

Council of the Isles of Scilly Delegated Planning Report

Application Number: P/19/058/ROV
Received on: 26 September 2019
UPRN: 000192002609
Application Expiry date: 2 December 2019
Neighbour expiry date: 28 October 2019
Consultation expiry date:
Site notice posted: 7 October 2019
Site notice expiry: 28 October 2019

Applicant: Mr Clive Humphrey
Site Address: Land Adjacent To Trefusis
Pungies Lane
Telegraph
St Mary's
Isles of Scilly

Proposal: Application to vary condition C2 (Approved Plans) of planning permission P/13/043 to make amendments including enlargement of dormer windows on North elevation, amendments to fenestration, change windows and doors to be grey in colour, installation of solar panels on South facing roof slope and revised internal layout

Application Type: Removal or Variation of Condition

Recommendation

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| 1. | That the Application is APPROVED for the following reason and subject to the conditions set out below. |
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Site Description and Proposed Development

This is an application to vary condition 2 of P/15/079/FUL to permit an enlargement of two of the rear facing dormer windows, changing the colour finish of doors and windows to grey and the installation of flush-finish solar panels to the front south facing roofslope.

Development Plan Policies:

2005 Isles of Scilly Local Plan

Policy 1 Environmental Protection

Policy 3 – Housing

Isles of Scilly Design Guide SPD

Page 93 “Whilst dormer windows are not a significant feature in traditional Scillonian cottage buildings, they are seen in later buildings from the 19th Century onwards. Dormers are a useful architectural device where a new building requires a low eave (part of a roof which projects out from the side wall) height in order to achieve a sympathetic scale in relation to adjacent buildings. Dormers can take different forms, but they should not have the effect of creating a ‘boxy’ or busy (cluttered) roofscape.”

Submission Draft Isles of Scilly Local Plan 2015-2030

Policy LC9 (residential extensions)

Alterations and modifications to existing buildings and dwellings, including proposed extensions, outbuildings and annexes, must be of an appropriate scale and subservient in relation to the existing building, taking into account the site location and the cumulative impacts of previous extensions and development on the site where appropriate.

2019 National Planning Policy Framework (NPPF)

Paragraph 79

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside; b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; c) the development would re-use redundant or disused buildings and enhance its immediate setting; d) the development would involve the subdivision of an existing residential dwelling; or e) the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Planning Assessment:

A new dwelling at this site was approved in 2013 which was later amended in 2015 to increase in size of the Juliet balcony on the first floor west facing gable elevation from a single door to double doors and to reposition the bi-fold door from the west side to the centre of the rear elevation. These alterations were assessed as acceptable and were approved. In 2015 all pre-commencement conditions were discharge and a material start was made on the implementation of the dwelling. Whilst foundations and a slab floor have been laid no further works to implement the permission have been made. The amendments now seek to modify and enlarge two of the rear facing first floor dormer windows, install south facing solar panels on the roof and change the colour finish of windows and doors to grey. Key considerations are whether the amendments give rise to any impacts upon neighbouring residential amenity or harm to the wider character of the area.

Impact upon Residential Amenity.

The north elevation, on which amendments are sought to the approved dormer window design do overlook a property to the north. This neighbouring property is accessed from Decca Lane and is called the Bungalow. There will be a distance of 28 metres between the rear of the approved dwelling and this nearest neighbour. An enlargement of the two outer windows will result in an increase in overlooking but as there is already a permitted relationship between this existing dwelling and the approved dwelling, it is debatable as to whether the increase in size would result in harm to the privacy and amenity of this neighbouring property, particularly given that there are no direct face-to-face habitable room windows and the distance between the two properties is in excess of 28 metres. Having reviewed the relationship it is noted that the property 'The Bungalow' is screened by existing boundary hedging that ensures there are no views towards the ground floor windows of this neighbouring property. It will be important a boundary is maintained to a height of 2 metres along this boundary, which can be conditioned. I is considered that the proposal is, on balance, acceptable in terms of impact upon amenity.

Impact upon the Character of the Countryside, Conservation Area and AONB

The approved dwelling is a modern property located on the edge of the housing development at Telegraph/McFarlands Down. It is considered that views from the north towards the rear of this property will be limited and would be very much seen within the context of the built-up area of McFarlands Down. Views from the south will be similar but with a frontage on to Pungies Lane, the alternations which include the 'flush fitted' solar panels will be more visible within the public realm. In noting the intention to use a natural slate roof, with a flush fitting solar unit then it is considered that the visual impact of the panels will be minimised. Overall it is considered that the benefits of the proposal, in terms of generating a renewable source of energy, together with the intention to minimise the bulk and finish of the proposed panels, result in a proposal that is, on balance, acceptable. Considering this within the context of preserving or enhancing the character of the Conservation Area and the wider scenic beauty of the AONB the amended proposal, relative to the approved dwelling, will result in a neutral impact and not give rise to harm.

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

The proposed minor material amendment to the approved conditions would permit the modification now proposed to the dwelling which as assessed above is considered to be on-balance acceptable, in accordance with the development plan and it is recommended for approval.

Conditions

1. The development hereby permitted shall be carried out in accordance with the approved details only including the Amended Proposed Dwelling, Drawing Number: CH-AP-3a, Amended September 2019. These are 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 and Policy LC3 and LC9 of the Submission Draft Isles of Scilly Local Plan 2015-2030.

Signed: 	Dated: 13/12/2019	Signed: 	Dated: 13/12/2019
Planning Officer		Senior Manager	

Monitoring – Case Officer – Don't forget to complete and enter into the Monitoring Table:

Y:\Infrastructure & Planning\Planning\Monitoring\2015-2030 Local Plan Monitoring

Promoting a Sustainable Scilly										
	SS1	SS2	SS3	SS4	SS5	SS6	SS7	SS8	SS9	SS10
Clause/Part (State)										
Contrary to (tick)										
In accordance with (tick)										

Our Outstanding Environment							
	OE1	OE2	OE3	OE4	OE5	OE6	OE7
Clause/Part (State)							
Contrary to (tick)							
In accordance with (tick)							

A Strong Living Community									
	LC1	LC2	LC3	LC5	LC5	LC6	LC7	LC8	LC9
Clause/Part (State)									
Contrary to (tick)									
In accordance with (tick)									

A Strong Working Community						
	WC1	WC2	WC3	WC4	WC5	WC6
Clause/Part (State)						
Contrary to (tick)						
In accordance with (tick)						