IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

COUNCIL OF THE ISLES OF SCILLY

Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD
Telephone: 01720 424455 – Email: planning@scilly.gov.uk

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2015

PERMISSION FOR DEVELOPMENT

Application No:	**P/24/046/FUL**	**Date Application Registered:**	**02 July 2024**

Applicant: **Mr Mark Hampton**
25 Park Lane,
Bonehill,
Tamworth,
Staffordshire,
B78 3HY

Site address: Riviera House The Parade Hugh Town St Mary's Isles of Scilly
Proposal: Removal of entire wet laid scantle slate roof and replacement with dry laid natural slate (Listed Building)

In pursuance of their powers under the above Act, the Council hereby **PERMIT** the above development to be carried out in accordance with the following 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 Block Plan, drawing number TQRQM24135121400860, dated 14 May 2024**
- **Plan 3 Proposed Roof Detail, dated 6 May 2024**
- **Plan 4 Proposed Roof Detail Annotated, date stamped 1 July 2024**
- **Plan 5 Design & Access Statement, date stamped 1 July 2024**
- **Plan 6 Heritage Impact Assessment, date stamped 17 June 2024**
- **Plan 7 Site Waste Management Plan, date stamped 1 July 2024**
- **Plan 8 Bat Presence/Absence Survey, Ref: 23-11-2, dated 9th June 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 and OE7 of the Isles of Scilly Local Plan (2015-2030).

C3 **The roof shall be covered with natural slates only, as identified in the submitted documents listed in condition C2 above using corrosion resistant fixings. The roof shall be retained as approved thereafter.**

Reason: In the interests of the special architectural character of the Listed Building and to preserve the character and appearance of the Conservation Area. In accordance with policies OE7 of the Isles of Scilly Local Plan 2015-2030.

C4 **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.

C5 **There development, hereby permitted, shall be carried out in accordance with the Bat Mitigation Measures as detailed in the Specification for mitigation and compensation (Plan 8 in condition 2 above, specifically section 4.3.2 of the Bat Presence and Absence Survey), dated 09/06/2024 and under the specific requirements of a European Protected Species Mitigation License (EPSML). The EPSML will need to be in place before works commence. Once fully implemented the bats' roost area and agreed openings shall be permanently maintained.**
Reason: To retain control over the development to safeguard bats and their roosts which are specifically protected by law.

Further Information

1. In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework 2023.
2. In accordance with the provisions of Section 96A of the Town and Country Planning Act which came into force on 1st October 2009, any amendments to the approved plans will require either a formal application for a non-material amendment or the submission of a full planning application for a revised scheme. If the proposal relates to a Listed Building you will not be able to apply for a non-material amendment and a new application for a revised scheme will be required. Please discuss any proposed amendments with the Planning Officer. There is a fee to apply for a non-material amendment and the most up to date fee will be charged which can be checked here: https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
3. As the proposed works affect the boundary with a neighbouring property, this decision does not convey any other form of consent or agreement that may be necessary in conjunction with these works and does not override or supersede any civil rights, which the neighbour may have. The attention of the applicant is drawn to the information contained in the Party Wall etc. Act 1996.
4. This decision is not a determination under the Building Regulations. Please ensure that all building works accord with the Building Regulations and that all appropriate approvals are in place for each stage of the build project. You can contact Building Control for further advice or to make a building control application: buildingcontrol@cornwall.gov.uk.
5. The Applicant is reminded of the provisions of the Wildlife and Countryside Act 1981 and the E.C. Conservation (Natural Habitats) Regulations Act 1994, the Habitat and Species Regulations 2012 and our Natural and Environment and Rural Communities biodiversity duty. This planning permission does not absolve the applicant from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licences required, as described in part IV B of Circular 06/2005. Care should be taken during the work and if bats are discovered, they should not be handled, work must stop immediately, and a bat warden contacted. Extra care should be taken during the work, especially when alterations are carried out to buildings if fascia boards are removed as roosting bats could be found in these areas. If bats are found to be present during work, they must not be handled. Work must stop immediately, and advice sought from licensed bat wardens. Call The Bat Conservation Trust's National Bat Helpline on 0845 1300 228 or Natural England (01872 245045) for advice.

Signed:

Chief Planning Officer
Duly Authorised Officer of the Council to make and issue Planning Decisions on behalf of the Council of the Isles of Scilly.

DATE OF ISSUE: 05 September 2024

COUNCIL OF THE ISLES OF SCILLY

Planning Department
Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD
0300 1234 105
planning@scilly.gov.uk

Dear Mr Mark Hampton

Please sign and complete this certificate.

This is to certify that decision notice: P/24/046/FUL and the accompanying conditions have been read and understood by the applicant: Mr Mark Hampton.

1. **I/we intend to commence the development as approved:** Removal of entire wet laid scantle slate roof and replacement with dry laid natural slate (Listed Building) at: Riviera House The Parade Hugh Town St Mary's Isles Of Scilly **on**:.....

2. I am/we are aware of any conditions that need to be discharged before works commence.

3. I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.

You are advised to note that Officers of the Local Planning Authority may inspect the project both during construction, on a spot-check basis, and once completed, to ensure that the proposal has complied with the approved plans and conditions. In the event that the site is found to be inaccessible then you are asked to provide contact details of the applicant/agent/contractor (delete as appropriate):

Name: **Contact Telephone Number:**
And/Or Email:

Print Name:

Signed:

Date:

Please sign and return to the **above address** as soon as possible.

COUNCIL OF THE ISLES OF SCILLY

Planning Department
Old Wesleyan, Garrison Lane , St Mary's, Isles of Scilly, TR21 0JD
01720 424455
planning@scilly.gov.uk

THIS LETTER CONTAINS IMPORTANT INFORMATION REGARDING YOUR PERMISSION – PLEASE READ IF YOU ARE AN AGENT DEALING WITH IS ON BEHALF OF THE APPLICANT IT IS IMPORTANT TO LET THE APPLICANT KNOW OF ANY PRE-COMMENCMENT CONDITIONS

Dear Applicant,

This letter is intended to help you advance your project through the development process. Now that you have been granted permission, there may be further tasks you need to complete. Some aspects may not apply to your development; however, your attention is drawn to the following paragraphs, which provide advice on a range of matters including how to carry out your development and how to appeal against the decision made by the Local Planning Authority (LPA).

Carrying out the Development in Accordance with the Approved Plans
You must carry out your development in accordance with the stamped plans enclosed with this letter. Failure to do so may result in enforcement action being taken by the LPA and any un-authorised work carried out may have to be amended or removed from the site.

Discharging Conditions
Some conditions on the attached decision notice will need to be formally discharged by the LPA. In particular, any condition that needs to be carried out prior to development taking place, such as a 'source and disposal of materials' condition, an 'archaeological' condition or 'landscaping' condition must be formally discharged prior to the implementation of the planning permission. In the case of an archaeological condition, please contact the Planning Department for advice on the steps required. Whilst you do not need to formally discharge every condition on the decision notice, it is important you inform the Planning Department when the condition advises you to do so before you commence the implementation of this permission. Although we will aim to deal with any application to discharge conditions as expeditiously as possible, you are reminded to allow up **to 8 weeks** for the discharge of conditions process.

Please inform the Planning Department when your development or works will be commencing. This will enable the Council to monitor the discharge and compliance with conditions and provide guidance as necessary. We will not be able to provide you with any written confirmation on the discharge of pre-commencement conditions if you do not formally apply to discharge the conditions before you start works.

As with the rest of the planning application fees, central Government sets a fee within the same set of regulations for the formal discharge of conditions attached to planning permissions. Conditions are necessary to control approved works and development. Requests for confirmation that one or more planning conditions have been complied with are as follows (VAT is not payable on fees set by central government). More information can be found on the Council's website:

- Householder permissions - £43per application
- Other permissions - £145 per application

Amendments
If you require a change to the development, contact the LPA to see if you can make a 'non material amendment' (NMA). NMA can only be made to planning permissions and not a listed building consent. They were introduced by the Government to reflect the fact that some schemes may need to change during the construction phase. The process involves a short application form and a 14 day consultation period. There is a fee of £43 for householder type applications and £293 in all other cases. The NMA should be determined within 28 days. If the change to your proposal is not considered to be non-material or minor, then you would need to submit a new planning application to reflect those changes. Please contact the Planning Department for more information on what level of amendment would be considered non-material if necessary.

Appealing Against the Decision
If you are aggrieved by any of the planning conditions attached to your decision notice, you can appeal to have specific conditions lifted or modified by the Secretary of State. All appeal decisions are considered by the Planning Inspectorate – a government department aimed at providing an unbiased judgement on a planning application. From the date of the decision notice attached you must lodge an appeal within the following time periods:

- Householder Application - 12 weeks
- Planning Application – 6 months
- Listed Building Consent – 6 months
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Lawful Development Certificate – None (unless for LBC – 6 months)
- Other Types - 6 months

Note that these periods can change so you should check with the Planning Inspectorate for the most up to date list. You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

You find more information on appeal types including how to submit an appeal to the Planning Inspectorate by visiting https://www.gov.uk/topic/planning-development/planning-permission-appeals or you can obtain hard copy appeal forms by calling 0303 444 5000. Current appeal handling times can be found at: Appeals:

How long they take page.

Building Regulations
With all building work, the owner of the property is responsible for meeting the relevant Planning and Building Regulations. Building Regulations apply to most building work so it is important to find out if you need permission. This consent is to ensure the safety of people
in and around buildings in relation to structure, access, fire safety, infrastructure and appropriate insulation.

The Building Control function is carried out on behalf of the Council of the Isles of Scilly by Cornwall Council. All enquiries and Building Control applications should be made direct to Cornwall Council, via the following link Cornwall Council. This link also contains comprehensive information to assist you with all of your Building Control needs.

Building Control can be contacted via telephone by calling 01872 224792 (Option 1), via email buildingcontrol@cornwall.gov.uk or by post at:

Building Control
Cornwall
Council Pydar
House Pydar
Street Truro
Cornwall
TR1 1XU

Inspection Requests can also be made online:
https://www.cornwall.gov.uk/planning-and- building-control/building-control/book-an-inspection/

Registering/Altering Addresses
If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

Connections to Utilities
If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 08000831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.

