

Council of the Isles of Scilly Delegated Planning Report Householder application

Application Number: P/25/091/HH

UPRN: 000192001781

Received on: 21 October 2025

Valid on: 24 October 2025

Application Expiry date: 19 December 2025

Site notice posted: 27 October 2025

Site notice expiry: 17 November 2025

Applicant: Mr & Mrs Truan & Charlotte Hicks

Site Address:
Atlantic View
High Lanes
St Mary's
Isles Of Scilly
TR21 0NW

Proposal: Re-modeling of existing house and extension for garage and utility room (AMENDED PLANS)

Application Type: Householder

Recommendation: PER

Summary Conditions:

C1 Time limit.

C2 Approved plans (complete drawing refs).

C3 Construction hours.

C4 Access construction: pre-commencement of access works; no use until completed.

C5 Parking/turning laid out before first use of new access; retained thereafter.

C6 Visibility splays before first use; kept clear (where achievable within land under control).

C7 Cornish hedge/drystone wall method statement; carry out as approved.

C8 Hedge reinstatement if existing access is closed/reduced.

C9 Accesses to remain as approved; alterations require LPA consent (revise reason to highway safety).

C10 Precautionary ecology working; bird-nest timing (1 Mar–31 Aug or ecologist sign-off).

C11 Bird-nest features (≥2) installed by first nesting season post-completion, per PRA Ref 25-6-1; retained.

C12 Garage roof-void not habitable; garage retained for ancillary non-habitable uses.

C13 SWMMP (phased/detailed; rear hardstanding included; reinstatement and sequencing; no use of new access until offsetting completed).

C14 External lighting details (Dark Skies – OE4), if materials not already fully controlled.

Reason for Delegated Decision

No Councillor has requested that the application come to the Full Council. The decision defaults to the level of Delegated:

- Not a Councillor ✓
- Not a Senior Officer (or Officer with influence over planning Decisions) ✓
- No relation to a Councillor/Officer ✓
- Not Major ✓
- Not Council's own application ✓
- Not a departure from the Development Plan ✓
- Not Called in ✓

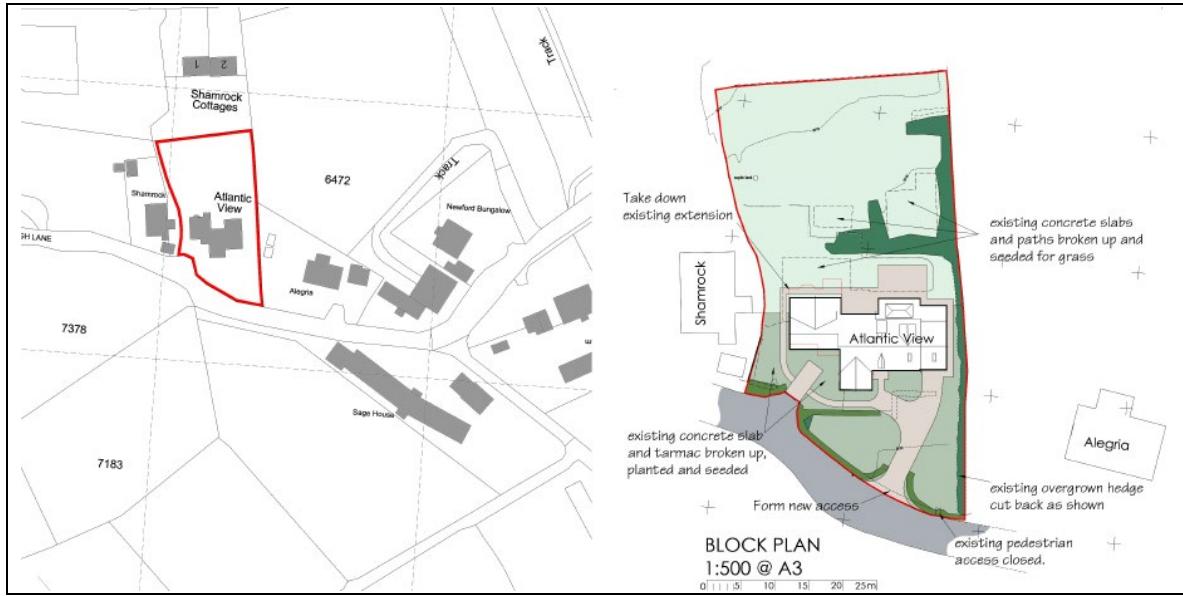
Lead Member Planning Agreed

Name: Cllr D Marcus | Date: 18/12/2025

Site Description and Proposed Development

The application relates to Atlantic View, located approximately 1.5 miles north of Hugh Town (around a 7-minute cycle ride) on St Mary's. The property sits within an irregularly shaped plot of about 0.45 acres (0.1814 ha) that slopes gently from north to south. The northern boundary along High Lanes comprises a Cornish hedge, while other boundaries include areas of concrete/vegetation.. The site is located in the established settlement area of High Lanes.

