

# Council of the Isles of Scilly Delegated Planning Report Other application

**Application Number:** P/25/023/ADV

**UPRN:** 000192000261

**Received on:** 27 February 2025

**Valid on:** 27 February 2025

**Application Expiry date:** 24 April 2025

**Neighbour expiry date:** NONE CONSULTED

**Consultation expiry date:**

**Site notice posted:** 10 March 2025

**Site notice expiry:** 31 March 2025

**Applicant:** Mrs Natasha Milne St Austell Brewery

**Site Address:** Bishop And Wolf Inn  
Hugh Street  
Hugh Town  
St Mary's  
Isles Of Scilly  
TR21 0LL

**Proposal:** Application for advertisement consent for replacement signage including external illumination (Listed Building)

**Application Type:** Application to Display Adverts

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**Recommendation:** PER

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## **Summary Conditions:**

1. Standard time limit (5 years)
  2. Shall not Impact Visual Amenity
  3. Maintenance
  4. No other ADV without LPA consent
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## Reason for Delegated Decision

No councillors have requested that the case come to the Full Council. The decision defaults to the level of Delegated

- No relation to a Councillor/Officer
- Not Major
- Not Council's own application
- Not a departure from the Development Plan

## Lead Member Planning Agreed

Name: Cllr D Marcus

Date: 03/03/2025

## Site Description and Proposed Development

The Bishop & Wolf is a grade II listed public house on Hugh Street in the centre of Hugh Town. With two storeys plus dormers on the attic, the property fronts Hugh Street with granite walls (timber bay/shop front windows at ground level), 12 pane sliding sash windows, slate roof and granite chimney stacks. To the rear there are a number of later two-storey extensions extending the commercial premises and also including staff accommodation. There is also service and ventilation infrastructure in this area.

The most recent use of the property was as a pub including food offering with staff accommodation although it has not been open year-round. An application in 2024 sought planning permission and listed building consent to re-configure the internal layout of the building to both increase and provide for an improved separation of the commercial and residential uses. A phased approach to works would result ultimately in a consolidated commercial offering to the ground floor with a reconfiguration of staff accommodation over the upper two floors and ground floor of the rear extension.

This is an application for advertisement consent to update the signage of the pub reflecting its opening in 2025.

**Certificate:** A

## Consultations and Publicity

The application has had a site notice on display for 21 days (10/03/2025 – 31/03/2025). Due to the nature of the proposal one internal consultation has been made with the Environment Team at the Council of the Isles of Scilly.

Consultee	Date Responded	Summary
Highways and	No response	

<b>Maintenance</b>		
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### Representations from Residents:

No letters of representation have been received.

### Relevant Planning History:

App. No.	Description	Date
P.0217	Approval of planning permission for alterations to existing building in order to convert to public house with managers flat above	1960
P.0415	Approval of planning permission for an extension to cocktail bar onto flat roof	08.02.1963
P.0473	Approval of planning permission for the erection of store and garage at rear of existing pub	07.01.1964
P.1799	Conditional approval of planning permission for alterations and improvements to existing store at rear of public house	22.05.1979
P.2853	Conditional approval of planning permission for the provision of a first floor rear extension for utility and staff room	05.01.1989
P.2960	Conditional approval of planning permission for the provision of a rear ground floor extension for use as a pool room	18.07.1989
P.2965	Conditional approval of planning permission for the provision of a connecting (fire escape) bridge at rear elevation	26.09.1989
P.5399	Conditional approval of planning permission for the extension of staff accommodation	09.01.2006
P.5400	Conditional approval of listed building consent for the extension of staff accommodation	09.01.2005
P/08/004	Conditional approval of listed building consent to remove new raised stage adjacent to entrance, block toilet door, demolish internal wall at rear to create a restaurant, servery and toilets with a new patio door at the rear.	08/02/2008
P/08/005	Conditional approval of planning permission to remove name boards to reveal windows, new window on SE elevation and move entrance door	08.02.2008
P/09/068	Conditional approval of planning permission for the retrospective erection of two sheds at the rear of the property	03.08.2009
P/09/069	Conditional approval of listed building consent for the retrospective erection of two sheds at the rear of the property	03.09.2009
P/23/027/COU	Application for a change of use of upper floor into staff accommodation including internal alterations (Listed Building)	WITHDRAWN 29.04.2024
P/23/028/LBC	Application for Listed Building Consent for internal alterations (Listed Building)	WITHDRAWN 29.04.2024

### Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast
- Grade II Listed Building

## Planning Assessment

The decisive issues are:

1. Whether the proposed advertisements ensure against harm to the visual amenity of the streetscape, avoid over-dominating the primary purpose of the freestanding structure to which they are part of and preserve or enhance character and appearance where they are located in Conservation Areas.
2. Whether the proposed advertisements ensure public and highway safety and avoid restricting the free movement of pedestrians and other users of the footways.

