

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

**Application Number:** P/25/047/HH

**UPRN:** 000192001624

**Received on:** 6 May 2025

**Valid on:** 18 July 2025

**Application Expiry date:** 12 September 2025

**Site notice posted:** 21 July 2025

**Site notice expiry:** 11 August 2025

**Case Officer:** LISAW

**Applicant:** Mark Wright

**Site Address:** Bishop View  
Porthloo  
St Mary's  
Isles Of Scilly  
TR21 0NF

**Proposal:** Extension to existing house to create en-suite bathroom

**Application Type:** Householder

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**Recommendation:** REF

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## Summary Reason(s) for refusal

- R1** The proposed extension would result in a dwelling with a gross internal area approximately 70–84% greater than the Nationally Described Space Standards, significantly exceeding the 30% maximum increase permitted under Policy LC8 of the Isles of Scilly Local Plan (2015–2030). In the absence of a clear, robust, and evidenced justification for such a substantial (cumulative) enlargement, the proposal conflicts with Policy LC8(1)(b), which seeks to ensure that existing homes remain appropriately scaled to meet identified housing needs. This scale of enlargement undermines the strategic objective of maintaining a balanced housing stock and does not support the delivery of sustainable, inclusive communities. The proposal also fails to comply with paragraphs 61 and 62 of the National Planning Policy Framework (2024), which require planning decisions to be informed by local assessments of housing need, including the size and type of homes required by different groups. While paragraph 63 supports a range of housing types, this must be grounded in demonstrable local need. In this case, the material considerations provided as justification do not outweigh the clear conflict with both local and national policy objectives.
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## Reason for Delegated Decision

No Councillor has requested that the application come to the Full Council. The decision defaults to the level of Delegated:

- Not a Councillor ✓
- Not a Senior Officer (or Officer with influence over planning Decisions) ✓
- No relation to a Councillor/Officer ✓
- Not Major ✓
- Not Council's own application ✓
- Not a departure from the Development Plan ✓
- Not Called in ✓

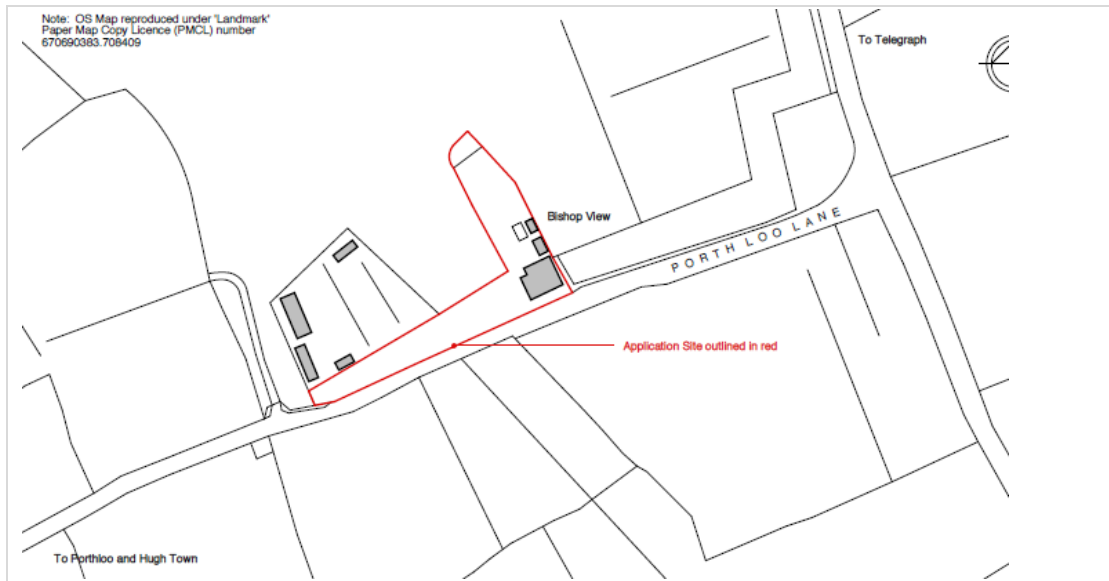
## Lead Member Planning Agreed

Name: Cllr Marcus

Date: 18/07/20025

## Site Description

The application site was originally a detached bungalow located in a relatively isolated location between the settlement areas of Telegraph and Porthloo on the island of St Mary's. The property is now a detached dormer bungalow with a first floor extension approved at [Full Council in November 2023 \(P/23/046/HH\)](#). The original bungalow was constructed in the late 1960s with a large private garden to the rear and a large private garden to the side. There was originally a single garage to the west side, which has been amalgamated into the dwelling by the construction of the first floor above the garage and original bungalow.



