

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

**Application Number:** P/25/061/HH

**UPRN:** 000192000147

**Received on:** 30 June 2025

**Valid on:** 12 August 2025

**Application Expiry date:** 7 October 2025

**Site notice posted:** 14 August 2025

**Site notice expiry:** 5 September 2025

**Case Officer:** LWalton

**Applicant:** Mr Phillip Spence

**Site Address:** South Hill  
Southard  
Bryher  
Isles Of Scilly  
TR23 0PR

**Proposal:** Extension to the first floor of South Hill to create an additional bedroom (Amended Plans)

**Application Type:** Householder

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**Recommendation: Permit**

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**Summary Conditions:**

**C1 3-year time limit**

**C2 In accordance with approved plans**

**C3 Materials as shown on approved plans**

**C4 Site Waste Management Plan**

**C5 Bat Mitigation Strategy**

**C6 Hours of Construction**

Pre-commencement conditions notified to agent: 29/10 (agreed 04/11/2025)

Extension of time Requested to 12/11/2025 (agreed 04/11/2025)

## 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: 08/10/2025

## Site Description and Proposed Development

The application site is South Hill, a residential property located on Green Bay Road, Southard, Bryher, Isles of Scilly. The property occupies a coastal location on Bryher, one of the smaller inhabited islands in the archipelago, and is accessed via small local track roads serving the settlement area of Southard.

Planning permission is sought for a first-floor extension to the existing dwelling to create an additional bedroom. The proposed works involve the conversion of a single-storey element of the property into a two-storey structure, with materials proposed to match the existing building, including stone walls, grey roof tiles, and white timber windows.

**Certificate:** B

**Other Land Owners:** Duchy of Cornwall

### Consultations and Publicity

The application has had a site notice on display for 21 days (14/08/2025 – 05/09/2025). The application appeared on the weekly list on [18/08/2025](#).

### 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:

Nothing relevant under the adopted 2015-2030 Local Plan. Some history is available:

**P/07/071:** Demolish existing building and replace with new framed timber building. Approved 13/07/2007

**P/15/046/FUL:** Change of use of existing ancillary accommodation to holiday let in connection with South Hill (affecting the setting of a listed building). Approved 25/09/2015

**P/17/075/FUL:** Installation of vertical cedar cladding to single storey holiday let. Approved: 09/11/2017

### 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 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?	y
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
Is the scale proposed in accordance with NDSS	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,	n/a

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?	
Within an Archaeological Constraint Area	N
Other Impacts	n/a
Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	
Impact on protected trees	n/a
Will this be acceptable	
Can impact be properly mitigated?	
Has the proposal been designed to prevent the loss of any significant wildlife habitat 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?	n/a
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	

<b>Protected Species</b>	<b>YES OR NO</b>
Does the proposal include any re-roofing works or other alteration to the roof	y
Does the proposal include any demolition	y
Does the proposal include tree or hedge removal	
Is an assessment of impact on protected species required	y
Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements	y
Are biodiversity enhancement measures required	n
Is a condition required to provide biodiversity enhancement measures	n

<b>Waste Management</b>	<b>YES OR NO</b>
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

<b>Sustainable Design</b>	<b>YES OR NO</b>
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	n
Is a condition required to secure a Sustainable Design Measures	n

### Assessment

Policy LC8 supports extensions to existing dwellings where they are appropriately scaled and designed in relation to the host building and its setting. The site lies within a sensitive coastal location, and Policy OE2 requires that development does not adversely affect the character or appearance of the landscape and Policy OE7 seeks to ensure development preserves or enhances the character of the conservation area. The proposal, as amended, is modest in scale and uses materials that match the existing dwelling, helping to minimise visual impact. Policy SS2 supports sustainable development that meets local needs while safeguarding the Isles of Scilly's unique environment. The principle of the proposal is considered to be in accordance with the Local Plan however it is necessary to assess material planning issues in more detail including the impact on the wider historic environment, impact upon residential amenity, impact upon protected species as well as flood risk.

### Impact upon the historic environment

The application site lies within the Isles of Scilly Conservation Area and is located opposite two Grade II listed buildings: Veronica Farmhouse and its associated brewhouse. These buildings are important examples of 19th-century vernacular architecture and contribute significantly to the historic character of the vicinity. The proposed first-floor extension to South Hill is modest in scale and designed to match the existing materials, helping to limit its visual impact. While the site is also near two scheduled monuments—Samson Hill cairn cemetery and the prehistoric field system at Heathy Hill—neither is directly affected by the proposal. Given the scale, design, and location of the extension, the development is considered to preserve the setting of nearby designated heritage assets and the wider conservation area.

The proposed extension has been subject to a minor amendment to set down the ridge line of the proposed extension, although minor this is an important introduction as it allows greater legibility of building hierarchy. Overall, the proposed extension is in accordance with Policy OE7 of the Local Plan and paragraph 208 of the NPPF.

### Impact upon neighbouring amenity

As noted above, policy LC8 supports extensions to existing dwellings where they are appropriately scaled and designed in relation to the host building and its setting, and where they do not result in unacceptable harm to the amenity of neighbouring properties. There is a requirement to ensure proposals are meeting the minimum NDSS for the size of the property and to not exceed this by more than 30% without adequate justification. The policy also requires consideration of impacts on privacy, outlook, daylight and

sunlight. In this case, the absence of front-facing windows and the separation distance of approximately 21 metres between the application site and the nearest neighbouring property, Veronica Farmhouse to the north east, ensures that the proposal does not give rise to any adverse impacts on residential amenity. It is noted that the dwelling is a very modest traditional semi-detached cottage that has had previous extensions in the late 20<sup>th</sup> century. Despite this the resulting cumulative size of the property is within NDSS and the policy restriction of 30% above the minimum. In this case the property will become a two storey 4-bedroom property which is required to have 124 square metres of gross internal floor space (GIF) and our policy at 30% above would allow this to be up to 160 square metres of GIF. The resulting extension would mean the property has 134 square metres of gross internal floorspace, which is just under 10% above the min (based on 8 people sharing).

