

Council of the Isles of Scilly Delegated Planning Report

Application Number: P/19/086/FUL

Received on: 10 December 2019

UPRN: 000192000174

Application Expiry date: 5 February 2020

Neighbour expiry date: 2 January 2020

Consultation expiry date: 2 January 2020

Site notice posted: 13 December 2019

Site notice expiry: 3 January 2020

Applicant: Ms Mary Lowth

Site Address: Bank Cottage
South'ard
Bryher
Isles Of Scilly
TR23 0PR

Proposal: Alteration and extension of the main house to provide two bedroom house. Renovation and extension of the Cottage to improve ancillary accommodation. Create new workshop/studio to replace existing shed.

Application Type: Planning Permission

Recommendation

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

Bank Cottage is a detached two storey house located at South'ard on the west side of the island of Bryher. The site encompasses a detached and separate unit of holiday let accommodation as well as a detached owners/managers accommodation and a detached workshop/garage structure. The site has a frontage close to the beach at Great Porth. An access road runs to the north west boundary and north east boundary. There is a shared boundary on the south east with the neighbouring property at Hanjague, which is a two storey detached property.

The proposal comprises a number of elements including:

- Alterations and extensions to the main dwelling which will see the existing two storey

Background and Relevant History

Relevant planning history includes planning decisions made under the current (2005) Local Plan or the emerging (2015-2030) Local Plan.

Consultations and Representations

Public Representations:

Consultation Representations:

Consultee	Date Comments Received	Comments
Development Management Archaeological Advisory Officer	02/01/2020	<p>Thank you for consulting us on this application. We have consulted the Cornwall & Isles of Scilly Historic Environment Record and note that a number of known heritage assets are located nearby, including a Scheduled post medieval gig shed (DCO656; MCO30594), and two other unscheduled gig sheds (MCO30593), and a prehistoric findspot (MCO30596) on the beach. The extant dwellings, or earlier structures on the same footprints, are shown on the 1880 OS 6" mapping, along with sub-divisions within the plot representing small fields. The walls of most of the latter survive.</p> <p>The proposals involve considerable enlargement and/or replacement of the extant buildings. Although we are glad to see that consideration of the historic character of the buildings is included within the Design and Access Statement, there appears to have been no consideration of the impact of the proposals upon the Scheduled Monument or undesignated heritage assets including the buildings themselves.</p> <p>We advise that this application should include a</p>

		Heritage Statement (HS) . This HS should comprise a Statement of Significance that identifies the heritage assets affected, including their settings, and assesses the heritage significance of the identified assets and their settings, sensitivities, and capacity for change; and a Heritage Impact Assessment that summarises the proposals, assesses likely impacts on significance, and identifies any harm, and, where necessary, provides a Mitigation Strategy. We cannot advise further until the appropriate assessment has been provided. This application should not be determined before this assessment is received and we have had an opportunity to comment further. This assessment should be carried out by a suitably qualified organisation or individual in accordance with accepted national guidelines. This is in accordance with the provisions of NPPF (2019) Chapter 16, paragraph 189 and Isles of Scilly Local Plan policy 1(B). Should an adequate report not be forthcoming, then further consultation with us is advised before determination.
Cornwall Fire and Rescue	None	Due to the unique location of the proposed development it is foreseeable there could be a significant delay in the Fire Service attending an emergency fire incident or similar. Therefore the Fire Service strongly recommends the provision of a domestic sprinkler system conforming to BS 9251 (or equivalent) or a water mist system conforming to BS 8458 (or equivalent) is installed throughout the proposed development. This consideration, if implemented through the local planning process, will enhance the safety of the building, its occupants and any attending fire-fighters whilst providing property protection and reducing the environmental impact of any fire that occurs within the premises.
CIOS Infrastructure	None	n/a
AONB Partnership	None	n/a

A site notice has been on display in the vicinity of the application site for a period of 21 days (13/12/2019 – 03/01/2020). The application was published on the weekly list published on the 16th December 2019. The neighbouring properties

and previous objectors listed below, have been written to directly and letters were sent out on 12/12/2019. Two letters of representation have been received and material considerations raised will be assessed in the planning assessment below.