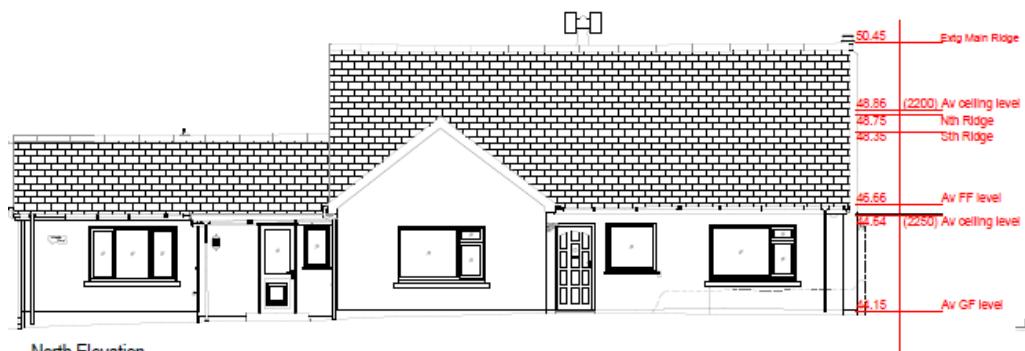
The proposal involves the remodelling and modernisation of the existing dwelling, including the demolition and rebuilding of the eastern extension, and the addition of a new western extension, together with a garage and cycle store. The scheme aims to rationalise the internal layout by re-centring the main entrance and staircase, improving circulation, and updating the building to modern standards of sustainability, structure and energy performance. The design has been scaled back to comply with the Council's extension size policy, following an earlier iteration that exceeded policy limits.