Location Plan

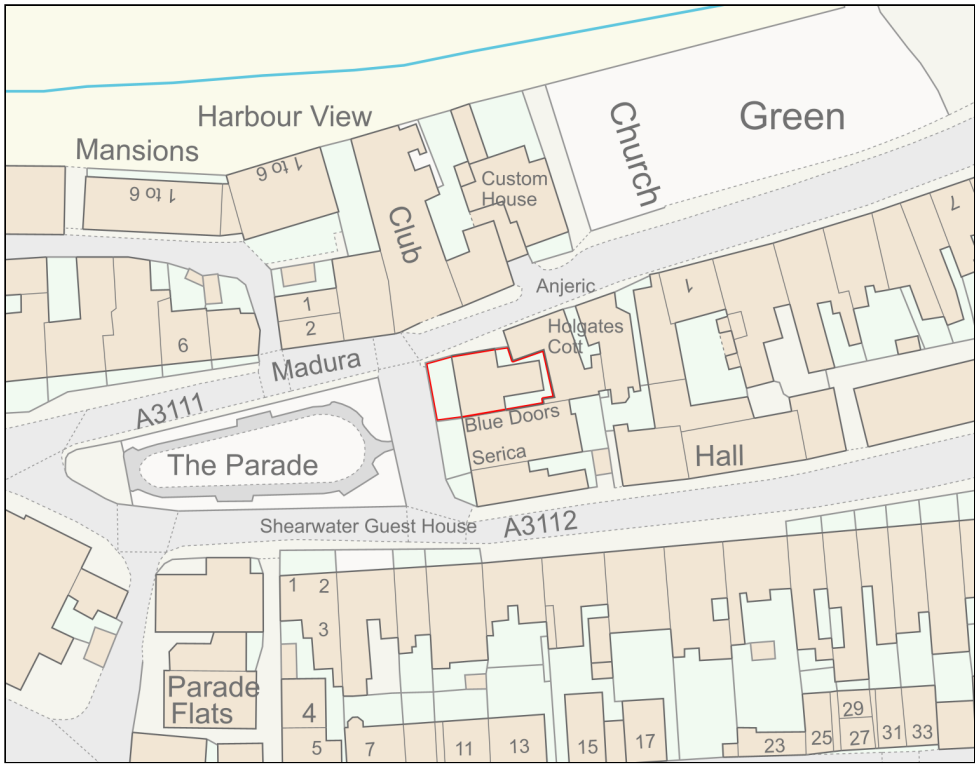
Site Address: **Riviera House, The Parade, Hugh Town, St Mary's, TR21 0LP**

PlanningPortal

Date Produced: **14-Jun-2024**

RECEIVED
By Liv Rickman at 4:56 pm, Jun 17, 2024

Scale: **1:1250 @A4**



APPROVED
By Lisa Walton at 3:44 pm, Sep 05, 2024

Planning Portal Reference: **PP-12625727v1**

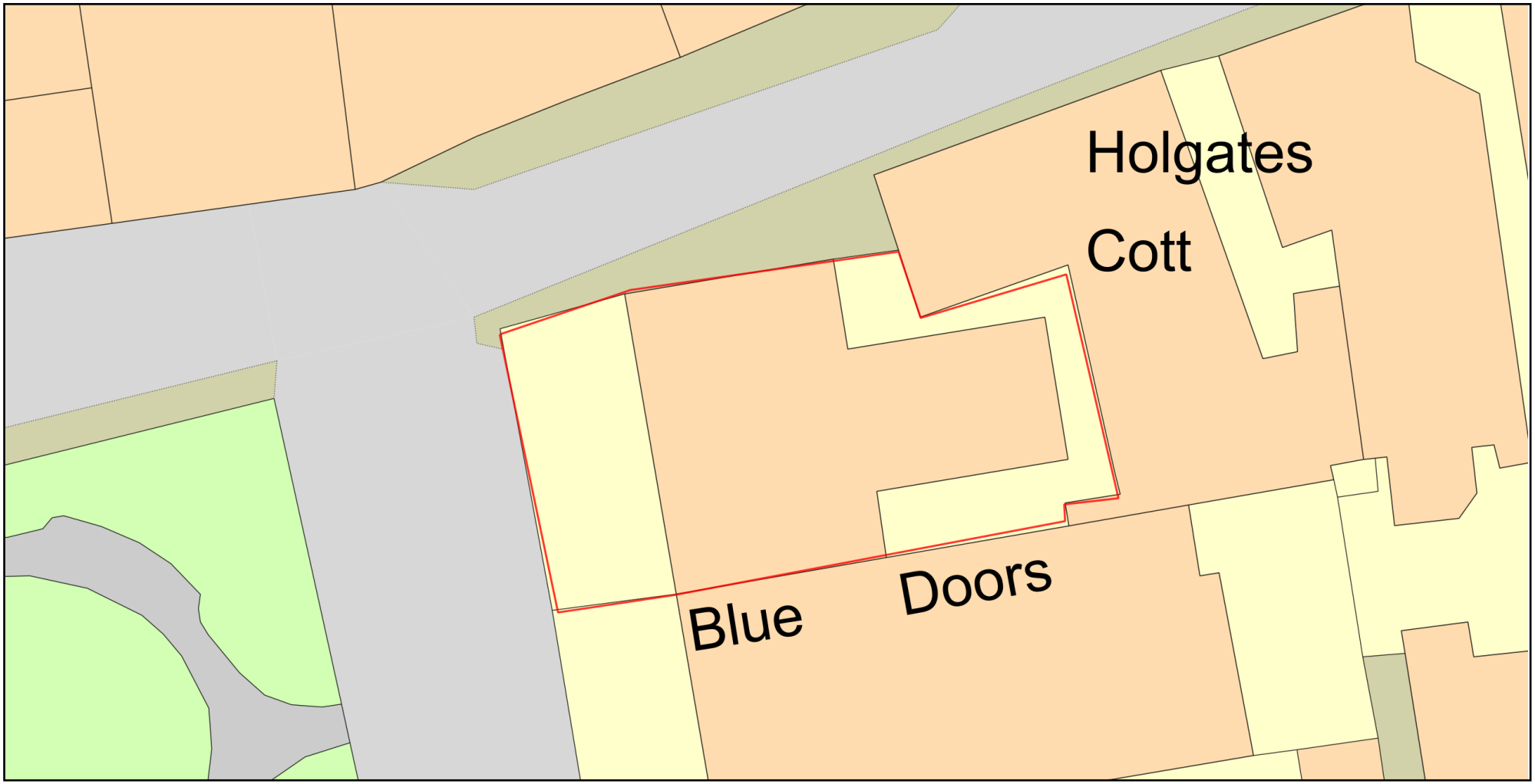
0 50
Metres

Powered By TerraQuest

RECEIVED
By Liv Rickman at 4:55 pm, Jun 17, 2024

Riviera site/block plan

APPROVED
By Lisa Walton at 3:45 pm, Sep 05, 2024



ReQuestaPlan

Plan Produced for: Mark Hampton

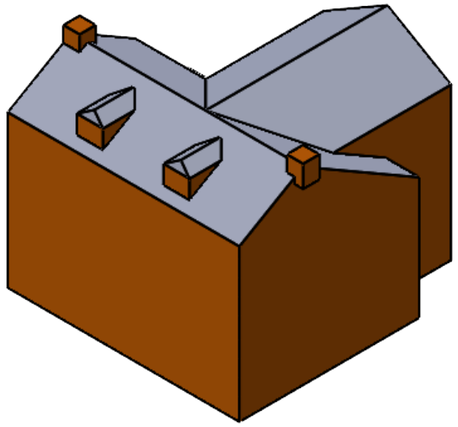
Date Produced: 14 May 2024

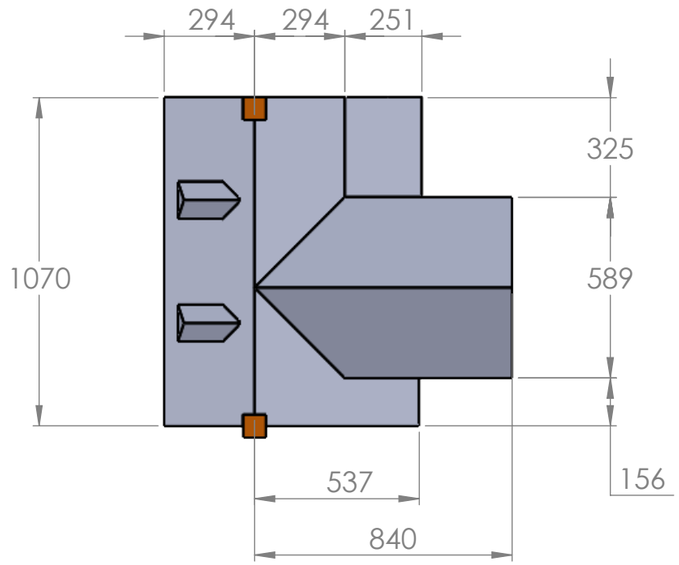
Plan Reference Number: TQRQM24135121400860

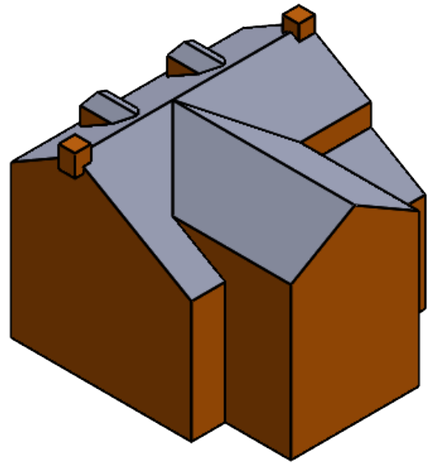
Scale: 1:200 @ A4

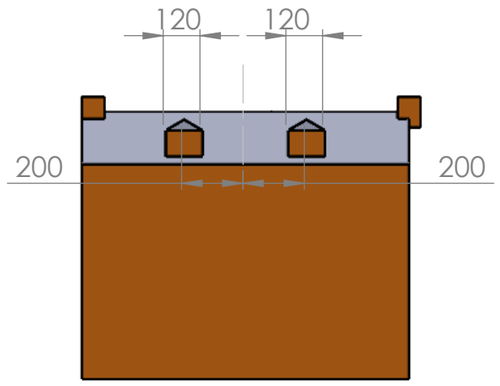
Proposed Natural Slate Roof to replace all scantle slate

