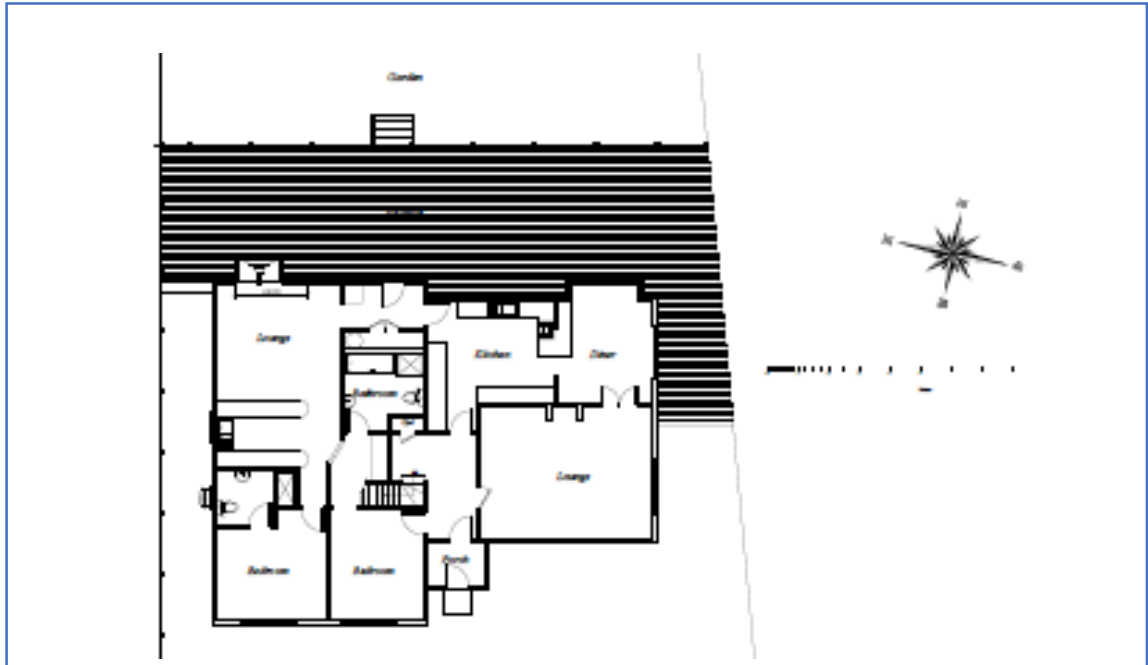
*Figure 2 - Cornwall Council Interactive Map Extract*



*Figure 3 - IoS Local Plan Proposals Map Extract, showing approximate site location*

### 3. DEVELOPMENT PROPOSAL

- 3.1 The application seeks planning permission for alterations to a dwellinghouse including the erection of a rear amenity deck.



*Figure 4 - Proposed Site Layout (extracted from submitted plans)*

- 3.2 The changes requiring planning permission comprise:

- |                  |  |
|------------------|--|
| West Elevation:  | <ul style="list-style-type: none"> <li>• Tile hung cladding to gable elevation and</li> <li>• Solar photovoltaic array to roof</li> </ul>  |
| South Elevation: | <ul style="list-style-type: none"> <li>• No change</li> </ul>  |
| East Elevation:  | <ul style="list-style-type: none"> <li>• Replacement of ground floor picture window with three panel patio doors</li> <li>• Replacement of first floor window with picture window</li> <li>• Solar photovoltaic array to roof</li> </ul> |
| West Elevation   | <ul style="list-style-type: none"> <li>• Replacement of side door with (shower room) window</li> </ul>   |
| Ground works     | <ul style="list-style-type: none"> <li>• External amenity deck to rear and partly to south side of dwellinghouse</li> </ul>  |

- 3.3 Other changes, which do not require express consent comprise:

- |                       |   |
|-----------------------|---|
| Ground floor          | <ul style="list-style-type: none"><li>• Internal changes to facilitate provision within the dwellinghouse of a self-contained one-bedroomed ancillary annexe with an internal intercommunicating door</li></ul> |
| 1 <sup>st</sup> Floor | <ul style="list-style-type: none"><li>• Internal alterations to enlarge a bedroom and to provide a bathroom, replacing an ensuite and an office</li></ul>   |

## 4. PLANNING HISTORY

- 4.1 This is a late C20th dwellinghouse in a short street of similar properties in a variety of designs.