Certificate: A

Front Elevation

Existing



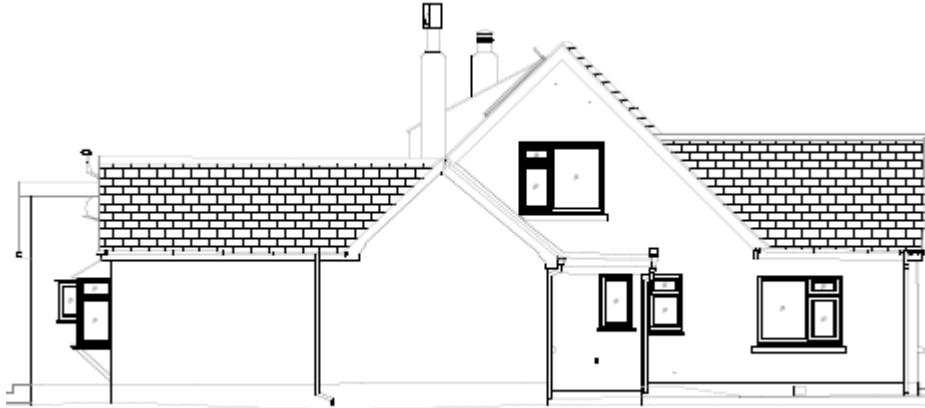
North Elevation

Proposed



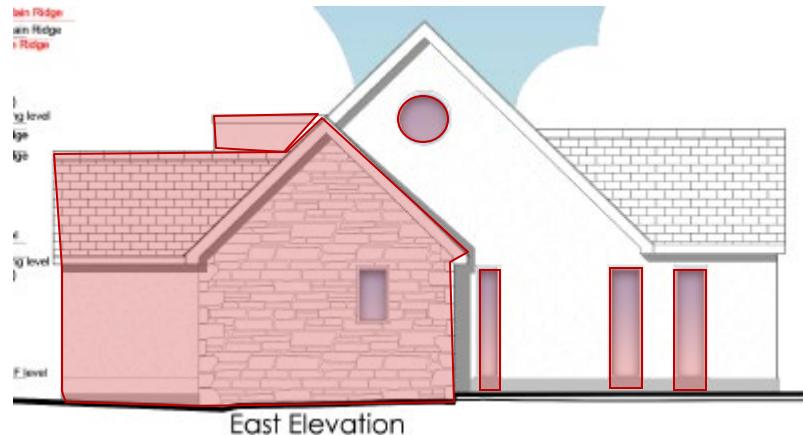
East Side Elevation

Existing



East Elevation

Proposed

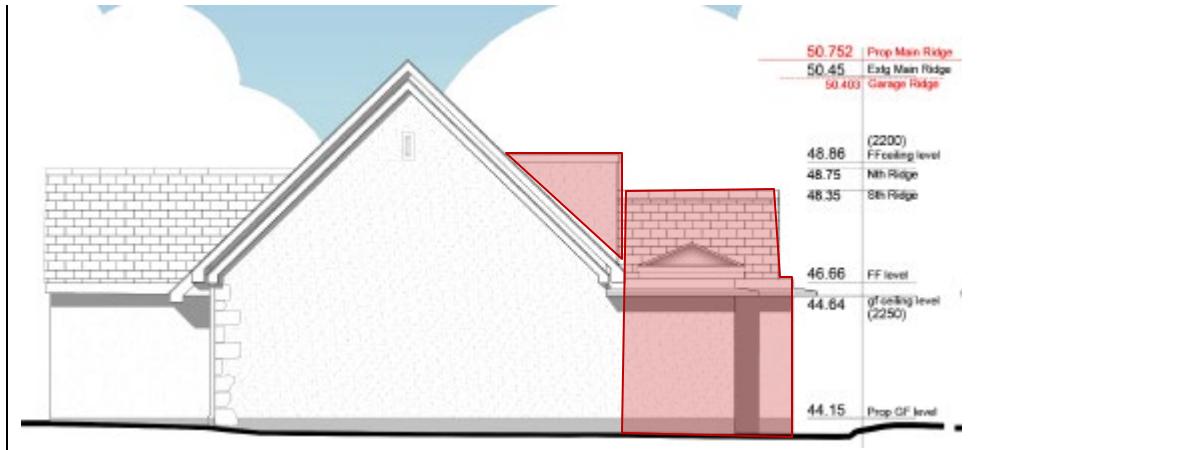


West Side Elevation

Existing



Proposed

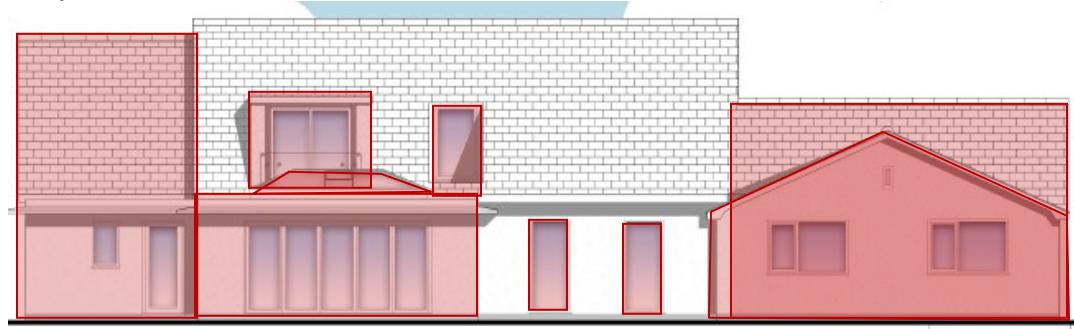


Rear Elevation

Existing



Proposed



Consultations and Publicity

The application has had a site notice on display for 21 days (27/10/2025 – 17/11/2025). The application appeared on the weekly list on [27 October 2025](#).

Due to the nature of the proposal the LPA has consulted Cornwall Fire and Rescue only and they have made no comments within the consultation period.

Representations from Residents:

[0] letters of representation have been received.

Relevant Planning History:

There is quite extensive planning history for this property since it was first granted planning permission in the 1950s (P0225) but no planning history under the adopted Local Plan. History from the 1980s and 1990s including four refusals, permission to place chalets in the garden (P3586) in 1993. The most relevant are two permissions from the 1980s, which allowed the original modest bungalow to become the size it is today:

P2533 | The conversion of a double bedroom, plus provision of an extension to provide a bedsitting suite for a single person at Atlantic View, High Lanes, St Mary's | **REFUSED**

P2547 | The conversion of double bedroom with extension to provide a bedsitting suite for a single person at Atlantic View, High Lane, St Mary's | **APPROVED**

P2839 | Provision of a front porch with W.C. / Cloakroom at Atlantic View, High Lanes, St Mary's | **APPROVED**

Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast

Planning Assessment

Design	YES OR NO
Would the proposal maintain the character and qualities of the area in which it is proposed?	y
Would the proposal appear in-keeping with the appearance of the existing dwelling, street and area?	y
Would the materials, details and features match the existing dwelling and be consistent with the general use of materials in the area?	y
Would the proposal leave adequate garden area and green space to prevent the proposal appearing as an overdevelopment of the site and to ensure an adequate level of amenity?	y
Is the parking and turning provision on site acceptable?	y
Would the proposal generally appear to be secondary or subservient to the main building?	y
Is the scale proposed in accordance with NDSS	N*

* Where a dwelling already exceeds NDSS, LC8 is applied to prevent **further** enlargement beyond the +30% cap. Compliance can be achieved either by remaining at or below the existing baseline (no enlargement) or by evidencing 'proven need'.

