

Council of the Isles of Scilly Delegated Planning Report Householder application

Application Number: P/22/058/HH

UPRN: 000192000862

Received on: 16 August 2022

Valid on: 30 August 2022

Application Expiry date: 25 October 2022

Neighbour expiry date: 23 September 2022

Consultation expiry date: N/A

Site notice posted: 2 September 2022

Site notice expiry: 23 September 2022

Applicant: Mrs Marcia Sandford

Site Address: Busaverne
1 Buzza Street
Hugh Town
St Marys
Isles Of Scilly
TR21 0HX

Proposal: Replacement of four windows to side elevation and three windows plus door to the front elevation with white double glazed UPVC.

Application Type: Householder

Recommendation: PER

Summary Conditions

1. Standard time limit (3 years)
 2. In accordance with the approved plans
 3. Hours of Construction
 4. Waste and Recycling Statement
 5. Set back position of windows
-

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: Cllr D Marcus

Date: 26/009/2022

Site Description and Proposed Development

1 Buzza Street is located at the north end of a terrace of 4 two storey dwellings forming the east side of Buzza Street in a built up residential area of Hugh Town. 1 Buzza Street is on the end at the junction between Buzza Street running north-south and Rams Valley which runs east-west. The property has single storey, flat roof extensions to the rear with a hipped roof on the north gable end recently re-covered in natural slate and a tall concrete rendered chimney stack.

The property has an exposed granite finish with single glazed dark stained hard wood timber sliding sash windows/door on the west (front) and north (side) elevations. This proposal is to replace the 7 windows and door on those elevations with double glazed white UPVC units with top hung and tilt & turn opening mechanisms and the same two-pane style as existing.

Certificate: A

Other Land Owners: N/A

Consultations and Publicity

The application has had a site notice on display for 21 days (02/09/2022 – 23/09/2022). The application appeared on the weekly list on 5th September 2022. Due to the nature of the proposal no external consultations are required.

Representations from Residents:

Neighbouring properties written to directly:

- 2 Buzza Street

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

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

[0] letters of representation have been received.

Relevant Planning History:

One item of planning history relevant under the adopted Local Plan and other history below:

- P1938 – Provision of a ground floor kitchen and first floor bathroom. Permitted 1980
- P2308 – Provision of dormer window to existing loft. Refused 1984
- P2318 – Provision of dormer windows to existing attic/loft. Permitted 1984
- P4357 – Replacement windows to rear extension. Permitted 1998

Current IOS Local Plan 2015-2030

- P/21/083/FUL - Replacement of wet laid scantle slate roof covering on the west facing roof slope with dry laid natural slate to match the existing at 1 & 2 Buzza Street. Permitted 23/11/2021

Constraints:

- Area of Outstanding Natural Beauty
- Conservation Area
- Wahroonga, Grade II Listed Building – 30m
- Bell Rock Hotel & White House, Grade II Listed Buildings – 30m
- Historic Landscape Character: Settlement
- St Mary's Flood Prone Land - St Mary's FPL: Mary1

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?	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?	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 of the Conservation Area?	Y
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	N
Other Impacts Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	n/a
Impact on protected trees Will this be acceptable 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/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	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	?

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	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 permission to be granted. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

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		N
Biodiversity Enhancement Measures:	N		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.

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 Plan**
- **Plan 2 Existing Windows & Door**
- **Plan 3 Proposed Window & Door Specification**

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 Policy 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 All waste materials, that cannot be usefully re-used, arising from the windows taken out shall be taken to the Council's waste and recycling site on St Mary's for recycling or disposal, in accordance with the application details, hereby approved.

Reason: To ensure waste is minimised in accordance with the waste hierarchy and 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 tipping of waste or the unsightly storage of waste at the site. In accordance with the requirements of Policies SS2(2) and OE5 of the Isles of Scilly Local Plan (2015 - 2030).

C5 The replacement windows, hereby approved, shall be set back from the outer face of the front wall, to match the position of the existing windows or to a minimum set back position of 8cm whichever is the greater, and shall not be fitted flush with the outer face of stone.

Reason: To preserve and enhance the character and appearance of the conservation area. In accordance with Policy OE7(5) of the Isles of Scilly Local Plan 2015-2030

Print Name:	Lisa Walton	28/10/2022
Job Title:	Chief Planning Officer	
Signed:		

Authorised Officer with Delegated Authority to determine Planning Applications
