



COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department
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OFFICER REPORT – DELEGATED

Application number: P/16/066/FUL	Expiry date: 5 September 2016
Received on: 11 July 2016	Neighbour expiry date: NONE CONSULTED
UPRN: 000192001584	Consultation expiry date:
Legal agreement:	Site notice posted: 11 July 2016
Departure:	Site notice expiry: 1 August 2016
Complies with Development Plan? Y/N If not, ensure you cover in the report how material considerations outweigh the plan?	
Is this decision contrary to local council recommendation?	

Applicant:	Mr & Mrs Nick Cust
Site Address:	Sunholme Porthloo St Mary's Isles Of Scilly TR21 ONE
Proposal:	Re-build existing dwelling to create a 2 storey 3 bedroom dwelling. (Re-submission of approved application P/16/038/FUL)
Application Type:	Planning Permission

Description of site and development:

This is an application for a resubmission of a scheme approved under P/16/038/FUL for a replacement of the existing 3 bedroom dwelling with a modern 3 bedroom dwelling. The proposed scheme is identical to that already approved but now includes, within the red line, the land on which the septic tank is located and the correct ownership certificate has now been served to show that this additional land is not within the applicant's ownership.

Site Description

Sunholme is a modest detached bungalow dating back to the 1930s that faces west on to the coast and small bay/beach of Thomas' Porth. Currently vacant, this property is surrounded by a small curtilage but has a larger garden to the front of the property, separated by a vehicular access road. The land to the rear of the property is a relatively small and a high mound largely screens the site from views from the east.

Description of Proposal

The proposal is to re-use the existing ground floor walls but replace the roof and window arrangement to create a traditionally designed dwelling with a first floor that will sit 1 metre higher overall than the existing ridge height of the existing bungalow. In order to achieve accommodation in the roofspace, the new roof structure will have a full-pitched roof and gables with an eaves that sit around 2.5 metres higher than the low eaves line on the existing bungalow. The dwelling will have a small balcony area to the front elevation. The main entrance will be to the front through a centrally positioned door, which

will provide access to the ground floor bedroom accommodation and first floor living accommodation. No other extensions or curtilage buildings are proposed. Overall the proposed dwelling will have a greater bulk and mass than the existing low-rise bungalow.

Public representations:

There are no statutory consultees so there are no statutory consultation responses to report. A site notice has been displayed for 21 days in a public place close to the dwelling and both existing neighbours at Newfort House, Mount Flaggon House, Avalon and East Bank have been written to directly. No letters of representation have been received.

Consultee representations:

None

Constraints and designations:

Conservation Area, AONB and Heritage Coast

Relevant policies, SPGs and Government guidance:

Isles of Scilly Local Plan 2005

Policy 1 of the Local Plan seeks to ensure that all development proposals respect and protect the recognised quality of the island's natural, archaeological, historic and built environment.

Policy 2 seeks to ensure that all new development contributes to the sustainability of the islands' environment, economy or local community through a) conserving and enhancing the landscape, coastline, seascape and existing buildings of the islands through appropriate design including siting, layout, density, scale, external appearance and landscaping, b) re-using previously developed land or buildings...c) utilising natural resources efficiently in the design.

Policy 3 of the Local Plan does not permit any new general open market housing on the Isles of Scilly. Specifically, Criterion (2) of Policy 3 states that residential development will only be permitted where it is required to meet an identified and recognised local need or key worker whose needs cannot be met by the existing housing stock.

Of critical consideration is that all new dwellings that come forward through the planning system are restricted to meeting the housing needs of the community who are unable to rent or buy a home appropriate to their circumstances in the local market. Criterion (3) of Policy 3 specifies that all new residential development will be subject to secure arrangements to ensure that it remains permanently available to meet the specific identified need that justified its original permission.

Isles of Scilly Design Guide SPD 2007

The 2007 Design Guide, although now 9 years old, does provide details on local design and building styles and supports the policies of the Local Plan. In considering the design of new dwellings the guide suggests that Scillonian roofs tend to be a combination of simple shapes, pitched, hipped, gabled and mono-pitched.

Appraisal/key issues and conclusion:

Planning Assessment

The main considerations in relation to this application are whether a replacement dwelling (reusing a significant amount of the original dwelling) on the same footprint (with a modest increase in overall height) amounts to a new dwelling and whether it would be in accordance with Policy 3 of the Local Plan. It is also of critical consideration to assess the impacts of the design upon the character and appearance of the wider landscape in terms of the conservation area and scenic beauty of the AONB

and heritage coast designations. Additionally it is important to understand the impact upon the historic environment and whether the significance of any designated heritage assets are affected or harmed as a result of the proposal. Finally it is a material consideration to be satisfied that the proposal will not result in harm to the amenity of adjacent residential properties, detrimentally impact upon the natural environment, including protected species, or give rise to harm to the local highway network.