Amenity	YES OR NO
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Is the proposal acceptable with regard to any significant overlooking/loss of privacy issues?	y
Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?	y
Is the proposal acceptable with regard to any significant change or intensification of use?	y

Heritage	YES OR NO
Would the proposal sustain or enhance the character and appearance of the Conservation Area?	y
If within the setting of, or a listed building,	n/a
a) Will the development preserve the character and special architectural or historic interest of the building?	
b) Will the development preserve the setting of the building?	
Within an Archaeological Constraint Area	n
Other Impacts	YES OR NO
Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	y
Impact on protected trees	n/a
Will this be acceptable	
Can impact be properly mitigated?	
Has the proposal been designed to prevent the loss of any significant wildlife habitats or proposes appropriate mitigation where this has been demonstrated to be unavoidable?	n/a
Does the proposal conserve and enhance the landscape and scenic beauty of the AONB	y
Are the Water connection/foul or surface water drainage details acceptable?	n/a
If sited within a Critical Flood Risk Area (low lying land below the 5m datum) is the application accompanied by an acceptable Flood Risk Assessment?	n/a
Are there external lights	n

Protected Species	YES OR NO
Does the proposal include any re-roofing works or other alteration to the roof	y
Does the proposal include any demolition	y
Does the proposal include tree or hedge removal	n
Is an assessment of impact on protected species required	y

Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements	y
Are biodiversity enhancement measures required	y
Is a condition required to provide biodiversity enhancement measures	y

Waste Management	YES OR NO
Does the proposal generate construction waste	y
Does the proposal materially increase the use of the site to require additional long-term waste management facilities	n
Does the proposal include a Site Waste Management Plan	y
Is a condition required to secure a Site Waste Management Plan	y

Sustainable Design	YES OR NO
Does the proposal materially increase the use of the site to require additional sustainable design measures	n
Does the proposal include any site-specific sustainable design measures	n
Is a condition required to secure a Sustainable Design Measures	n

Principle of Development

The proposal relates to the remodelling and partial rebuilding of an existing dwelling at Atlantic View, approximately 1.5 miles north of Hugh Town. The site is an established residential plot of around 0.45 acres (0.1814 ha), gently sloping north–south and bounded to the north by a Cornish hedge along High Lane. The principle of improving and updating an existing dwelling is acceptable in accordance with policies supporting sustainable development and the continued use of existing housing stock, subject to detailed considerations.

Design, Scale and Massing (LC8, SS2, OE2)

The scheme involves demolition and replacement of the existing eastern extension, together with a new western extension and associated remodelling. The applicants initially applied for a larger scheme but reduced it to comply with the Council's policy limits for domestic extensions.

The amended plans now demonstrate that the overall Gross Internal Area has been reduced to 226.09 sqm, ensuring the proposal is no larger than the existing dwelling, addressing the previous concern regarding conflict with Policy LC8 and cumulative floorspace growth beyond Nationally Described Space Standards (NDSS) and policy maximums.

Despite this resolution on floorspace, Policy LC8, together with Policies OE2 (character and appearance) and SS2 (sustainable design), requires a broader assessment of perceived scale, massing and visual bulk, not just internal area. This is because

incremental extensions, especially increases in ridge height, dormer additions, and linked garages, can result in a dwelling that appears substantially larger in the landscape than its numeric floorspace alone suggests. Specifically cumulative changes create noticeably greater visual massing, with implications for long-term housing stock balance and landscape character.

The applicant's amended design includes several modifications that reduce this perceived massing:

- Removal of the north-elevation dormer, replaced with a flush rooflight that sits low within the roof slope, markedly reducing prominence.
- Redesign of the south-elevation dormer, with a lower flat roof replacing the previous pitched form, reducing bulk and horizontality.
- Removal of the pitched feature over the right-hand first-floor window, simplifying the roofscape.
- Demolition of existing extensions, shown by hatching on the submitted plans, which offsets new built form and helps ensure the total mass is no greater than that currently present.
- A limited ridge-height increase of 300 mm, justified as necessary for modern insulation and thermal detailing under current Building Regulations.

Collectively, these revisions moderate the visual profile of the dwelling and reduce perceived massing, thereby moving the scheme closer to the expectations of Policies LC8, OE2 and SS2, which resist excessive bulk or forms inconsistent with local character. Although dormers are present on some nearby dwellings, Policy OE2 together with the adopted Design Guide SPD, requires careful attention to scale, proportion and design detail, ensuring additions do not dominate roofslopes or create an over-extended appearance.

