

COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW

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OFFICER REPORT – DELEGATED

Application number: P/18/003	Expiry date: 19/03/18
Received on: 22/01/18	Neighbour expiry date: 12/02/18
UPRN: 000192000600	Consultation expiry date: N/A
Legal agreement:	Site notice posted: 23/01/18
Departure:	Site notice expiry: 13/02/18
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:	Professor R Holdsworth
Site Address:	Darien, Church Road, Hugh Town, St Mary's
Proposal:	Conversion of garage to bedroom and utility room including replacement garage door with window and removal of window at rear.
Application Type:	Full

<http://www.scilly.gov.uk/planning-application/planning-application-p18003>

Description of site and development:

This application proposes the conversion of the existing garage to a bedroom and utility room and includes the replacement of the existing garage door with a window and removal of window at the rear at Darien, Church Road, Hugh Town, St Mary's.

Site Description

Darien is a detached 1960's two storey building with an attached single storey garage to the south eastern elevations. The property has a painted render exterior with part stone facing to the ground floor, timber framed windows, timber doors, a glass balustrade to the south western elevation and a white metal up and over garage door. Located in Hugh Town, St Mary's. the property has neighbouring properties to the north (Belmont), east (Carntop & Starlings) and to the west (The Mill House).

Background and Relevant History

In June 1964 application P0516 was approved for the erection of a modern bungalow on Church Road. In November 1964 application P0516A was approved for the erection of a house and garage. In 2013 application P/13/063/FUL was approved for the refurbishment of dwelling to

include the introduction of shallow trusses and hipped roof, installation of photovoltaic array and replacement existing balcony railings.

Public representations:

There have been no public letters of representation 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 proposals 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.

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 replacement windows.

Appraisal/key issues and conclusion:

The principal issue for consideration is the impact the proposed works will have on the wider character of the Conservation Area and AONB designations. It is also a material planning consideration to consider the impact of the proposed development upon the privacy and amenity of neighbouring properties.

Impact upon the wider landscape.

The building is an area of St Mary's that is situated in Hugh Town. This area was largely developed to meet the housing needs of St Mary's, during the 1950's and 1960's. Properties within this area have a mixture of materials particularly on fenestration details and roofing materials. The property is a two storey detached property that has a modular style consistent with properties built in the 1960's.

The garage, the subject of this application, is attached to the existing dwelling and is of single storey construction. It has painted rendered walls, timber framed windows and a white metal up and over garage door. The proposed works are to convert the garage into ancillary accommodation to the main dwelling and consists of a bedroom, small shower room and utility room. The proposed works also include the removal of the metal garage door to be replaced with a timber framed window (to match the existing fenestration of the host dwelling) on the north elevation together with the removal of a timber framed window on the south elevation.

It is noted that the use of the garage as living accommodation that is integrated with the main dwelling does not require planning permission. However, the replacement of the garage door with block and a window does require planning permission as the permitted development right to make such household alterations have been removed by an Article 4 Direction in the past.

The external changes are to replace the existing white metal up and over garage doors with block and a timber framed window. The existing garage door measures approximately 2.1 metres by 2.3 metres. The proposed window measures approximately 2.0 metres by 1.1 metres. The proposed window has a right hand opening window and measures approximately 0.6 metres by 1.1 metres.

It is considered that the use of a timber framed window to the front will not give rise to any particular harm to the wider historic environment or landscape in this case.

Impact upon privacy and amenity

It is considered that the proposed works to convert the garage to additional living accommodation and the associated works will not impact adversely on neighbouring amenity. The works to replace the door and remove the window can have a very short-term noise impact during installation but it

is not considered that the post construction phase will give rise to any additional privacy or amenity issues over and above the existing situation. It is considered that the application is acceptable.

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.**

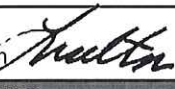

Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 2. The development hereby permitted, shall be carried out in accordance with the approved details only including:**

- The Location Plan
- Block Plan
- Proposed Alterations to Garage Plan – Drawing No DH – PAG – 2a

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.

Signed: Yvonne Dale	Dated: 28/02/18	Signed: Lisa Walton 	Dated: 06/03/2018	Signed: 	Dated: 15.3.18
Case Officer		IOS PLANNING		Senior Manager	

