

Council of the Isles of Scilly Delegated Planning Report Other application

Application Number: P/22/011/LBC & P/22/017/FUL

UPRN: 000192000197

Received on: 21 January 2022

Valid on: 2 February 2022

Application Expiry date: 30 March 2022

Neighbour expiry date: 2 March 2022

Consultation expiry date: N/A

Site notice posted: 8 February 2022

Site notice expiry: 1 March 2022

Applicant: Mr Mark Lickley

Site Address: Lloyds Bank Plc
Lloyds Bank
The Bank
Hugh Town
St Mary's
Isles Of Scilly
TR21 0PW

Proposal: Removal of external signage and external ATM to reinstate window. (Listed Building).

Application Type: Listed Building Consent & Planning Permission

Recommendation: Approve

Summary Conditions:

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

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: 09/02/2022

Site Description and Proposed Development

Lloyds Bank is a grade II listed building situated at the west end of Hugh Street adjoining the premises known as the Kavorna. The building is split into a commercial unit being a bank on the ground floor with a residential flat on the upper floors. A description of the building can be found below and also on Historic England's website: <https://historicengland.org.uk/listing/the-list/list-entry/1141218>

Historic England Official list entry

Heritage Category: Listed Building Grade: II

List Entry Number: 1141218

Date first listed: 14-Dec-1992

Statutory Address 1: LLOYDS BANK, HUGH STREET

National Grid Reference: SV 90181 10605

Description

House, now bank. Mid C19. Colour washed render over granite rubble; gabled scanted slate roof; rendered end stacks. Double-depth plan. 2 storeys; 4-window first-floor range. Horned 2/2-pane sashes. Porch to left of centre with 2 Roman Doric columns and correct Doric antae, entablature and cornice; 4-panelled door and rectangular fanlight. Interior: enriched cornices to ground floor. Included for group value.

Proposal

The proposal for the site is the removal of the external bank signage consisting of individual letters fascia sign, hanging sign and the address plaque with any holes being filled and painted with materials to match the existing. The ATM would be removed along with the window above it and the re-instatement of a window in its

place being a white painted timber frame sliding sash window to match the rest of the ground floor. The reason for the proposals is the planned closure of the branch.

Certificate: B

Other Land Owners: Mr & Mrs Toogood

Consultations and Publicity

The application has had a site notice on display for 21 days (08/02/2022–02/03/2022). The application appeared on the weekly list on 14th February 2022. Due to the nature of the proposal no external consultations are required.

Representations from Residents:

Neighbouring properties written to directly:

- Lloyds Bank Flat
- The Kavorna, Bakers Flat & Flat 2, The Kavorna, Hugh Street
- Crows Nest, The Bank
- Glendale, Jerusalem Terrace

[0] letters of objection have been received

[0] letters of support have been received

[0] letters of representation have been received.

Relevant Planning History:

No planning history relevant under the 2005 Local Plan or the adopted 2015-2030 Local Plan

- P688 - permission granted for a hanging sign in 1967.
- P2708 - permission granted for a wall mounted cash machine in 1988.
- P4480 & 4481 – planning permission and listed building consent granted for new signage in 1999.
- P/12/022: Conditional approval of listed building consent to refresh existing Grade II Listed Lloyds TSB branch including interior and exterior repaint and redecoration; the application of a marine ply surround to ATM and painting to match branch frontage; the front door to be repainted black and illuminated window marketing. 26.04.2012
- P/12/023: Conditional approval of planning permission granted for the replacement of existing marketing with 1 no. illuminated A1 sized window marketing unit; statutory vinyl's fitted to inside face of glazing; 3 no. green light strips fitted to inside face of glazing and metal surround of ATM to be boarded out with marine ply and painted to match existing wall colour. 26.04.2012
- P/13/022 & 023: Conditional approval of planning permission and listed building consent for replacement signage including non-illuminated fascia lettering and 1 no. projecting sign. 26.05.2013

Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast
- Grade II Listed Building (also adjacent to and opposite two other Grade II listed buildings The Kavorna & Atlantic Hotel)