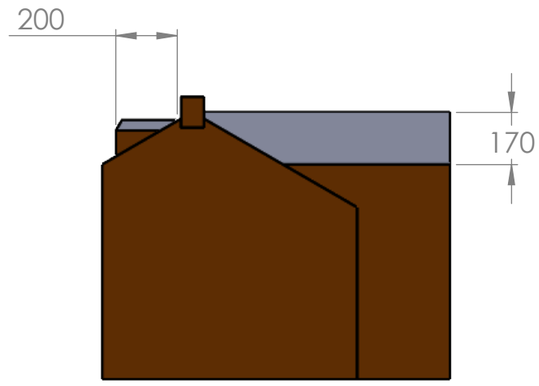
Areas shown in grey

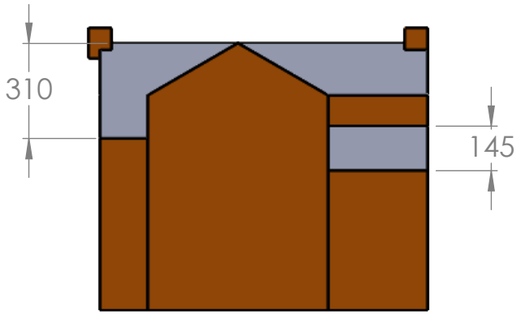


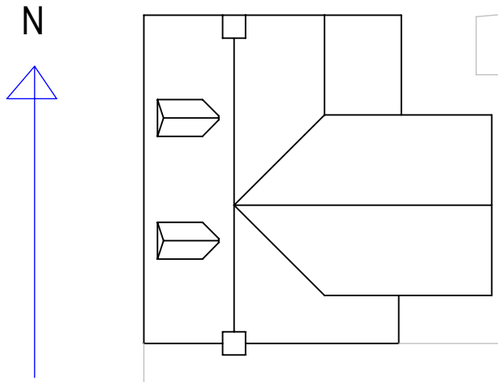












RECEIVED
By Liv Rickman at 4:56 pm, Jun 17, 2024

APPROVED
By Lisa Walton at 3:45 pm, Sep 05, 2024

Proposed Roof Detail
Riviera House
The Parade
St. Mary's
Isles of Scilly

Mr M Hampton & Mrs D Ethheridge

Scale 1:200
Dims in cm

Date 6th May 2024

RIVIERA HOUSE Roof replacement Proposal

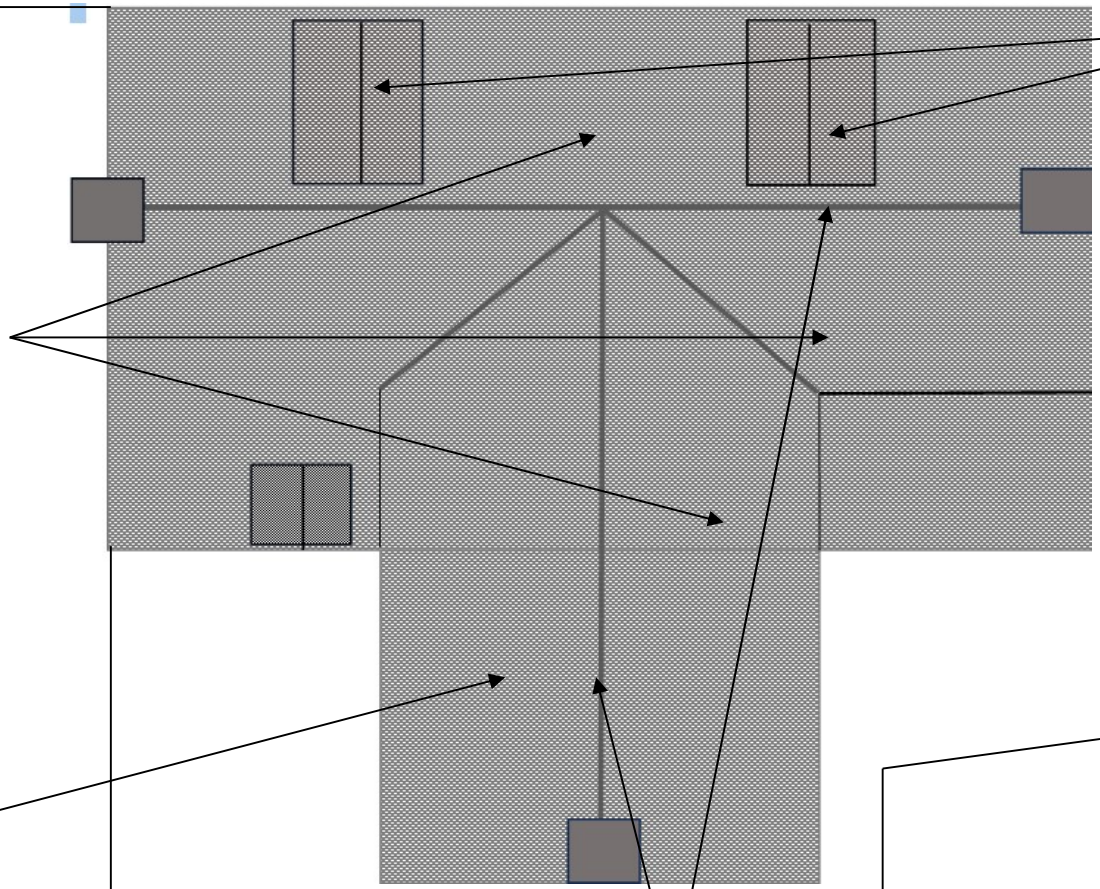
RECEIVED
By Liv Rickman at 9:47 am, Jul 01, 2024

West facing raised elevations

Proposal to replace tiles with natural dry-laid slate

North, East & West facing elevation

Proposal to replace with natural dry-laid slate Roof



Proposed Roof Detail

Riviera House

The Parade
St. Mary's
Isles of Scilly

Mr M Hampton &
Mrs D Ethheridge

Scale 1:200

Storm damaged south facing elevation

Propsal to replace with natural dry-laid slate

North

Clay Ridge tiles

APPROVED
By Lisa Walton at 3:45 pm, Sep 05, 2024

Mark Hampton

25 Park Lane

Bonehill

Tamworth

Staffordshire

B78 3HY

Proposed Alterations to

Riviera House

and

Design and Access Statement

Riviera House

The Parade

St Mary's

Isles of Scilly

DESIGN and ACCESS Statement

This application is to obtain Listed Building Consent and Full Planning Permission to Riviera House, The Parade, Hugh Town, St. Mary's, Isles of Scilly TR21 0LP.

The application seeks to remove the existing wet-laid scantle roof tiles on both front & rear elevations and replace with dry-laid natural slate.

The existing tiles have slipped on the south side rear elevationas a result of storm damage and a temporary repair has been carried out to prevent water ingress. The rear elevation is in danger of further slippage.

This application is to gain permission to replace the entire roof on both elevations with 400 x200mm natural dry-laid slate tiles designed to conform to the basic character, colour and texture of the existing slate, as described in the Heritage Impact Statement accompanying the application. The tiles will be nail fixed and overlap leaving 200mm wide and 150mm high being visible and using clay ridge tiles. New felt and batons will be fitted where required with new valley boards and facia boards to the dormers and lead work to the valleys. The dormers will then be nailed with matching vertical hanging slate.

There will be no alterations to the access of the property.

Riviera House
The Parade
Hugh Town
St. Mary's
Isles of Scilly
Cornwall
NGR: SV 90402 10542

A
Heritage Impact Assessment

Text
Richard K Morriss *MA(Hons) MSocSc*

Assistant
L J Morriss *BSc (Hons) MSc*
D Salt

December 2023
Mercian Heritage Series 2216

Richard K Morriss & Associates, Historic Buildings Consultants, Bromlow House, Bromlow, Shropshire, SY5 0EA
Rkmbromlowhouse@gmail.com

Riviera House
The Parade
Hugh Town
St. Mary's
Isles of Scilly
Cornwall
NGR: SV 90402 10542

Contents

Richard K Morriss & Associates, Historic Buildings Consultants, Bromlow House, Bromlow, Shropshire, SY5 0EA
Rkmbromlowhouse@gmail.com

Riviera House
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St. Mary's
Isles of Scilly
Cornwall
NGR: SV 90402 10542

Summary

Proposals are being developed to replace the current wet-laid scantle slate roofs of Riviera House on the east side of the Parade in Hugh Town, on St. Mary's in the Scilly Isles. The building is Grade II listed, adjacent to other heritage assets, and within a designated conservation area. In order to inform the decision-making process, this report was commissioned to provide a better understanding of the history, development and significance of the site and to provide a heritage impact assessment of the proposals on the listed building, the outbuilding, and any adjacent heritage assets - under the guidelines of the National Planning Policy Framework (NPPF). It is not concerned with other planning matters. It concludes that the proposals are well-considered and proportionate and that whilst there would be a minor degree of change there would be no harm – either substantial or less than substantial – to the building, adjacent heritage assets, or the conservation area. Overall there would be, instead, a general enhancement. Therefore neither Sections 66 or 72 of the 1990 Planning Act nor Paragraphs 207-9 of the NPPF will be engaged and it will also comply with the Isles of Scilly Local Plan 2015-2030.

1. Introduction

Proposals are being developed to replace the slate roof covering of Riviera House, a property on the east side of the Parade in the middle of Hugh Town, on St. Mary's in the Scilly Isles. The property is Grade II listed and is adjacent to other listed buildings and within the extensive conservation area. Consequently, this Consultancy was commissioned to produce a heritage impact assessment of the proposals under the guidance set out in the National Planning Policy Framework. The remit does not extend to any other planning matters.

1.1 Report Format

The report format is quite simple. After this brief introduction, there are short sections on the requirements of NPPF (Section 2) and Heritage Impact Assessments (Section 3). These are followed by an outline of the setting and history of the site (Section 4) and an outline description of the building (Section 5). Section 6 is a discussion of the findings. Section 7 outlines the proposals and Section 8 is the heritage impact assessment. Section 9 is a short conclusion and Section 10 is a list of the references used in the report. Section 11 is an Appendix containing the listing details.

Richard K Morriss & Associates, Historic Buildings Consultants, Bromlow House, Bromlow, Shropshire, SY5 0EA
Rkmbromlowhouse@gmail.com

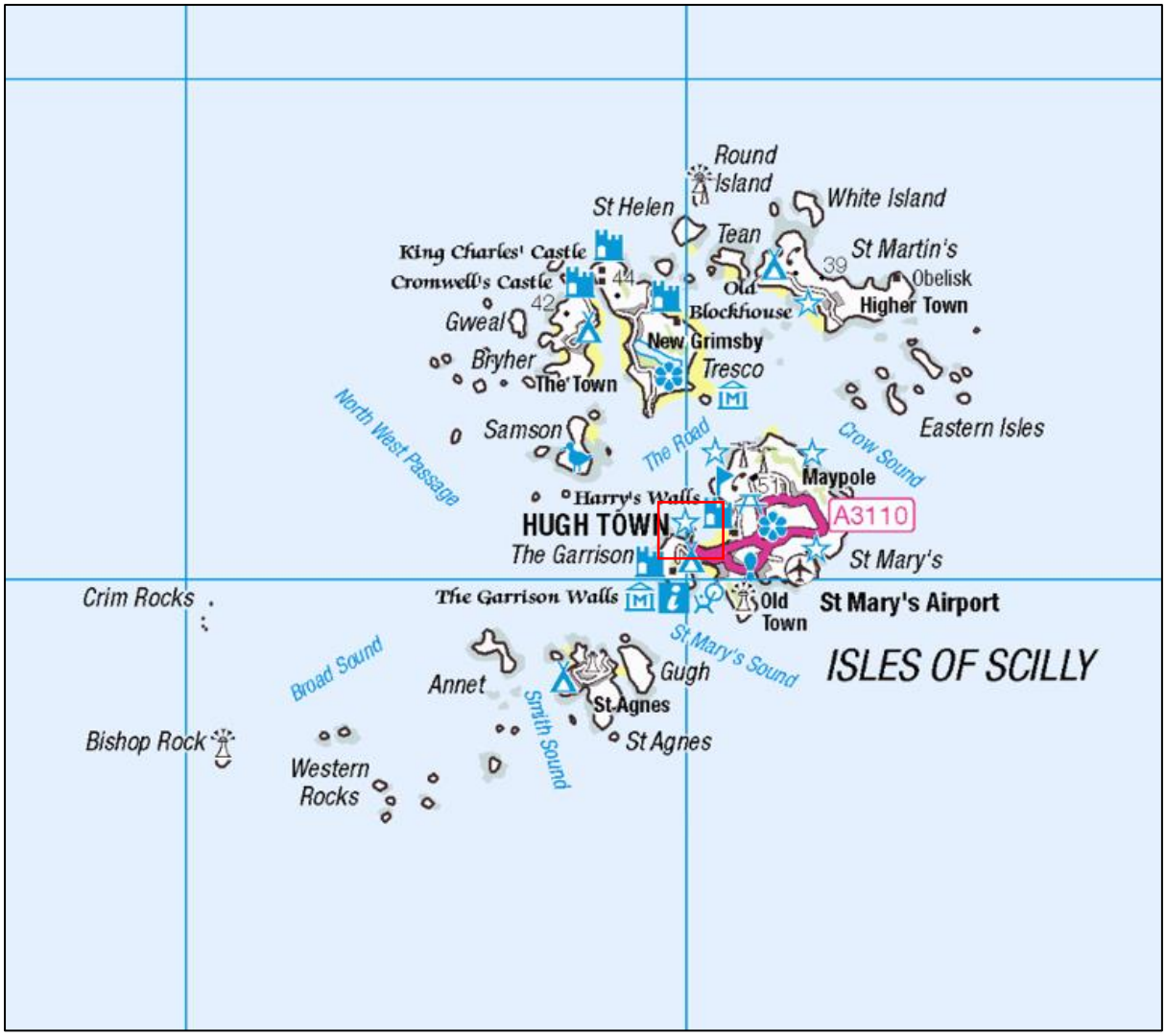

Fig.1: Location plan.
(Ordnance Survey Open Data).