The revised drawings offer a clearer, more proportionate arrangement, and the reduction in both floorspace and dormer massing results in a form that better respects the established rhythm of buildings along High Lanes. While the agent contends that surrounding properties include examples of larger roof forms and dormers, this does not displace the requirement under OE2 for development to respond sensitively to context, nor does it outweigh the need for restraint to protect the cumulative pattern of scale on the islands.

Overall, in design, scale and massing terms, although the dwelling remains large, the amended design now mitigates much of the previously identified conflict with Policies LC8, OE2 and SS2. By ensuring that the replacement extensions do not exceed the existing scale and by reducing visual bulk through the redesigned dormers and rationalised roof forms, the proposal is now closer to being policy-compliant.

It is noted that the proposal includes roof void space, not identified as habitable that could, without further consent, become habitable, leaving a dwelling that could be in excess of 300 square metres in usable internal floor area. It is therefore necessary in this case to engage restrictive conditions. It is recommended that in order to secure non-habitable status of the garage roof void and to control materials and external elements a number of conditions, as set out below, remain necessary to prevent future massing creep. Subject to these it is considered that, on balance, the proposal would

comply with Policy LC8, SS2 and OE2 of the Local plan.

Neighbour Amenity (SS2)

The plot is large, with neighbouring properties Shamrock (to the east) and Alegria (to the west) separated by domestic scale boundary hedging. It is considered that the orientation and layout of extensions do not introduce harmful overlooking, overshadowing, or dominance. The proposal is considered acceptable with respect to residential amenity.

Heritage (OE7)

There are no designated heritage assets immediately affected. Although there are a number of Archaeological Constraint Areas in the vicinity these are not affected, and it is not considered there would be any harmful intervisibility that would suggest the proposal is harming any designated heritage asset. The works will have a neutral impact on the historic environment, complying with heritage duties.

Highways, Parking and Access (SS10)

The proposal includes the formation of a new vehicular access and driveway on High Lanes, which would require the removal of a section of Cornish hedge/dry-stone boundary wall and part of the existing front garden. The new opening would sit on a relatively blind bend on a road that, although subject to a signed 60 mph national speed limit, typically functions at lower actual speeds due to its narrow width and alignment. Nonetheless, visibility constraints remain a material consideration.



There is already an existing vehicular access serving the property. The creation of a second access would not remove or restrict use of the existing point of entry/exit, and the proposal therefore has the potential to increase the number of access points onto the

highway rather than rationalise them. While the applicant's intention appears to be to create an improved parking and manoeuvring arrangement within the site, planning must consider the full range of lawful outcomes, not only the applicant's preferred operation of the access.

The proposed access would, in principle, facilitate forward-gear entry and exit, reducing the need for residents to reverse into or out of the site. This represents an operational improvement compared with the current arrangement, where vehicles must reverse in or reverse out due to the constrained turning space. The provision of additional off-street parking is capable of reducing pressure for on-street parking; however, planning cannot rely on such behavioural outcomes, as there would be nothing to prevent continued parking on the highway by the occupants or their visitors. Equally, vehicles could still lawfully reverse out of either access point, as the creation of the new driveway does not prevent the existing access from continuing to be used as it is at present.

The removal of a section of Cornish hedge is a further material consideration. While modest in scale, Cornish hedges form an important part of local rural character and are a biodiversity resource (Policy OE1). Their loss requires clear justification. In this case, the functional improvement to internal manoeuvring provides some justification, although it must be balanced against the retention of the existing access and the possibility that both access points could be used interchangeably.

Taking the above into account, the proposal provides some safety and operational benefits through improved turning provision and increased on-site parking capacity. However, these benefits are not absolute or guaranteed, and the existence of two access points on a bend-in-the-road environment represents a residual highway risk that must be weighed in the overall planning balance. On this basis, the proposal is not considered to give rise to demonstrable severe harm under the NPPF test, but any approval should be accompanied by conditions controlling the detailed access geometry, hedge-bank re-instatement/finishing, and visibility splays insofar as they can reasonably be achieved. Subject to these it is considered that the proposal would be acceptable in terms of highway safety and policy SS10 of the Local Plan.

Sustainability and Energy Efficiency (SS2 and SS8)

The existing building has a poor EPC rating (low F), and the proposal includes structural, heating, and energy-efficiency upgrades. This is supported by Local Plan objectives encouraging more sustainable and resilient homes.

Ecology and Biodiversity (SS2 and OE1)

As the works involve elements of demolition, where there is the potential to disturb or harm bats or birds and their habitats, the applicant has sought to demonstrate the impact through a Preliminary Roost Assessment (PRA) and a follow-up Presence/Absence Survey (PAS). The PRA identified the property as having Low Potential to support roosting bats, noting that elements of the roof space could offer limited suitability. It also recorded a historic bird nest within the roof area and potential opportunities for common species (e.g., house sparrow) within soffits and eaves. Recommended measures included undertaking a follow-up Presence/Absence Survey, timing works to avoid the nesting bird season and providing mitigation such as appropriate working methods and installation of replacement bird-nesting features.