Neighbour/Previous objector	Date Comments Received	Comments
63 Heaver Road London	None	n/a
The Millstone Bryher	None	n/a
Hanjague South'ard Bryher	14/01/2020	Reference the above application for Bank Cottage, you will have a record that we objected in 2018, when the original proposals (since withdrawn) were submitted. The applicants have, in the current submission, sufficiently addressed many of our earlier concerns. We are, therefore, now able to support their revised application, provided they stick rigidly and do not exceed the ridge heights proposed – namely 470mm higher than existing on the main house. We have had some difficulty assessing the amount of the proposed increase in height on the workshop, because we could not see the height of the existing specified on the plans. Do you have this? Our thinking is that the fenestration on the first floor of the main house is now much improved, which was necessary to preserve some of the character of the building and area. We hope that it will be conditional that all new granite work will use local stone, closely matching existing.
Atlanta, South'ard, Bryher	None	n/a
40 Greenhill Road Plymstock, Plymouth	None	n/a
105 Marlborough Gardens Upminster	None	n/a
Keepscombe, Tregarland Bridge Sandplace Near Looe Cornwall	None	n/a
26 Kings Road, Penzance Cornwall	None	n/a
14 Blofield Road, Brundall Norwich	None	n/a
Bracken Cottage, East Burton Road Wool	None	n/a
167 East Street Winterborne Kingston	None	n/a
10 Queens Drive, Thames Ditton, Surrey	None	n/a

<p>Little London, Ambersham Common, Midhurst</p>	<p>30.12.2019</p>	<p>We wish to register our continued objections to the scale and appearance of this proposed development at Bank Cottage on Bryher. Our letter of 8th November 2018, objected to the original application no. P-18-075, and was based on our association with the Scillies going back more than sixty years. Like the many other objectors at the time, we were concerned with, firstly, the substantial increase in the height, and, secondly, the incongruous nature of the design of the glass linking corridor and the adjacent flat roofed timber structure. Our objections now remain largely the same, since the amended application has not made any significant alterations to the overall design.</p> <p>Height of Roof Ridge</p> <p>Even though this height has reduced to being raised by 47cm, we still feel this will affect the view from Atlanta and the amount of light coming into its front windows. We also feel it will make the back wall of Bank Cottage feel oppressively tall from the lane.</p> <p>Overall Design</p> <p>We feel this design of the glass corridor and adjacent flat roofed building is completely out of keeping with the architecture of Bryher. It most closely resembles an industrial unit We can see why the new owners objected to the original layout: the newer gabled addition was certainly rather heavy, and not helped by the additional balcony, dormer windows etc. But Bank Cottage is a five-bedroomed property which offered accommodation to visitors and made a substantial contribution to Bryher's economy. The current design reduces the bedrooms from five to two while increasing the footprint by 26 square metres. This seems rather bizarre to us: if the owners wanted a smaller house, why not replace the large gabled addition with a smaller version, with perhaps a conservatory between the two wings? This could have been achieved with much more respect for the surroundings and the original building.</p> <p>Windows</p> <p>Traditionally cottage windows were usually set deeply in stone walls, with glazing bars, and often rather small. While we can see that the large windows on the first floor of Bank Cottage and the extension have been reduced in number slightly, we still feel fewer windows with more traditional proportions would be more in keeping.</p> <p>In summary, we feel this development is still totally out of harmony with the original stone building. The timber extension, being substantially deeper, is in danger of overpowering it, even though it is a single storey building. While it seems it will be screened by hedges from the lane to the side of it, it will still be</p>
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		seen by pedestrians from the paths below. The words "soft edges", "in keeping", "respect" and "sensitivity" occur in the design statement, but we see no sign of these concepts being acknowledged in this harsh glass corridor and wooden shed-like extension.
Castle Bryher, Bryher	None	n/a
14 Kendrick Close, Westbury, Wiltshire	None	n/a
Mistletoe Cottage, High Street, East Meon,	None	n/a
3 Yeatmans Lane SHAFTESBURY	None	n/a
" Keepscombe" Tregarland Bridge Sandplace	None	n/a
6 Woodland Way Brighton	None	n/a
48 Orford Street, Ipswich,	None	n/a
7, Glen Road, Burton Joyce	None	n/a
8 Water Street Northwich Cheshire	None	n/a
8 Rookfield Close London	None	n/a
School House Bryher	None	n/a

