

Council of the Isles of Scilly

Delegated Planning Report

Reserved Matters

Application Number: P/24/027/REM

UPRN: 000192002798

Received on: 26 March 2024

Valid on: 2 April 2024

Application Expiry date: 5 September 2025

Neighbour expiry date: 24 April 2024

Site notice posted: 4 April 2024

Site notice expiry: 25 April 2024

EoT: 05/09/2025

Applicant: Nicola Stinson, Council of the Isles of Scilly

Site Address: Land To North Of Ennor Farm

Old Town Lane

Old Town

St Mary's

Isles Of Scilly

Proposal: Reserved Matters application for appearance of dwellings for outline approval of planning permission P/21/002/OUT dated 12th April 2021 for 12 detached and semi-detached self-build homes (Major Development).

Application Type: Approval of Reserved Matters

Recommendation: Approved

Summary Conditions

- C1 Two year time limit.
- C2 In accordance with approved plans and documents
- C3 The external materials to be used in the construction of the dwellings shall be as specified in the submitted materials schedule
- C4 The means of enclosure shall be implemented in accordance with the approved details
- C5 Appearance in accordance with approved details
- C6 All conditions of the outline to be complied with
- C7 All finishes and colours in accordance with Design codes
- C8 Prior to occupation, submission of evidence of compliance with self/custom housebuilding.

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 application¹
- Not a departure from the Development Plan ✓
- Not Called in ✓

Lead Member Planning Agreed

Name: Cllr D Marcus | Date: 07/05/2024

Site Description and Proposed Development

Permission was granted for [P/21/002/OUT](#) [Outline planning application for 12 detached and semi-detached self-build homes with appearance as a reserved matter (Major Development) (Amended Plans)] on Thursday 13th April 2021. The [Committee Report](#) and [Decision Notice](#) are available via the links. This application (P/24/027/REM) is for the approval of the reserved matter, the appearance of the dwellings.

Consultations and Publicity

The application has had a site notice on display for 21 days (03/04/2024-25/04/2024). The application appeared on the weekly list on 5th October 2020. A single external consultation response was received from Cornwall Fire & Rescue Service.

Consultee	Date Responded	Summary
Cornwall Fire & Rescue	03 May 2024	<p>Access for fire appliances within the site will be considered satisfactory providing it complies with Part B5 of Approved Document B, Vehicle Access.</p> <p>Adequate water supplies for firefighting purposes will be achieved by complying with the requirements of Part B5 of Approved Document B.</p> <p>As this is a 'major development' we would advise a consultation takes place between the fire authority</p>

¹The Lead Member for Planning has confirmed, in discussions with Councillors, that the application for the determination of the 'appearance' of the homes, does not change any other aspect of the decision, as made in 2021 at the outline stage. Authority has therefore been given to officers to determine this reserved matters application under delegated authority.

		and LABC or the Approved Inspector during the building control consultation process to ensure sufficient firefighting water supplies/hydrants are installed as part of the development build if granted.
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Representations from Residents:

Neighbouring properties written to directly: **15**

[0] letters of objection have been received.

[0] letters of support have been received.

[0] letters of representation have been received.

Relevant Planning History:

[P/21/002/OUT](#): Outline planning application for 12 detached and semi-detached self-build homes with appearance as a reserved matter (Major Development) (Amended Plans). Permitted on Thursday 13th April 2001.

[P/25/018/ROV](#): Variation of Condition C9 Application to vary condition C9 (Principal Residents Condition) of planning permission P/21/002/OUT (Outline planning application for 12 detached and semi-detached self-build homes with appearance as a reserved matter (Major Development) (Amended Plans)) to change the trigger point for entering a S106. Permitted: 27 June 2025 to vary condition C9, now requiring the legal agreement only prior to commencement, not prior to Reserved Matters approval.