Principle of a New Dwelling

Policy 3 seeks to control all new housing constructed on the islands to meet an identified local need only, requiring mechanisms to be put in place to secure any new housing in perpetuity. The existing dwelling is a single storey detached bungalow of 3 bedrooms. The proposal is to replace this using the same footprint but creating a first floor of a traditional design with rooms in the roofspace. This results in a dwelling that is of a similar scale to the existing dwelling and that of near neighbouring properties. The existing bungalow is currently an unrestricted dwelling of no architectural merit. The proposal will not result in any net increase in the number of dwellings on the islands and will replace a modest 3 bedroom bungalow with a traditionally designed 3 bedroom dwelling utilising the same footprint re-using the existing ground floor walls. In this circumstance it is considered that it would be unreasonable to require the applicants to enter into a Section 106 Legal Agreement to restrict occupancy of this dwelling.

Issues of Design

Due to the contrast between the design of the existing dwelling and the proposed it is necessary to establish whether this is acceptable in principal. The current Local Plan seeks to protect the existing and recognised quality of the islands and that planning decisions should ensure that new development is in character with the islands. For development proposals to be acceptable they should demonstrate that they positively reinforce the special and distinct qualities of the islands' environment in accordance with the Design Guide.

The design guide sets out guidance for gap or infill developments, which lie outside Hugh Town (there is guidance for such development within Hugh Town). This advises that proposals should make the best use of scarce land in settlements and that they can benefit the settlement in terms of making good use of unsightly gaps which could be developed to create continuity in the streetscene...but that it is essential that the proposals relate to adjacent properties in an appropriate manner, e.g. the way the new building is set out on its plot. The guide also states that the proposed building must also relate to neighbouring properties in terms of maintenance, privacy and access to daylight. Its sets out that generally the established pattern of building shape, proportion and materials should be adhered to, although minor architectural variants could make a positive contribution to the townscape (page 81).

It is considered that the proposed dwelling will sit within the footprint of the existing building, retaining the 'building line' and will be kept relatively low. The pattern of buildings (in terms of the gaps between the neighbouring properties and the proposed dwelling) will also be retained in the proposal. There are no discordant features that seek to break the building line or pattern of development along this existing row of buildings. Materials are identified as rendered walls with a natural slate roof and aluminium windows. The issue therefore is whether replacing a modest and simple bungalow with a traditionally designed dwelling is contrary to the Local Plan and its supplementary planning guidance.

Clearly the Local Planning Authority cannot impose an architectural style but it is paramount that the design of any new dwelling does not result in harm to the wider area, the historic and natural environment or the amenity of neighbouring properties. In order to conclude on whether the proposed design is acceptable these issues are considered below.

Impact upon the Wider Landscape

The existing dwelling is located at Porthloo to the west side of an access road that runs from Porthloo Road to the east of the application site. Although retaining a small curtilage around the dwelling the main garden associated with this site is across the road to the west, which is bounded on the west side by the coast path that runs from the sailing club at Porth Mellon to the boat yard at Porthloo. Beyond this to the west is a sand and boulder beach known as Thomas' Porth. The level of land at the application site is around 7 metres above sea level, where the coast path drops down to around 5 metres with the Mean High Water being at 2.09m and the beach gently sloping away to the west. To the east side and rear of the dwelling is a small bund or dune that provides screening of the dwelling when viewed from the east side and Porthloo Road.

The access road serves a number of properties including Newfort House, Newfort Cottage, Camberdown, Beachfield House, Avalon, Sunholme, Grenofen and East Bank and Mount Flagon. Sunholme is set low with a hipped roof and as it has no roofspace accommodation or dormer windows and as such it appears noticeably less prominent than neighbouring properties. When viewed from the west it is apparent that most of these properties have been modified or extended in some form and are of varying heights and designs. Whilst all properties are of a 'traditional' form, in that they have pitched roofs, it is difficult to argue any other common or strong design characteristics or a prevailing 'Scillonian' style in this 'streetscene'. None of the buildings in the vicinity are listed buildings or otherwise protected. Many of the surrounding properties have been modified or extended to some degree and none are as unaltered as the existing dwelling.

The proposed dwelling is of a traditional design that seeks to maximise the internal space without creating a large replacement dwelling. To achieve this objective, the applicants have opted to utilise the roofspace and create first floor windows. It is therefore considered that the proposed design in this coastal location does not go against the advice of the 2007 Design Guide, in this respect.

The existing dwelling is currently unoccupied and as a result it is starting to decline overall. It is considered that the existing dwelling detracts from the character of the immediate site. The modifications proposed will result in in-ward investment in the building, which will result in a significant improvement to this site and thus improvements to the wider public realm. It is considered that the replacement dwelling will not result in a prominent form of development but will result in an improvement to the appearance of the existing dwelling on the site, whilst creating a visually improved public realm.

It is therefore appropriate to consider whether the design preserves or enhances this part of the wider character of the conservation area, AONB and heritage coast. Given that it will result in a general uplift in the existing site, it will not be significantly prominent, relative to existing properties in this area, and does not conflict with the general design principles of the Local Plan and the Design Guide, it is considered that the proposal and the loss of the existing bungalow, will not have a detrimental impact upon the local area. It is considered that the proposal will result in an overall enhancement to this site and as such it is considered that the proposal is acceptable.

Impact upon the historic environment

The application site boundary is situated 50 metres to the north of the archaeological constraint area of Harry's Walls at Mount Flagon and 100 metres to the north of the designated Scheduled Monument of Harry's Walls. Almost 300 metres to the east is the grade II listed building of the 'glass house and packing shed at Rocky Hill Farmhouse'. Within the curtilage of Rocky Hill Farmhouse there are two Historic Environment Records (HER) of a Roman-British Medieval findspot and a Pre-historic findspot. These are however over 250 metres to the east of the application site. To the south west of the

application site and along the coast there are a number of other HERs including that of a pre-historic Porth Mellon peat deposit, an early Medieval findspot and at Thomas' Porth a pre-historic early Medieval findspot. Around 160 metres to the north north-west of the application site is a further Scheduled Monument of a World War II pillbox.

It is considered that the proposed modifications to the existing structure to form a new dwelling, will not result in any direct harm to or impact upon the setting of any of these heritage designations or assets. Given that the dwelling exists and there are no further significant foundation trenches required, it is unlikely that the proposal will result in harm to or loss of any currently unknown archaeological remains at this site. It is considered that the impact upon the conservation area, as assessed and concluded in paragraph above, is acceptable and as such the impact upon the historic environment will be minimal.

Impact upon the Natural Environment

The Isles of Scilly have a number of important environmental designations including Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Sites of Special Scientific Interest (SSSI). The SAC is a strictly protected marine designation under the EC Habitats Directive. The Isles of Scilly Complex forms part of the European network of important high quality conservation sites that make a significant contribution to conserving the 189 habitat types and 788 species of plants and animals. The sites selected around the coastal waters of Scilly encompass extensive sandy sediments between the islands that are contiguous with the intertidal sandflats. There are however no SAC designations within the vicinity of the proposed site and as such the proposal will not have any impacts upon this environmental designation.

The SPA designations are sites strictly protected under Article 4 of the EC Birds Directive. The birds it seeks to protect are classified as rare and vulnerable or those of regularly occurring migratory species. Whilst there are a number of SPA sites on the islands there are no SPA designations on St Mary's.

The SSSIs are conservation designations denoting a protected area for their biological interest (Biological SSSI) and/or geological interest (Geological SSSI). The closest of which is the Lower Moors SSSI which lies over 300 metres to the south of the application site. This retains a range of features including wetland habitats, developed on alluvium and peat overlying the Hercynian granite bedrock. Streams and drainage ditches flow south from Holy Vale to Old Town Bay. It is considered that the SSSI designation at Lower Moors will be unaffected by the proposed dwelling.

Whilst protected bats and birds may be frequent visitors in and around this landscape there are no known bat roost sites identified within close proximity to this site. As such it is considered that the proposal will not have a significant impact in the long-term upon the use of this landscape by any protected species. The applicants have been advised to carry out a Bat Emergence Survey and any decision to approve this application should be on the basis of the details of a Bat Survey to ensure any bats likely to be affected, could be protected through suitable mitigation measures.

An Environmental Impact Assessment (EIA) Screening Opinion has been carried out for the proposed dwelling and this concluded that the development does not require a full EIA to accompany the planning application. Overall it is considered that whilst the short-term construction period of the proposed dwelling will have some environmental impact, as a result of noise, it is not considered that this will have any long-term detrimental harm to the natural environment or important nature conservation interests of the islands.

Impact upon residential amenity

Sunholme is situated on the east side of the road between Avalon to the north side and East Bank to the south-east and Grenofen to the south-west, with Mount Flagon further south on an elevated site. The proposal will introduce a first floor level of accommodation that will include first floor windows on all sides, but primarily to the front facing west and out to sea. In addition to windows, and to the front, it is proposed to include a small first floor balcony area. To the north side gable it is considered that the proposed first floor window would result in some views towards the properties in this direction. This would however, overlook a flat roof garage and towards a gable window on this neighbouring property, and as such it is considered that with the retained gap of around 13 metres between the proposed dwelling and the existing property at Avalon, it would not result in a significant loss of amenity for this neighbouring property. The balcony area is a small outdoor space proposed for the first floor but it is considered that the distance between the two properties will ensure that the impact upon privacy is not significantly affected by the proposal.

