

Council of the Isles of Scilly

Delegated Planning Report

Householder/other application

Application Number: P/20/101/HH

Received on: 8 December 2020

UPRN: 000192000337

Application Expiry date: 3 February 2021

Neighbour expiry date: 31/12/2021

Consultation expiry date: 31/12/2021

Site notice posted: 10 December 2020

Site notice expiry: 31 December 2020

Applicant: Robert Green
Site Address: Charlotte House
Garrison Lane
Hugh Town
St Mary's
Isles of Scilly
TR21 0JD

Proposal: Removal of existing garage roof, installation of new roof and photovoltaic cells and associated works.

Application Type: Householder

Recommendation: PERMIT

Summary Conditions:

1. Standard time limit
2. Adherence to plans
3. Submission of Site Waste management Plans
4. Hours of Operation for Construction Works
5. Adherence to ecological mitigation/avoidance/enhancement (bat boxes)
6. No External illumination

Extension of time agreed until: 31/05/2021 and 04/06/2021

Reason for Delegated Decision

No Councillor has requested that the application come to the Full Council. The decision defaults to the level of Delegated:

- Not a Councillor ✓
- Not a Senior Officer (or Officer with influence over planning Decisions) ✓
- No relation to a Councillor/Officer ✓
- Not Major ✓
- Not Council's own application ✓
- Not a departure from the Development Plan ✓
- Not Called in ✓

Lead Member Planning Agreed

Name: Dan Marcus

Date: 19/11/2020

Site Description and Proposed Development

Charlotte House is located on Garrison Lane in Hugh Town, St Mary's. Charlotte House is a two storey dwelling of granite construction. It has white painted timber windows and doors. The windows are multi-paned and have authentic blown glass bulls-eyes. The existing roof covering is slate, with the rear section of roof being scantle slate. The roof sections are of differing heights. The applicant states that the house appears to have been constructed in three phases. The first being the lower section, which was originally a cowshed. The second phase was the taller two storey front section with porch and thirdly the rear section which is of similar size and proportion to that of the second phase.

The current proposal is for the replacement of the roof on the existing garage building in order to install a new roof suitable to carry solar photovoltaic panels and associated works.

Certificate: A

Other Land Owners: NO

Consultations and Publicity

The application has had a site notice on display for 21 days (10/12/2020 – 31/12/2020). The application appeared on the weekly list on 14th December 2020.

Due to the nature of the proposal no external consultations are required.

Representations from Residents:

Neighbouring properties written to directly:

- 2,3, 4 & 6 Myrtle Cottages, Garrison Lane

- 25 Garrison Lane

No letters of representation have been received in relation to the application.

Relevant Planning History:

P/17/070/FUL – Conditional approval of planning permission for the replacement of existing roof coverings with alterations to height of rear roof section. Insertion of new window and doors.

Constraints:

Archaeological Constraint Areas Name: Parson's Field. Island: St Mary's
Historic Landscape Character Landscape Type: Settlements.

Planning Assessment

Design	YES OR NO
Would the proposal maintain the character and qualities of the area in which it is proposed?	y
Would the proposal appear in-keeping with the appearance of the existing dwelling, street and area?	y
Would the materials, details and features match the existing dwelling and be consistent with the general use of materials in the area?	y
Would the proposal leave adequate garden area and green space to prevent the proposal appearing as an overdevelopment of the site and to ensure an adequate level of amenity?	y
Is the parking and turning provision on site acceptable?	y
Would the proposal generally appear to be secondary or subservient to the main building?	y
Is the scale proposed in accordance with NDSS	n/a

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

Heritage	YES OR NO
Would the proposal sustain or enhance the character and appearance	y

of the Conservation Area?	
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?	n/a
Within an Archaeological Constraint Area	y
Are any below ground works required	n
Is there a need for a WSI/archaeological monitoring	n
Other Impacts Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	y
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?	y
Does the proposal conserve and enhance the landscape and scenic beauty of the AONB	y
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?	n/a
Are there external lights	n

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

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

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

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. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Section 72 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 March 2021, the development plan for the Isles of Scilly comprises the 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, 2015-2030

Policy	Tick if Used ✓
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	
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	
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	
Policy LC7 Windfall Housing:	
Policy LC8 Replacement Dwellings and Residential Extensions	✓
Policy LC9 Homes in Multiple Occupation	
Policy WC1 General Employment Policy	
Policy WC2 Home based businesses	
Policy WC3 New Employment Development	
Policy WC4 Alternative Uses for Business/Industrial land and buildings	
Policy WC5 Visitor Economy and Tourism Developments	

Info Requirements	Submitted (LVC)	Not Submitted	Condition Required
Site Waste Management Plan			Yes
Sustainable Design Measures			No
Biodiversity Enhancement Measures:			No

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:**
- Plan 1 Location and Block Plans, Drawing number: GA-01 Dated: Nov 2020
 - Plan 2 Proposed Plans, Drawing number: GA-03 Dated: Nov 2020
 - Plan 3 Proposed Elevations and Sections, Drawing number: GA-05 Dated: Nov 2020
 - Plan 4 Solar PV Statement: Paradise Power, Dated 1st December 2020
 - Plan 5 Presence Absence Survey, Dated 14th May 2021 (bat mitigation,

enhancement and timing of works)

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 OE1 and OE7(5) of the 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 Isles of Scilly Local Plan (2015-2030).
- C5 As part of the implementation of the development, hereby approved, a new roosting site should be installed upon completion of the development. This should comprise a free-standing 'Kent' style bat box design which would be sited immediately below the fascia on the east aspect of Charlotte House. The applicant shall seek to retain, where possible, the drystone wall and the vegetation below the roof in order to maintain the existing micro-climate. If this is not possible then further bat-friendly planting, to enhance the area for feeding opportunities, shall be provided, in accordance with Appendix C of the Bat Presence/Absence Survey, dated 14th May 2021. The bat box shall be installed during the first bat inactive season, following the completion of the development, in order to ensure opportunities for roosting habitat are provided. The bat box should be permanently retained thereafter.**
Reason: In order to enhance habitats and to safeguard bats which are specifically protected by law. In the interests of securing appropriate and proportionate biodiversity net gains at this site in accordance with Policy OE2, SS1(d) and SS2(g) of the Isles of Scilly Local Plan (2015-2030).
- C6 Prior to the commencement of the development, hereby approved, a scheme including details of the disposal of all waste arising from the works 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 SS2 (2) of the Isles of Scilly Local Plan 2015-2030.

	Print Name:	Lisa Walton	04/06/2021
	Job Title:	Chief Planning Officer	
	Signed:		
	Authorised Officer with Delegated Authority to determine Planning Applications		