Richard K Morriss & Associates, Historic Buildings Consultants, Bromlow House, Bromlow, Shropshire, SY5 0EA
Rkmbromlowhouse@gmail.com

2. National Planning Policy Framework Guidelines

2.1 The National Planning Policy Framework

Planning law relating to listed buildings and conservation areas is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66 of the Act deals with the responsibilities of local planning authorities – the decision makers - when dealing with planning applications that could impact on heritage assets and states that:

> '*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*'.[1]

Section 72 of the same Act states that, in relation to conservation areas:

> '*with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*'.[2]

Government guidelines regarding the listed buildings and conservation areas legislation in the 1990 Planning Act changed twice in two years, resulting in the introduction of a new *précis* of planning guidance published in March 2012 – the *National Planning Policy Framework* (NPPF) – which replaced all other separate *Planning Policy Guidelines* and *Planning Policy Statements*.[3] Revised versions were published in July 2018, February 2019, July 2021; September 2023 and December 2023. The glossary of the NPPF described 'heritage assets':

> '*A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).*'

The main relevant paragraph in the NPPF states that local planning authorities should require applicants:

> '*...to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposals on their significance*'.[4]

[1] Planning (Listed Buildings and Conservation Areas) Act 1990 c.9 section 66 (1), 41
[2] *Ibid.* section 72
[3] Department for Levelling Up, Housing & Communities, 2023, *National Planning Policy Framework*.
[4] *Op. cit.*, para. 200

Richard K Morriss & Associates, Historic Buildings Consultants, Bromlow House, Bromlow, Shropshire, SY5 0EA
Rkmbromlowhouse@gmail.com

3. Heritage Impact Assessments

3.1 General Introduction

The purpose of a heritage impact assessment (HIA) is to meet the relevant guidance given in the NPPF. This outlines the need to inform the planning decisions when considering proposals that have the potential to have some impact on the character or setting of a heritage asset. It is not concerned with other planning issues.

The nature of the heritage assets and the potential impact upon them through development are both very varied. The heritage assets include both designated heritage assets – such as listed buildings, scheduled ancient monuments and conservation area – and non-designated heritage assets, a rather uncomfortable and sometimes subjective category that includes locally listed buildings, field systems, buried archaeological remains and views.

The degree of impact a development could have on such assets is variable and can sometimes be positive rather than negative. The wide range of possible impacts can include loss of historic fabric, loss of historic character, damage to historic setting, and damage to significant views.

Under the requirements of the NPPF and of other useful relevant guidance, such as English Heritage's *Conservation Principles* and *Informed Conservation,* and recent material from the newly formed Historic England, the process of heritage impact assessments can be summarised as involving three parts:

1. understanding the heritage values and significance of the designated and non-designated heritage assets involved and their settings;

2. understanding the nature and extent of the proposed developments;

3. making an objective judgement on the impact that the proposals outlined in Part 2 may have on the information outlined in Part 1.[5]

3.2 Definition of Setting

Setting, as a concept, was clearly defined in PPS5 and was then restated in the NPPF which describe it as:

> '*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*'

[5] English Heritage, 2008, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment*; Clark, K, 2001, *Informed Conservation*

Richard K Morriss & Associates, Historic Buildings Consultants, Bromlow House, Bromlow, Shropshire, SY5 0EA
Rkmbromlowhouse@gmail.com

The latest version of the Historic England guidance on what constitutes setting is virtually identical to the former English Heritage guidance:

> '*Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.*'[6]

The new Historic England guidance also re-states the earlier guidance that setting is not confined entirely to visible elements and views but includes other aspects including environmental considerations and historical relationships between assets:

> '*The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each. The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance*'.[7]

In terms of the setting of heritage assets the approach is the same but the latest Historic England guidance - *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3* (GPA3) of 2017 - suggests a five-step approach.[8]

The steps are:

Step 1: identify which heritage assets and their settings are affected;

Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated;

Step 3: assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it;

Step 4: explore the way to maximise enhancement and avoid or minimise harm;

Step 5: make and document the decision and monitor outcomes.

[6] Historic England, 2017, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning: 3 (2nd ed.)*, para.9
[7] *Op.cit.*, Part 1, reiterating guidance in the PPG of the NPPF.
[8] *Op.cit.*, para.19

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3.3 Definition of Significance

The glossary of the *Planning Practice Guidance* (PPG) to the NPPF defines significance as:

> '*The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting*'.

These are further explained as:

- ***Archaeological interest: a****s defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.*

- ***Architectural and artistic interest:*** *These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.*

- ***Historic interest:*** *An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.*

The PPG also states that:

> '*Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets. In some areas, local authorities identify some non-designated heritage assets as 'locally listed*''.[9]

but cautions that:

> '*A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage interest for their significance to be a material consideration in the planning process*'.[10]

[9] Planning Practice Guidance, 2014, paragraph 39
[10] *Ibid.*

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3.4 Definition of Harm

Current guidance by Historic England is that 'change' does not equate to 'harm'. The NPPF and its accompanying PPG effectively distinguish between two degrees of harm to heritage assets – *substantial* and *less than substantial*. Paragraph 207 of the revised NPPF states that:

> '*Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*
>
> *a) the nature of the heritage asset prevents all reasonable use of the site; and*
> *b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
> *c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
> *d) the harm or loss is outweighed by the benefit of bringing the site back into use*'.[11]

Paragraph 208 of the revised NPPF states that:

> '*Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposals including, where appropriate, securing its optimum viable use*'.

and Paragraph 209 states that:

> '*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*'

Recent High Court rulings have emphasised the primacy of the 1990 Planning Act – and the fact that it is up to the decision makers in the planning system to *'have special regard to the desirability of preserving the* [listed] *building or its setting*'. As stated by HH Judge David Cooke in a judgment of 22 September 2015 regarding impact on the setting of a listed building:

> '*It is still plainly the case that it is for the decision taker to assess the nature and degree of harm caused, and in the case of harm to setting rather than directly to a listed building itself, the degree to which the impact on the setting affects the reasons why it is listed.*'

[11] Ministry of Housing, Communities & Local Government, *op. cit.*, para.207

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The judgment was endorsed by Lord Justice Lewison at the Court of Appeal, who stated that:

> '*It is also clear as a matter both of law and planning policy that harm (if it exists) is to be measured against both the scale of the harm and the significance of the heritage asset. Although the statutory duty requires special regard to be paid to the desirability of not harming the setting of a listed building, that cannot mean that any harm, however minor, would necessarily require planning permission to be refused*'. [12]

[12] Court of Appeal (PALMER and HEREFORDSHIRE COUNCIL & ANR) in 2016 (Case No: C1/2015/3383)

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4. Setting & Outline History

4.1 Hugh Town

Hugh Town on St. Mary's is the *de facto* capital of the Scilly Isles, an archipelago of many islands off the south-western extremity of Cornwall. There is evidence of settlement of the islands in prehistoric times and some evidence of contact with early classical civilisations prior to the conquest of most of the rest of Britain by the Romans in the 1st century CE.

Writing in the early-16th century, probably in the 1530's, the occasionally eccentric antiquary John Leland noted that St. Mary's was the largest of the Scilly Isles and that '*in it is a poore town and a neatly strong pile; but the roves* [roofs] *of the buildings in it be sore defaced and woren*'. He was presumably describing the original main settlement on the island, now the small village of Old Town on its south-eastern coast with the remnants of an ancient chapel.

Towards the end of the century, and after the establishment of Star Castle on the Heugh on the western side of St. Mary's as part of improved defences in light of Spanish aggression, a new settlement developed on the low spit of land between the main island and the new fortress which became Hugh Town. Initially serving the needs of the new garrison it became, and remains, the only town in the Islands. According to one writer at the end of the 18th century:

> '*Heugh Town is the capital of this island…..it is situated upon the low land of the isthmus, which joins the main part of the island to the high land of the garrison above the town…..The town consists of one long street, and two cross ones, of strong stone-built houses, where are shopkeepers, innkeepers and all sorts of trades-people required in the islands'*.[13]

The 'town' was still, however, small and fairly insignificant and seemed to be in danger of decline after the main garrison left the islands after the threat of the Napoleonic Wars was over. Then, in 1834, the Crown lands on Scilly were leased by Augustus Smith who seemed to have a better attitude to the sub-tenants and encouraged growth. By the end of the decade the quay at Hugh Town had been extended and a new church had been built at the east end. The improvements were noted by visitors, including, for example, the Rev. North who wrote:

> '*The houses in Hugh Street are very old, and many of them certainly wear a somewhat forlorn and dreary aspect; but as the visitor advances towards the Church and sees those more recently built on the Parade and in Buzza Street, towards Porcrass, he will be impressed with a widely different feeling. He will find himself surrounded by houses with every token of cheerfulness and comfort…..*'.[14]

According to *The Galaxy* magazine in 1868 there was on St. Mary's '*….a flourishing city consisting of one street and about two hundred houses, known to the Scillyian world as Hugh Town'.*

[13] Troutbeck, J, 1796, *A Survey of the Ancient and Present State of the Scilly Islands*'
[14] North, I W, 1850, *A Week in the Isles of Scilly*, 50

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Fig.2: A 1752 engraving of Star Castle from the east with the beginnings of Hugh Town below it, prior to extending eastwards to the Parade and beyond.

