

Council of the Isles of Scilly Delegated Planning Report Householder and Listed Building Consent Application

Application Number: P/23/063/HH

UPRN: 000192000803

Received on: 14 August 2023

Valid on: 16 August 2023

Application Expiry date: 11 October 2023

Neighbour expiry date: 6 September 2023

Consultation expiry date: 08/09/2023

Site notice posted: 18 August 2023

Site notice expiry: 8 September 2023

Applicant: Mr And Mrs T Carr

Site Address: Wingletang
The Parade
Hugh Town
St Mary's
Isles Of Scilly
TR21 0LP

Proposal: Internal refurbishment with minor alterations, provision of new staircase and alterations to elevations to rear of property (Listed Building). (AMENDED PLANS)

Application Type: Householder and LBC

Recommendation: PER

Summary Conditions/Reasons for refusal:

LBC conditions

1. Standard time limit
2. Conservation style rooflights
3. Spec of mortar and render

PP Conditions

1. Standard time limit
2. Conservation style rooflights
3. Spec of mortar and render
4. In accordance with approved plans
5. Timing of plant and construction in relation to implementation
6. Site Waste management plan
7. Development relates to single dwelling only

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 Marcus

Date: 16/10/2023 and 19/10/2023

Site Description and Proposed Development

Wingletang is a mid-terraced two storey dwelling on the south side of the Parade in Hugh Town. It has a large two storey rear extension with a flat roof on the rear, and access retained through to Porthcressa Road to the rear/south.

The property was identified and first added to the National Heritage List for England (NHLE) in 1959, which was updated in 1975. It is jointly listed with Trevesa and described as:

SV9010 1358-0/8/105 ST. MARY'S, Hugh Town THE PARADE (south side) Wingletang and Trevesa

06/04/59: GV II House. Early C19. Coarsed and squared granite; Delabole slate roof; end stacks. Double-depth central-entry plan. Wingletang of two storey symmetrical three window range. Two ground floor canted bay windows each with central 10/10-pane sash and 2/2-pane returns; three first floor 6/6-pane sashes; 6/6-pane sashes to hipped dormers with slate-hung cheeks. Early C19 six-panel door (four panels glazed) set under fanlight with radiating glazing bars and semi-circular arch with voussoirs.

Trevesa to right (west) of two storey two window range with plain lintels over horned 10/10-pane sash to ground floor and 6/6-pane sashes to first floor. One storey service ranges to rear, that to Trevesa heightened in mid C20. Interior: includes moulded cornices and panelled doors and shutters. Trevesa was listed on 12/2/75.

The property has been significantly altered (to the rear and internally) over the years but retains a traditional frontage. The applications are supported by a detailed Heritage Impact Assessment which notes the structural evidence and available photographic record and map evidence to suggest the property was originally a two-storey single pile structure with the rear half of the building being added much later.

Certificate: A

Other Land Owners: None

Consultations and Publicity

The application has had a site notice on display for 21 days (18/08/2023 – 08/09/2023). The application appeared on the weekly list on 21st August 2023. Due to the nature of the proposal two external consultations have been required.

Consultee	Date Responded	Summary
Cornwall Archaeological Unit	12.09.2023	We have consulted the Cornwall & Isles of Scilly Historic Environment Record and the submitted documents including the Heritage Impact Assessment (Morris and Associates August 2023) and, in this instance, we consider it unlikely that the proposed alterations will disturb significant fabric or alter the building's historic significance. No archaeological or historic building recording is required, and therefore no archaeological condition is sought.
Cornwall Fire and Rescue Service	29/08/2023	Access for fire appliances within the site will be considered satisfactory providing it complies with Part B5 of Approved Document B, Vehicle Access. Adequate water supplies for firefighting purposes will be achieved by complying with the requirements of Part B5 of Approved Document B. The fire authority would remind the applicant a Building Regulations consultation with the local authority, or an Approved Inspector and the Fire Authority will be required for this development should planning permission be granted.

Representations from Residents:

Neighbouring properties written to directly:

- Pieces of Four, 11 Porthcressa Road
- An Treath, 11 Porthcressa Road
- Beach House, 13 Porthcressa Road
- Beach House Flat, 13 Porthcressa Road
- Roanoake, 9 Porthcressa Road
- Hope and Anchor, Church Street
- Trevessa, Church Street

[X] letters of objection have been received

[X] letters of support have been received:

[1] letters of representation have been received.