Primary Legislation

The Town and Country Planning Act 1990

The Planning (Listed Buildings and Conservation Area) Act 1990

The Countryside and Rights of Way Act 2000

The Conservation of Habitats and Species Regulations 2017

Planning Policy

National Planning Policy Framework (NPPF) 2019

At the heart of the NPPF is a 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 considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.

Isles of Scilly Local Plan 2005

Policy 1 Environmental Protection

Policy 2 Sustainable Development

Policy 4 Economic Development

Isles of Scilly Design Guide 2006

The Isles of Scilly Design Guide is a Supplementary Planning Document (SPD) that forms an important part of the Local Development Plan. This states that “It is important that the nature of the surrounding area is understood and reflected in any development proposal. Without this awareness it is likely that a development will be unsympathetic”.

Submission Draft Isles of Scilly Local Plan 2015-2030

Policy OE1 Landscape Character

Policy OE2 Natural Environment

Policy OE7 Historic Environment.

Policy SS1 Principles of Sustainable Development

Policy SS2 Sustainable Quality Design and Place-Making

Policy LC9 Alterations and extension to existing dwelling

Planning Assessment

The main planning issues are considered to be whether the proposal would accord with the adopted Local Plan (2005) and specifically Policies 1 and 2. These relate to protection of the environment and sustainable development. In terms of enlarging existing dwellings, then Policy LC9 is currently subject to modifications which seek to capture maximum size increases. As submitted all proposed extensions to existing dwellings must both meet the minimum space standards and be no more than 30% above in terms of maximum. These are set out in the Nationally Described Space Standards. It is, however, considered that the principle of alterations and extension to existing dwellings including ancillary workshop facilities is acceptable in principle.

The material planning consideration of the scale and design, impact upon the wider character of the area, neighbouring amenity, impacts upon the wider historic and natural environments as well as the infrastructure of the islands.

Scale and Design

The proposed development seeks to make significant changes to the main dwelling, an annexe building, used as living accommodation and an existing workshop. There is an existing unit of self-catering accommodation but there are no plans to make any changes to this structure.

The existing dwelling is a much altered but older property. It is a two storey dwelling with enlargements and alterations. From a review of old OS maps then

it is clear that a dwelling on this site was constructed over 100 years ago. The 1890 Ordnance Survey map shows a building in the position as the current dwelling. It is assumed therefore that the dwelling of Bank Cottage predates 1890. The building, however is not a listed building, scheduled monument or other designated heritage asset. The property is not identified as an important building in the conservation area. It is much altered and extended. Currently it is an open market dwelling that has previously operated as a guesthouse. It is two storeys and has 4 bedrooms.

The application proposes to remove a large two storey and single storey extension as well as 2 dormer windows from the south west side and a later porch addition from the north east side (facing the road). In place of these the elevations will be simplified with a lean-to single storey extension on the south west side, enabling the upper floor windows to be simplified and evenly spaced. Although of a 'deeper' design than the existing extension, the lean-to proposed will be single storey and be centrally positioned (as opposed to the off-centre position currently). The materials are proposed to be timber cladding with modern fenestration and a glazed linking feature to provide internal light at ground floor. The north east elevation will be significantly reduced through the removal of a large and bulky roof structure. The original two storey gable that faces north east will have the number of windows reduced from 4 to 2.

The proposed changes to the dwelling will see the removal of a modern bulky extension and its replacement with a simple single storey extension, revealing the original narrow cottage. From within the site, views from the road and views from the south the resulting dwelling will appear smaller, with cleaner modern lines.