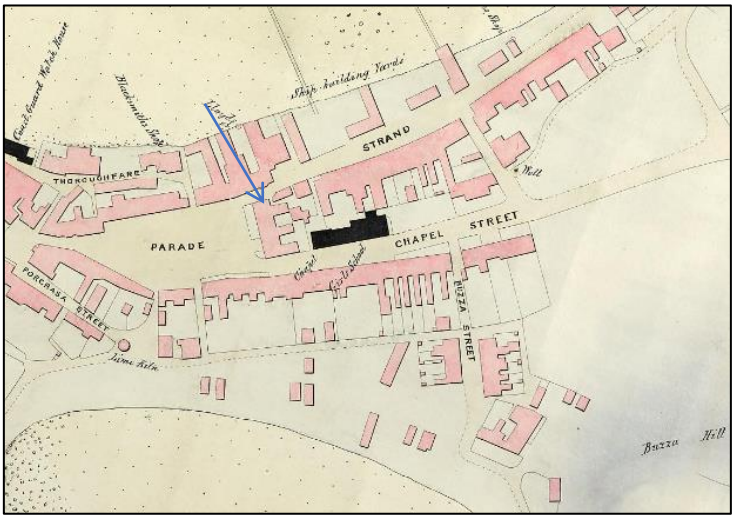

Fig.3: Extract from the 1862 plan of Hugh Town for the Hydrographic Office (site arrowed).

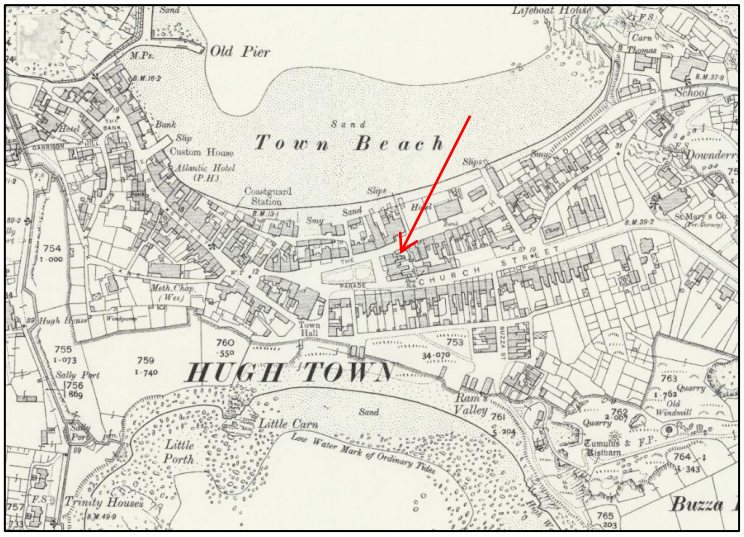

Fig.4: Extract from the 1906 revision of the Ordnance Survey 1:2500 map.

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4.2 Riviera House

Riviera House forms part of a property on the east side of the Parade, at its junction with The Strand. According to the listing details it dates to the 18th century but there is some conflict with the given historical development of Hugh Town, as this area seems to have been mainly a result of the early-19th extension eastwards of the core of Hugh Town, with the new church at its eastern extremity.

This therefore could have been one of the '*houses with every token of cheerfulness and comfort…*' mentioned by the Rev. North in 1850 and thus possible built as late as the second quarter of the century.

However, the house could predate the present uniform eastern side of The Parade. The differences in the masonry and detailing between Riviera House and the property to the south to which it is attached are quite clear and it seems very likely that it was built as a freestanding detached property. As with several other houses in the vicinity it was abutted by a later property. Consequently, a later-18th century date is perfectly possible.

The house, and its immediate neighbours, are certainly shown on the 1862 map of the town (*see* Fig.2). The 1st editions of the 6" Ordnance Survey map are of little use in understanding the development of the property, because by that stage it already consisted of a front range with a rear wing. The 1:2500 mapping is more detailed, but both it and the 1906 revision show virtually the same arrangements (*see* Fig.3). The property was carefully renovated and new sashes added under planning consents in the recent past.

Pl.1: 1938 aerial view of Hugh Town from the south-east, Riviera House arrowed.

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Pl.2: The Parade, looking east; Riviera House is arrowed.

Pl.3: The front elevation of Riviera House (James Faulconbridge).

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5. Description

5.1 The Exterior

Riviera House is a two-storey property consisting of a frontage range aligned north-south and a slightly lower – and probably later – rear wing at right-angles. Set back from a diminutive walled forecourt, the front elevation faces west, to The Parade.

This is a composition of three almost symmetrical bays – the central bay set very slightly to the left of centre and closer to the left-hand windows. It is faced in large roughly worked but quite well coursed blocks of granite.

The front door is modern and protected by a rather oddly designed porch, probably of the early-20th century. The window openings have flat-arched heads of well-worked granite. Those to either end are vertically aligned and contain balanced horned bespoke hardwood sashes of 4x2 pattern which are good quality early-21st century replacements. The central first-floor window opening above the entrance is narrower but still has the same 4x2 pattern of sashes.

Above the eaves and the modern guttering there are two evenly spaced dormer gables in the slate-covered roof slope, with hipped slated roofs and slate cheeks; these contain balanced horned sashes of 3x2 pattern, contemporary with the others. At either end of the building are ridge chimneys – the one to the left, or north, being of worked stone and the other, of bare brick, apparently shared with the adjacent property.

The north gable faces Lower Strand; it has single windows with flat stone lintels on each floor level – the ground-floor one to the left and the first-floor one to the right; these both have balanced horned sashes of 3x2 pattern. The verges are protected by a single course of attached slate, which also caps the ends of the roof purlins.

The visible short sections of the rear wall on either side of the rear wing are of similar coursed and worked granite. The ground-floor section of the northern end of the rear wall is abutted by a later lean-to structure.

There are possible hints in the disturbance of the coursing of the masonry of the rear wall to the north of its junction with the rear wing to suggest the former existence of a window on the first floor.

The rear wing is assumed to post-date the front range; it is also of two storeys and has a ridge chimney on top of its eastern gable. On the north side steps lead up to the first-floor apartment. The doorway at this level is inserted and flanked by window opening of different width to either side; these have recent 3x2 and 2x2 balanced hardwood sashes.

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Pl.4: Detail of the front slope of the front range and the cheek and roof of a dormer.

Pl.5: The north elevation – with frontage range to right and rear wing beyond.

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5.2 The Roofs

The roofs of the two main parts of the property are both plain gabled, and covered in wet-laid scantle slate, a traditional roof covering in the Scilly Isles since the later-18th century; the slates are typically quite small but well-coursed.[15] The roof of the frontage range has clearly been altered and replaced at some time in the past – though the precise date is unclear.

The roof space is now a usable domesticated attic space, but this is probably the result of a later colonisation of the space to achieve more domestic space – a common evolution of houses in the area.

The basic roof structure in the frontage range is visible from within the attics, but not the laths or soffits of the slate. Structurally it appears to be of three bays and two trusses are exposed in the bedroom and neighbouring *en suite*.

These have over-painted principal rafters, crisply cut and of fairly thin scantling; each has an added bolted collar – effectively a yoke – just below the apex, suggesting that a lower collar (or perhaps a king-post – as the apex of each is hidden behind a modern ceiling) has been removed in order to achieve the necessary head-height for access through the truss.

The trusses carry two tiers of very thin scantling purlins, barely trenched into the top of the principal rafters; the ends of the purlins are capped in the slate of the verges in the north gable end. The regularity of the exposed, though painted, roof timbers suggests that they are machine-sawn.

The rear range is lower than the front range and consequently the roof space could not be converted into domestic use. This also means that access into the roof space above the first-floor space is limited.

From what can be seen the roof structure seems to be of machine-sawn common rafters meeting at a substantial ridge-piece. It was not possible to identify any trusses in this section because of the limited access. The roof of the single-storey lean-to in the angle between the north side of the rear wing and the east side of the front range is also slated.

The main roofs are covered in wet-laid scantle slates, protected by slate shelf weatherings cantilevered out from the inner faces of the gable chimneys. The ridges are formed of inverted 'V-cut' stone bonnets.

The scantle slate covering is of uncertain date, but evidently not primary to the building. The technique used in this case was unsubtle; instead of 'edging' the soffit of each slate with the mortar – i.e. around the sides and lower edge of each slate before laying it on the slates below – in this roof virtually all of the upper surface of each slate in each ascending course was covered in mortar before the next slate up was laid on it.

[15] The term 'scantle' is probably derived from medieval English, 'scant' – meaning small. According to the OED, the term is first recording in regard to roofing in the 1850's.

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Pl.6: Attic bedroom in the front range, showing truss and purlins.

Pl.7: En suite in the attic of the front range.

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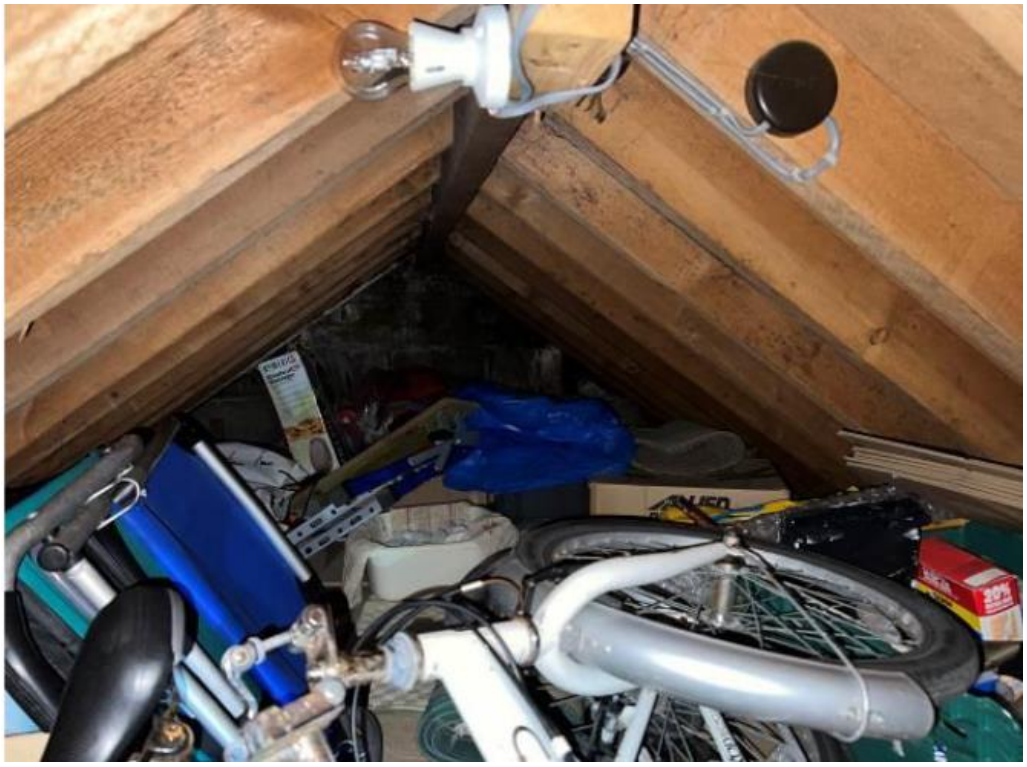

Pl.8: Machine-sawn timbers in the roof space of the rear range.

