

Council of the Isles of Scilly Delegated Planning Report

Application Number: P/20/015/HH

Received on: 3 March 2020

UPRN: 000192001262

Application Expiry date: 27 May 2020

Neighbour expiry date: NONE CONSULTED

Consultation expiry date:

Site notice posted: 7 April 2020

Site notice expiry: 28 April 2020

Applicant: Mr Alec Hicks

Site Address: April Cottage
Church Road
Hugh Town
St Mary's
Isles Of Scilly
TR21 0NA

Proposal: Replace glass panels on conservatory roof with tiles.

Application Type: Householder

Recommendation

1. That the Application is APPROVED for the following reason/subject to the condition set out below.

Site Description and Proposed Development

This is an application to replace the transparent roof structure of this side conservatory, with a solid roof. No other alterations or extension to the property are proposed.

April Cottage is a detached bungalow with a frontage on to Church Road. It is located on the south west side of the road, with a front garden facing north east and a private rear garden to the south west. The property is bounded on three sides by detached bungalows. To the south east is a property called Waverly, which is around 10m, to the south west is a property called the Bylet which is also around 10m and to the north west is a property called Tater-Du. This is the closest property to the application site, separated by a gap of around 5-6m. This section of Church Road, is located on the upward slope of the road, so Tater-Due is located lower down than April Cottage, and Waverly is located higher up. The Bylet is generally on a level with April Cottage, being located in the rear garden area of the original plot of April Cottage.

The existing conservatory is located on the rear (south west facing) elevation and as such is not visible from the road. Due to the 2m high fence and hedging along the boundary with the Bylet, there are limited views of the existing conservatory from the rear. To the sides there are limited views from Tater Due to the north west and Waverly to the south east.

Background and Relevant History

P0236	Erection of a house	Permitted 1959
P0901	The erection of a workshop and storage.	Permitted 1970
P1859	Provision of a car port at April Cottage.	REFUSED 1979
P2868	The provision of conservatory to the rear	Permitted 1989
P4056	Extension for en-suite facilities.	Permitted 1996
P5418	Extension to improve owners accommodation.	Permitted 2006
P/06/075	Change external colour of property from grey to buttermilk	Permitted 2006
P/06/087	Remove and replace existing conservatory	Permitted 2006

Consultations and Representations

Public Representations: **NONE**

Neighbouring properties have been consulted, listed below and a site notice has been in place for a period of 21 days to the front of the property: 01/04/2020 – 28/04/2020

Neighbour	Date Consulted	Comments (DATE)
Tater Du	03/04/2020	None
The Bylet	03/04/2020	None
Waverly	03/04/2020	None

Consultation Representations: NONE

Constraints:

Listed Building: None
Scheduled Monument: None
Archaeological Constraint Area: None
Historic Landscape Character: Settlement

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.

Paragraphs 39-41 identifies the need to front-load the planning system through pre-application engagement. This states that the right information is crucial to good decision-taking, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitat Regulations Assessment and Flood Risk Assessment). To avoid delays the NPPF advocates early discussions with the local planning authority as well as expert bodies as early as possible.

Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 172 advises that great weight should be given to conserving the landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection. The conservation of wildlife and cultural heritage are important considerations.

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, (b) Preserve nationally important archaeological remains and their settings; (c) Preserve or enhance the character or appearance of the Conservation Area and preserve the architectural or historic interest of all listed buildings, including their features and settings; (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 (SSSI); 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. Policy 2 (a) requires development to ensure conserve or enhance the landscape, coastline, seascape and existing buildings of the islands through appropriate design including siting, layout, density, scale, external appearance (i.e. details and materials) and landscaping.

Isles of Scilly Design Guide 2007

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

The emerging policies within the consultation draft of the Local Plan set out a clear range of policies designed to protect the landscape character (Policy OE1) as well as the natural (Policy OE2) and historic environment (Policy OE7). This emerging document also contains policies for residential extensions (Policy LC9). This permits extensions to enable smaller homes to be enlarged to either the minimum size (internal space standards) or enlarged to meet a growing household need, providing the design is otherwise in keeping with the character of the area and it does not impact upon the amenity of neighbouring properties or highway safety.

A link to this consultation Draft Local Plan has been set out below. As of 30th September 2019 the Submission draft Local Plan has been submitted to the Secretary of State, at the time of writing this report, and as such the policies it contains can be given greater weight.

Planning Assessment

The principle of alterations to an existing dwelling is considered acceptable and in accordance with both the existing Local Plan (2005) and the Design Guide SPD (2007). Additionally the emerging Local Plan Policy LC9 of the submitted draft Local Plan (2015-2030) also accepts the principle of a domestic extension. The issues for consideration therefore relate to whether the proposed replacement roof of the existing conservatory gives rise to any issues of impacts upon the amenity of adjoining neighbouring properties and whether it is in keeping with the design of the existing dwelling and the wider character of this part of the conservation area.

Impact upon neighbouring amenity

Located to the rear of the dwelling, facing away from Church Road and towards the

property to the rear (the Bylet), the new roof proposed will not result in any enlargement to the existing dwelling or any additional windows or doors. It is considered that there will not be any greater impact or overlooking from the re-roofed conservatory as proposed. No impact upon privacy and amenity as a result of the proposal has been identified and as such the proposal is considered to accord with emerging Policy LC9 (3) b) of the submission draft Isles of Scilly Local Plan (2015-2030).

Impact upon the character of the area

It is considered that the proposed solid roof installation on the existing conservatory will have no wider impact upon the street scene and will be in keeping with the style of this modern bungalow. On this basis it is considered that the proposal will not result in any harm and will have a neutral impact overall on the character of the conservation area. On balance, it is considered that the proposal is acceptable and in accordance with Policy 1 of the adopted Isles of Scilly Local Plan (2005) and Policy OE7 (5)a of the submission draft Isles of Scilly Local Plan (2015-2030).

Other Issues

The proposal does not seek to increase the size of the property and as such there is no pressure for additional car parking likely to arise as a result. The scale of the proposal does not trigger the need for bat surveys or sustainable design enhancements and on this basis it is considered that no further assessments on these issues are required.

Conclusion

The proposal is considered to be acceptable without giving rise to any issues of acknowledged importance, as assessed above.

Recommendation

Subject to the standard conditions set out below the application is recommended for approval.

Conditions

- 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:**
- **Proposed Plans, Drawing Number: AC-RC-1a, Dated February 2020**
 - **Location Plan, Date Stamped 03/03/2020**

In accordance with (tick)									✓
Strong Living Community									
	LC1	LC2	LC3	LC5	LC5	LC6	LC7	LC8	LC9
Clause/Part (State)									(1) (3)b
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)									

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