Listed Building Consent Assessment

| | Yes or No |
|---|-----------|
| Is there a need or justification for the works? | Y |
| Has it been demonstrated that the works cannot be addressed through repairs or lesser works? | Y |
| Have the proposed works been adequately justified with regard to the impact on the significance of the heritage asset and its character and appearance? | Y |
| Where materials or other details are indicated in the application are these acceptable or can they be adequately secured by condition? | Y |
| Has it been demonstrated that the proposed works will cause no substantial harm to the significance of the listed building? | Y |
| Having regard to your answers above, is the application considered to be acceptable? | y |

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 building, 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? | N/A |
| 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? | N/A |

| Amenity | YES OR NO |
|--|------------------|
| Is the proposal acceptable with regard to any significant overlooking/loss of privacy issues? | N/A |
| 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? | N/A |

| Heritage | YES OR NO |
|---|------------------|
| Would the proposal sustain or enhance the character and appearance of the Conservation Area? | Y |
| If within the setting of, or a listed building, <ul style="list-style-type: none"> 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? | Y |
| Within an Archaeological Constraint Area | N |
| Other Impacts | N/A |
| Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety? | |
| Impact on protected trees <ul style="list-style-type: none"> 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 | 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 |
| Are there external lights | N |

| Protected Species | YES OR NO |
|--|------------------|
| Does the proposal include any re-roofing works or other alteration to the roof | N |
| 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 | N |
| Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements | N |
| Are biodiversity enhancement measures required | N |
| Is a condition required to provide biodiversity enhancement measures | N |

| Waste Management | YES OR NO |
|---|------------------|
| 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 | N |

| 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 a any site specific sustainable design measures | N |
| Is a condition required to secure a Sustainable Design Measures | N |

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 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This 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 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 | |
| <i>Policy OE4 Protecting Scilly's Dark Night Skies</i> | |
| 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 | | ✓ | n |
| Sustainable Design Measures | | ✓ | n |
| Biodiversity Enhancement Measures: | | ✓ | n |

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. In discharging their functions, must have “due regard” to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

Recommended Conditions for Planning application P/22/017/FUL:

- 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 dated 21st January 2022**
- **Plan 2 Block Plan dated 31st January 2022**
- **Plan 3 Proposed Front and Rear Elevations, drawing number 50252700-AR01-E1-0210, dated 1st February 2022**
- **Plan 4 Proposed Ground Floor Plan, drawing number 50252700-AR01-00-0110, dated 21st January 2022**

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 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 the islands.

C4 The new window indicated on the approved plans shall be made of timber only and no other materials and shall match the style, glazing and opening mechanism of the remaining windows, and be retained as such thereafter.

Reason: To ensure that the proposal does not have an adverse effect on the character of the listed building.

Recommended Conditions for Listed Building Consent:

C1 The development hereby authorised shall be begun not later than three years from the date of this consent.

Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

C2 The new window indicated on the approved plans shall be made of timber only and no other materials and shall match the style, glazing and opening mechanism of the remaining windows, and be set back to the same position and be retained as such thereafter.

Reason: To ensure that the proposal does not have an adverse effect on the character of the listed building.

Informative

The assessment considered the following plans, which should be followed when carrying out the works. Any deviation from these approved plans may trigger the need to obtain further listed building consent. The applicant is advised to speak to the Planning Department if this is the case:

- Plan 1 Location Plan dated 21st January 2022
- Plan 2 Block Plan dated 31st January 2022
- Plan 3 Proposed Front and Rear Elevations, drawing number 50252700-AR01-E1-0210, dated 1st February 2022
- Plan 4 Proposed Ground Floor Plan, drawing number 50252700-AR01-00-0110, dated 21st January 2022

| | | |
|--------------------|---|------------|
| Print Name: | Lisa Walton | 30/03/2022 |
| Job Title: | Chief Planning Officer | |
| Signed: |  | |
| | Authorised Officer with Delegated Authority to determine Planning Applications | |