

Council of the Isles of Scilly Delegated Planning Report

Application Number: P/25/056/FUL

UPRN: 000192001775

Received on: 18 June 2025

Valid on: 27 June 2025

Application Expiry date: 29 August 2025

Consultation expiry date: 21 July 2025

Site notice posted: 30 June 2025

Site notice expiry: 21 July 2025

Applicant: Mr Clifford Freeman
Site Address: Isles Of Scilly Country House Flats
High Lanes
St Mary's
Isles Of Scilly
TR21 0NW
Proposal: Conversion of garage adjacent to Staff House into seasonal dwelling for staff accommodation
Application Type: Full Planning Permission

Recommendation: PER

Summary Conditions

1. Standard Time Limit (3 years)
2. In accordance with the Approved Plans
3. External Lighting
4. Seasonal Staff Accommodation Only
5. Site Waste Management Plan
6. Hours of Construction

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 D Marcus | Date: 20/08/2025

Site Description and Proposed Development

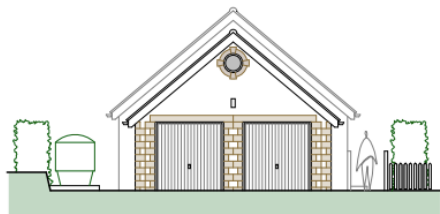
The Isles of Scilly Country House is a relatively modern two-storey building with single storey wings and an outbuilding located at High Lanes on the island of St Mary's, and within the S7 settlement boundary as set out in the Isles of Scilly Local Plan (2015-2030). The property is the northern most unit in the settlement with agricultural fields to the north and the east. To the south is the A3110 (High Lanes) and two detached dwellings (Newford Bungalow and Alegria), while to the west over the track that leads to Content Farm is the dwelling named Silver Carn.



The proposal is to convert the existing garage, which is currently used for storing materials and can be found adjacent to the staff house, to create a single unit of seasonal staff accommodation. The principle exterior changes, as shown on the plans below, will be to the North East and South East elevations of the garage.

On the North East elevation, two windows will be replaced with new double glazed uPVC windows, and on the South East elevation the existing garage doors will be removed and replaced with double glazed aluminium sliding patio doors. No changes are proposed to the South West or North West elevation of the building.

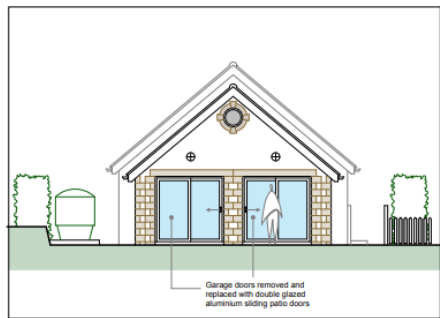
EXISTING



South East Elevation



North East Elevation



PROPOSED



Certificate: B | Other Landowners: Duchy of Cornwall

Consultations and Publicity:

The application has had a site notice on display for 21 days (30/06/2025 – 21/07/2025). The application appeared on the weekly list on 30th July 2025.

Consultee	Date Responded	Summary
CloS Environment Services (Highways, Waste & Recycling)	22/07/2025	The Council, as the Highways Authority, has some concerns regarding the increase in bed space, although only minor, which may result in an increase of parked vehicles on the highway at this location. It would be a positive outcome if the vehicle parking issues could be resolved within this application or through a future planning application.
Cornwall Fire & Rescue Service	09/07/2025	If planning approval is granted the works are considered 'controlled

		work' and therefore building control approval would also be required, subsequently the fire authority should also be consulted at the same time, as the premises will fall within the scope of the Regulatory Reform [Fire Safety] Order 2005.
South West Water	25/07/2025	As no water is proposed to come back to the SWW network, there are no observations.

Representations from Residents:

[0] letters of objection have been received.

[0] letters of support have been received.

[1] letters of representation have been received:

A [representation by Mr & Mrs Banfield](#) was received on Saturday 5th July 2025. The representation noted that while “we have no problems with the actual planning application we feel that serious consideration to staff parking with Company vehicles should be taken into account”. The representation went on to make a suggestion about how the current parking issues at High Lanes could be resolved. This suggestion was sent to the Agent, who [formally acknowledged and replied to it](#) on Tuesday 8th July 2025.

Constraints:

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

Planning Assessment

Design	YES OR NO
Would the proposal maintain the character and qualities of the area in which it is proposed?	Y
Would the proposal appear in-keeping with the appearance of the existing dwelling, street and area?	Y
Would the materials, details and features match the existing dwelling and be consistent with the general use of materials in the area?	Y
Would the proposal leave an adequate garden area and green space to prevent the proposal appearing as an overdevelopment of the site and to ensure an adequate level of amenity?	N/A
Is the parking and turning provision on site acceptable?	Y
Would the proposal generally appear to be secondary or subservient to the main building?	Y

Amenity	YES OR NO
Is the proposal acceptable with regard to any significant overlooking/loss of privacy issues?	Y
Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?	Y
Is the proposal acceptable with regard to any significant change or intensification of use?	Y

Heritage	YES OR NO
Would the proposal sustain or enhance the character and appearance of the Conservation Area?	Y
If within the setting of, or a listed building, a) Will the development preserve the character and special architectural or historic interest of the building? b) Will the development preserve the setting of the building?	N/A
Within an Archaeological Constraint Area	N
Other Impacts Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	Y
Impact on protected trees a) Will this be acceptable b) Can impact be properly mitigated?	N/A
Has the proposal been designed to prevent the loss of any significant wildlife habitats or proposes appropriate mitigation where this has been demonstrated to be unavoidable?	N/A
Does the proposal conserve and enhance the landscape and scenic beauty of the AONB	Y
Are the Water connection/foul or surface water drainage details acceptable?	Y
If sited within a Critical Flood Risk Area (low lying land below the 5m datum) is the application accompanied by an acceptable Flood Risk Assessment?	N
Are there external lights?	N

Protected Species	YES OR NO
Does the proposal include any re-roofing works or other alteration to the roof	N
Does the proposal include any demolition	N
Does the proposal include tree or hedge removal	N
Is an assessment of impact on protected species required	N
Has an assessment been provided that adequately assesses the site	N/A

and includes mitigation, enhancement and timing requirements	
Are biodiversity enhancement measures required	N
Is a condition required to provide biodiversity enhancement measures	N

Waste Management	YES OR NO
Does the proposal generate construction waste	Y
Does the proposal materially increase the use of the site to require additional long-term waste management facilities	N
Does the proposal include a Site Waste Management Plan	N
Is a condition required to secure a Site Waste Management Plan	Y

Sustainable Design	YES OR NO
Does the proposal materially increase the use of the site to require additional sustainable design measures	N
Does the proposal include any site-specific sustainable design measures	Y
Is a condition required to secure a Sustainable Design Measures	N

Principle of Development

Policy LC4 of the Isles of Scilly Local Plan (2015-2030) supports the development of staff accommodation to meet the seasonal demands of established or viable businesses where a functional need can be demonstrated and there is no loss of amenity to neighbouring dwellings. The submitted Planning Statement clearly sets out the applicant's need for further staff accommodation for his businesses (St Mary's Hall Hotel and Scilly Self Catering) and it is judged that the proposal doesn't lead to the loss of amenity for neighbouring dwellings.

Policy SS3(3) of the Isles of Scilly Local Plan (2015-2030) sets out that the re-use of non-traditional buildings for residential use will only be permitted where the development accords with the relevant stated criteria and provided that the proposal is to address a local housing need or staff accommodation and is subject to appropriate occupancy restrictions. As we have already established, the proposal addresses the applicant's need for staff accommodation and the agent, via the Planning Statement, has agreed that an occupancy restriction will be applied.

Policy WC1 of the Isles of Scilly Local Plan (2015-2030) supports proposals that strengthen, enhance and diversify the islands' economy where they are appropriately designed, scaled and located. The proposal is deemed to be appropriately designed and located and that it will, by virtue of supporting two existing businesses, help to strengthen and enhance the local economy.

The proposal is therefore considered acceptable in principle under Policies LC4, SS2 and WC1 of the Isles of Scilly Local Plan (2015-2030).

Design, Landscape & Visual Impacts

Policies OE1 and SS2 of the Isles of Scilly Local Plan (2015-2030) require proposals to respect the character of the site and conserve and enhance the landscape and demonstrate an appropriate scale, density, layout, height, mass and use of materials. As noted in 'Site Description and Proposed Development', the proposal will only lead to minor changes to the South East (introduction of patio doors) and North East (replacement uPVC windows) elevations of the garage. These details are considered acceptable and that the proposal accords with Policy OE1 of the Isles of Scilly Local Plan (2015-2030).

Residential Amenity

Located within an existing residential development (formerly a residential care home and later a guesthouse), the proposal involves the conversion of an existing building. As such, it does not include any new building works that could impact the privacy or amenity of existing residents or neighbouring properties. Although the use will change from storage to residential, this is unlikely to result in significant adverse impacts, given that the rest of the site is also residential in nature and the unit is intended for seasonal staff occupation only.

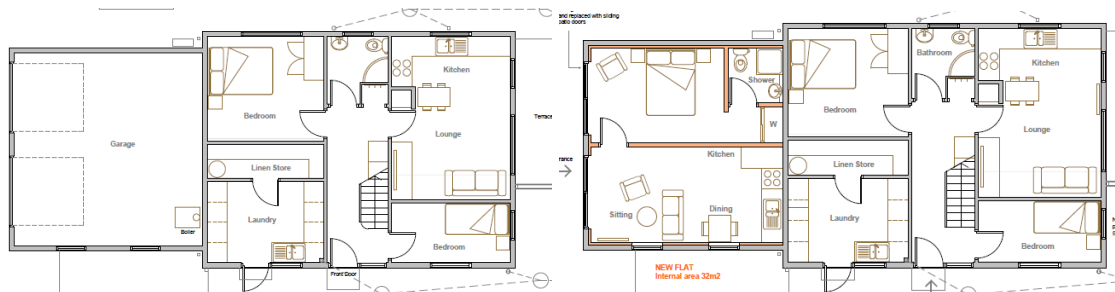


Figure 1 Existing (left) and proposed conversion of garage to single seasonal staff unit.

The proposed alterations—particularly the large, glazed patio doors—will be visible from the public realm, and future occupants of the unit may be overlooked by guests entering the Country House or by pedestrians along the A3110. However, as the accommodation is intended for seasonal staff, and privacy concerns can be mitigated through appropriate glazing finishes, this is not considered a reason to withhold planning permission. Overall, the proposal does not give rise to any unacceptable impacts on residential amenity.

Highway Safety

Although the existing building has the potential to be used for vehicle parking, it is not currently used for this purpose. Therefore, the proposed change of use does not displace any existing off-street parking provision. The conversion to staff accommodation may result in additional vehicles parking at the site. However, there are no parking restrictions on the surrounding roads, meaning vehicles can be parked legally without breaching planning or highway regulations.

The site is located within the identified settlement of High Lanes (as shown on the Local Plan Policies Map (S7)), where the construction or conversion of buildings for residential use is considered appropriate. Windfall residential development is supported within or adjoining identified settlement areas.

Although the site lies on a bend in the road subject to a 60mph speed limit, the road is relatively wide, and parked vehicles tend to have the effect of slowing traffic. While concerns have been raised by a local resident, it is not considered that the proposal would have a significant impact on the local highway network.

Paragraph 116 of the National Planning Policy Framework (NPPF) sets a high threshold for refusal on highway grounds, stating:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.”

In this case, it is not considered that the proposal would result in either unacceptable safety impacts or severe cumulative harm that would justify refusal.



Nationally Described Space Standard

Policy LC3(2) of the Isles of Scilly Local Plan (2015–2030) requires that all new homes provide a good standard of accommodation by meeting the minimum Nationally Described Space Standard. The proposed unit, at 32m², falls below the minimum requirement of 37m² for a one-bedroom, one-person dwelling with a shower room.

As such, a suitably worded planning condition will be required to restrict the unit's occupation to seasonal use only, rather than permanent year-round residency. For the avoidance of doubt, permanent occupation of the unit would not comply with Policy LC3(2) of the Isles of Scilly Local Plan.

Site Waste Management

Policies SS2(2) and OE5(2) of the Isles of Scilly Local Plan (2015–2030) require that proposals involving the conversion of buildings must be accompanied by a Site Waste Management Plan (SWMP). While an SWMP has not been submitted with this application, the agent has confirmed that a condition requiring its provision is welcomed.

Subject to the inclusion of a suitably worded condition securing the submission and implementation of a SWMP, the proposal is considered to accord with Policies SS2 and OE5 of the Isles of Scilly Local Plan (2015–2030).

Dark Skies

Policy OE4 of the Isles of Scilly Local Plan (2015–2030) seeks to protect the Isles' Dark Skies. Proposals that include external lighting will only be permitted where it is essential for safety, security, or community reasons, and where measures are taken to minimise light pollution.

Although no external lighting is proposed as part of this application, it is considered appropriate to secure control over any future external lighting through a suitably worded planning condition. Subject to this condition, the proposal is considered to accord with Policy OE4.

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 SS1 Principles of Sustainable Development	✓
Policy SS2 Sustainable quality design and place-making	✓
Policy SS3 Re-use of Buildings	✓
Policy SS4 Protection of retailing, recreation and community facilities	
Policy SS5 Physical Infrastructure	
Policy SS6 Water and Wastewater Management	
Policy SS7 Flood Avoidance and Coastal Erosion	
Policy SS8 Renewable Energy Developments	

Policy SS9 Travel and Transport	
Policy SS10 Managing Movement	
Policy OE1 Protecting and Enhancing the landscape and seascape	✓
Policy OE2 Biodiversity and Geodiversity	
Policy OE3 Managing Pollution	
<i>Policy OE4 Protecting Scilly's Dark Night Skies</i>	✓
Policy OE5 Managing Waste	✓
Policy OE6 Minerals	
Policy OE7 Development affecting heritage	
Policy LC1 Isles of Scilly Housing Strategy to 2030	
Policy LC2 Qualifying for Affordable Housing	
Policy LC3 Balanced Housing Stock	✓
Policy LC4 Staff Accommodation	✓
Policy LC5 Removal of Occupancy Conditions	
Policy LC6 Housing Allocations	
Policy LC7 Windfall Housing	✓
Policy LC8 Replacement Dwellings and Residential Extensions	
Policy LC9 Homes in Multiple Occupation	
Policy WC1 General Employment Policy	✓
Policy WC2 Home based businesses	
Policy WC3 New Employment Development	
Policy WC4 Alternative Uses for Business/Industrial land and buildings	
Policy WC5 Visitor Economy and Tourism Developments	✓

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

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

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

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

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it

- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

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

Recommended 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 following approved plans and documents:**

- **Location Plan, Drawing No. 2038D-P05 Rev A, dated 21 August 2025**
- **Block Plan, Drawing No. 2038D-P06 Rev A, dated 21 August 2025**
- **Existing & Proposed Elevations, Drawing No. 2038D-P04, dated 26 June 2025**
- **Proposed Ground Floor Plan, Drawing No. 2038D-P03, dated 26 June 2025**
- **Planning Statement, dated 26 June 2025**

These documents are stamped as APPROVED.

Reason: For the avoidance of doubt and in the interests of protecting the character and appearance of the Conservation Area, Area of Outstanding Natural Beauty, and Heritage Coast, in accordance with Policy OE1 of the Isles of Scilly Local Plan (2015–2030).