Grenofen is a two storey property that is situated around 30 metres away, forward of and to the south west of the proposed dwelling. East Bank lies the same distance away from the proposed dwelling but to the east side and behind Sunholme, whereas Mount Flagon is over 45 metres to the south. It is considered that there will be no significant impact upon these existing properties as a result of the proposal.

Whilst a neighbouring property has raised an objection to the proposed dwelling, it is considered that the proposal will not result in either a loss of view, over-shadowing or any loss of light due to the existing gaps that will be retained between the proposed dwelling and existing properties. Comments made in relation to Avalon and Sunholme being a 'pair' are noted. However, it is not considered reasonable to refuse this application on the grounds that it is no longer a matching 'pair' with the neighbouring property. The two properties are now very different in appearance and it is considered that the design and scale of the proposed replacement dwelling is acceptable.

Impact upon Highway Safety

The proposal will not result in any net increase in residential development at this site and whilst off-street parking would be limited, it is considered that sufficient space exists to the side of this property to accommodate a vehicle. It is considered that there will not be an impact upon the local highway network as a result of the proposed development. The site is within a relatively sustainable location where it is not essential for the occupants to own a car to access local services and facilities.

Sustainability Issues

All new development should be 'sustainable' as required by both Policy 2 of the Isles of Scilly Local Plan and the NPPF. Fundamentally sustainable development is about positive growth, making economic, environmental and social progress for the present and future generations. The NPPF makes it clear that where development is sustainable it should be permitted without delay. It is therefore important to consider whether the proposed development is sustainable. Fundamentally Policy 2 requires that development proposals contribute to the sustainability of the islands' environment, economy or local communities through (a) conserving and enhancing landscape, coastline, seascape and existing buildings of the islands through appropriate design including siting, layout, density, scale, external appearance and landscaping; (b) ensuring or facilitating the re-use of previously developed land and existing buildings for the economic, social and environmental benefit of the islands and local communities taking into account any environmental designations; and (c) utilising natural resources efficiently in the design, construction and future use of land and buildings, including where appropriate energy conservation and the use of renewable sources of energy generation, minimising the consumption and discharge of water and waste and by securing the recovery and re-use of suitable building materials.

From the above assessments it is concluded that proposed dwelling will conserve the wider landscape as a result of the appropriate scale and design of the dwelling. The details submitted, however, do not make any claims of being a low-carbon or carbon-neutral form of development. There are no policies that require development on the islands to be of a measurable or definable sustainability standard, such as the Code for Sustainable Homes (which was withdrawn in March 2015). The Code for Sustainable Homes standard has been replaced by new national technical standards, which comprise new additional optional Building Regulations. Whilst compliance with the Building Regulations is not a consideration for the determination of a planning application, it is possible that the new 'optional' Building Regulations Standards can be required by a planning permission. This can include a requirement to build a property to higher standards for water consumption and sanitary conveniences for example. Such higher environmental standards, however, can only be required by condition, if the Local Plan specifically requires new development to be constructed to the new higher standards. Such policies should only be included in a local plan if they address a clearly evidenced need and where their impact on viability has been considered.

The applicants have stated that the proposed dwelling will be heated using an air source heat pump system; and the insulation of this house will be of a high standard so that the opportunity of using any back up heat will be reserved for very cold weather. It has been suggested that solar panels, sited in the garden rather than on the roof of the building, are being considered. The proposal for water storage tanks for rainwater collection under the existing platform at the front of the house, will be installed for use in a grey water system (WC flushing and garden watering). It is considered that these details should be submitted by condition as they do not currently form part of the application details as submitted. Whilst it is likely that the modifications and extensions to the building will be constructed from new materials, this is a long-term structure that will have a good level of energy reduction measures and will, in the long-term, be a sustainable form of development. It is considered that the proposal is sustainable in terms of the current local planning policy framework.

Conclusion

Drawing on all of the above considerations, it is considered that proposed modifications and extension do not go significantly against the requirements of the local plan or give rise to harm that would suggest it is unacceptable. It is the recommendation of your officers that the traditionally designed replacement dwelling, in this coastal location will not be harmful to the recognised quality of the islands' built environment, but will add a distinctively and well-designed dwelling to this coastal location. On this basis it is considered that, on balance, the proposal is acceptable and the application is recommended for approval.

Recommendation:

Grant Planning Permission subject to conditions

Signed:	Dated:	Signed:	Dated:
Planning Officer		Senior Manager	