As owners of an adjoining property (An Treath) we have a direct interest in this application. We have no fundamental objections to the proposals but (and we recognise that is not a planning issue) we are concerned about the potential disruption that the work may cause to our guests (An Treath is fully let from mid March until the end of October) and more particularly to our elderly neighbour in the ground floor flat. We understand that there is a historic dispute about the right of access to the rear of Wingletown via a passageway from Porthcressa Road and through the back garden of Pieces of Four. We sincerely hope that contractors will not find it necessary to use this route and that all materials will be brought onto site via the front entrance to Wingletang on Church road. Furthermore, we would expect that if any damage is caused to any of the boundaries between our properties these would be made good at no expense to ourselves.

Relevant Planning History:

Application No	Proposal	Decision	Decision Date
P0172	extension to existing scullery-kitchen, and provision for two bedrooms above	Approved	1957
P1063	To convert the existing Guest House into three self-contained flats	Refused	16.12.1971
P1281	1. Provision of dormer windows on the front elevation. 2. First Floor rear extension, 3. Roof lights at the rear main elevation.	Approved	30.04.1974
P3583	Extension and installation of en suite facilities.	Approved	23.11.1993

Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast
- Grade II Listed Building:
 - ID: DCO14287. Grade: II. Name: SHALOM AND TREVESSA AND WINGLETANG
 - ID: DCO14327. Grade: II. Name: CREBINNICK AND CREBINNICK HOUSE, HOUSE ADJOINING TO EAST, HAZELDENE, THURLEIGH AND RAVEEN AND HAZELDENE
- Historic Landscape Character: Landscape Type: Settlements.
- Flood: 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?	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

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
Within an Archaeological Constraint Area	n
Other Impacts	y
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	y
Are the Water connection/foul or surface water drainage details acceptable?	y
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
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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	n
Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements	y
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	y
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 a any site specific sustainable design measures	y
Is a condition required to secure a Sustainable Design Measures	n

Listed Building 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	Y

substantial harm to the significance of the listed building?	
Having regard to your answers above, is the application considered to be acceptable?	y

Analysis: There are internal alterations to the building including altered trusses, to utilise the roof space. It notes the only decorative feature is the *arched opening, on the ground floor, through the thin spine wall between the entrance hall and stair halls and the doorcase – but not the glazed door – from the hall into the front west room or lounge.* The HIA also notes that *it appears that there were originally front and rear rooms on either side of this central core. The present dining room to the east of the hallway now stretches from the front wall to the original rear wall – and a window looking into the modern lightwell. However, its size is the result on the intervening section of the spine wall being removed, leaving a down-stand in the ceiling.* Although it is noted the staircase position and basic carcass are probably original and in their original location, the report notes they have been much altered.

The proposal is to make general improvements to the external elevation, repairs to the roof, dormers, replacement of the Velux brand rooflights. Minor lime mortar repairs to the front boundary wall along church street. Both details should be addressed in a condition to ensure a conservation roof light is installed and that an appropriate specification of lime mortar and render are applied.

In terms of sash and casement windows on the original dwelling, the application notes these are original and rotted timber will be spliced out and replaced with new timber. Generally, such repairs would not require LBC, but the approach stated is supported. Additionally sash windows will be re-corded and replacement of the parting beads as necessary and the insertion of draught strips. All repainted-on completion. The rear dining room window, which is noted as not original, will be repaired and restored to match the others with the addition on a slim double-glazed unit. A sash window will be re-inserted on the doorway created to access the owner's bedroom.

The windows and doors on the modern rear extension are all upvc and will be upgraded to high performance upvc replacements. The rear dining room window will be enlarged to a sliding folding door. The rear flat roof will be repaired. A new section or rear wall will be constructed, and external service pipes will be re-routed where possible to conceal them from visual clutter on the back of the property.

Internally the staircase will be repositioned and in relation to the stated likely originality of the existing stair, I note that this is likely to be in its original position but heavily modified and altered. The Heritage Impact Assessment author notes the stair has been changed as a result of the significantly altered interior and as a result of the modern rear extension. It is noted that only a small portion of the original bit survives. Its context as part of a stair has thus been eroded, as has the context of the original layout. Given that the staircase is likely to have been rebuilt utilising original components, and the alterations made to better reveal the original internal appearance of the dwelling will be delivered, there seems to be benefits that outweigh the harm of losing the original position of the now much altered stair in this case.

Overall the proposal will see some significant improvements both internally and externally and whilst some harm will arise as a result of the repositioned stairs, the harm in this case is less than substantial and there are wider benefits to the restoration of this building in terms of repairs to the property which will better reveal its significance.

