



## Appeal Decision

Site visit made on 29 June 2022

**by Mrs H Nicholls FdA MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 04 July 2022**

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**Appeal Ref: APP/Z0835/D/22/3290086**

**Westward Ledge, Church Road, St Mary's, Isles of Scilly TR21 0NA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Raymond Jackman against the decision of Council of The Isles of Scilly.
  - The application Ref P/21/054/HH, dated 2 July 2021, was refused by notice dated 13 December 2021.
  - The development proposed is roof alteration, introduction of two dormers, plus velux rooflight.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area and whether the Isles of Scilly Conservation Area would be preserved or enhanced.

### Reasons

3. The appeal property is a detached house set in an elevated position overlooking Church Road and set within the Isles of Scilly Conservation Area (CA). The house is relatively traditional in its form and appearance, two storeys in height, three bays wide and with a pitched, slated roof, a combination of material treatments and regularly-sized and positioned fenestration which combine to give it a pleasing symmetry. In its broader context, the site sits amongst a varied mix of largely detached 20<sup>th</sup> century residential dwellings, many of which take the form of dormer bungalows, and which are peripheral to the historic core of Hugh Town.
4. The CA encompasses all of the islands that make up the archipelago, and consequently, has a range of special qualities that contribute to its significance. Insofar as is relevant to this appeal, the CA's significance derives from the historical and architectural interest of the individual buildings which range from vernacular cottages to classically-inspired 19<sup>th</sup> century houses and terraces, the hierarchy of streets and spaces and the relationship of these elements to the surrounding agricultural landscape and seascape.
5. The proposal would involve the addition of two gable features to the front roof plane of the property, immediately above the eaves line in line with the outer first floor windows. Their height would be up to around 1.4 metres which would sit well below the ridge line. A rooflight would be positioned above the central

first floor window. The dormer features would not have any window openings in their front face, but would be intended to provide internal headroom to facilitate the use of the roof for storage purposes.

6. Despite that dormer features are prevalent in the area and take many forms, the generally consistent feature among them is a glazed opening in the front wall, giving them a purpose as a projecting window element. From the evidence and from my own observations, there are none as bulky as those proposed that are absent of windows. Whilst I note that the neighbouring dwelling has small gable features, these form part of the roof itself, they interrupt the eaves line and the windows are deliberately higher to tie in with them. This would differ from the appeal proposal. Though there would be merit in retaining the current ridge height and maintaining a symmetrical appearance overall, given the inauthenticity of their design, the dormers would appear bulky and incongruous, detracting from the character and appearance of the dwelling and wider streetscene.
7. In relation to its harmful effect on the character and appearance of the host dwelling and surrounding area, the proposal conflicts with, in particular, Policies SS2, LC8 and OE7 of the Isles of Scilly Local Plan 2015 (Local Plan) which, amongst other things, require sustainable design, preservation or enhancement of conservation areas, and to ensure the size, siting and the design of extensions prevents them from becoming visually intrusive features.
8. Though, in my view, the appeal dwelling is a neutral element of the CA, the proposal would detract from its character and appearance. Consequently, the significance and special interest of the CA as a whole would not be preserved by the proposals but rather, albeit in a very minor way, harmed. Conflict therefore also arises with section 72(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act. In the terms of the National Planning Policy Framework (the Framework) and considering the scale and nature of the proposals, the harm to the significance of the CA as a designated heritage asset would be less than substantial.

### **Other Matters**

9. Though I note that no objections were submitted in connection with the proposal, this absence of harm does not add weight in favour of the proposal. Nor do I attribute any weight to the 'without prejudice' pre-application response of the Council which has been submitted with limited details of the style of dormers that were proposed under the same.

### **Planning and heritage balance**

10. In circumstances where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, Paragraph 202 of the Framework requires the harm be weighed against the public benefits of the proposal.
11. The proposal would maximise the use of the roofspace of the dwelling but any improvements in this regard are largely private benefits. The scheme would also realise minor economic benefits during the construction phase. However, these public benefits do not outweigh the less than substantial harm to a designated heritage asset or indicate that a decision should be taken other

than in accordance with the development plan. The proposals therefore conflict with the heritage protection policies of the Framework.

**Conclusion**

12. For the above reasons, the appeal is dismissed.

*Hollie Nicholls*

INSPECTOR