The size of the dwelling is reduced down to 2/3 bedrooms as a result of the alterations. Under the emerging local plan this would have to have a minimum of 70 square metres of gross internal floorspace (GIF). Under the proposed modifications this should see no more than a maximum of 133 square metres of GIF. The existing calculations show that the existing property has 186.8 and as a result of the alterations, this will increase to 213 square metres which is 60% above the maximum (but only 14% larger than the current dwelling).

The design of the dwelling represents a significant improvement overall of the site, with the removal of later 20th century extensions and their replacement with a simple and sympathetic domestic extension. Although the modifications

(currently subject to consultation) to the emerging local plan seek to ensure homes are not extended to a degree that exceed a maximum of 30% above the NDSS, this can only be given limited weight. The proposal, as assessed under the adopted Local Plan (2005) and the emerging Local Plan (2015-2030) as submitted to the Secretary of State, are considered acceptable on the basis that the materials, design and scale result in significant improvements to the appearance of the property. They reduce the bulk and appearance of the building and maximise the use of simpler and single storey extensions which are considered to be acceptable and would accord with the existing and adopted Local Plan (2005), the Isles of Scilly Design Guide (2007) and the emerging Isles of Scilly Local Plan (2015-2030).

The proposal also includes an extension to the existing annexe accommodation. This accommodation is a single storey 1 bedroom unit of accommodation and the small extension proposed brings this up to 34.9 square metres of GIF, which is 10 square metres larger than currently. The extension proposed is modest in scale and will see a continuation of the roof pitch and existing building lines. On the gable facing south west it is proposed to have glazed sliding doors but no further openings are proposed along the boundary with Hanjaque, although the building will be longer by 3m on the boundary with this neighbour. It is noted that this will be screened by the existing boundary hedge. With a timber clad finish it is not considered that this would have any greater impact than a substantial boundary feature.

As ancillary accommodation the proposed extension to the annexe would see the accommodation brought up to a standard that falls slightly below the minimum required by policy LC9, if the unit was completely independent. It is described as an annexe and on this basis it is considered that its size, smaller than the minimum required by the NDSS, is acceptable.

The proposed alterations and extension to the dwelling and the existing annexe are considered to be acceptable and would accord with emerging Policy LC9 and the Isles of Scilly Design Guide.

In terms of the workshop, this it is noted that this is proposed to be a complete replacement of an existing structure, on a smaller scale. It is noted that the workshop will be slightly repositioned away from the north east boundary (and inwards on the site). It will also be higher than the 2.4m high ridge by approximately 1m. It is a more solid structure than the current timber

shed/greenhouse building but will be clad in timber to retain its rural appearance. The workshop is to provide a warm and dry building suitable for storage and use as workshop space. Providing this is retained as ancillary to the use of the dwelling, and not used for any other purpose, it is considered that its scale and position, timber materials, would not be acceptable.

Impact upon the wider character of the area (Conservation Area and AONB)

Bryher falls within the Isles of Scilly AONB, Conservation Area and Heritage Coast. As assessed above the proposal makes some positive changes to the overall appearance of the main dwelling, removing later 20th century extensions, simplifying the appearance overall and removing the bulk of the two storey element. The scale of the dwelling reflects the sloping contours of the landscape and will be lower than buildings to the rear, as you would expect, windows will be reduced and original granite will be exposed. These changes have the effect of enhancing the site without impacting upon the scenic beauty of this area. The single storey annexe extension and the single storey workshop replacement building will be very much seen within the context of this domestic garden and with the backdrop of this built-up part of Bryher. The materials, design and scale are considered appropriate and overall it is considered that the proposal would accord with Policy OE1 and OE7 of the Submission Isles of Scilly Local Plan (2015-2030)

Impact upon Neighbouring Amenity

There are a number of neighbouring properties around this site including the property, Atlanta, which lies on the opposite side of the road to the north-north west corner of the dwelling, Glen Hope to the north-west and Hanjague to the south east side. The reduction in the larger two storey front extension to Bank Cottage, removes a significant amount of bulk when the property is viewed coming down the road to the north west. The proposal also includes the removal of a significant number of windows from both the rear, north side of the dwelling and the north west facing gable. These are considered to be changes that reduce the impact of overlooking and together with a reduction in mass will ensure there are no greater impacts upon neighbouring properties, particularly towards Glen Hope and Atlanta. The ridge line of the property whilst this will increase overall, by 1.2m it will remain lower than the height of Atlanta, which will reflect the sloping nature of the site (to go higher would be considered to be obtrusive and discordant relative to the pattern of development).