- C3 The development hereby permitted shall be used solely for the provision of seasonal staff accommodation between 1st April and 31st October in any calendar year. The unit shall not be occupied as permanent accommodation. The owner or operator shall maintain a register of occupants for each calendar year, which shall be made available for inspection upon request by any duly authorised officer of the Local Planning Authority.**

Reason: To ensure the development is occupied as seasonal accommodation only, in accordance with Policies LC4 and WC5 of the Isles of Scilly Local Plan (2015–2030).

- C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking or re-enacting that Order), no external lighting shall be installed on the site unless details have first been submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed and maintained in accordance with the approved details.**

Reason: To protect the amenities of the locality and preserve the dark night skies of the Isles of Scilly, in accordance with Policy OE4 of the Isles of Scilly Local Plan (2015–2030).

PRE-COMMENCEMENT CONDITION: Site Waste Management Plan

- C5** Prior to the commencement of development hereby approved, a scheme detailing the sources of all building materials and the means and location of disposal for all demolition material and construction waste, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved scheme.

Reason: To ensure that the environmental impacts of the development are properly managed, and to protect the landscape character and special qualities of the Isles of Scilly as a Conservation Area, Area of Outstanding Natural Beauty, and Heritage Coast, in accordance with Policies SS2(2) and OE5 of the Isles of Scilly Local Plan (2015–2030).

- C6** No works involving the use of machinery or plant in connection with the implementation of this permission shall take place outside the hours of 08:00 to 18:00 Monday to Saturday. No such works shall take place on Sundays or on Public or Bank Holidays.

Reason: In the interests of protecting the residential amenities of nearby occupiers and the wider community.

Further Information

- STATEMENT OF POSITIVE ENGAGEMENT:** 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.
- POST-DECISION AMENDMENTS:** 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. 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
- DISCHARGE OF CONDITIONS:** In accordance with the Town and Country Planning (fees for Application and Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 a fee is payable to discharge any condition(s) on this planning permission. You are advised to check the latest fee schedule at the time of making an application as any adjustments including increases will be applied:
https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
- BUILDING REGULATIONS:** 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.
- BIODIVERSITY NET GAIN:** 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. 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 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.

6. **COMMENCEMENT NOTICE:** Under Section 93G of the Town and Country Planning Act 1990 (as amended), this decision notice informs you that a 'commencement notice' must be served on the Local Planning Authority - subsections (2) and (3) are set out below:

(2) Before the development is begun, the person proposing to carry it out must give a notice (a "commencement notice") to the local planning authority specifying the date on which the person expects the development to be begun.

(3) Once a person has given a commencement notice, the person:

- may give a further commencement notice substituting a new date for the date previously given, and
- must do so if the development is not commenced on the date previously given

The notice should be provided to the Local Planning Authority a minimum of seven (7) days before the development commences.

Failure to provide the commencement notice could lead to the Local Planning Authority serving notice on them to require information to be provided, and if that is not provided within 21 days, they will be guilty of an offence, as below:

(5) Where it appears to the local planning authority that a person has failed to comply with the requirements of subsection (2) or (3)(b), they may serve a notice on any relevant person requiring the relevant person to give the authority such of the information prescribed under subsection (4)(a) as the notice may specify.

(7) A person on whom a notice under subsection (5) is served is guilty of an offence if they fail to give the information required by the notice within the period of 21 days beginning with the day on which it was served.

(9) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

PLEASE NOTE: The requirement under Section 93G of the Town and Country Planning Act 1990 (as amended) is separate from any requirements under the Community Infrastructure Levy Regulations 2010 (as amended) or any requirements for serving notices secured through the signed Section 106 Legal Agreement.

Print Name: Lisa Walton

29/08/2025

Job Title: Chief Planning Officer

Signed:



Authorised Officer with Delegated Authority to determine Planning Applications