I have found no conflict with the wider character of the conservation area and no amenity issues for neighbouring property. The use of part of the ground floor for owners is not being regularized and it is important, for the avoidance of doubt to clarify that this is not a material change of use of the property into multiple units. No lawful use as more than one dwelling has been established. A previous guesthouse operated for many years but no formal consent was granted to secure the property as a guesthouse. The current owner has not continued to operate as a guesthouse and on this basis its lawful use is recognized as a single dwelling. Whilst it would appear to be of a size that lends itself to being split, the curtilage does not and no application has been made to split the property into multiple units.

Based on the plans submitted and the conditions set out below the application is recommended for approval.

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 granting listed building consent. 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	

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

Recommended LBC 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 rooflights to the development hereby approved shall be of the 'conservation type', with a metal frame flush with the roof slope and a central vertical metal glazing bar.

Reason: To ensure that the rooflights are appropriate to the character and appearance of the building in accordance with Policy OE7 the Isles of Scilly Local Plan 2015-2030.

C3 Prior to their use on site, a detailed schedule of all mortar mixes, plaster and renders to be used shall be submitted to and approved in writing by the Local Planning Authority. Once the specification has been agreed the works shall take place in accordance with this specification.

Reason: To ensure that the details are appropriate to the architectural and historic character of the building of special architectural or historic interest.

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Reason: To ensure that the details are appropriate to the architectural and historic character of the building of special architectural or historic interest.

- C4 The development hereby permitted shall be carried out in accordance with the approved details only including:**

- Plan 1 Location Plan, drawing number: 20297 L (-) 01
- Plan 2 Proposed Rear Elevation AMENDED, drawing number: 20297 L 15A
- Plan 3 Proposed Rear Elevation Demolitions AMENDED, drawing number: 20297 L 25A
- Plan 4 Proposed West Elevation AMENDED, drawing number: 20297 L 27A
- Plan 5 Proposed West Elevation Demolitions AMENDED, drawing number: 20297 L 17A
- Plan 6 Proposed Roof Plan, drawing number: 20297 L 24
- Plan 7 Proposed Roof Plan Demolitions, drawing number 20297 L 24
- Plan 8 Proposed Section AMENDED, drawing number 20297 L 26A
- Plan 9 Proposed Section Demolitions AMENDED, drawing number 20297 L 16A
- Plan 10 Proposed Ground Floor Plan AMENDED, drawing number 20297 L 21A
- Plan 11 Proposed Ground Floor Plan Demolitions AMENDED, drawing number 20297 L 11A
- Plan 12 Proposed First Floor Plan AMENDED, drawing number: 20297 L 22A
- Plan 13 Proposed First Floor Plan Demolitions AMENDED, drawing number 12A
- Plan 14 Proposed Second Floor Plan, drawing number 20297 L 23
- Plan 15 Proposed Second Floor Plan Demolitions, drawing number 20297 L 13
- Plan 16 Proposed East Elevation, drawing number 20297 L 28
- Heritage Impact Assessment, Richard K Morriss & Associates August 2023
- Design and Access Statement by C Carr Architect Aug 2023
- Preliminary Roost Assessment Ref: 23-7-3 Report Date 23/007/2023 by IOS Ecology

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).

- C5 No construction plant and/or machinery shall be operated on the premises, as part of the implementation of this permission, before 0800 hours on Mondays through to Saturdays nor after 1800 hours. There shall be no**

works involving construction plant and/or machinery on a Sunday or Public or Bank Holiday.

Reason: In the interests of protecting the residential amenities of the islands.

- 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 adequate consideration is given to the minimisation of unnecessary waste generation, and adherence to the waste hierarchy, in accordance with the requirements of Policy SS2 (2) and Policy OE5 of the Isles of Scilly Local Plan 2015-2030.

- C7 The development hereby permitted relates to a single dwelling only. No consent has been sought or granted for any part of this property to be occupied as a separate dwelling. The property shall not be occupied as multiple units of residential accommodation. The owner or operator shall maintain a register of all occupants for each calendar year. This shall be made available on request for inspection by any duly authorised officer of the Local Planning Authority.**

Reason: To ensure that the development is occupied as single dwelling and for the avoidance of doubt.

Print Name:	Lisa Walton	04/12/2023
Job Title:	Chief Planning Officer	
Signed:		
Authorised Officer with Delegated Authority to determine Planning Applications		