It is considered that the increase in roof height will result in some additional over-shadowing in the early morning but with the reduced bulk of the two storey element, this will be less than currently as the sun moves through morning, and substantially more light will be available as a result, on the east and north east sides of the site. It is not considered that the use of rooflights would give rise to any additional issues of overlooking. Overall as the dwelling does not shift closer to any neighbouring properties and the proposal removes the substantially bulkier elements of the property, reduces side and rear facing windows and as such there will be no substantial increase in harm for the privacy and amenity of existing neighbouring properties. It is considered that the removal of a two storey front extension will improve the light levels around the site overall.

The proposed front extension to the existing annexe building, along the boundary with Hanjague, with no side facing windows, and maintaining the current height, is not considered to give rise to any additional overlooking or dominance. The neighbouring property is 5 m from the annexe structure and the extension will be further forward and as such not reduce this gap any further. On the basis that the front extension would have no significantly greater impact on this neighbour when compared to a 2m high boundary wall or fence, which would not require planning permission, it is considered that this annexe extension, at single storey, would be considered acceptable.

The position of the replacement workshop building, would not have any impact upon any neighbouring property. Although higher than the existing building, it is situated on the lower slope of the garden, where it is positioned below the views from neighbouring properties higher up, including Glen Hope and Atlanta.

Impact upon the Historic Environment

None of the structures at this site are listed or otherwise identified as designated heritage assets. As assessed above the alterations and extensions are considered to have a positive impact upon the wider character of this site. In terms of the wider character of this part of the conservation area, then the proposal retains and reinforces the historic street patterns and does not seek to extend the built environment outside the domestic curtilage. The proposal includes a simplification of buildings and the modernisation of accommodation that will not have give rise to any wider visual harm to the historic environment.

The applicant has submitted a detailed heritage statement which sets out a reflection of the significance of this site and demonstrates that the proposals will

enhance the original character of this property which will enable its original form to be revealed. There is a grade II listed boat shed to the south of the site (GIG SHED ON THE NORTH COAST OF GREAT PORTH, BRYHER). Between the application site and this boat shed is an existing track, the proposals relate only to existing structures within the domestic curtilage of Bank Cottage, and as noted above, the scale of the works are considered to be acceptable. The setting of this building is very much the foreshore environment and so to some extent the surrounding dune environment. This nearby designated heritage asset is therefore not considered to be affected by the proposed alterations and extensions This is considered to have a positive impact upon the wider character of this immediate area and would not give rise to any harm or loss of significance to the wider character of the historic environment.

Impact upon the Natural Environment

The application site lies outside of any natural environment designation but it does lie close to Pool of Bryher & Popplestone Bank (Bryher) SSSI, which lies around 65m to the west of the application site. The 6.33 ha of this site are recorded as being 100% in a favourable condition. This site is located on the west side of the island of Bryher on the north-west margins of the Isles of Scilly archipelago. Great Pool is the only true brackish lagoon within Scilly being separated from the sea by only a narrow highly mobile storm beach backed by a small dune system.

To the south of the site is Rushy Bay & Heathy Hill (Bryher) SSSI which is around 157m to the south of the application site. The 11.83ha site is recorded as being 100% in a favourable condition. Rushy Bay and Heathy Hill are located on the south side of the island of Bryher on the north eastern margins of the Isles of Scilly archipelago. The site comprises a low exposed granite hill, only rising to some 10 metres above sea level, backed by a small sand dune and dune grassland system overlying a storm boulder beach. The site supports a number of nationally rare plant species.

