



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/15/010/FUL
Recommendation:	PER/DEL
Date:	20th March 2015
8 Week Target:	02/04/2015
Neighbours Notified on:	19/02/2015 Expiry Date: 12/03/2015
Site Address:	Westwinds, McFarland's Down, St Mary's, Isles of Scilly, TR21 0NL,
Island:	St Mary's
Development Proposed:	Application for planning permission to erect a domestic timber framed shed measuring 10m x 5m to the left side of the dwellinghouse in place of a nissen hut.
No of Representations:	1

Planning History of the Site

This Site:

P0343 – Erection of a bungalow

Adjacent Site:

None Relevant

National /Saved Local Plan Policies:

Isles of Scilly Local Plan (Adopted November 2005)

Policy 1 Environmental Protection

National Policy

NPPF – Paragraph 14

Planning Assessment:

Site Description

The application site a small detached single storey bungalow style dwelling, situated in a relatively large domestic curtilage at McFarland's Down on the north side of St Mary's. The property is situated on the west side of the access road and retains an existing front garden, driveway car parking, single garage and large private rear garden.

Description of Development

This assessment is for the construction of a domestic curtilage structure on the south side of the existing bungalow between Westwinds (the application site) and Esperance to the south. The construction of the proposed building will be in place of a removed nissen hut, as assessed as under P/15/011/FUL. The proposed shed/garden room is single storey with a footprint measuring 10m x 5m and an overall height of 2.4m with a shallow pitched roof. The shed will contain a main access door facing east with windows on the north, east and south elevations. The rear (west) half of the building will not contain any windows. The structure will be situated on an existing large concrete base that extends all the way to the garden pond in the south west corner of the garden. Towards the south west corner is a small summer house structure that will remain.

Consultations: none

Representations: One letter of representation has been received from the neighbour to the north at 'green pastures'. They do not object to the application but question when the works will be carried out and request that construction noise and lorry movements are not intrusive.

Human Rights Considerations: Article 8 (Respect for private and family life) and First Protocol Article 1 (Protection of Property)

Assessment

The main considerations are whether the construction of the domestic curtilage structure would harm the wider character and appearance of the conservation area and AONB designation or give rise to any harm on the amenity of neighbouring residential properties.

The proposed curtilage structure is single storey and situated in the side garden of the domestic curtilage of Westwinds. It will replace an existing larger nissen hut structure. As it is of a domestic appearance within a domestic garden I am satisfied that it will not harm the wider character of the conservation area or AONB designation. Boundary and garden planting will soften the appearance of the building and the timber will naturally weather. In terms of neighbouring amenity then I consider that the installation of windows, particularly in the south elevation, could give rise to an impact upon the privacy and amenity of the neighbouring property to the south. Having said that however I note that a 2m high domestic fence could be erected between the two properties without requiring planning permission. This would obscure any views from the proposed shed towards the neighbouring property. I do not therefore consider that the proposed single storey, albeit large, storage/shed/garden room proposed will give rise to significant harm upon the privacy and amenity of Esperance, to the south.

In light of this assessment and due to its position within a row of domestic properties I am of the opinion that proposal will not result in any significant harm to the wider character of the conservation area or AONB designation.

In noting the representation received I would comment that the local planning authority cannot control the timing of when the works are carried out. The applicants will have 3 years in which to implement the permission. Similarly the noise associated with its construction would not be grounds on which to refuse the application. I would recommend that a condition is imposed to ensure that the use of noisy machinery in implementing the permission, should be restricted to specific times and not be carried out during the evenings, Sundays or public/bank holidays.

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.

Conclusion

I would recommend that this application, for the proposed construction of a timber domestic shed, is acceptable.

Conditions

1. Standard 3 year time limit
2. Restriction of construction/demolition period
3. In accordance with the approved plans only

Signed

Date: