



COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department
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OFFICER REPORT – DELEGATED

Application number: P/16/116	Expiry date: 16/01/2017
Received on: 18/11/2016	Neighbour expiry date: None
UPRN:	Consultation expiry date: None
Legal agreement:	Site notice posted: 24/11/2016
Departure:	Site notice expiry: 15/12/2016
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 and Mrs Andrew May
Site Address:	Standing Stone, Bants Carn, St Mary's Isles of Scilly TR21 0NS
Proposal:	Replacement of existing timber conservatories with aluminium glazing and natural slate roof on two dwellings.
Application Type:	Full

Description of site and development:

The proposed works to the two attached dwellings include the replacement of the existing timber conservatories on the north and south elevations of the building with aluminium framed glazing on the elevations and pitched slate roofs to match the main roof of the building. The existing first floor roof terrace accessed off of the southern elevation is proposed to have a replacement balustrade from the existing metal balustrading to frameless safety glazing with a stainless steel top rail. The footprints of the existing extensions will remain unchanged. The gable ends of the proposed development are to be clad in natural cedar cladding to the high gables. The ridge height of side extensions will remain unchanged.

Site Description

The property is located on the north-western side of St Mary's between Halangy Point and Bant's Carn Burial Chamber and Halangy Down Ancient Village. The building has rendered elevations under a slate roof with timber windows and doors. On either side of the building are two single storey conservatory extensions which feature glazed units within a timber frame. A first floor terrace area is located on the southern elevation.

The domestic gardens associated with the dwellings are predominantly to the western elevation of the building. To the south of the dwellings there is a private lane providing access to the dwellings and adjacent to this are two outbuildings which are within the same farm holding.

Standing Stone and Standing Stone Terrace were converted from the former army 'block houses' in 1990 which forms part of the farm holding at Bant's Carn. The building appears to be on the same site as the previous Engine House as shown on Ordnance Survey Maps of St Mary's in 1909.

Background and Relevant History

The planning history starts for the building in 1990 when application ref.P3073 was submitted and approved on 19th June 1990 for the conversion to two dwellings including pitched roof. This scheme was amended in August 1990 altering the dormers and pitched roof and the conservatory were subsequently approved in August 1991 under application ref.P3284.

Public representations:

There are no near neighbouring properties to the site and the site is surrounded by land within the same ownership. A site notice has been on display outside the site for a period of 21 days. No letters of representation have been received.

Consultee representations:

Due to the nature of the proposal there are no statutory consultees to notify. A site notice has been on display outside the site for a period of 21 days. No letters of representation have been received.

Constraints and designations:

Conservation Area, AONB and Heritage Coast

Relevant policies, SPGs and Government guidance:

Primary Legislation

The Planning (Listed Buildings and Conservation Area) Act 1990

The site is within a Conservation Area where there is a requirement to ensure that any development preserves or enhances the character or appearance of the area, as embodied in Section 72 of The Planning (Listed Buildings and Conservation Area) Act 1990.

The Countryside and Rights of Way Act 2000

The Isles of Scilly is also a designated Area of Outstanding Natural Beauty (AONB). The legal framework for such areas is provided by The Countryside and Rights of Way Act 2000. The Act places a statutory duty on the Local Authority to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land within it.

The Conservation of Habitats and Species Regulations 2010 (Consolidation of Conservation (Natural Habitats, &c.) Regulations 1994)

It is a legal duty of a Local Planning Authority, when determining a planning application for a development, to assess the impact on European Protected Species ("EPS"), such as bats, great crested newts, dormice or otters. A LPA failing to do so would be in breach of Regulation 3(4) of the 1994 Regulations which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.

Planning Policy

National Planning Policy Framework (NPPF) 2012

At the heart of the NPPF is presumption in favour of sustainable development. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material consideration indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place. With respect to general development and the Strategic Policies it is considered that the Local Plan remains up to date and conforms to the requirements of the NPPF.

Section 11 relates to conserving and enhancing the natural environment and paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; recognising the wider benefits of ecosystem services; minimising impacts upon biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

Isles of Scilly Local Plan 2005

Policy 1 relates to environmental protection and seeks to permit development proposal only where they respect and protect the recognised quality of the island's natural, archaeological, historic and built environment. Proposals should (a) conserve or enhance the natural beauty, wildlife and cultural heritage of the Area of Outstanding Natural Beauty and protect the unspoilt character and good appearance of the heritage coast, (c) Preserve or enhance the character or

appearance of the Conservation Area (d) safeguard the integrity and nature conservation objectives of Special Protection Areas (SPAs), RAMSAR sites and Special Areas of Conservation (SAC); (e) protect a statutorily protected plant or animal species and the wildlife, geographical and geomorphological interest and features of designated Sites of Special Scientific Interest; and locally important biodiversity habitats, species and landscape features.

Policy 2 relates to Sustainable Development and seeks to permit development in situations where the development contributes to the sustainability of the islands' environment, economy or local community through (b) ensuring or facilitating the re-use of previously developed land or existing buildings for the economic, social and environmental benefit of the islands and local communities 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.

Policy 3 relates to housing and requires new housing to meet the housing needs of the islands to promote sustainable communities with no general open market housing being permitted. Development proposals which result in an inappropriate mix of dwelling sizes will not be permitted.

The Isles of Scilly Design Guide was adopted as a Supplementary Planning Document in 2007. This document provides important guidance to the design of development of the islands, where planning permission is required, and includes guidance on domestic extensions. Page 75 of the Design Guide states that in order to conserve the stock of existing buildings on the Isles of Scilly, it may be necessary for them to be adapted for 21st Century uses and requirements. However, in considering how to adapt the building, it is necessary to have regard to maintaining the character of the existing building and its capacity for change. It is also necessary to look at the requirements for extension and alteration; for instance, might the 'need' to have an extra room in a certain location be met instead by considering the reallocation of existing rooms and possibly locating a smaller extension in a different part of the building? In view of the Conservation Area designation covering the islands, the Planning Authority will assess whether a proposal to alter or extend a building will harm its character or its setting. The Authority will also assess whether the extension or alteration will result in the loss of privacy or daylight in adjacent properties.

Appraisal/key issues and conclusion:

In light of the above identified policies the principal planning issue for consideration is whether the alterations proposed to this existing building would result in harm to the wider character of the conservation area or AONB designations. Additionally it is a material planning consideration to assess the impact upon existing neighbouring residential amenity and to ensure that the natural environment including the impact upon protected species is not harmed.

Impact upon the Conservation Area and AONB

The proposed alterations are to the existing built structures of the dwellings. The proposed development will be located within the residential curtilage of the semi-detached dwellings. Views into the site from public vantage points would see the proposal in the context of the existing built environment and the simple design and minor scale of the development help to mitigate the proposal from causing any adverse visual impacts on the Conservation Area. The proposal will not appear prominent or dominant in the landscape and the existing mature vegetation and the eastern rising land form, provide good screening of the development. It is therefore considered that the proposed development would preserve the character of the Conservation Area and not give rise to any harm to the scenic beauty of the landscape including the AONB and Heritage Coast designations.

Design, Scale and Materials

The proposed development would be constructed using a range of materials including natural slate to match the existing main roof slope covering and timber cladding for gable ends. The proposal would have a simple design which is not considered to detract from the character and appearance of the dwelling. The proposed use of natural materials is considered acceptable and in accordance with Policy 2 of the adopted Local Plan and the adopted Design Guide. The proposed development does not increase the scale of the existing built form and therefore is considered to respect the character and appearance of the dwellings.

Impact upon the Natural and Historic Environment

The building is not listed but does lie within an Archaeological Constraint Area. However the alterations proposed are to the existing built form and do not increase the footprint of the building or propose any works that would directly impact the archaeological designation of the area. On this basis it is considered that the proposal will not have any detrimental impacts upon the historic environment.

The site is outside of any natural environment designations and the proposal is not considered to adversely affect the natural environment.

Impact upon residential amenity

The building is situated within the open countryside and is surrounded by land which falls within the same ownership. The nearest dwelling, 'Gorse Cottage' which is situated to the north of Standing Stone and Standing Stone Terrace is also within the same ownership. The proposed alterations would appear to be proportional to the existing dwellings and does not alter the existing footprint or ridge height of the buildings and its existing extensions. No comments have been received from any neighbouring properties or general public.

Taking into account the existing screening from mature foliage and the distance between the building and the nearest neighbouring property not in the same ownership, it is therefore considered that the proposal will not have any adverse impact upon residential amenity of neighbouring properties.

Conclusion

Drawing on all of the above considerations, it is considered that the proposal is acceptable and it is recommended for approval.

Recommendation:

Recommendation: The application be Conditionally Approved subject to the following Conditions:

- 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 2. The development hereby permitted, shall be carried out in accordance with the approved details only including:**
 - The Location Plan, Drawing number: 1907A-P01, Dated November 2016**
 - Proposed Floor Plan, Drawing number: 1907A-P02, Dated October 2016**
 - Proposed Elevations Plan, Drawing number: 1907A-P04, Dated November 2016**

These are signed and 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 1 of the Isles of Scilly Local Plan 2005.

- 3. Prior to the commencement of the approved development, a scheme including details of the sources of all building materials and the means/ location of disposal of all demolition material and all waste arising from building works, shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.**

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required to fully understand the impact upon landscape and management of waste, to be submitted and agreed by the Local Planning Authority. This is to ensure 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 uncontrolled tipping of waste. In accordance with the requirements of Policy 1 of the Isles of Scilly Local Plan 2005.

- 4. The roof of the development, hereby approved, shall be clad in natural slate matching the existing main roof slope covering of the dwellings known as 'Standing Stone' and 'Standing Stone Terrace'**

in colour, form, type and texture unless alternative materials are agreed in writing by the Local Planning Authority. The development shall remain in the approved material thereafter.

Reason: To ensure that the roof covering is appropriate to the character and appearance of the building and the Conservation Area.

Signed: 	Dated: 12/01/17	Signed: 	Dated: 12/1/17
Planning Officer		Senior Manager	

Additional Information

- The 105 Bat Group identified the location of bat roost at this site.
 - No Bat Survey has been carried out and as such, in order to ensure the proposal does not result loss of bat roost/habitat it is recommended that a Bat Emergence Survey is conducted!
- LW 12/01/2017