Certificate: A

Other Land Owners: N/A

### Consultations and Publicity

The application has had a site notice on display for 21 days (21/07/2025 – 11/08/2025). The application appeared on the weekly list on [21 July 2025](#). Due to the nature of the proposal no external consultations are required.

### Representations from Residents:

[0] letters of objection have been received

[0] letters of support have been received

[0] letters of representation have been received.

### Relevant Planning History:

Under the current Local Plan, adopted in 2021, and the previous Local Plan, adopted in 2005, there is no planning history. Prior to this there were several planning applications considered by this Council, which have been set out below.

| App. No.     | Decision | Description   | Date       |
|--------------|----------|---|------------|
| P.0708       | Approved | Permission granted for improvements to existing cottage   | 05.12.1967 |
| P.0733       | Approved | Conditional permission granted for the erection of L.V. overhead mains and one pole mounted substation at Bishops View.   | 30.01.1968 |
| P.2173       | Approved | Conditional permission granted for the rebuilding of the rear kitchen extension to provide kitchen / dining room with improvements  | 28.06.1983 |
| P.2764       | Approved | Conditional permission granted for the demolition of existing garage and alterations to Bungalow and provision of integral shower   | 07.06.1988 |
| P.3713       | Approved | Conditional permission granted for the erection of a garden shed  | 06.12.1994 |
| P.3802       | Approved | Conditional permission granted for a rear extension for porch and related alterations.  | 08.08.1995 |
| P/23/047/HH  | Approved | Removal of hipped roof and construction of new roof incorporating first floor accommodation and internal alterations.   | 20.11.2023 |
| P/24/003/ROV | Refused  | Application to vary condition C2 (Approved Plans) of planning permission P/23/046/HH (Removal of hipped roof and construction of new roof incorporating first floor accommodation and internal alterations (Amended Plans)) to enable the construction of an en-suite shower room to the first floor bedroom. | 13/03/20   |

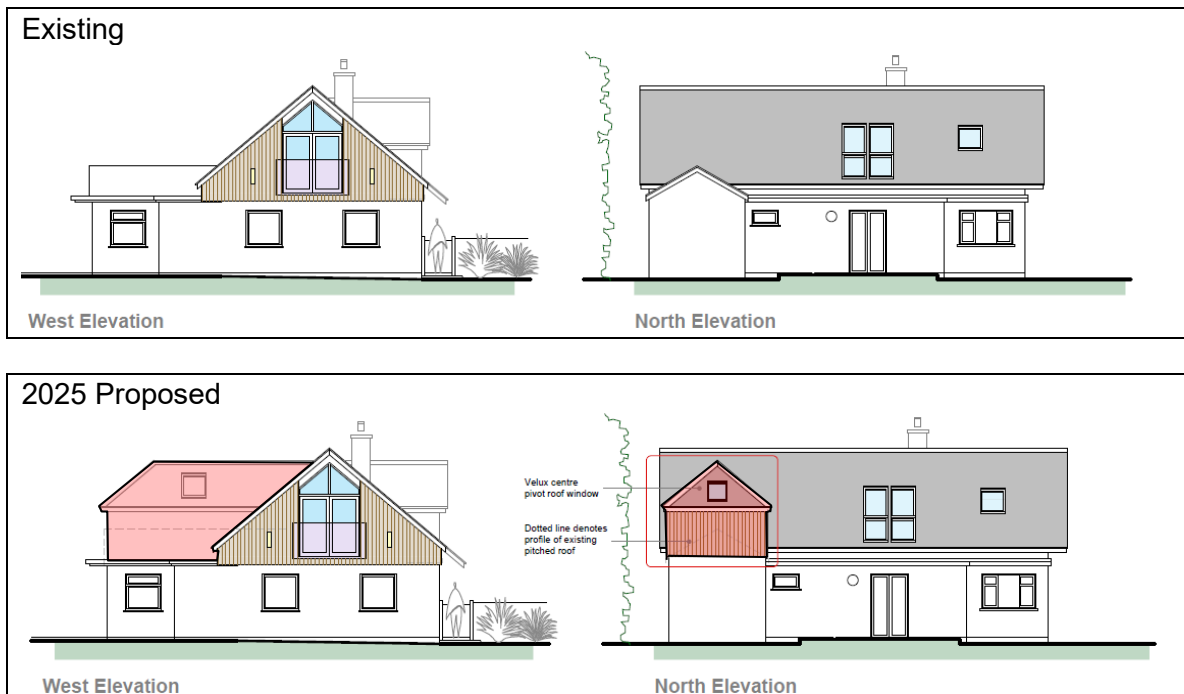
### Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast

### Planning Assessment

#### Proposal Overview

The proposal seeks to reintroduce a first-floor rear extension that was previously removed from a redevelopment scheme in 2023. This removal was based on concerns that the overall scale of the dwelling would exceed the space standards set out in Policy LC8 of the Isles of Scilly Local Plan (2015–2030).



