

# Council of the Isles of Scilly Delegated Planning Report Householder/other application

**Application Number:** P/20/082/HH

**Received on** 14 October 2020

**UPRN:** 000192000052

**Application Expiry date:** 9 December 2020

**Neighbour expiry date:** NONE CONSULTED

**Consultation expiry date:**

**Site notice posted:** 15 October 2020

**Site notice expiry:** 5 November 2020

**Applicant:** Mr K & Mrs L Palmer

**Site Address:** Tideway  
The Bank  
Hugh Town  
St Mary's  
Isles of Scilly  
TR21 0HY

**Proposal:** Replacement of existing stair access and porch and re-cladding of part upper floor. (Listed Building)

**Application Type:** Householder

---

**Recommendation:** PER

---

## Summary Conditions/Reasons for refusal

1. Standard time limit
2. Adherence to plans
3. Sample materials
4. Hours of Operation for Construction Works

Have any pre-commencement conditions been agreed with the applicant: n/a

Extension of time agreed until: n/a

---

## Site Description and Proposed Development

This is an application to rebuild the front 'porch' features and reconfigure the external stepped access to this first-floor unit of accommodation. It is a flat roof extension to the rear of a listed property known as The Anchorage. It is largely constructed of granite, but the fenestration appears to be largely upvc with a upvc clad porch and a simple timber set of steps up to the first floor.

The proposal is to rebuild the external stair access and porch feature including a new timber bin storage, accessible from the Atlantic slip, as well as vertical timber cladding to the front of the building and new granite cobbled surface to the 'yard' area at the foot of the steps.

**Ownership Certificate:** B Notice No 1 Served

### Consultations and Publicity

The application has had a site notice on display for 21 days (15/10/2020 – 05/11/2020). The application appeared on the weekly list on 5<sup>th</sup> October 2020.

Due to the nature of the proposal the following consultations have been carried out.

Others: **CIOS Waste and Recycling (29/10/2020)**  
**Cornwall Fire and rescue (29/10/2020)**  
**CIOS Physical Assets and Natural Resources (29/10/2020)**

### Representations from Residents:

Neighbouring properties written to directly (15/10/2020):

Upper Bank Chambers Flat, The Bank

Harbourside Flat, The Bank

Lower Anchorage, The Bank

The Anchorage, The Bank

Bank Chambers, The Bank

[0] letters of objection have been received and include the following points:

[0] letters of support have been received

[1] Representation letter has been received from the owner of Lower Anchorage.

This does not object to the proposal but wish the proposed development to avoid the holiday let season to avoid a conflict of access for this unit

### Relevant Planning History:

No planning history relevant for Tideway but full planning history for the Anchorage is set out below. A flat to the rear (possibly Tideway) was granted planning permission in 1969.

Ref	Proposal	Decision
P0074	erection of workshop and construction of pavement	
P0169	erection of sun lounge and extension to existing house	PER
P0526	extension to existing property	PD
P0643	replace existing garage with new workshop, garage and study	PER
P0783	Alterations to roof and enlarging dormer window.	PER
P0822	First floor self-contained flat at the rear of Anchorage, The Bank, St Mary's	PER
P0833	The erection of a first-floor flat abutting the rear boundary of the Anchorage.	PER
P2031	The conversion of part of guesthouse into a flat at The Anchorage, The Bank, St Mary's	PER
P2183	The conversion of Guest House to lower ground floor flat with dwelling above at Anchorage, The Bank, St Mary's	PER
P3649	5 front windows in white UPVC replacement with sash openings, looking the same as existing windows. [No decision notice found]	
P3839	Installation of replacement windows.	PER
P4793	Retention of reduced chimney stack on northern gable.	PER
P4982	Replace painted half glazed front door with stained half glazed door.	PER
P/11/029/ FUL	Removal of conditions 2 and 3 of planning permission P2183 in relation to Lower Anchorage Flat. Condition 2 does not allow use as holiday accommodation. Condition 3 restricts use to only or main residence.	PER
P/13/059/ LBC	Replacement of 5 timber windows on South-West elevation with like for like.	PER

### Constraints:

Listed Buildings ID: DCO14370. Grade: II. Name: THE ANCHORAGE  
Historic Landscape Character Landscape Type: Settlements.