## 5. PLANNING POLICY CONTEXT

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise.

### The Development Plan

- 5.2 The Development Plan policy context for the site and the surrounding area is provided by the Isles of Scilly Local Plan (2021).

- 5.3 The policies that are of relevance to this application are:

- SS1 Principles of Sustainable Development
  - a) Development should conserve the built and historic environment
- SS2 (1) Sustainable Quality Design and Place-Making

High-quality sustainable design is required,

  - a) respecting local character, and
  - d) safeguarding amenity including potential privacy, overlooking, overshadowing and overbearing impacts
- SS2 (2) Sustainable Quality Design and Place-Making

The development should be sustainable including energy efficient
- OE1 Protecting and enhancing the landscape and seascape
- LC8 Replacement Dwellings and Residential Extensions, Alterations and Ancillary Accommodation

The alteration, enlargement, replacement or substantial rebuilding of a lawful dwelling will be supported subject to compliance with Council requirements

## National Planning Policy Framework

- 5.4 The National Planning Policy Framework (The Framework) was revised on 12<sup>th</sup> December 2024. The Framework sets out the Government's economic, environmental and social planning policies for England and details how these are expected to be applied. It is, in itself, a material consideration in planning decisions.
- 5.5 The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. This means *"approving development proposals that accord with an up-to-date Development Plan without delay" or "where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out of date, granting permission unless: i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole."*
- 5.6 Paragraph 231 of the Framework advises that the policies within the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.
- 5.7 Paragraph 232 of the Framework advises that existing policies should not be considered out-of-date simply because they were adopted or made prior to publication. Due weight should be given to them, according to their degree of consistency with the Framework and that the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
- 5.8 Section 12 of the Framework provides context to design within planning. Paragraph 131 states *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live*



*and work and helps make development acceptable to communities.”*

## Other Material Policy Consideration

5.9 Outside of the Development Plan and the Framework, there are other material policy considerations that need to be discussed in relation to this development. In this case, the other material policy considerations are:

- **The Isles of Scilly Design Guide (2006)**

This encourages use of roof top solar PV panels for localised generation of renewable energy under the sustainability checklist and ‘living in balance’ section.

Long-lasting materials are also encouraged.

Providing wheelchair accessible entrances is encouraged.

The site is not identified as being a part of a significant view.

- **Isles of Scilly Landscape Assessment and Management Strategy**

This describes topography and landscape in relation to the sea, natural processes and farming practice. It also identifies significant views including from high points and coastal vantage points.

- **Article 4 Direction 1995**

This removes any permitted development right to make alterations to the roof or change windows or doors without express planning permission.

## Appropriate Weight

5.10 Regarding the weight that is given, Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, determination of applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. In this instance, full weight is given to the Isles of Scilly Local Plan (2021).

5.11 As it forms the basis of Government policy for planning applications, substantial weight should be given to the policies of the Framework.

5.12 Since they do not form part of the Development Plan, limited weight can be given to the aforementioned SPDs/SPGs. However, they are material considerations and should not be overlooked.





## 6. PLANNING CONSIDERATIONS

6.1 Having regard for the proposed development; the sites planning history; the relevant planning policy context; and all other material issues; the main planning considerations for the determination of this application relate to:

- The impact of appearance of the alterations to the character of the area, and
- The impact on neighbouring living conditions

### *Impact to the Character of the Area*

6.2 While the entire island of St Marys is a protected National Landscape (Area of Outstanding Natural Beauty), this small residential site in a residential street is not part of any significant view and the changes proposed are limited and appropriate.