<b>Design and Materials</b>	<b>YES OR NO</b>
Would the proposal maintain the character and qualities of the area in which it is proposed?	y
Would the proposal appear in-keeping with the appearance of the existing building, street and area?	y
Would the materials, details and features match the wider character of in the area?	y

<b>Visual Amenity</b>	<b>YES OR NO</b>
Is the proposal acceptable with regard to any significant visual amenity issues?	y
Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?	y

<b>Public Highway Safety</b>	<b>YES OR NO</b>
Would the proposal interfere or otherwise unduly distract drivers in terms of the free movement of highway users, including access to other sites and parking or turning spaces?	n
Is the sign illuminated	y
Would the brightness and/or direction give rise to any highway safety hazards?	n

<b>Movement</b>	<b>YES OR NO</b>
Does the proposal interfere with a pedestrian footway	n

**Conclusion:** The size with some illumination would not harm the visual amenity of the streetscape and would preserve the character and appearance of the Isles of Scilly Conservation Area, in accordance with the adopted Development Plans, and policies listed below. The location and position of the proposed advertisement would allow the safe and unobstructed movement of pedestrians and other users of the footway in accordance with policies OE4 and SS2 (1) i) of the Isles of Scilly Local Plan (2015-2030)

**EIA:** Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

**Proactive working:** In accordance with guidance within the National Planning Policy Framework the Council has worked in a positive and creative way and has concluded that the application is acceptable for Advertisement Consent to be granted.

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

**Planning Policy:** Regulation 3 of the **Town and Country Planning (Control of Advertisements) (England) Regulations 2007** specifies that the impact on **amenity** and **public safety** must be considered when assessing advertisement consent. 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.

National Planning Policy Framework: Paragraph 141 requires Advertisements to be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

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 Safeguarding Serviced Accommodation	

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

### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

### **Recommended Conditions:**

**C1 This consent hereby grants permission for the display of the advertisement referred to in this notice for a period of five years from the date of this consent.**

Reason: Having regard to Regulation 14(7) the Town and Country Planning (Control of Advertisements) Regulations 2007.

**C2 The advertisements hereby permitted shall not be carried out except in complete accordance with the details shown on the approved submitted plans:**

- **Proposed Signage Elevations: drawing number: 3258-3-225  
Dated Feb 2024**

- **Location and Block Plan, drawing number: 3258-1-001 Dated April 2025**

**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 SS2(1)i) of the Isles of Scilly Local Plan 2015-2030.

- C3 The advertisement hereby permitted shall be maintained in a condition that does not impair the visual amenity of the site.**

Reason: In the interests of amenity and in accordance with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- C4 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.**

Reason: In the interests of amenity and in accordance with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- C5 No advertisement, other than those already displayed with either deemed or express consent, shall be displayed at this site without the prior express consent of the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007 or any regulations revoking or re-enacting those regulations.**

Reason: In the interests of amenity and to maintain a reasonable level of advertisement material on this building having regard to the prominent location of the site and the general character of the area in which it is located.

- C6 The advertisement(s) hereby approved shall not exceed the number of lights or level of illumination stated in this application and these shall be switched off when the premises is closed to the public.**

Reason: To preserve the scenic beauty of the Isles of Scilly as a designated Area of Outstanding Natural Beauty which includes its Dark Night Skies in accordance Policy OE4 of the Isles of Scilly Local Plan 2015-2030 and paragraph 198 (c) of the National Planning Policy Framework 2024.

### **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 creative way, in accordance with paragraph 39 of the National Planning Policy Framework 2024.
2. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply. These can be found in the legislation.
  3. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that, unless an exception or a transitional arrangement applies, the planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:
    - (a) a Biodiversity Gain Plan<sup>2</sup> has been submitted to the planning authority, and
    - (b) the planning authority has approved the plan.The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be the Planning Department at the Council of the Isles of Scilly.

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**Print Name:** Lisa Walton

08/05/2025

**Job Title:** Chief Planning Officer

**Signed:**



**Authorised Officer with Delegated Authority to determine Planning Applications**

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