### Planning and Listed Building Consent Assessment

Design	YES OR NO
Would the proposal maintain the character and qualities of the area in which it is proposed?	Yes
Would the proposal appear in-keeping with the appearance of the existing dwelling, street and area?	Yes
Would the materials, details and features match the existing dwelling and be consistent with the general use of materials in the area?	Yes
Would the proposal leave adequate garden area and green space to prevent the proposal appearing as an overdevelopment of the site and	Yes

to ensure an adequate level of amenity?	
Is the parking and turning provision on site acceptable?	n/a
Would the proposal generally appear to be secondary or subservient to the main building?	Yes
Is the scale proposed in accordance with NDSS	n/a

<b>Amenity</b>	<b>YES OR NO</b>
Is the proposal acceptable with regard to any significant overlooking/loss of privacy issues?	Yes
Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?	Yes
Is the proposal acceptable with regard to any significant change or intensification of use?	Yes

<b>Heritage</b>	<b>YES OR NO</b>
Would the proposal sustain or enhance the character and appearance of the Conservation Area?	Yes
If within the setting of, or a listed building, a) Will the development preserve the character and special architectural or historic interest of the building? b) Will the development preserve the setting of the building?	Yes
Within an Archaeological Constraint Area	No
<b>Other Impacts</b>	n/a
Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	
Impact on protected trees a) Will this be acceptable b) Can impact be properly mitigated?	n/a
Has the proposal been designed to prevent the loss of any significant wildlife habitats or proposes appropriate mitigation where this has been demonstrated to be unavoidable?	n/a
Does the proposal conserve and enhance the landscape and scenic beauty of the AONB	Yes
Are the Water connection/foul or surface water drainage details acceptable?	n/a
If sited within a Critical Flood Risk Area (low lying land below the 5m datum) is the application accompanied by an acceptable Flood Risk Assessment?	No
Are there external lights	No

<b>Protected Species</b>	<b>YES OR NO</b>
Does the proposal include any re-roofing works or other alteration to the roof	No
Does the proposal include any demolition	Yes
Does the proposal include tree or hedge removal	No
Is an assessment of impact on protected species required	No
Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements	No
Are biodiversity enhancement measures required	No
Is a condition required to provide biodiversity enhancement measures	No

<b>Waste Management</b>	<b>YES OR NO</b>
Does the proposal generate construction waste	Yes
Does the proposal materially increase the use of the site to require additional long-term waste management facilities	No
Does the proposal include a Site Waste Management Plan	No
Is a condition required to secure a Site Waste Management Plan	Yes

<b>Sustainable Design</b>	<b>YES OR NO</b>
Does the proposal materially increase the use of the site to require additional sustainable design measures	No
Does the proposal include any site specific sustainable design measures	No
Is a condition required to secure a Sustainable Design Measures	No

**Analysis:** The proposal relates to the replacement of later 20<sup>th</sup> century features to this building, which is attached to the Anchorage, which is a Grade II listed building. The Anchorage was added to the National Heritage List for England (NHLE) in 1975 for its Group Value and is described as:

*House.C18. Coursed and squared granite; gabled slate roof; granite end stacks. Double-depth central entrance plan. 2 storeys with attics; symmetrical 3-window range. Granite lintels over late C19 horned 2/2-pane sashes and early C20 half-glazed door. Large mid C20 flat-roofed extension to rear. Interior not inspected.*

Whilst the flat at Tideway is listed by virtue of being attached to the Anchorage, it is clearly a much later extension to the building and is therefore not considered to be a significant part of the asset. Additionally, the alterations would appear to be within an area least sensitive to change as a result of neither being within the

principle front elevation nor facing the Harbour. It is noted that there are views of the front of the flat, through the side view from the road and Atlantic slip, but the current structure would appear to be quite detrimental to the character and appearance of The Anchorage.

The proposal would see significant improvements to the most visual element which is the upvc clad porch. This will be replaced with a more sympathetically designed porch which will be clad in an oak shingle and upvc cladding will be replaced vertical timber cladding. The replacement porch will be slightly larger and as a result an existing wide window on the west elevation will be made smaller and more traditional in its dimensions.

The steps will be rebuilt and as a result they will take up more of the 'yard' area to achieve a 'return' and will have a handrail. This is considered to be a significant improvement visually in addition to the improved safety of the steps. The gap in the wall, that provides access from the slip into the 'yard' and steps, will have a new timber gate and the wall will be reconstructed to accommodate a secure bin storage area.

Overall the changes proposed will have a positive impact upon the appearance of this later extension, which is situated to the rear of a designated heritage asset. It is not considered that it will give rise to any harm to the character and appearance of the Grade II listed building of the Anchorage.

In terms of the representation from the neighbouring property, whilst the impact upon tourism is noted, it is not considered a reasonable condition to impose a condition that restricts construction operations to the winter season. It is recommended that hours of construction operation should not take place during unsociable hours of the day. Out of neighbourly courtesy the LPA would expect and recommend an advisory note as to notifying any neighbouring property, likely to be affected of the works, ahead of those works taking place.

**EIA:** Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

**Proactive working:** In accordance with guidance within the National Planning Policy Framework the Council has worked in a positive and creative way and has concluded that the application is acceptable for planning approval/imposed conditions to enable the grant of planning permission.