6.3 The provision of solar PV arrays on roofs is encouraged, and the proposed units would be proportionate to the building and neatly contained on the East and West facing roof slopes.

6.4 The proposed alterations to elevations would have a limited yet positive impact on the appearance of this home. The main gables would be tile hung; this would be a design detail in keeping with adjacent houses. It would have the effect of reducing the visual impact of this home and it would look well.

6.5 The proposed alterations by replacing openings would have a limited impact on the appearance of this building. The new windows and doors would be sympathetic to the proportions and design style of this contemporary home; they would be fabricated in white uPVC to match the existing building.

### *Impact to neighbouring living conditions*

6.6 The proposal would remove a side door and replace it with an obscure glazed window, this would have no impact on the amenity of the dwelling to the north, 'Schiller' 1 Pilot's Retreat, which stands beyond an intervening hardstanding.

6.7 The proposed rear facing enlarged first floor window and ground floor patio doors would have no impact on neighbouring amenity.

6.8 The proposed deck would raise the level of the ground to the rear of this dwelling, which requires an assessment of potential for privacy impact. However, the house to the north stands apart from the proposed deck with an intervening separate hardstanding, and the house to the south, number 3 Pilot's Retreat itself stands on higher ground neutralising the potential impact of raising the levels. Also, there is an established intervening boundary hedge that would be retained. The adjacent house itself also has a raised deck behind one of its rear facing habitable rooms. Thus, there would be no unacceptable material impact to neighbouring living conditions.

6.9 In addition, other considerations include:

- The benefits of local energy generation
- The benefits of providing level access to a ground floor annexe
- Consideration of potential for impact to protected species

*Benefits of local energy generation*

6.10 The proposal includes the provision of solar PV arrays for local sustainable energy generation as the local design guide and policy encourages. The arrays will be carefully sited on the east and west facing roof slopes in a way that is sensitive to maintaining a pleasing overall aesthetic for this building in its context.

*That the annexe does not of itself require planning permission and*

*benefits of level access to ground floor annexe*

6.11 The proposal would provide an ancillary residential annexe within the ground floor. This would have an intercommunicating door. Of itself this does not require express planning consent as no additional planning unit is being created.

6.12 This principle derives from *Uttlesford DC v SSE & White* [1992] JPL 171, which found even where "accommodation provided facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling – instead it would be a matter of fact and degree". In that case the accommodation gave the occupant the facilities of a self-contained unit although it was intended to function as an annex with the occupant sharing her living activity in company with the family in

the main dwelling. There was no reason in law why such accommodation should consequently become a separate planning unit from the main dwelling.

6.13 So it is in this case. There is no separate vehicular arrangement proposed nor any separate pedestrian access from Pilots Retreat, the parking, services and amenity area are all shared and the intercommunicating door is to enable easy sharing of living activities with the main building on a regular basis. No separate planning unit is proposed, thus no express consent is required for the rearrangements to provide for an ancillary unit within this home.

6.14 The provision for older residents of a level accommodation with a level access is encouraged by planning policy. This would be delivered by the proposed deck to the rear and partly to the south side of this home, the instalment of which is necessitated by the sloping nature of the site.

*Ecology and Consideration of potential for impact to protected species*

6.15 The proposal would retain the hedgerow to the south of the site.

6.16 As there are very minor changes to the roof (i.e. fixings for solar array) it is necessary to consider whether there is scope for impact to bats. In this case the roof is a well maintained contemporary roof, which has gable soffits that are closed and offer no means of access to the roof space. This together with the very minor nature of the changes proposed, being the tile hanging over two rendered gables beneath closed gable soffits and the fixings necessary to install solar panels, means it is not necessary to obtain any further assessment of the potential for impact to bats. Nonetheless, the applicant is aware of their responsibilities to protected species under other legislation and will execute the build with careful consideration.

*Overall agreement with the local plan*

6.17 Overall, the proposal would therefore be consonant with the expectations of local plan policies SS1, SS2 (1, 2), OE1 and LC8.

