



COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department

Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW

☎01720 424350

✉planning@scilly.gov.uk

Delegated Report

Application Number:	P/14/068/FUL
Recommendation:	PER/DEL
Date:	29th January 2015
8 Week Target:	03/02/2015
Neighbours Notified on:	23/12/2014 Expiry Date: 13/01/2015
Site Address:	Tregarthen's Hotel, Garrison Hill,
Island:	St Marys
Development Proposed:	Removal of existing oil storage tank and replacement with new single bunded oil storage tank in new location.
No of Representations:	1 Representation has been received raising concerns that the justification for moving the oil tank in the first place has been resolved now as the mermaid car park has been re-designed and a refuse lorry can now access the rear of Tregarthens. This representation also raises concerns about the position of the tank in relation to a Fire Escape and other fire safety regulations. In addition concerns are raised about the use of Garrison Hill for unloading commercial quantities of oil which has high pedestrian usage. Finally the representation raises concerns about the impact of this development on one of the iconic views on St Marys.

Discussed with the Chair and Vice Chair of P&D:

Emailed Cllrs on 28/01, Spoke to both on 29/01. Both happy with delegated decision

Development Plan Policies:

2005 Isles of Scilly Local Plan
Policy 1-Environmental Protection
Policy 6- Infrastructure for Sustainable Communities
2012 National Planning Policy Framework (NPPF)
Paragraph 28

Planning Assessment:

Description of Development Proposed

This is an application to re-site an oil storage tank to a site within the grounds of Tregarthen Hotel. The position is directly behind a boundary wall that runs along the north side of Garrison Hill. The tank will measure 2.4m(L) x 1.4m(w) x 1.4m(h) which will hold 2.442 litres of oil. The tank will be uv resistant plastic mounted on an existing concrete base. This will be used by Tregarthens Hotel.

Description of Site

The proposed position of the oil tank will be to the north side of the wall that runs along north side of Garrison Lane on land to the south of the hotel. The tank will be screen from the road by an existing 1.8m high stone wall, which forms the boundary of the hotel. This will be just inside the pedestrian gate positioned half way up Garrison Hill. The site is located within a Conservation Area but it not within the

curtilage of a listed building. The position is approximately 23m to the east of the Garrison Walls which are a designed Scheduled Monument and Grade II* listed building.

Impact upon the Character and Appearance of the Conservation Area

The proposed oil tank will not be visible from the immediate street scene as it will be hidden behind an existing high stone wall. A gap will exist between the tank and wall to ensure that it does not result in any unnecessary deterioration of the wall, through moisture being trapped. There may be very minor wider views from the direction of the quay and the harbourside building, but the size of the structure and its position behind a wall will be very much unobtrusive. I do not consider the proposal will have any detrimental impact upon the character of the conservation area. Whilst it could not be considered to enhance, I consider that it will preserve the overall appearance of the conservation area given its limited visual impact.

Impact upon Designated Heritage Assets

The tank will be located in the vicinity of designated heritage assets including the Scheduled Monument, of the Garrison Walls, which is located around 23m to the west of the tank position. The Garrison Walls are also Grade II* listed building on the statutory list. Given the position of the tank, within the curtilage of the existing hotel and screened behind an existing boundary wall I am satisfied that the proposal will not have a detrimental impact upon the setting of this important structure.

In terms of non-designated heritage assets then I consider there is the potential for any groundworks to uncover previously unknown archaeological remains. The proposal seeks to site the tank upon the existing concrete floor and as such there are no plans for below ground works. I do not consider there will be any impact upon designated heritage assets.

Impact upon Neighbouring Amenity

The siting of an oil storage tank, post installation, will have minimal impact upon neighbouring amenity in terms of noise or visual intrusion. The Agent has confirmed that the tank will be filled once every three weeks on average. Operationally the tanker will be parked away from the steep slope on Garrison Lane and will take 5-10 minutes each time. They endeavour to fill the tank in quiet times. Given that there are other customers on Garrison Lane it is considered that the filling of the tank is unlikely to have an additional significant impact upon the amenity of surrounding residential amenity. The use of oil storage tanks is a common feature of home heating on St Marys. They are not particularly noticeable.

Other Considerations:

The ministerial Statement 'Planning for Growth' and the National Planning Policy Framework have been taken into account in assessing this scheme.

The proposal will not have any detrimental impacts upon the wider landscape or Area of Outstanding Natural Beauty.

Recommendation

That the development be **granted** subject to the following condition(s):

1. 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).

2. The development hereby permitted shall be carried out in complete accordance with the details shown on the approved submitted plans **** stamped and dated ****. **Reason:** For the avoidance of doubt and in the interests of the character and appearance of the building and the surrounding area, which is designated a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policies 1 and 2 of the Local Plan.

3. Prior to the commencement of the approved development, the applicant shall confirm the details of either the re-use or the safe and suitable disposal of the original oil storage tank. These details shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme unless otherwise agreed in writing by the Planning Authority. **Reason:** To ensure that those characteristics which contribute to the status of the Isles of Scilly as a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast are not eroded by unnecessary clutter at this site or the tipping of waste.

Signed - **L WALTON**

Date: 03/02/15