

Council of the Isles of Scilly Delegated Planning Report

Application Number: P/20/045/HH

Received on: 23 June 2020

UPRN: 000192000673

Application Expiry date: 21 August 2020

Neighbour expiry date: 22 July 2020

Consultation expiry date:

Site notice posted: 2 July 2020

Site notice expiry: 23 July 2020

Applicant: Mr Scott Hicks
Site Address: 10 Parsons Field
Hugh Town
St Mary's
Isles Of Scilly
TR21 0JJ

Proposal: Conversion of conservatory into front extension.

Application Type: Householder

Recommendation

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

Site Description and Proposed Development

Number 10 Parsons Field is a semi-detached dormer bungalow dwelling, with rooms in the roof space

This current application is to remove the existing rear conservatory and replace this with a more solid 'sunroom' structure of the same dimensions. It will be rendered to match the existing property and will have two windows facing south (towards the boundary with the road), a door (with a window on either side) facing east (into the private garden) and two windows facing north (towards the boundary with number 9).

Constraints

Scheduled Monuments: None

Listed Buildings: None

Archaeological Constraint Areas: Name: Parsons Field

HER Findspots: None

Historic Landscape Character: Parsons Field

Background and Relevant History

The only relevant permission to this application is the 2003 permission for the erection of a conservatory (P5336), which was approved.

Consultations and Representations

A site notice has been on display in the vicinity of the application site for a period of 21 days (01/07/2020 – 22/07/2020). The application was published on the weekly list published on the 29th June 2020. Neighbouring properties have been written to directly. No representations have been received.

Neighbour Consulted	Response Received (Date)	Comments
19 Sally Port	None	n/a
15 Sally Port	None	n/a
13 Sally Port	None	n/a
17 Sally Port	None	n/a
9 Parsons Field	None	n/a

Due to the nature of this application there are no external consultation required.

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 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

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 (Residential Extensions)

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. Additionally the adopted Design Guide SPD sets out the principles of good design and amenity issues to take into account. Although acknowledging that it

cannot be given full weight in planning decision making, Policy LC9 of the submission draft Local Plan (2015-2030) also supports proposals for domestic extensions. On this basis it is considered that the principle is acceptable.

Material planning considerations of neighbouring amenity and the impact upon the wider character of the area are assessed below. As this relates to the replacement of an existing structure, there is no assessment of an increase in scale, as required by Policy LC9 and there are not considered to be any impacts upon the wider historic environment or highway safety.

Impact upon Neighbouring Amenity

The proposal relates to the removal of an existing conservatory structure which measures approximately 3.3m by 3.4m with a lean-to roof. It is centrally positioned on the rear of the property directly accessed from the original back door. The proposal seeks to replace this with a more solid structure, with less glazing. The proposal would not have any greater impact upon neighbouring amenity than the current conservatory. On this basis the proposal is considered to be acceptable and would accord with Policy LC9 of the Submission Isles of Scilly Local Plan (2015-2030).

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

No 10 Parsons Field is located within a built-up and relatively modern part of Hugh Town, where there is little in the way of historic buildings (excluding the edifice of the Garrison Wall some 50 metres to the west of the site). The proposed replacement rear extension will be within an existing private garden and on the basis that it will remove a modern conservatory, which is generally visually more apparent than a solid structure, it is considered to have a neutral to positive impact upon the wider character of the area. It will not result in any harm to the setting of the Garrison Wall which is a Grade I listed building and Scheduled Monument as it does not impact upon the setting of this structure. Overall it is considered that the proposal would be in keeping with the character of the existing dwelling and not give rise to any wider harm. The proposal would accord with Policy OE7 of the Submission Isles of Scilly Local Plan (2015-2030)

Other Issues

Given the proposed roof of the sunroom, will result in some removal of tiles on the existing roof, at a position that could be used by bats, the applicant has been requested to demonstrate whether or not any protected species are likely to be affected by the proposal. A Preliminary Ecological Appraisal and Preliminary

Roost Assessment have been submitted to support the application. This report gives a low probability of use by bats and that no further surveys are required. In terms of mitigation then the report advises that precautions should be taken to ensure that any bats that could be using the existing roof structure, are not harmed or injured. It is considered that the avoidance measures set out within this report should be conditioned, which includes the timing of works as well as enhancement measures.

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 provided a SWMP which does address the management of waste in the short-term as part of the construction phase. It is considered that the matters set out have been adequately addressed to ensure waste is managed effectively. As this is an existing dwelling, which will not increase in scale or number of bedrooms, there is already an adequate management of domestic waste.

Conclusion

It is considered that the work proposed will not result in the dwelling becoming larger, as it would seek to reuse the volume and footprint of an existing structure. The neighbour impacts would be reduced and there would be a positive-neutral impact upon the wider character of the area. 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

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 Location Plan**
- **Plan 2 Site Plan**
- **Plan 3 Proposed Plans, Drawing Number: PF-SH-PA2a, dated June 2020**
- **Plan 4 Preliminary Roost Assessment and Preliminary Ecological Appraisal, Dated 15 July 2020 (timing, mitigation and enhancement)**

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 Policies OE1 and OE7 of the Submission Isles of Scilly Local Plan (2015-2030).

C3 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.

Removal of Permitted Development Rights: External Illumination

C4 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 new 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.

In accordance with (tick)									✓
Strong Living Community									
	LC1	LC2	LC3	LC4	LC5	LC6	LC7	LC8	LC9
Clause/Part (State)									3)
Contrary to (tick)									
In accordance with (tick)									✓

Application Number:	P/20/045/HH	
Valid Date	26/06/2020	
Date Decision Issued	04/09/2020	
Approved	Refused	Withdrawn
DEL/LMP: 04/08/2020		COMM

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