The amended scheme (P/23/046/HH) was subsequently approved by Full Council. A later application (P/24/003/ROV) sought to reintroduce the first-floor extension and was refused for the following reason:

- R1 The proposed variation of condition 2 of planning permission P/23/046/HH would result in a dwelling with a gross internal area 81% greater than the Nationally Described Space Standards and 39% greater than the maximum gross internal area prescribed within Policy LC8. Without justification as to why a larger home is required in this case, the proposal would result in further erosion of existing modestly sized housing and fails to accord with Policy LC8(1) b) of the Isles of Scilly Local Plan (2015 - 2030).

### **Applicant's Justification**

It is noted that the scale of the current first-floor extension (as now constructed as approved) was previously recommended for refusal by officers during the assessment of the earlier scheme in 2023. The extension, now proposed, was included as part of that 2023 submission but was taken out as a means to make the proposal *more* in line with policy. Although the decision was permitted at Full Council, the recommendation for refusal was on the basis that the proposal overall would result in a dwelling significantly exceeding the size limits set out in Policy LC8 of the Isles of Scilly Local Plan (2015–2030). The applicant's Design and Access Statement for the current proposal acknowledges this planning history but seeks to reintroduce the extension on the basis of personal circumstances.

In response to the previous refusal, the applicant explains that he has worked as a building contractor for most of his life and now suffers from hip problems, which make using stairs increasingly difficult, particularly at night. The master bedroom is located on the first floor, but there is currently no en-suite bathroom at that level. The proposed extension would provide an en-suite shower room and toilet to reduce the need to descend the stairs during the night. It would be discreetly located to the rear of the property, hidden from public view, and would connect easily to existing plumbing from the bathroom below.

### **Policy Context**

Policy LC8 seeks to restrict extensions to existing dwellings in order to retain appropriately sized homes. This policy supports domestic extensions in general but seeks to ensure the broader objective of maintaining a balanced housing stock is retained, recognising that the Isles of Scilly has a limited and sensitive housing supply. The proliferation of overly large homes can distort the housing mix and reduce opportunities for smaller households, young families, or older residents seeking manageable accommodation.

The policy sets a clear and measurable limit on dwelling size, 30% above the Nationally Described Space Standards (NDSS) which was subject to public consultation and confirmed through the Local Plan examination process. This is a prescriptive control designed to protect housing balance, and the proposal exceeds this limit by a substantial margin.

The [Inspector's Report](#), (23/02/2021) including the Main Modifications (paragraphs 33–34), which were subject to public consultation and incorporated into the adopted Plan, reinforced the importance of ensuring that development proposals do not undermine the strategic objective of delivering and retaining sustainable, appropriately sized homes.

### **Planning History and Floor Area Analysis**

The application site was modest bungalow that was extended with a kitchen and

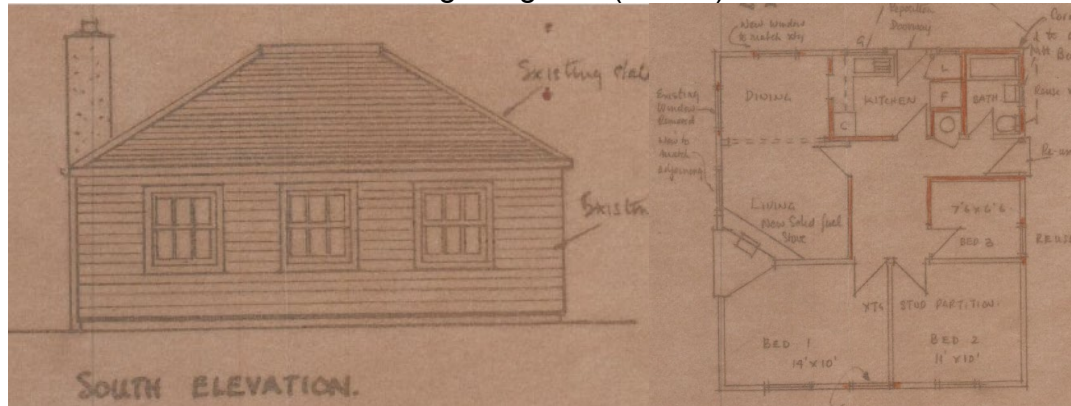
garage (1980s). Planning permission was subsequently granted for a first-floor extension (2023), which significantly increased the size of the dwelling, initially by 84% above NDSS, and later reduced to 74% following amendments. The current proposal seeks to increase this again.