## 7. SUMMARY AND CONCLUSIONS

- 7.1 The application seeks planning permission for alterations to a dwellinghouse, including erection of rear decking.
- 7.2 This is partly to facilitate the provision of an ancillary annexe within this home for a close relative of the applicants. It has been shown that this in itself is not a new planning unit and does not require the express consent of the Local Planning Authority.
- 7.3 The proposals would look well and would not adversely affect the character of the host building or the area, including the National Landscape.
- 7.4 The proposals would not unacceptably materially harm the living conditions of the neighbouring dwellings.
- 7.5 The proposals would neither affect the nearby SSSI nor impact any protected species.
- 7.6 The proposed changes would be effected in a way that would improve the sustainability of this existing home, including through the provision of local sustainable energy generation (solar photovoltaic cells).
- 7.7 The proposal would therefore be consonant with the expectations of local plan policies SS1, SS2 (1, 2), OE1 and LC8. This Statement has reviewed the relevant Development Plan Policy Framework as it applies in this case, together with the other material considerations. On the evidence presented it has been demonstrated that the proposal accords with all relevant Development Plan policies and national guidance, and there are no other material considerations present to override them.
- 7.8 It is therefore urged that the Local Planning Authority grant planning permission for this sustainable development.

**Ian Williams**  
**Senior Planner**  
**DDI. 03450580474**  
**E. [ian.williams@evansjones.co.uk](mailto:ian.williams@evansjones.co.uk)**



Cheltenham • Reading • London

 0800 001 4090

 [info@evansjones.co.uk](mailto:info@evansjones.co.uk)

[evansjones.co.uk](http://evansjones.co.uk)



Project  
Management



Planning  
Consultants



Building  
Surveying



Disabled Access  
Consultancy

**RECEIVED**

By Lisa Walton at 8:47 am, May 09, 2025

**APPROVED**

By Lisa Walton at 10:05 am, May 09, 2025



## Proposed Materials and Site Waste Management Plan

Colossus  
2 Pilots Retreat, St Mary's  
Isles of Scilly TR21 0PN

Prepared on Behalf of: Michael and Debra Rigby

Project: 18039  
Date: 8 May 2025

---

Cheltenham | London | Reading

☎ 0800 001 4090

✉ [info@evansjones.co.uk](mailto:info@evansjones.co.uk)

[evansjones.co.uk](http://evansjones.co.uk)



Project  
Management



Planning  
Consultants



Building  
Surveying



Disabled Access  
Consultancy



## **1. PROPOSED MATERIALS**

1.1 The proposed materials for this project are as follows:

- Replacement windows and patio door: white uPVC to match existing window profiles
- Red Western Cedar shiplap board cladding to half gables (or alternative of similar quality, depending on availability)
- Timber deck (Travis Perkins treated timber boarding, framing, posts and handrails)

1.2 The main supplier for the project is anticipated to be:

- Travis Perkins, Unit 18 Poniu Road, Long Rook Industrial Estate, Penzance, TR20 8HX

## 2. SITE WASTE MANAGEMENT PLAN (SWMP)

**Works description:** This project involves:

- Removal and replacement of existing windows and door
- Internal works to rearrange partition wall and door
- Construction of new decking
- Installation of half-gable cladding

**Site address:** Colossus, 2 Pilot's Retreat, Isles of Scilly

**Anticipated Project start date:** TBA, potentially Autumn 2025

**Estimated duration:** 4 weeks (To be confirmed by contractor)

**Client:** Mike and Debra Rigby, Colossus, 2 Pilot's Retreat, St Mary's, Isles of Scilly  
The client will instruct the contractor to responsibly dispose of waste in accordance with the Duty of Care Act 1990.

**Principal contractor:** TBA  
The Principal Contractor is responsible for management of waste

**Third Party Waste Handler:** To be identified by the Principal Contractor  
The selected waste handler will be required to demonstrate with documentation their current licence to handle, transport, recycle and dispose of waste.