Conditions relating to access, layout, scale, and landscaping were previously addressed and discharged under:

- **P/22/002** – Access and layout
- **P/22/038** – Scale and landscaping
- **P/22/043** – Additional site-specific details

Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast
- Scheduled Monument: Ennor Castle approximately 5m to the south of the site

Planning Assessment

Scope of Current Application

This application seeks approval solely for the **appearance** of the 12 dwellings.

The submitted plans include:

- Elevations and sections for house types D, E, and F
- Roof plans and proposed materials
- Means of enclosure details
- Visual coherence and architectural treatment



Figure 1 Site Layout as previously approved in Outline and showing the house types D, E and F

Assessment of Appearance



Figure 2 House Types (L-R) D (semi), E (DET) and F (DET)

Design Quality

- The dwellings are designed with a contemporary rural vernacular, using pitched roofs, natural materials (timber cladding, slate roofing), and simple forms.
- The architectural detailing is modest and appropriate to the Isles of Scilly context, avoiding urbanised or overly modern features.

Visual Integration

- The proposed appearance complements the previously approved layout and landscaping scheme.

- The use of muted tones and natural finishes will help the development blend into the surrounding landscape and built environment.

Variation Across Units

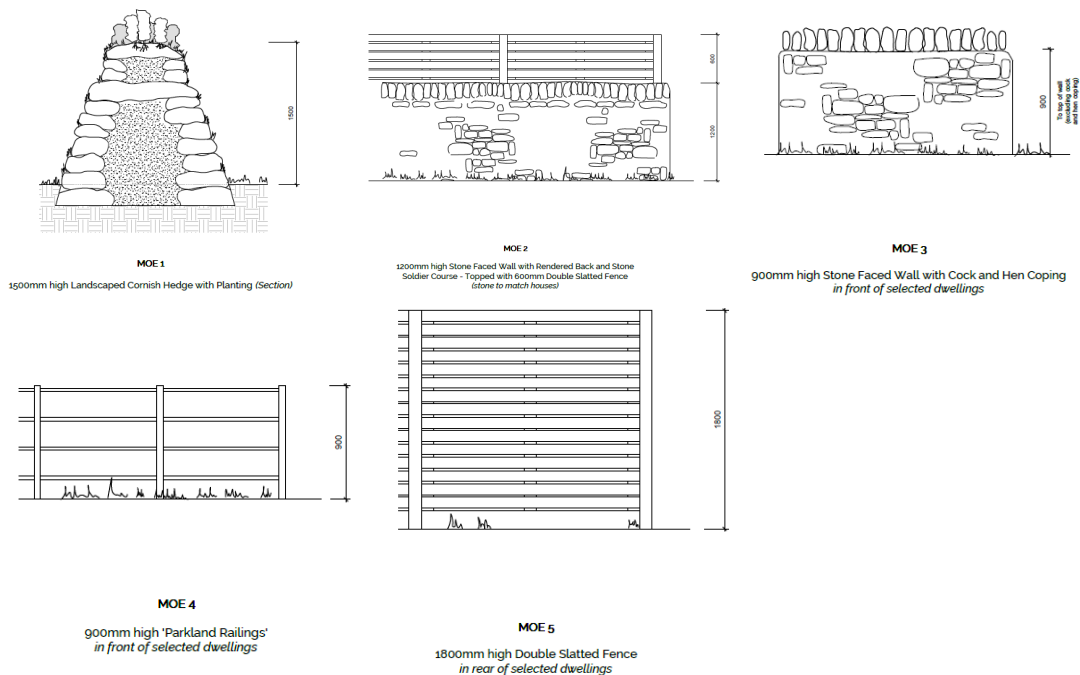
- While there are three house types (D, E, F), the variation is subtle and maintains a coherent visual identity across the site.
- The differences in fenestration and roof form provide individuality without compromising overall harmony.



Figure 3 View of the main elevation from Old Town Lane

Means of Enclosure

- The submitted details show low stone walls and hedging, consistent with local character and previously approved landscaping.