In terms of understanding the impact upon protected species. The applicant has submitted a Preliminary Ecological Appraisal (PEA) and Preliminary Bat Roost Assessment (PRA) as the Isles of Scilly are home to the most southerly population of Common Pipistrelle Bats. Bats can find shelter in any tiny crack and crevice on buildings so where re-roofing works or the demolition of buildings is proposed, the Council have an obligation to understand the impact upon protected species, before granting planning permission. These reports identify

that evidence of bats was found in the main house, cottage and shed with a moderate roost potential for breeding bats. The surveys also found evidence of nesting birds. On the findings of the initial survey, two further emergence surveys were recommended. In the summer of 2020 the applicant commissioned two further bat emergence surveys and the combined survey results have shown the porch on the western aspect of Bank Cottage supports a roost for at least 3 common pipistrelle bats, most likely as a summer non-breeding roost. The proposed works would lead to the permanent destruction of the roost site through the removal of the porch in its entirety. The proposed works could result in the injuring or killing of the small number of common pipistrelle bats if they were present at the time the porch is removed. These impacts may negatively affect the favourable conservation status and as such these impacts are considered significant.

In terms of nesting birds then it is noted in the report that all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). Section 5 of this Act makes it an offence to kill, injure or take any wild bird, or intentionally to take damage or destroy the nest of any wild bird while that nest is in use or being built. During the first dusk emergence survey, evidence of nesting House Sparrow was identified behind the fascia and presumably on the wall plate of the north-west elevation of the porch. If works were to commence between the months of March and August inclusive, then the site would need to be checked first for nesting birds. If any evidence of breeding activity was found, or nests are identified, then works that would disturb the adults, the nest or young must be postponed until all young have fledged the nest and it is no longer in use. Following the proposed works, no suitable nesting habitat for these species will remain associated with the porch. Therefore, it is recommended that mitigation measures to replace lost nesting features are incorporated into the design.

House sparrows nest communally, and nest boxes should accommodate this, either through the installation of a single purpose-built nest box comprising several individual chambers with separate entrances, or the installation of 3+ nest boxes in close proximity. These should be mounted on the wall of the house if possible, at a height of at least 3m above the ground with an entrance clear of vegetation/other features which may put them at risk of predation from cats. Boxes can be sourced online, or can be constructed on site using methodology and specifications provided by the RSPB

On the basis of the above it is recommended that European Protected Species License would be required from Natural England as part of carrying out the works. Officers would also expect the work to be appropriately timed to avoid the bat active/bird breeding season and ensure works only take place once bats/birds are not present at the site. Additionally suitable enhancement measures should be included such as appropriate bat and bird boxes around the site, suitable for the species found on Bryher. Subject to this information and conditions as set out below, the proposal is considered to be acceptable without biodiversity net loss

Impact upon Infrastructure

The Infrastructure of the islands needs to be taken into account when dealing with development proposals. The emerging Local Plan requires all sites to be accompanied and supported by Site Waste Management Plans (SWMP) to ensure waste, both in the short and long term, are effectively managed. In the short term this is about the management of construction waste and the sourcing of minerals and aggregates in connection with construction. In the long term this is about ensuring adequate facilities are provided, in this case for the occupation of a household in the larger dwelling that is proposed. The applicant has not provided a SWMP to address the management of waste in the short-term as part of the construction phase. As the proposal does not increase the scale of operations at this site, there would be no requirement for additional long-term waste management storage, as this would be the same as currently. Additionally the site is large and could adequately accommodate construction storage without adversely affecting the wider environment. It is therefore recommended that a pre-commencement condition could be imposed as it would not affect the proposal as currently assessed. Subject to a condition to require the submission of a site waste management plan, the proposal is acceptable in terms of waste management.

The emerging Local Plan also requires development proposals to be accompanied and supported by proportionate sustainable design measures as a means to reduce both water as well as energy consumption. In particular Policy SS6 (Water and Wastewater Management) requires any new connections to achieve a water consumption standard of 110 litres of water per person, per day. In relation to water and wastewater then it is considered that the existing dwelling is connected to a foul water treatment facility and as there is no increase in bed spaces this is considered to be adequate. The measures to reduce energy and water consumption have not been provided as part of the submission and as

such this proposal fails to comply with Policy SS2(2). This could be addressed by a pre-commencement condition which would provide the opportunity for the applicant to address this matter, without any significant alteration to the plans submitted, but with the certainty of having their plans approved.