The following table sets out the evolution of the dwelling's size in relation to the Nationally Described Space Standards (NDSS), highlighting the extent to which the property exceeds the thresholds set by Policy LC8.

*Table 1 Space standards of the property*

| Dwelling Evolution                       | No of Floors | No of Bedrooms | NDSS Min Standards                      | Size of Dwelling (no garage) | Size of Dwelling (inc garage) | Above or below range (no garage – inc garage) |
|--|--------------|----------------|---|------------------------------|-------------------------------|---|
| Existing bungalow (as extended in 1980s) | 1            | 2              | 70m <sup>2</sup><br>(4 people sharing)  | 102m <sup>2</sup>            | 118.3m <sup>2</sup>           | Above by 45%-69%                              |
| P/23/046/HH<br>Proposed extension        | 2            | 3              | 102m <sup>2</sup><br>(6 people sharing) | 173.34m <sup>2</sup>         | 188.74m <sup>2</sup>          | Above by 70%-84%                              |
| P/23/046/HH<br>As amended                | 2            | 3              | 102m <sup>2</sup><br>(6 people sharing) | 161.6m <sup>2</sup>          | 177m <sup>2</sup>             | Above by 57%-74%                              |
| P/25/047/HH<br>As existing)              | 2            | 3              | 102m <sup>2</sup><br>(6 people sharing) | 161.6m <sup>2</sup>          | 177m <sup>2</sup>             | Above by 57%-74%                              |
| P/25/047/HH<br>(As proposed)             | 2            | 3              | 102m <sup>2</sup><br>(6 people sharing) | 173.34m <sup>2</sup>         | 188.74m <sup>2</sup>          | Above by 70%-84%                              |

#### 1967 Rear extension to existing bungalow (P0708)

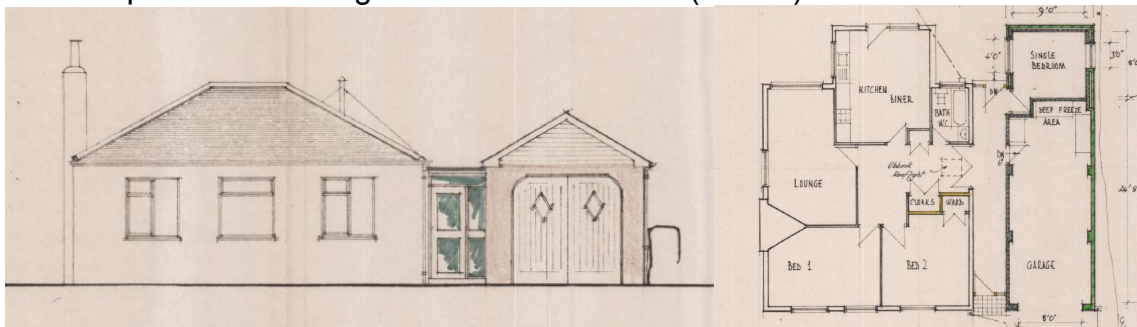


#### 1983 – Rear Kitchen Extension and Garage





1988 Replacement Garage and Rear Extension (P2173)



1995 Rear Extension (no front elevation provided only rear elevation) (P3802)



2023 (prior to recent first floor extension)



2025 (after first floor extension)



### **National Policy Context**

Paragraphs 61 and 62 of the National Planning Policy Framework (2024) require that housing size and type be evidence-led, not simply diverse. The Isles of Scilly Local Plan is underpinned by a housing needs assessment that prioritises modestly sized homes. While paragraph 63 supports a range of housing types, this must be grounded in demonstrable local need. The creation of disproportionately large dwellings without clear justification of circumstance, or evidence of demand, risks reducing the availability of appropriately sized homes, thereby compromising both local and national housing objectives.