This would have resulted in the use of far more mortar and greater weight for the roof to carry. Partly because of this mortar technique and the lack of access to the soffits of the slate it is difficult to see if they are pegged or nailed to the laths – but the latter technique seems to be more likely. Where visible, the common rafters appear to be machine-sawn softwood with quite wide centres.

The slate covering has clearly failed or is failing. It is not, however, in the remit of this report to provide a technical assessment of the degree of failure. On the rear slope of the front range roof there is clear slippage immediately adjacent to the ridge.

The roof of the rear range is obviously worse condition and the slippage below the ridge has developed into a large gap in the slate cover, exposing the tops of the common rafters and the internal modern boarding beneath them to the elements.

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Pl.9: View of the northern end of the easter slope of the front range roof. Note slate slippage just below the ridge.

Pl.10: The southern end of the rear roof slope of the front range.

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Pl.11: The roof of the rear range, showing obvious evidence of failure in the wet-laid scantle slate just below the ridge.

6. Discussion

Riviera House was built as a detached two-storey, three bay dwelling facing The Parade; its rear wing was probably added slightly afterwards. Accepting the 18th century date of the listing details it would have been one of the earliest properties in this part of the expanding Hugh Town and had a degree of architectural aspiration in its symmetrical façade and use of flat-arched heads to the window openings – perhaps copying those of Hugh House, the former officers' mess in the Garrison, built in 1792. Even had it been slightly later than suggested it would have been one of the higher status properties in the area.

It is thus evidently worthy of its Grade II listed status. It utilised local materials in its granite walled shell, but the slates for the roof – both original and in subsequent repairs or replacements – were presumably imported from the mainland.

It is a good exemplar of its type and appears to have been a rather higher status dwelling than its later neighbours – above the 'vernacular' and even, given its location by the Parade, perhaps with some connection to the military stationed in Hugh Town. In this regard it also forms an important part in the overall appearance of The Parade and the surrounding streetscape – providing an element of urban formality within the area.

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As well as its historical interest as an early building in the eastern expansion of Hugh Town, it has retained much of its original architectural character in the basic design of its elevations, scale and massing – the major impact on the latter being abutted by the adjacent building to the south to create the misleading impression that it was part of a semi-detached development.

It has, like all buildings, evolved and been altered. The present sashed windows are bespoke hardwood replacements of the early-21st century and it is assumed that the initial conversion of the roof space of the frontage range to domestic use – including the addition of the dormer gables - took place earlier in the 20th century; this level has since been modernised. More recently a separate holiday let has been created within the property.

The focus of this report is the roof and the proposed re-slating of it. Given its status it is probable that the roof was slated from the start. The traditional roof covering in the Scilly Isles up until the 18th century – and for vernacular houses well into the 19th century – was thatch which, as in other exposed coastal areas of Britain from Cornwall to the Scottish Highlands, often had to be held in place by a variety of rope or straw. As noted by Troutbeck in 1796:

> '*They cover houses with slates and tiles, but mostly with straw; the first is brought from England, and laid upon the roofs of houses here as it is there; the latter is of their own product, and the method of covering is with a thin coat, which is commonly renewed every year when harvest is over……binding the coat with straw ropes…*'[16]

The basic chronology of roofs is outlined in the Isles of Scilly *Design Guide* if 2007 which states that:

> '*Slates imported from the mainland became popular in the 19th and 20th Centuries, particularly Delabole 'smalls' and 'peggies'. Slate roofs are frequently scantled (small slates cut roughly, at random widths usually diminishing from bottom to top of the roof slopes, often bedded on mortar and trimmed all the way round).*'

Wet-laid scantle slate roofs evolved as a better-quality roof covering to thatch, and one that could utilise relatively poor quality and small sized slate in an efficient manner. Fixing the slate in mortar helped to lift the 'tail' of each slate so that the 'head' rested more securely on the batten where it would be fixed with wooden peg or nail. The mortar then also sealed the gaps between the slates – effectively an external 'torching' – to increase water-tightness.

This could be adapted in a way that left the mortar bedding hidden from view or resulted in the gaps between slates and slate courses extruded flush with the surface. In rarer cases the slates were completely covered with a bed of mortar, though this appears usually to have been an afterthought.

[16] Troutbeck, J, 1796, *A Survey of the Ancient and Present State of the Scilly Islands*

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Whatever the original roof covering or roof structure of Riviera House, it seems clear that neither the present covering nor roof structure is original. Wet-laid scantle slate roofs in such exposed areas generally have a life of 100-150 years but this can be much shorter depending on the quality of the slate or the quality of the slating. This is partly due to the small size and irregularity of the slate, the reliance on mortar as bedding and torching, and the fragility of nail fixings in a seaside salt-laden environment.

Whilst it can be difficult to date hand-cut traditional wet-laid scantle slate roof coverings by visual inspection alone – due to the character of the material - the evidence of the roof structure of Riviera House shows that the roof trusses, purlins and common rafters are crisp, regular, relatively small scantling and machine sawn.

The evidence would suggest a date for the roof of no earlier than the late-19th century, and it could be significantly later. Evidently the house itself was modernised during this broad period of time. It is even possible that the roof was altered and perhaps re-slated when the attics of the front range were created.

Whatever the date, it is the case that the present roof is not part of the original building and is a secondary, or even tertiary, alteration. This slightly diminishes its contribution to the significance of the listed building, but it is evidently still an important element in the building's present form.

The use of natural slate – whether wet-laid scantle slate or dry-laid imported and more regularly coursed slate – is now an integral element in the architectural character of Hugh Town and has completely replaced the thatch of earlier centuries.

7. The Proposals

Because of the condition of the wet-laid scantle slate and its failure in large areas, it is proposed to replace it with a dry-laid natural slate instead. This will be designed to conform to the basic character, colour and texture as the existing slate but will be more regular in size of slate and height of coursing, with proposed slate dimensions of 400mm x 200mm.

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8. Heritage Impact Assessment

8.1 Impact on the Listed Building

Riviera House is a Grade II listed building. As noted above (in Section 6) its main significance is considered to be historical and architectural and whilst the present roofscape and materials do contribute to its significance they are not original to the building. The proposals are to replace the non-original slate covering with a new slate covering of a similar but not quite identical character using more regular dry laid natural slate.

The 1990 Planning Act stipulates the importance of preserving listed buildings and any features of architectural or historical interest they possess, a requirement repeated in Policy OE7 of the *Isles of Scilly Local Plan 2015-2030*. Whilst the loss of the traditional form of slate cover may usually be considered to result in a degree of less than substantial harm – although at the lower end of that spectrum of harm – it is considered to be an appropriate response to the poor condition of the roof.

In addition, there are issues regarding replacing such a roof on a like-for-like basis bearing in mind the difficulties in obtaining sufficiently skilled craftsmen capable of such traditional techniques – a fact tacitly accepted in the *Isles of Scilly Design Guide*:

> '*Scantling slate (small slates cut roughly in random widths usually diminishing from bottom to top of the roof slope, often embedded in mortar and trimmed all the way round) is an established building tradition which should be used as first preference wherever possible. It is important however that the specification and detailing are correct, and that builders who are experienced in this work are selected. Slate in larger more regular sizes can also be used. It is likely that a rough edged type would be appropriate*'.

The replacement of failing wet-laid scantle slate roofs in the islands by sympathetically sourced, textured and coloured dry-laid slate has become quite common in the recent past for both listed buildings and within conservation areas. Consequently it is considered that the minor degree of change that would ensue through these proposals for the re-covering of the roof would not equate to harm to the significance of the listed building – and therefore neither Section 66 of the 1990 Planning Act nor Paragraphs 207-8 of the NPPF would be engaged.

8.2 Impact on Adjacent Heritage Assets

There are many listed buildings close to Riviera House and others that could be considered as non-designated heritage assets. However, as is clear from the proposals, there will be no significant change, other than the subtle changes to the character of the slate roofs, to the public elevations of the building and therefore minimal change to the building's relationship with these adjacent heritage assets.

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It is considered, therefore, that there will therefore be no change to the significance of the settings of these assets and consequently, no harm could ensue – substantial or less than substantial. Consequently, neither Section 66 of the 1990 Planning Act nor Sections 207-209 of the National Planning Policy Framework would be engaged.

8.3 Impact on the Conservation Area

Uniquely, all of the Scilly Isles are a designated conservation area. Riviera House's principal façade towards The Parade makes a positive contribution to the character and significance of the conservation area – but will not be significantly changed as a result of these proposals. The principal elevations will be unaltered and the difference in appearance caused by the new roofing is considered to be minimal.

Given these facts it is considered that the proposals will result in no change, or harm, to the character or significance of the conservation area and that therefore Section 72 of the 1990 Planning Act would not be engaged.

8.4 Archaeological Issues

All of the proposals are for the roofs of the standing buildings and therefore it is clear that there would be no archaeological implications as a result of these proposals.

9. Conclusions

For the reasons outlined above it is considered that the proposals for the re-slating of Riviera House are well-designed and proportionate and whilst they will result in a minor degree of change – through the replacement of a non-original slate cover with a new slate cover of similar character – such change would not equate in harm to the character, setting or significance of the building, or to adjacent designated or non-designated heritage assets, or to the conservation area.

Overall it is considered that, instead, these proposals would result in the evidently necessary restoration of the main roofs of the listed building – thus arresting a failing element of the building and helping to ensure the long-term future of a designated heritage asset within a conservation area, which is a public benefit.

In the recent past, planning guidance has recognised that change to historic buildings and their settings is part of their history and that buildings are not and should not be fossilised. The prospect of change, even to listed buildings, is anticipated in the government's *National Planning Policy Framework*, but was more clearly expressed in earlier guidance from 1996, *Planning Policy Guideline No.15* (PPG 15).

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That document stated – in relation to listed buildings that:

> '*Many listed buildings can sustain some degree of sensitive alteration or extension to accommodate continuing or new uses. Indeed, cumulative changes reflecting the history of use and ownership are themselves an aspect of the special interest of some buildings, and the merit of some new alterations or additions, especially where they are generated within a secure and committed long-term ownership, should not be discounted.*'

This echoes the statement in the pioneering 2008 document, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* that: '*Change in the historic environment is inevitable, caused by natural processes, the wear and tear of use, and people's responses to social, economic and technological change*'.