Subject to a pre-commencement condition to provide the sustainable design measures, it is considered that the proposal would have an acceptable impact upon the infrastructure of the islands.

Conclusion

It is considered that the proposal will not result in any harmful impacts upon the wider environment, in terms of neighbouring amenity, infrastructure, biodiversity or landscape harm. The extensions proposed are low-rise and well-related to other existing buildings. It is of a scale and position that would not lead to any cumulative harm. The proposal is considered to align with both the adopted and emerging local plan.

Recommendation

For the above reasons this application is recommended for approval, subject to the conditions set out below.

Other implications

Due to the application being located in a sensitive environment, as denoted by the AONB, the application has been screened for environmental impacts through an Environmental Impact Assessment, Screening Opinion. This screening concluded that the development proposed does not constitute EIA development requiring an Environmental Statement.

The planning application engages certain human rights under the Human Rights Act 2008 (HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life, are not considered to be unlawfully interfered with by this proposal.

Conditions

Appendix A – Conditions for Approval

C1 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 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

C2 The development hereby permitted shall be carried out in accordance with the approved details only including:

- **Plan 1 Proposed Location Plan, Drawing Number 805_001_revB dated 26/09/2018**
- **Plan 2 Proposed Site Layout Plan, Drawing Number 805_101_revC dated 26/09/2018**
- **Plan 3 Proposed House SW Elevation, Drawing Number 805_403_revA dated 28/01/2019**
- **Plan 4 Proposed Site Section, Drawing Number 805_102_revA dated 26/09/2018**
- **Plan 5 Proposed House, First Floor Plan, Drawing Number 805_202_revA dated 28/01/2019**
- **Plan 6 Proposed House, Ground Floor Plan, Drawing Number 805_201_revA dated 28/01/2019**
- **Plan 7 Proposed House, NE Elevation, Drawing Number 805_405_revA dated 26/09/2018**
- **Plan 8 Proposed House, NW Elevation, Drawing Number 805_402_revA dated 28/01/2019**
- **Plan 9 Proposed House, Roof Plan, Drawing Number 805_203_revA dated 26/09/2018**
- **Plan 10 Proposed House, SE Elevation, Drawing Number 805_404_revA dated 26/09/2018**
- **Plan 11 Proposed House, Section AA, Drawing Number 805_301_revA dated 28/01/2019**
- **Plan 12 Proposed Annexe, Elevations, Drawing Number 805_411_revA dated 26/09/2018**
- **Proposed Annexe, Ground Floor Plan, Drawing Number 805_211_revA dated 21/12/2018**
- **Plan 14 Proposed Workshop, Elevations, Drawing Number 805_421_revA dated 26/09/2018**
- **Plan 15 Proposed Workshop, Ground Floor Plan, Drawing Number 805_221_revB dated 21/12/2018**
- **Plan 16 Proposed Workshop Section AA-BB, Drawing Number 805_321_revA dated 26/09/2018**
- **Plan 14 Design and Access Statement**
- **Plan 18 Bat Survey Report (Timing, Mitigation and Enhancement Measures)**

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 OE1 and OE7 of the submission Isles of Scilly Local Plan

(2015-2030).

- C3** Prior to the commencement of the development, hereby approved, a detailed scheme indicating the sustainable design measures to be incorporated into the proposal shall be agreed in writing with the Local Planning Authority and should include water conservation and harvesting measures and renewable energy generation including a water consumption standard of no more than 110 litres per person, per day. The sustainable design scheme shall be implemented in strict accordance with the details as agreed prior to the occupation of the development hereby permitted.
Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application but are required to in order to minimise the impact of the development on the islands carbon footprint and reduce energy and water demands. In accordance with Policy 2 of the Local Plan (2005) and Policies SS1(b) and SS2(k) of the Submission Draft Isles of Scilly Local Plan (2015-2030).
- C4** Prior to the commencement of the development, hereby approved, 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, including excess material from excavations, 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 mineral extraction or the tipping of waste. In accordance with the requirements of Policy 1 of the Isles of Scilly Local Plan 2005 and Policy SS2(2) of the Submission Draft Isles of Scilly Local Plan (2015-2030).
- C5** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended), (or any order revoking or re-enacting that Order) prior to installation, details of any external lighting shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the agreed details.
Reason: To protect the amenities of the locality, including the amenities of neighbouring residential properties and to protect the amenities of this rural area and preserve the dark night skies of the Isles of Scilly and the Bryher Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Submission Draft Isles of Scilly Local Plan 2015-2030.
- C6** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions (Class A),