### **Design and Visual Impact**

In terms of visual impact and the character of the conservation area, the proposed extension adds bulk to the rear of the property is otherwise relatively discreet. While it would be visible from the golf course to the rear and to some extent from the land to the west, it is not considered to cause significant harm to the character or amenity of the area.

### **Assessment of Justification**

Personal circumstances, such as mobility issues, can be considered a material planning consideration where they relate directly to the use and functionality of the property. In particular, proposals that seek to improve accessibility or enable continued occupation of a dwelling by someone with specific health or mobility needs may carry weight in the planning balance. However, the extent to which such considerations influence the decision will depend on the nature of the proposal, the degree of improvement offered, and whether existing facilities



already meet accessibility requirements, for example.

It is noted that there are already two bedrooms, two bathrooms (one of which is an en-suite bathroom facility), and a WC on the ground floor. The dwelling appears to be an accessible dwelling given that all of the facilities of the property are already available on the ground floor. Additionally, there appears to be sufficient space within the existing first floor to accommodate a bathroom without further extension.

On this basis, the justification provided is not considered adequate to support further expansion in light of the limitations of extensions to existing dwellings, under Policy LC8.

### **Conclusion**

The proposed first-floor rear extension to an already recently enlarged dwelling would conflict with Policy LC8, which seeks to ensure that extensions to existing dwellings contribute to a balanced housing stock and meet identified local needs. Although the proposed extension would be considered modest, relative to the current dwelling, Bishop View has already been extended and now already exceeds the nationally described space standards by more than 30% (as shown in Table 1), and further enlargement would exacerbate the imbalance in the housing stock by creating a disproportionately large home that is inconsistent with the island's limited land availability and housing needs.

In terms of material considerations, the applicant's personal circumstances, specifically the need to reduce stair use due to mobility issues, are acknowledged. Such considerations could carry greater weight in relation to a dwelling that does not provide accessible facilities, for example, as noted above. However, in this case, the ground floor already includes two bedrooms, two bathrooms, and a WC, and complies with accessibility standards. The proposed extension does not, therefore, demonstrably improve the dwelling's functionality or accessibility beyond what is already available. As such, the justification for the extension is not considered essential and does not outweigh the clear conflict with Policy LC8.

It is acknowledged that the current proposal seeks to reintroduce an element previously removed from the 2023 scheme, which was approved contrary to officer recommendation. However, the assessment of this application is based solely on its compliance with adopted planning policy, particularly Policy LC8 of the Isles of Scilly Local Plan (2015–2030), and the absence of a clear, evidenced justification for further enlargement. The recommendation for refusal is therefore made on its own merits and in accordance with the development plan and national policy.

## Recommendations

In light of the above the proposal is recommended for REFUSAL for the following reason:

- R1** The proposed extension would result in a dwelling with a gross internal area approximately 70–84% greater than the Nationally Described Space Standards, significantly exceeding the 30% maximum increase permitted under Policy LC8 of the Isles of Scilly Local Plan (2015–2030). In the absence of a clear, robust, and evidenced justification for such a substantial (cumulative) enlargement, the proposal conflicts with Policy LC8(1)(b), which seeks to ensure that existing homes remain appropriately scaled to meet identified housing needs. This scale of enlargement undermines the strategic objective of maintaining a balanced housing stock and does not support the delivery of sustainable, inclusive communities. The proposal also fails to comply with paragraphs 61 and 62 of the National Planning Policy Framework (2024), which require planning decisions to be informed by local assessments of housing need, including the size and type of homes required by different groups. While paragraph 63 supports a range of housing types, this must be grounded in demonstrable local need. In this case, the material considerations provided as justification do not outweigh the clear conflict with both local and national policy objectives.

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

**Proactive working:** In accordance with guidance within the National Planning Policy Framework the Council has worked in a positive and creative way and has concluded that the application is acceptable for planning permission to be granted. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Planning Policy:** Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 2021, the development plan for the Isles of Scilly comprises the Isles of Scilly Local Plan 2015-2030.

The relevant development plan policies that have been taken into consideration are set out below:

### Isles of Scilly Local Plan, 2015-2030

| Policy  | Tick if Used ✓ |
|---|----------------|
| Policy LC8 Replacement Dwellings and Residential Extensions | ✓              |

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

**Considerations under Human Rights Act 1998 and Equalities Act 2010:** The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report. In discharging their functions, must have “due regard” to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

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**Print Name:** Lisa Walton

10/09/2025

**Job Title:** Chief Planning Officer

**Signed:**



Authorised Officer with Delegated Authority to determine Planning Applications

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