Furthermore, conservation areas are not designed to stifle development but to guide development so that it does not impact adversely on the area's special character. This is echoed in the foreword to the current Historic England guidance which states that:

> '*Change is inevitable. This guidance sets out ways to manage change in a way that conserves and enhances historic areas through conservation area designation, appraisal and management*'.[17]

That change to conservation areas does not equate to harm in law was also made clear in one of the key High Court judgements related to conservation areas by Lord Bridge, related to developments within conservation areas, *South Lakeland District Council vs. Secretary of State for the Environment.* He stated that whilst all developments within a conservation area '*must give a high priority to the objective of preserving or enhancing the character or appearance of the area*', where a development would not have any adverse impact and met other planning requirements:

> '*…. One may ask rhetorically what possible planning reason there can be for refusing to allow it. All building development must involve change and if the objective of Section 277(8)* [of the 1971 Planning Act, substantially the same as Section 72(1) of the 1990 Act] *were to inhibit any building development in a conservation area which was not either a development by way of reinstatement or restoration on the one hand ('positive preservation') or a development which positively enhanced the character or appearance of the area on the other hand, it would surely have been expressed in very different language…*'.[18]

[17] EH

[18] 1992, *South Lakeland District Council vs. Secretary of State for the Environment*

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11. Appendix: Listing Details

SV9010 THE PARADE, Hugh Town 1358-0/8/91 (East side) 06/04/59 Rivera House

GV II

House. C18. Coursed and squared granite; gabled slate roof, with scantled slate roof to rear wing; rendered end stacks. L-plan with rear left wing. 3-unit plan including central staircase. 2 storeys; symmetrical 3-window range. C20 gabled porch. Flat arches with voussoirs over late C19/C20 8/8-pane sashes. Hipped dormers with similar horned 6/6-pane sashes. Early C19 3-storey rear wing with 6/6-pane sashes. Interior not inspected.

Listing NGR: SV 90402 10542

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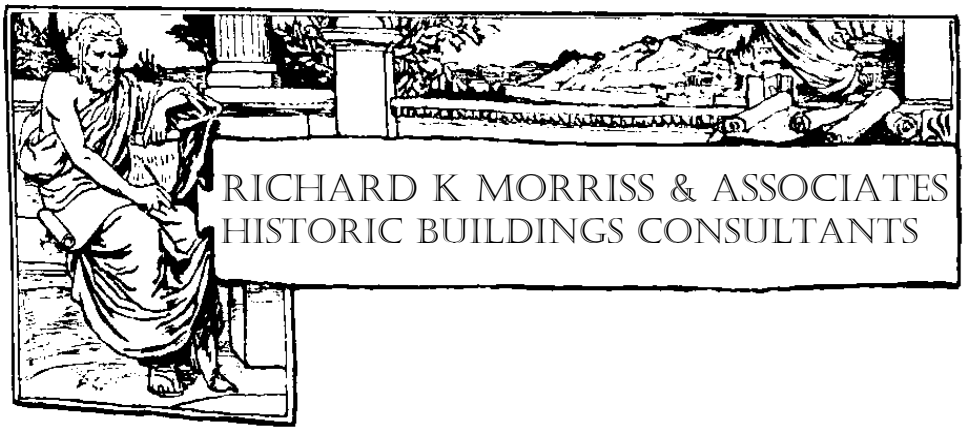

The Consultancy

Richard K Morriss founded this Consultancy in 1995 after previously working for English Heritage and the Ironbridge Institute of the University of Birmingham and spending eight years as Assistant Director of the Hereford Archaeology Unit. Although Shropshire-based the Consultancy works throughout the UK on a wide variety of historic buildings for clients that include the National Trust, the Landmark Trust, English Heritage, the Crown Estates, owners, architects, local authorities, planning consultants and developers. It specialises in the archaeological and architectural analysis of historic buildings of all periods and planning advice related to them. It also undertakes heritage impact assessments and broader area appraisals and Conservation Management Plans.

Richard Morriss is a former Member of the Institute of Field Archaeologists and of the Association of Diocesan and Cathedral Archaeologists, currently archaeological advisor to four cathedrals and author of many academic papers and of 20 books, mainly on architecture and archaeology, including The Archaeology of Buildings (Tempus 2000), The Archaeology of Railways (Tempus 1999); Roads: Archaeology & Architecture (Tempus 2006) and ten in the Buildings of series: Bath, Chester, Ludlow, Salisbury, Shrewsbury, Stratford-upon-Avon, Warwick, Winchester, Windsor, Worcester (Sutton 1993-1994). The latest work is an Historic England funded monograph on the Houses of Hereford (Oxbow 2018).

He was a member of the project teams responsible for the restoration of Astley Castle, Warwickshire, winner of the 2013 RIBA Stirling Prize; the restoration of the Old Market House, Shrewsbury, winner of a 2004 RIBA Conservation Award; and Llwyn Celyn, Monmouthshire, winner of the RICS Conservation Project of the Year 2019. He has also been involved in several projects that have won, or been short-listed for, other awards including those of the Georgian Group for Mostyn House, Denbigh; St. Helen's House, Derby; Radbourne Hall, Derbyshire and Cusgarne Manor, Cornwall.

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Site Waste Management Plan

Proposed Roof replacement

Riviera House

The Parade

Hugh Town

Isles of Scilly

TR21 0LP

INTRODUCTION

This document constitutes the 'best practice initiatives' adopted by RIVIERA HOUSE contractors employed to carry out the proposed roof replacement at Riviera House.

The selected contractor is to embrace the principles of the Site Waste Management Plan as required by the Site Waste Management Regulations 2008.

PROJECT SITE - Riviera House, The Parade, Hugh St, St.Mary's, Isles of Scilly

CLIENT - Mr Mark Hampton

CONTRACTOR - TBA

PROJECT SUMMARY - Re Place Existing Roof Tiles

START DATE - October 2024 (Subject to Planning Approval)

PROJECT DURATION - To be confirmed by Contractor (Estimated 4 weeks)

PERSONS RESPONSIBLE FOR THE MANAGEMENT OF WASTE - Contractor Third Party Waste Handling - Third parties handling waste will be required to provide documentary evidence of their licence to handle, transport, recycle and dispose of waste.

OBJECTIVES

1 To take all responsible steps to ensure that waste management controls are observed.

2 To minimise the amount of waste generated and maximised the amount of waste reused and recycled.

3 To re-use as much waste as possible on-site. Where reuse is not possible to identify the most appropriate waste management option in line with the waste hierarchy.

4 To manage waste as close as possible to site location

5 To make and improve awareness of waste management issues of all contractors and sub contractors and to ensure the correct waste management practices are followed on site.

RESPONSIBILITIES

The responsibilities in relation to the SWMP are set out below.

The Site Waste Coordinator is the Principle Contractor on site, who is responsible for implementation of the SWMP. Duties include but are not limited to:

Ensuring waste is managed on site according to the SWMP. This includes ensuring appropriate segregation of waste on-site, making arrangements for the removal of waste from the site. Ensuring all staff and sub-contractors understand their duties in relation to the SWMP. This includes organising appropriate training. Ensuring correct records and documentation is kept. This includes checking waste transfer documentation, and maintenance of documentation relating to waste transfer. The 'Site Waste Coordinator' is the point of contact for all staff, contractors and waste contractors in relation to the SWMP and waste management issues. All contractors' staff operatives working on site are responsible for adhering to the principles for the movement and segregation of waste on site.

WASTE CONTRACTORS

The waste contractors are to be listed with contact details, this list is to be complied by the 'Site Waste Coordinator.' All waste contractors are responsible for adhering to the SWMP including: All waste contractors are responsible for ensuring compliance with their Duty of Care including providing the appropriate records to the 'site waste coordinator' All mainland Contractors receiving waste are responsible for ensuring waste is managed as specified in the SWMP. They are responsible for ensuring the waste treatment facilities have a waste licence and that records are provided to the 'site waste coordinator.' Mainland waste contractors receiving waste are responsible for transporting it to a licensed waste management facility Mainland waste contractors are responsible for providing adequate containers for the collection and segregation of waste as specified in the SWMP.

MANAGEMENT OF WASTE ON SITE

The principle contractor shall adopt the materials that'll be re-used or recycled on site and will be segregated in designated areas ready for mainland transportation. The locations of the designated areas shall be identified by the contractor prior to commencement of works and recorded. Materials that will be removed from site for recycling will be segregated from the waste stream and collected in containers for transport. The locations of collection and segregation area/s and the materials that will be collected at these sites are to be recorded. All waste which can be reused or recycled will be segregated out of the waste stream by contractors. Contamination of the waste containers will be monitored. At the end of each day the contractor must ensure that waste is moved to the appropriate area as specified. Any problems found with arrangements for waste segregation should be reported directly to the 'site waste coordinator.'

TRAINING

As part of adopting the principles of the SWMP the Contracto shall implement training and as such the site waste coordinator shall be responsible for ensuring all of the contractors staff and operatives receive training the implementation of the SWMP.

MEASURING AND MONITORING

The Site waste Coordinator will be responsible for ensuring that monitoring takes place throughout the project .

BAT PRESENCE/ABSENCE SURVEYS (PAS)

RIVIERA HOUSE,
ST MARY'S, ISLES OF SCILLY

Client: *Mark Hampton*

Our reference: *23-11-2*

Planning reference: *Report produced in advance of submission*

Report date: *9th June 2024*

Revision*: -*

Author: *James Faulconbridge BSc (Hons), MRes, MCIEEM*

Contact: *ios.ecology@gmail.com*

Executive Summary

Overview
Two Presence/Absence Surveys (PAS) were undertaken on Riviera House. This was to provide an evidence base which meets Best Practice Guidance following the initial findings of the Preliminary Roost Assessment (PRA) report.
Results
Two common pipistrelle bats were recorded entering a roosting location on the first PAS survey. The roost location is associated with gaps behind a fascia on the front of the property close to the junction with the adjacent dwelling. No emergence was recorded on the second PAS survey. These results are consistent with a non-breeding, transient use by an individual common pipistrelle bat. The surveys generally recorded low activity levels of common pipistrelle bats foraging or commuting in the vicinity of the site, but not associated directly with the site itself.
Mitigation Strategy
A European Protected Species Mitigation Licence (EPSML) must be obtained before re-roofing works are undertaken. The works must then comply with the mitigation strategy outlined in the EPSML. This would include ecological oversight of roof removal on the relevant aspect; use of appropriate roofing membrane in the replacement roofing works (where applicable); and the restoration of the roosting feature at the completion of works. One additional PAS survey covering the confirmed roosting location would be required to meet the standard of evidence required to support an EPSML. It is considered that the current evidence baseline is sufficient to support planning; the additional survey and the planning application process can be progressed in tandem in order to ensure that the Decision Notice and additional PAS result are available to support the application for the EPSML in a timely manner. It is recommended that the EPSML progresses via Site Registration under the Earned Recognition (ER) scheme as this pathway offers the benefits both of reduced cost from Natural England and a streamlined timeframe for approval. The standard EPSML application pathway would also be appropriate.

Table of Contents

1. Introduction

1.1. Background to Survey

The property is an end-terrace house known as Riviera House located on Lower Strand in Hugh Town on St Mary's in the Isles of Scilly.

The proposed schedule of works involve the replacement of the existing roof.

A Preliminary Roosting Assessment (PRA) was carried out in October 2023 - this assessment identified Moderate Potential for use by roosting bats.

The PRA report stated that further PAS surveys would be required to provide an evidence base sufficient to identify the status of the buildings with regards to bats, and inform any mitigation measures required to ensure legislative compliance. This PAS report provides the results of the recommended surveys. It should be read alongside the PRA report to provide a comprehensive assessment of the buildings with regards to roosting bats.

1.2. Survey Objectives

In accordance with the Best Practice Guidance[1] for a Moderate Potential building, the structure was subject to two PAS surveys with three surveyors positioned to observe those locations where potential access or roosting features were identified.

The overall objective is to provide a comprehensive ecological baseline upon which to assess the potential impact of the proposed re-roofing works to roosting bats.