The subsequent PAS confirmed no bat emergences from the building and recorded only low levels of common pipistrelle activity in the wider vicinity. No roosts were identified, enabling a conclusion of Probable Absence, with no requirement for further bat surveys or a European Protected Species Mitigation Licence. The report recommends only a precautionary method of working during re-roofing and renovation. Together with the PRA, the survey forms a proportionate ecological baseline suitable to inform determination.

In the context of Policy SS2, the development can be considered to incorporate an appropriate and sustainable approach to biodiversity by demonstrating that ecological risks have been properly assessed, that impacts on protected species are unlikely, and that proportionate avoidance measures are in place. Under Policy OE1, which seeks to conserve and enhance biodiversity, the findings confirm that no significant ecological constraints exist; however, the identified opportunities for bird-nest provision and the need for a precautionary working method provide scope for biodiversity enhancement consistent with the intention of Policy OE1.

As a result, subject to standard conditions securing precautionary working methods and bird-nest features, the proposal is considered to comply with Policies SS2 and OE1.

Flood Risk (SS7)

The site is not identified as being within a flood risk zone. No flood-related concerns arise.

Waste Management (OE5 and SS2(2))

Policy OE5 relates to managing waste and requires all development proposal to demonstrate best practice waste management solutions in terms of the waste hierarchy of reduce, reuse, recycle. Both OE5 and Policy SS2(2) require development proposals to be supported by a proportionate Site Waste Management Plan (SWMP). Where a SWMP has not been submitted the local validation checklist process allows applicants to confirm whether or not they are happy with the matter being dealt with by means of a pre-commencement condition. In this case a SWMP has been submitted which does provide a clear outline of how demolition, roofing, hardstanding removal and construction waste will be separated, handled and disposed of. This includes the segregation of recyclable materials, appropriate disposal of potential asbestos-containing roof slates, and delivery of waste streams to the Moorwell Waste Facility or Quarry recycling site.

The SWMP also confirms compliance with the statutory Duty of Care under section 34 of the Environmental Protection Act 1990. However, the scope of works, particularly the breaking-up and removal of extensive areas of existing concrete and tarmac, which will generate additional waste volumes (these volumes are not fully detailed in the plan). Given the islands' limited waste-handling capacity and the need to prevent temporary stockpiling, pollution, or the informal spreading of hardcore within garden areas intended for landscaping, a further condition requiring a detailed Site Waste & Materials Management Plan is considered necessary to ensure the proposal accords with Policies SS2 and OE5 and that waste is managed responsibly throughout the phasing of the works.

Conclusion

Taking the proposal as amended, reducing the overall floorspace to be no greater than the existing dwelling, moderating roof massing (dormer removal/redesign and limited ridge increase for thermal performance), and rationalising internal circulation—the scheme achieves a proportionate remodelling that respects local character at High Lanes (SS2, OE2, LC8). Ecological assessment (PRA + PAS) confirms *probable absence* of roosting bats and identifies straightforward precautionary working and bird-nest enhancements, enabling compliance with OE1/SS2 without significant constraints.

On highways, the new access would improve on-site manoeuvring and allow forward-gear movements but sits on a relatively blind bend and co-exists with the existing access. Conditions are therefore necessary to regulate construction details, visibility (where achievable), and Cornish hedge works to manage residual risk (SS10/OE1/OE7). Waste is a material issue: while an SWMP is submitted, the scope and phasing of breaking-up extensive hardstanding warrants a more detailed, phased SWMMP to secure best practice under OE5 and SS2(2), aligned to the islands' capacity.

Recommendation

Overall, subject to the condition set below, the proposal is acceptable and accords with the Isles of Scilly Local Plan (2015–2030), notably SS2, SS10, OE1, OE2, OE5, OE7 and LC8, and should be approved.

EIA: Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

Proactive working: In accordance with guidance within the National Planning Policy Framework the Council has worked in a positive and creative way and has concluded that the application is acceptable for planning permission to be granted. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy: Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 2021, the development plan for the Isles of Scilly comprises the Isles of Scilly Local Plan 2015-2030.