Doors

- **Material:** Composite timber
- **Colour:** *To be confirmed* (TBC) – the application does not specify an exact colour at this stage

Windows

- **Material:** Timber
- **Colour:** *To be confirmed* (TBC) – again, the colour is not finalised in the

current submission

Additional Relevant Materials

- **Roofing:** Natural slate tile
- **Plinth/Base:** Natural stone
- **Rainwater Goods:** Colour-coated aluminium gutters and downpipes – colour TBC
- **Solar Panels:** Integrated into roof design

Given the approval of a set of Design Codes under P/21/002/OUT it is reasonable to condition that the colour and finishes are in accordance with the outline permission. A condition is therefore recommended to achieve this.

Confirmed Self-Build Delivery Route

- Seven of the twelve plots have been allocated to eligible self-builders via the Council's Self-Build Register and Allocations Policy.
- These applicants have actively participated in design development, confirming the **customisation element** required under the Self-build and Custom Housebuilding Act 2015.

Design Engagement

- Applicants have worked with KTA Architects to adapt standard house types, including internal layout changes, materials, and finishes.
- This supports the definition of **custom-build**, where individuals have significant input into the design.

Phased Delivery

- Phase 1: Enabling works funded via BLRF and other grants.
- Phase 2: Homes constructed by self-builders using their own capital/mortgages.
- Remaining five plots will be allocated in a second phase, following the same self-build eligibility and design input process.

Shell-to-Watertight Option

- Six of the seven applicants may opt for a shell build to watertight stage, which still qualifies as self-build if the internal fit-out and final design decisions remain with the individual.

Given that not all 12 homes are currently attached to a self-builder, it is appropriate to condition details to be submitted, prior to occupation of the homes to ensure the self-build nature of the scheme, as established at the outline stage, is achieved.

Applicant Clarification

The Reserved Matters application (P/24/027/REM) has been submitted jointly by the Council of the Isles of Scilly and Cornwall Community Land Trust (CCLT), as confirmed in supporting correspondence. The letter dated 12 March 2025

outlines the delivery arrangements and the role of CCLT in coordinating the self-build scheme. As Reserved Matters applications do not require an ownership certificate, the identity of the applicant is not material to the determination of the application. A change in the name of the applicant from CCLT to CIOS is therefore not a material consideration at this stage.

Delegated Authority

Although the land is owned by the Council, the principle of development was established through the outline planning permission (P/21/002/OUT), which was approved by Full Council. The current Reserved Matters application (P/24/027/REM) relates solely to the appearance of the dwellings and does not introduce new material planning considerations. In accordance with the Council's Planning Protocol (2021 Update) and Scheme of Delegation, and with agreement from the Lead Member for Planning, the Chief Planning Officer is authorised to determine this application under delegated powers.

Conclusion

The proposed appearance of the 12 self-build dwellings is considered acceptable and in accordance with:

- The design principles established in the outline approval
- The Isles of Scilly Local Plan policies on design and character
- The previously approved layout, scale, and landscaping
- Appropriate conditions would ensure the homes are secured in perpetuity for local need and are in accordance with the self-build nature, as granted at the outline stage.

Recommendation

Approve the Reserved Matters application **P/24/027/REM** relating to **appearance**, subject to compliance with all other relevant conditions of the outline permission and the legal agreement required under the varied condition C9.

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.

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.

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).

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.