[1] Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London

2. Survey Methodology

2.1. Surveyor Details

The surveys were led by Darren Hart. Darren has undertaken Professional Bat Licence training and is a Level 2 Licenced Bat Worker with experience in undertaking emergence, re-entry and activity surveys.

Additional surveyors are experienced in undertaking emergence and re-entry surveys and worked under the supervision of the Licenced Bat Worker.

2.2. Survey Methodology

The dusk emergence surveys were conducted following Best Practice methodology for bat surveys.

The two PAS surveys were carried out on the evenings of 15th May 2024 and 5th June 2024 – scheduled over three weeks apart in accordance with Best Practice guidance.

The dusk emergence surveys commenced from approximately 20 minutes before sunset and continued until 90 minutes after sunset. The surveys were undertaken with regard for the appropriate weather conditions (≥10°C at sunset, no/light rain or wind).

Frequency division bat detectors were used to detect and record all bat passes. The surveyors recorded metadata including the time the pass occurred, the behaviour observed (foraging/commuting) and where possible, the species of bat observed. Results from the bat detector recordings were analysed using BatSound/Analook sonogram analysis computer software.

Night Vision Aids (NVAs) were used on all survey positions – these were three Nightfox Whisker infra-red cameras with additional infra-red torches. The footage from these NVAs was watched back to verify or update the survey results confirmed in the field.

2.3. Survey Validity and Update

Bats are transient in their use of habitats such as these, and apparently minor changes in condition or use of the building can affect suitability. However in the absence of significant changes in condition or building use, the nature and character of the site suggest that the results of the PAS surveys can be considered proportionately valid for a period of 12 months after the survey was completed, until June 2025.

3. Results

3.1. Surveyor Positions

In order to ensure that the different elements of the buildings received a survey effort of a single bat survey for a Moderate Potential building (in line with the Best Practice Guidance), three surveyor positions were used. These are identified in Map 01 below.

Map 01 – showing surveyor positions around the buildings. See the PRA report for full details of the different structures indicated by the various colour washes.

3.2. PAS Survey 1

3.2.1. Survey Conditions

The first dusk survey was undertaken on 15th May 2024. The survey commenced at 8:50pm, approximately 15 minutes before sunset at 9:05pm. It was completed at 10:35pm.

The temperature throughout the survey was 13°c - the evening was dry and overcast with a light south-easterly breeze and 75% high cloud cover.

3.2.2. Survey Results - Emergence

The emergence survey identified two common pipistrelle bats entering a roosting site behind the fascia on the front of the property at the location identified in Photo 01 below. This entry behaviour during a dusk survey has been observed on previous surveys undertaken in Hugh Town.

Photo 01 – showing the location where 2x common pipistrelle bats were recorded entering a roosting site behind the fascia board.

The two bats entered the roosting opportunity beneath the fascia behind the gutter hopper towards the southern end of the western aspect of the property at 9:36 and 9:39pm respectively. The NV camera field of view (FOV) on this occasion did not cover this aspect at the junction between Riviera House and the adjoined property to the south; however the following factors in the absence of NV confirmation allow confidence in this assessment:

- There is a street light which illuminates the northern end of this aspect providing excellent visibility for the surveyor;
- The time of entry was only 30 minutes after sunset while there was still ambient light from the recently set sun along with the illumination from the street light;
- Two individual bats were confirmed to enter the location in swift succession; and were not observed to re-emerge from the location for the remainder of the survey;
- The echolocation recorded during the approach flight ceased upon the observed entry;
- The bats were not recorded appearing on the opposite side of the roof by the surveyor in position S3 (confirmed on the S3 NV), ruling out the residual potential of the bats flying up and over the roof rather than entering at the observed location;

- The location where the entry was observed corresponds with a clear potential roosting feature in the form of a gap behind the fascia.

No other emergence activity was recorded elsewhere on the property.

3.2.3. Survey Results - Activity

No species other than common pipistrelle bats were recorded during the survey.

Aside from the observed re-entry behaviour, there was little additional bat activity recorded in the vicinity of the building. The first bat which was observed re-entering the building by Surveyor S1 at 9:36pm was also recorded on the approach by surveyors S2 and S3 flying over the building east-west before turning south along the front of the property to enter the roost location.

The surveyor in position S1 also recorded brief common pipistrelle passes at 9:54pm and 9:56pm – the former of these was also recorded by surveyor in position S3. The last recording of a bat was at 10:01pm by Surveyor S3.

3.3. PAS Survey 2

3.3.1. Survey Conditions

The second dusk survey was undertaken on 5th June 2024. The survey commenced at 9:14pm, approximately 15 minutes before sunset at 9:29pm. It was completed at 10:59pm.

The temperature throughout the survey was 12°c - the evening was dry and overcast with a gentle westerly breezy and 100% high cloud cover.

3.3.2. Survey Results - Emergence

No other emergence activity was recorded during this survey.

3.3.3. Survey Results - Activity

No species other than common pipistrelle bats were recorded during the survey.

The first bat pass was recorded by the surveyor in position S3 when a common pipistrelle was observed to fly over the property from north-south at 9:37pm. Further passes were recorded by the surveyors in positions S1 and S2 between 9:56pm and 10:38pm but these were intermittent and brief encounters associated with the environs of the property rather than the building itself.

3.4. Limitations and Constraints

3.4.1. Seasonal Timing

The surveys were undertaken within the main active season in 2024 and spaced more than three weeks apart – this conforms with the recommended survey timings within the Good Practice Guidelines.

3.4.2. Survey Conditions

The weather conditions were optimal with no precipitation or other adverse conditions which might be expected to affect bat behaviour.

3.4.3. Visibility and Coverage

The surveys were comprehensive with regards to surveyor visibility.

3.4.4. NVA Footage

The NV camera FOV could not fully cover all aspects of the buildings due to the presence of intervening or obstructing features around surveyor position S3 in both surveys. However the coverage of the other side of this roof pitch by surveyor position S2; and inspection of the recorded bat activity by surveyor position S3 allow the results to be confirmed with confidence in spite of this constraint.

The FOV of the camera in surveyor position S1 did not encompass the roost location point which is at the boundary of the property in PAS 1. This was rectified and the full span of the building as well as a portion of the adjacent property were included in the FOV during PAS 2.

The positioning of the cameras was designed therefore to maximise coverage; whilst also ensuring that comparison between different surveyor cameras would allow any missed emergence to be inferred for example through their absence on one camera and their presence on another indicating emergence within the intervening space.

4. Mitigation Strategy

4.1. Impact Assessment

The PAS surveys confirmed behaviour consistent with the following roosts:

- A non-breeding summer roost used by two common pipistrelle bats behind the fascia on the front of the property.

The re-roofing proposals, in the absence of mitigation, would result in the modification/destruction of the roost and the potential to disturb, kill or injure the roosting bats. This can be controlled through appropriate method of working which would be secured by an European Protected Species Mitigation Licence (EPSML).

4.2. Additional Survey Requirements

It is considered that the baseline data gathered is sufficiently consistent with a non-breeding summer roost and that the results can be considered appropriate to support a planning application in their current extent.

In order to support an EPSML application, an additional 1x PAS covering the identified roost location is required. This should be undertaken in July/August to allow the use of the building during a different period of the active season to be assessed in support of the EPSML.

4.3. European Protected Species Mitigation Licence (EPSML)

4.3.1. Overview

The re-roofing works undertaken on the property must be completed under an EPSML which would need to be in place prior to works commencing. The works must then proceed in accordance with the requirements of the EPSML.

An EPSML is a derogation licence which allows an otherwise-unlawful act to be undertaken – in this case the modification of a bat roost and the disturbance of roosting bats. The method of working would ensure avoidance of impacts such as roost destruction or the killing/injuring of bats. The EPSML would include mitigation measures and other commitments which must be met in order for the licence to be valid.

The EPSML can be applied for either under the standard EPSML application process; or the streamlined Site Registration under the ER programme. It is recommended that the latter option is selected as this comes with a reduced cost and a shorter decision timeframe, typically 15 days after application.

Planning Permission must be secured prior to application for Natural England for the EPSML derogation.

Works must adhere to the methodology and measures outlined in the EPSML.

4.3.2. Mitigation Measures

The following conditions and caveats would be included within the EPSML and must be strictly adhered to during the works in order to ensure legislative compliance. Please note this is not necessarily comprehensive. Additional minor constraints or requirements may be necessary in the final EPSML document.

- Works can proceed during the transitional or winter periods from mid-September to end-April inclusive;
- Prior to the commencement of licenced works, the Licenced Bat Worker would provide a Toolbox Talk to contractors to ensure they understand the locations where bats may be found; the methodology which would minimise the risk of harm to bats; and the protocol to follow if a bat is identified.
- Installation of a bat box in a suitable location to ensure that there is a place where any bats encountered during works can be safely placed. This should then be retained in perpetuity.
- Key elements of the works should be undertaken under a 'soft strip' methodology whereby the fascia boards are removed by hand, as well as tiles within 1m of the eaves (if required) under the ecological oversight of a Licensed Bat Worker. If bats are identified, they would be captured by hand and moved to a place of safety.
- Once the soft-strip has been completed, and the Licenced Bat Worker is satisfied that the roosting location has been fully explored and rendered unsuitable for bats, re-roofing works can proceed with distance supervision. These works should be completed as soon as possible to minimise the duration of time when bats would not have access to the roost.
- Following completion of the works, the roost would be restored in situ. This would involve the incorporation of a cavity 100mm wide and 25mm deep behind the fascia board to permit continued access for bats. This would be completed under the direction of the Licensed Bat Worker who would confirm and sign off the restored roosting feature at the end of works.
- Any replacement of woodwork in locations where bats may access should ensure that wood treatments are safe for bats – a list of approved treatments will be provided by the Licenced Bat Worker.
- If the soft-strip methodology identified current or future access to the roof itself; then a bitumen membrane or bat-safe breathable roofing membrane (BRM) must be specified rather than standard BRM which can cause entanglement and death to roosting bats as well as deterioration of the BRM resulting in poor material performance.

Appendix 1 – NVA Screenshots

Surveyor S1 – showing footage from the Nightfox Whisker at surveyor position S1. Note the artificial light on the LHS of the image which provides an elevated level of visibility for the surveyor watching this aspect. The roost site is in the location indicated with the arrow – this illustrative image is taken from the PAS2 survey – the FOV clipped this feature (at the junction between Riviera and the adjacent property) from the recording in PAS1.

Surveyor S2 – showing footage from the Nightfox Whisker on surveyor position S2. No potential access features were identified associated with the gable on the RHS of the image – it is also illuminated by the artificial light which provides the surveyor with excellent visibility without requiring IR and NVA; therefore this camera position was focussed on the potential features within the portion of the building on which the camera and IR is focussed.

Surveyor S3 – showing footage from the Nightfox Whisker on surveyor position S3. The small size of the courtyard restricts the FOV from covering the pitch of the roof on the RHS of the image; this constraint was addressed through positioning of surveyors (including indirect observation by surveyor S2) and careful review and cross-reference of results between surveyors.