This Planning application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

This Listed Building Consent application has been considered in accordance with Sections 16, 17, and 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Planning Policy:** Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of December 2005, the development plan for the Isles of Scilly comprises the Isles of Scilly Local Plan 2005: a 2020 vision and following submission to the Secretary of State in September 2019 and subsequent Examination in Public significant weight is now given to the submission draft Isles of Scilly Local Plan 2015-2030.

The relevant development plan policies that have been taken into consideration are set out below:

#### **Isles of Scilly Local Plan, adopted December 2005**

*Policy 1 Environmental Protection* ✓

*Policy 2 Sustainable Development* ✓

Policy 3 Housing

Policy 4 Economic Development

Policy 5 Transport

Policy 6 Infrastructure for Sustainable Communities

Policy 7 Fish and Livestock Processing

Policy 8 Safeguard Power Station, St Mary's

Policy 9 Waste Disposal

Policy 10 Air Travel Infrastructure, St Mary's and Tresco

Policy 11 Uninhabited Islands

Proposal A Housing Sites St Mary's

Proposal B Employment Land, St Mary's

Proposal C Sport and Recreation Facilities, St Mary's

Proposal D Quays

Proposal E Mixed Use Development Tresco

#### **Submission Draft Isles of Scilly Local Plan 2015-2030**

##### **Sustainable Scilly**

*Policy SS1 Principles of Sustainable Development* ✓

*Policy SS2 Sustainable quality design and place-making* ✓

Policy SS3 Re-use of Buildings

Policy SS4 Protection of retailing, recreation and community facilities

- Policy SS5 Physical Infrastructure
- Policy SS6 Water and Wastewater Management
- Policy SS7 Flood Avoidance and Coastal Erosion
- Policy SS8 Renewable Energy Developments
- Policy SS9 Travel and Transport
- Policy SS10 Managing Movement

### **Outstanding Environment**

- Policy OE1 Protecting and Enhancing the landscape and seascape
- Policy OE2 Biodiversity and Geodiversity
- Policy OE3 Managing Pollution
- Policy OE4 Protecting Scilly's Dark Night Skies ✓*
- Policy OE5 Managing Waste
- Policy OE6 Minerals
- Policy OE7 Development affecting heritage ✓*

### **Living Communities**

- Policy LC1 Isles of Scilly Housing Strategy to 2030
- Policy LC2 Qualifying for Affordable Housing
- Policy LC3 Balanced Housing Stock
- Policy LC4 Staff Accommodation
- Policy LC5 Removal of Occupancy Conditions
- Policy LC6 Housing Allocations  Choose an item.
- Policy LC7 Windfall Housing:  Choose an item.
- Policy LC8 Replacement Dwellings and Residential Extensions ✓*
- Policy LC9 Homes in Multiple Occupation

### **Working Communities**

- Policy WC1 General Employment Policy
- Policy WC2 Home based businesses
- Policy WC3 New Employment Development
- Policy WC4 Alternative Uses for Business or Industrial land and buildings
- Policy WC5 Safeguarding Serviced Accommodation

- *Site Waste Management Plan: Provided*
- *Sustainable Design Measures: N/A*
- *Biodiversity Enhancement Measures: Provided in the PEA not required*

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

### **Considerations under Human Rights Act 1998 and Equalities Act 2010**


The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been



taken into account in reaching the recommendation contained in this report.

**Recommended 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:**
- **Location and Block Plan**
  - **Proposed elevation and section, drawing number: TW06, dated Oct 2020**
  - **Proposed elevation, drawing number: TW05, dated Oct 2020**
  - **Proposed floor plan, drawing number: TW04A, dated Oct 2020**
  - **Design and Access Statement**
  - **Site Waste Management Plan**
- These are stamped as APPROVED.**  
Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Listed Building and Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policy 1 of the adopted Isles of Scilly Local Plan 2005 and Policy OE1 and OE7(5) of the Submission Draft 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.
- 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 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 Garrison Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Submission Draft Isles of Scilly Local Plan 2015-2030.
- C5 Prior to their installation on the building, a sample or details of all facing materials shall be submitted to and be approved in writing by the Local Planning Authority. Once approved the porch and cladding shall be finished in the agreed materials and be retained as such thereafter.**  
Reason: To ensure that the character and appearance of the approved extensions is sympathetic and in keeping with the architectural details of this as listed building and in keeping with the wider character and appearance the conservation area, in accordance with Policy 1 of the adopted Isles of Scilly Local Plan (2005) and Policy OE7 (5) and (6) of the submission draft Isles of Scilly Local Plan (2015 – 2030).

<b>Print Name:</b>	Lisa Walton	11/12/2020
<b>Job Title:</b>	Senior Officer, Planning and Development Management	
<b>Signed:</b>		
<b>Authorised Officer with Delegated Authority to determine Planning Applications</b>		