### **Waste minimisation:**

Best practice initiatives will be used to minimise waste, this to include:

- Follow waste management controls
- Minimise waste creation, and maximise reuse and recycling of waste materials
- Reuse of surplus and waste materials on site where feasible
- Manage waste as close as possible to site
- All contractors and subcontractors to be required to follow suitable waste management practices

Measures to reduce the quantity of waste produced by the project include:

- Glazing units will be offered for sale locally for reuse
- Recoverable and recyclable materials will be reused on site or removed from site for processing at a licenced facility.

### **Site Waste Coordinator Responsibilities:**

The Principal Contractor will act as or appoint a Site Waste Coordinator (SWC), responsible for implementing the SWMP on-site. Key duties include:

- Managing waste on-site in accordance with the SWMP.
- Ensuring appropriate segregation of waste and making arrangements for its removal.
- Ensuring staff and subcontractors are aware of their responsibilities regarding the SWMP.
- Acting as the main point of contact for staff, contractors, and waste contractors regarding SWMP and waste management issues.
- Maintaining accurate records and documentation, including waste transfer documentation.

### **Contractor Responsibilities:**

- All contractor staff working on-site must follow SWMP's principles concerning waste movement and segregation.
- Contractors must ensure that:
  - Waste is properly segregated and moved according to the SWMP.
  - Operatives are informed of the requirements and responsibilities .
  - Waste is handled in compliance with the Duty of Care and that records are submitted to the Site Waste Coordinator.

#### **Waste Contractors:**

- Waste contractors will be listed by the Site Waste Coordinator, including contact details.
- Responsibilities include:
  - Ensuring compliance with Duty of Care obligations.
  - Providing required waste transfer documentation to the Site Waste Coordinator.
  - Ensuring waste treatment facilities are licensed.
  - Transporting waste to licensed waste management facilities.
  - Providing suitable containers for the segregation and collection of waste.

#### **Waste Management on Site:**

- The Principal Contractor to ensure materials designated for reuse or recycling are segregated for transport and placed in designated containers.
  - Collection and segregation areas, along with the materials to be collected, to be noted.
  - Waste that can be reused or recycled to be segregated by staff and subcontractors.
  - Waste contamination will be regularly monitored.
  - Waste to be moved to the appropriate designated areas, which, where possible, will be locked at the end of each day.
  - Any issues with waste segregation arrangements should be reported to the Site Waste Coordinator.

#### **Training:**

- The Principal Contractor is responsible for implementing training on the SWMP.
- The Site Waste Coordinator will ensure that all contractors' staff and operatives receive the necessary training for SWMP implementation.
- Training details must be recorded.

#### **Measuring and Monitoring:**

The Site Waste Coordinator is responsible for ongoing monitoring throughout the project. This includes:

- Estimating the amount of waste generated.
- Tracking and summarizing the actual waste generated.
- Ensuring that waste carrier records are accurately documented.

#### **Waste Type, Estimated Quantum and Destination**

The Site Waste Manager will determine which authorised waste centre and skip operator will be selected.

By default, this will be the Council's Commercial waste sorting and recycling centre at Porthmellon, St Marys.


The anticipated waste would be disposed of in the equivalent of one sorted 6 yard skip. This likely will amount to around 1.5-2 tons of material, including sorted for recycling as follows

Timber	- to be mostly reused on site, some residual waste from deck to be sorted for recycling
uPVC Windows x 3	- offer locally for recycling, or recycle at Porthmellon
Insulation	- reuse on site, some residual waste
Plasterboard	- some reuse on site, some residual waste
Residual waste	- to be disposed of as commercial landfill or incinerator waste at the recycling centre
Asbestos	- none anticipated, however where found the Site Waste Manager will be notified and appropriate removal procedures will apply.



Cheltenham • Reading • London

 0800 001 4090

 [info@evansjones.co.uk](mailto:info@evansjones.co.uk)

[evansjones.co.uk](http://evansjones.co.uk)



Project  
Management



Planning  
Consultants



Building  
Surveying



Disabled Access  
Consultancy