The relevant development plan policies that have been taken into consideration are set out below:

Isles of Scilly Local Plan, 2015-2030

Policy	Tick if Used ✓
Policy SS1 Principles of Sustainable Development	

Policy SS2 Sustainable quality design and place-making	✓
Policy SS10 Managing Movement	✓
Policy OE1 Protecting and Enhancing the landscape and seascape	✓
Policy OE2 Biodiversity and Geodiversity	✓
<i>Policy OE4 Protecting Scilly's Dark Night Skies</i>	✓
<i>Policy OE5 Managing Waste</i>	✓
Policy OE7 Development affecting heritage	✓
Policy LC8 Replacement Dwellings and Residential Extensions	✓

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

Considerations under Human Rights Act 1998 and Equalities Act 2010: In reaching this recommendation, the provisions of the Human Rights Act 1998 and the Equality Act 2010 have been considered. Under section 149 of the Equality Act, the authority must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and other prohibited conduct;
- Advance equality of opportunity between persons who share a protected characteristic and those who do not; and
- Foster good relations between persons who share a protected characteristic and those who do not.

Advancing equality of opportunity includes:

- Removing or minimising disadvantages linked to protected characteristics;
- Meeting different needs of persons with protected characteristics; and
- Encouraging participation in public life where it is disproportionately low.

There is no absolute duty to remove disadvantage, but the authority must have regard to these matters when considering the merits of the application. This report confirms that such regard has been given.

Recommended 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 and Block Plan, Drawing Number: AVcth-P-01, dated 14/09/2025
- Plan 2 Proposed Elevations (Amended), Drawing Number: AVcth-P-03 Rev A dated 14/12/2025

- **Plan 3 Proposed Ground and First Floor Plan (Amended), Drawing Number: AVcth-P-02 Rev A dated 14/12/2025**
- **Plan 4 Site Waste Management Plan**
- **Plan 5 Preliminary Roost Assessment (PRA) Ref: 25-6-1, dated 21/06/2025 IOS Ecology**
- **Plan 6 Bat Presence/Absence Survey (PAS) Ref: 25-6-4, dated 16/07/2025 IOS Ecology**

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 permanent external lighting shall be installed on the exterior of the building hereby approved unless:

a) It complies with the following parameters:

- Fully shielded luminaires with zero upward light output (ULR = 0%).
- Warm white light with a correlated colour temperature (CCT) not exceeding 3000K.
- Lumen output per fitting not exceeding 1000 lumens.
- No lighting directed beyond the site boundary.

OR

b) A Lighting Scheme has first been submitted to and approved in writing by the Local Planning Authority.

Any lighting installed shall thereafter be retained and operated in accordance with the approved details or the above parameters.

Reason: To safeguard the amenities of neighbouring occupiers, protect the rural character, and preserve the dark night skies of the Isles of Scilly, in accordance with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

C4 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.

C5 The roof void above the garage shall not be used as habitable accommodation and shall not be fitted with a floor or other works to enable its use as living space without prior written approval of the Local Planning Authority. The garage shall be retained for ancillary non-habitable purposes only, including vehicle and cycle storage, plant room, accessible WC, and utility room.

Reason: To ensure compliance with Policy LC8 and maintain a balanced housing stock, in accordance with the Isles of Scilly Local Plan and paragraph 55 of the NPPF.

C6 **No works to form the new vehicular access shall commence until full construction details have been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- Access width and gradient
- Surface materials (ideally permeable but bound material)
- Drainage arrangements to prevent surface water run off onto the highway
- Boundary or hedge end treatments to frame the entrance

The access shall thereafter be constructed in accordance with the approved details, retained as such thereafter and shall not be brought into use until fully completed.

Reason: In the interests of highway safety and to ensure a safe and suitable access is provided.

C7 **The parking and turning areas shown on the approved plans shall be laid out, consolidated and surfaced in full, prior to the first use of the new vehicular access. These areas shall thereafter be retained for the parking and turning of vehicles and kept available for such purposes at all times.**

Reason: To ensure that adequate onsite parking and turning provision is retained to prevent vehicles reversing onto or from the highway, in the interests of highway safety.

C8 **Before the new access is first brought into use, visibility splays shall be provided on both sides of the access in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The visibility splays shall thereafter be kept clear of obstruction above 1.0 metre in height at all times insofar as reasonably achievable within the land within the applicant's control.**

Reason: To provide adequate visibility at the access in the interests of highway safety.

C9 **No alteration to the Cornish hedge/dry stone boundary wall shall take place until a method statement for its dismantling, stone storage, and reinstatement or rebuilding (including construction profile, planting, and timing of works) has been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out strictly in accordance with the approved method statement.**

Reason: To safeguard the character of the area and to protect biodiversity interests associated with traditional Cornish hedges, in accordance with Policies OE1, OE7 and SS2.

C10 **If the existing vehicular access is to be closed or reduced in width, details of the reinstated Cornish hedge/hedgebank shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of such works. The reinstatement shall be completed prior to the first use of the new access.**

Reason: To prevent the proliferation of access points onto the highway and to maintain the rural character and ecological function of Cornish hedges.