Conditions

- C1 The development hereby approved shall be begun not later than the expiration of two years from the date of this Reserved Matters approval.**
Reason: To comply with the requirements of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- C2 The development hereby permitted shall be carried out in accordance with the approved details only including:**
- Design and Access Statement, KTA dated March 2024
 - Drawing No. 2002-SC-KT-XX-XX-DR-A-SK270-S0 P2, House type D - Typical Elevations, date stamped 26 March 2024
 - Drawing No. 2002-SC-KT-XX-XX-DR-A-SK260-S0 P2, House Type D - Typical Plans, date stamped 26 March 2024
 - Drawing No. 2002-SC-KT-XX-XX-M3-A-2002-SK290-S0 P2, House Type E - Typical Elevations, date stamped 26 March 2024
 - Drawing No. 2002-SC-KT-XX-XX-M3-A-2002-SK280-S0 P2, House Type E - Typical Plans, date stamped 26 March 2024
 - Drawing No. 2002-SC-KT-XX-XX-M3-A-2002-SK310-S0 P3, House Type F - Typical Elevations, date stamped 26 March 2024
 - Drawing No. 2002-SC-KT-XX-XX-M3-A-2002-SK300-S0 P3, House Type F - Typical Plans, date stamped 26 March 2024
 - Drawing No. SC-KT-XX-XX-DR-A-2002-SO-SK001 P2, Location Pan,

Date stamped 26 March 2024

- **Drawing No. SC-KT-XX-XX-M3-A-2002-SO-0205 P1, Means of Enclosure, Date stamped 26 March 2024**
- **Drawing No. SC-KT- XX-XX-DR-A-2002-S0-0201 P1, Roof Plan, Date stamped 26 March 2024**
- **Drawing No. SC-KT- XX-XX-DR-A-2002-S0-0203 P1, Proposed Site Sections and Elevations, Date stamped 26 March 2024**
- **Drawing No. SC-KT- XX-XX- M3-A-2002-S0-0206 P1, Proposed Site Block Plan, Date stamped 26 March 2024**
- **Drawing No. SC-KT- XX-XX-DR-A-2002-S0-0200 P1 Proposed Site Plan Ground Level, Date stamped 26/03/2025**
- **Design Codes ALA Architects, as approved under P/21/002/OUT 12 April 2021**
- **Design Statement, KTA, Ref: 2002_Ennor Housing, Isles of Scilly, date stamped 26 March 2024**

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 of the Isles of Scilly Local Plan 2015-2030.

- C3 The external materials to be used in the construction of the dwellings shall be as specified in the submitted materials schedule unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To ensure a high-quality appearance that is appropriate to the character of the Isles of Scilly Conservation Area, in accordance with Policy OE7 of the isles of Scilly Local Plan 2015-2030.

- C4 The means of enclosure shall be implemented in accordance with the approved details prior to the occupation of each dwelling.**

Reason: To ensure the visual integration of the development and maintain local character that enhances the character of the Conservation Area, in accordance with Policy OE7 of the isles of Scilly Local Plan 2015-2030.

- C5 The appearance of each dwelling shall be constructed in accordance with the approved plans and shall not be altered without the prior written approval of the Local Planning Authority.**

Reason: To maintain consistency with the approved design and ensure the development remains in keeping with its surroundings.

- C6 All conditions attached to the outline planning permission P/21/002/OUT, as varied by P/25/018/ROV and discharged under P/22/002, P/22/038, and P/22/043, shall continue to apply and be complied with in full unless otherwise varied or discharged.**

Reason: To ensure compliance with the overarching outline permission and associated requirements.

- C7 All finishes and colours of external doors, windows, rainwater goods, or**

timber cladding shall be in accordance with the palette and principles set out in the approved Design Codes (Ref: ALA Architects) document under outline permission P/21/002/OUT only and maintained as such thereafter.
Reason: To ensure that the external appearance of the development reflects the local character and complies with the design principles established in the approved Design Codes.

- C8** Prior to the first occupation of any dwelling hereby approved, the applicant or site owner, shall submit to the Local Planning Authority evidence that each dwelling has been constructed in accordance with the definition of self-build or custom housebuilding as set out in the Self-build and Custom Housebuilding Act 2015 (as amended). This shall include evidence of individual input into the design and construction process, as appropriate.

Reason: To ensure the development complies with the self-build and custom housebuilding principles upon which the outline planning permission was granted.

Print Name: Lisa Walton

05/09/2025

Job Title: Chief Planning Officer

Signed:



Authorised Officer with Delegated Authority to determine Planning Applications