alterations to the roof (Class B and C), porches (Class D), ancillary outbuildings (Class E), hard surfaces (Class F) or chimneys or flues (Class G) shall be erected or constructed on the dwelling, here by permitted, without the prior permission, in writing, of the Local Planning Authority through the submission of a further application.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality and in the interests of the affordability of the dwelling and the local housing stock.

- C7 All works involving machinery required in connection with the implementation of this permission shall be restricted to between 0800- and 1800-hours Monday to Saturdays. There shall be no works involving machinery on a Sunday or Public or Bank Holiday.**

Reason: In the interests of protecting the residential amenities of neighbouring properties.

- C8 The alterations to the property known as Bank Cottage, hereby permitted, shall not result in any sub-division of this as a single dwelling and no element shall be occupied at any time as a separate self-contained dwelling. Any such change of use would need to be subject to a further application for planning permission.**

Reason: To ensure that the development hereby permitted is occupied only as a single dwelling as specified in the application. In accordance with Policy 3 of the adopted Isles of Scilly Local Plan (2005) and Policy LC9 of the Submission Draft Isles of Scilly Local Plan (2015-2030).

- C9 The extension to the Annexe at Bank Cottage, hereby permitted, and resulting enlarged unit of accommodation, marked blue on the attached plan, shall be occupied only as ancillary accommodation in connection with Bank Cottage and not occupied or rented as a separate dwelling.**

Reason: To ensure that the development hereby permitted is occupied only as a single dwelling as specified in the application. In accordance with Policy 3 of the adopted Isles of Scilly Local Plan (2005) and Policy LC9 of the Submission Draft Isles of Scilly Local Plan (2015-2030).

- C10 The workshop, hereby permitted, marked green on the attached plan, shall be retained for the purposes of ancillary workshop space only in connection with Bank Cottage, in accordance with the approved plans.**

Reason: To ensure that the development does not over intensify that could give rise to noise and disturbance. In accordance with Policy 1 of the adopted Isles of Scilly Local Plan (2005) and Policy WC2 of the Submission Draft Isles of Scilly Local Plan (2015-2030).

- C11 Prior to the commencement of the development, hereby approved, details of a replacement roosting site should be submitted to and approved in writing by the Local Planning Authority. This should comprise a bat box using the Kent Bat Box design which would be sited the north gable end of the detached holiday cottage, approximately 35m south of the porch. The installation of the box should be supervised by a Licensed Bat Worker to**

Contrary to (tick)										
In accordance with (tick)	✓	✓								

Our Outstanding Environment

	OE1	OE2	OE3	OE4	OE5	OE6	OE7
Clause/Part (State)		All					(5),
Contrary to (tick)							
In accordance with (tick)		✓					✓

Strong Living Community

	LC1	LC2	LC3	LC4	LC5	LC6	LC7	LC8	LC9
Clause/Part (State)									1)
Contrary to (tick)									✓
In accordance with (tick)									

Strong Working Community

	WC1	WC2	WC3	WC4	WC5
Clause/Part (State)		All			
Contrary to (tick)					
In accordance with (tick)		✓			

Application Number:	P/19/086/HH	
Valid Date	11/12/2019	
Date Decision Issued	14/10/2020	
Approved	Refused	Withdrawn
DEL/LMP:	01/20	COMM

Monitoring	Yes	No
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Sustainable Design Measures required	✓	
Provided		
Conditioned		✓
Site Waste Management Plan Required	✓	
Provided		
Conditioned		✓
Biodiversity enhancements required	✓	
Provided		
conditioned		✓