C11 **Both the existing and proposed access points shall remain as shown on the approved plans. Any alterations or closure of either access shall require the prior written approval of the Local Planning Authority.**
Reason: To ensure any change to access arrangements is properly assessed in the interests of highway safety.

C12 **All works to the roof, soffits, eaves, and Cornish hedge shall be carried out in accordance with the mitigation and precautionary working practices set out in the Preliminary Roost Assessment and Presence/Absence Survey reports. Works affecting features suitable for nesting birds shall not be undertaken between 01 March and 31 August unless an ecologist confirms in writing that no active nests are present.**
Reason: To safeguard protected species and comply with OE1 and SS2.

C13 **Prior to the first bird nesting season (01 March - 31 August) following the substantial completion of the development, at least two bird nesting features suitable for species such as house sparrow shall be installed on the building or within the garden in accordance with the enhancement recommendations set out in the Preliminary Roost Assessment (PRA), Ref: 25 6 1 (June 2025). These features shall be installed no later than 31 August of that same nesting season (or, where substantial completion occurs after 31 August, by 1 March of the following nesting season) and thereafter retained.**
Reason: To secure biodiversity enhancement consistent with Policy OE1 and the NPPF, and to ensure installation at an ecologically appropriate time of year without reliance on occupation triggers.

C14 **The roof void above the garage shall not be used as habitable accommodation and shall not be fitted with a floor or other works to enable its use as living space without prior written approval of the Local Planning Authority. The garage shall be retained for ancillary non-habitable purposes only, including vehicle and cycle storage, plant room, accessible WC, and utility room.**
Reason: To ensure compliance with Policy LC8 and maintain a balanced housing stock, in accordance with the Isles of Scilly Local Plan and paragraph 55 of the NPPF 2024.

C15 **Notwithstanding the submitted Site Waste Management Plan (SWMP), no works involving the breaking up or removal of existing concrete, tarmac, hardstanding or paths as shown on the approved block plan shall commence until a Detailed Site Waste & Materials Management Plan (SWMMP) has been submitted to and approved in writing by the Local Planning Authority.**
The SWMMP shall include:

- 1. Estimated volumes and types of all waste arising from the removal of concrete, tarmac and other hard surfaces including those located to the rear of the dwelling, as shown on the approved block plan.**
- 2. Methods for breaking up, lifting, temporarily storing and removing**

hardstanding materials, including measures to prevent dust, run off, contamination or pollution.

3. Clear identification of disposal or recycling routes, including confirmation of acceptance at Moorwell Waste Facility and any quarry recycling facility.
4. A phasing plan demonstrating the sequence in which all identified hardstanding areas (front and rear) will be removed, with the rear hardstanding removal forming part of the same phase as, or a phase preceding, the formation of the new access and driveway, to prevent deferral of offsetting works.
5. Measures to protect proposed soft landscaping areas from contamination or compaction during waste handling.
6. Identification of any materials to be retained and re used on site, demonstrating accordance with the waste hierarchy (reduce-reuse-recycle).
7. Details of the reinstatement of all areas where hardstanding is to be removed, including soil depth, preparation, and seeding, to ensure that the environmental offsetting (front vs. rear) forms a coherent and deliverable landscape outcome.

The development shall thereafter be carried out strictly in accordance with the approved SWMMP, and no part of the new vehicular access or associated hard landscaping shall be brought into use until all hardstanding removal and reinstatement works identified in the approved SWMMP (including those to the rear) have been fully completed.

Reason: To ensure the responsible management, reduction and sustainable handling of demolition and construction waste in accordance with Policy SS2(2), which requires development proposals to demonstrate sustainable construction practices and minimise environmental impact, and Policy OE5, which requires all development to follow best practice waste management principles in line with the waste hierarchy (reduce-reuse-recycle) and to be supported by a proportionate Site Waste Management Plan. This condition is necessary to prevent inappropriate on site stockpiling, pollution and the uncontrolled disposal or spreading of hardstanding waste, and to ensure that all materials are managed, removed and reused responsibly in a manner proportionate to the islands' limited waste handling capacity.

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. **POST-DECISION 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
3. **CONDITIONS:** In accordance with the Town and Country Planning (fees for Application and Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 a fee is payable to discharge any condition(s) on this planning permission. The fee is payable for each individual request made to the Local Planning Authority. You are advised to check the latest fee

schedule at the time of making an application as any adjustments including increases will be applied: https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf

4. **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.

5. **BUILDING REGULATION:** 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.

6. **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.

Print Name: Lisa Walton **Date:** 23/12/2025

Job Title: Chief Planning Officer

Signed:



Authorised Officer with Delegated Authority to determine Planning Applications