<b>Number of Bedrooms</b>	<b>Number of people sharing</b>	<b>GIF for 2 Storey Dwelling (m<sup>2</sup>)</b>	<b>30% max permitted under LC8 (m<sup>2</sup>)</b>
<b>4</b>	5	97	127
	6	106	138
	7	115	150
	8	124	160

Policy SS2 promotes sustainable development that meets local needs while safeguarding the islands' unique environment and ensuring that development is of high quality and sensitive to its context. The proposal is considered to accord with both policies in terms of its scale, design and relationship with neighbouring properties.

#### **Impact upon protected species.**

Policy OE2 requires development proposals to conserve and enhance biodiversity and geodiversity, with particular regard to ecological networks and areas with high potential for priority habitat restoration. The application involves the removal of a roof, which has the potential to impact protected species if they are found to be active at the site. To address this, the applicant has undertaken a Preliminary Roost Assessment (PRA) and a subsequent Bat Presence/Absence Survey (PAS). These reports confirm that the site supports a confirmed day roost for a single common pipistrelle bat within the roof structure of the existing dwelling. As bats are a European Protected Species, the potential for disturbance or loss of the roost as a result of the proposed extension must be carefully considered.

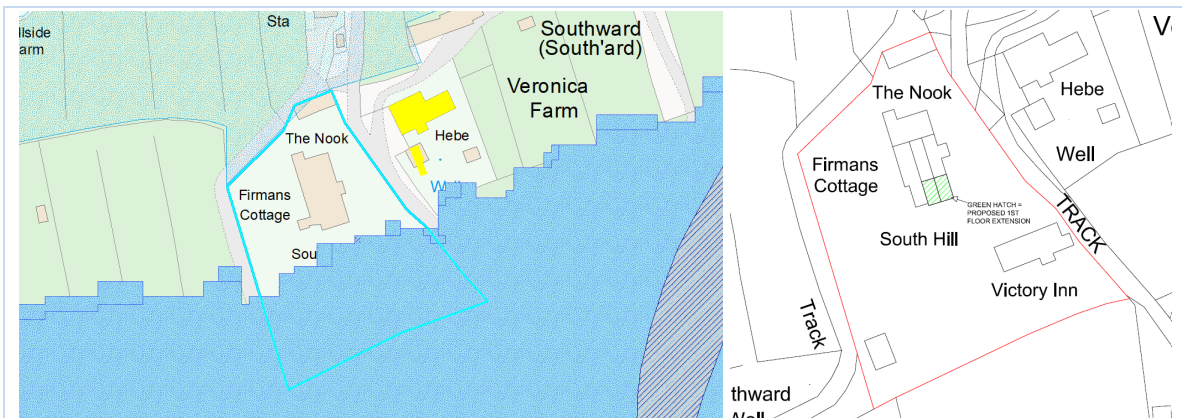
The applicant has responded appropriately through ecological survey work and proposed mitigation measures, which includes the timing of works outside the active bat season, supervision by a licensed ecologist, and provision of replacement roosting features. These measures will need to be secured by condition, but subject to this, the proposal is considered proportionate to the level of bat activity recorded and sufficient to avoid harm to the species. The proposal therefore complies with Policy OE2 of the Isles of Scilly Local Plan, which seeks to conserve and enhance biodiversity and protect species and habitats of principal importance. It also aligns with Policy SS1, which promotes development that protects the islands' natural environment and ensures that ecological impacts are appropriately mitigated.

As a householder application the proposal does not trigger the need to address statutory BNG requirements.

### Other issues

#### *Flood Risks:*

Although the application site lies close to land identified as Flood Zone 3, the dwelling itself is located approximately five metres outside the designated flood zone. The proposal involves a first-floor extension only, with no changes to ground-level footprint or drainage arrangements. In accordance with Environment Agency standing advice for minor residential extensions outside Flood Zone 3. Given the nature and location of the development, it is not considered that the proposal would displace flood waters or increase flood risk elsewhere. The proposal is therefore considered to comply with Policy SS7 of the Isles of Scilly Local Plan, which seeks to ensure that development is directed away from areas at highest risk of flooding and does not exacerbate flood risk on or off site.



### Conclusion and Recommendation

The proposed first-floor extension to South Hill, Bryher, has been assessed against the relevant policies of the Isles of Scilly Local Plan and the National Planning Policy Framework. The development is modest in scale, appropriately designed, and uses materials that match the existing dwelling, ensuring it respects the character of the surrounding area and the Conservation Area. The proposal preserves the setting of nearby listed buildings and scheduled monuments and does not result in harm to residential amenity or increase flood risk. Ecological impacts have been appropriately assessed and mitigated through survey work and proposed conditions. Subject to the recommended conditions, the proposal is considered to comply with Policies LC8, OE2, OE7, SS1, SS2 and SS7 of the Local Plan and relevant national guidance. It is therefore recommended that planning permission be granted.

**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 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 approved details only including:

- **Plan 1 Existing Location Plan (Amended)**
- **Plan 2 Proposed Block Plan (Amended)**
- **Plan 3 Proposed Floor Plans and Elevations (Amended)**
- **Bat Presence and Absence Surveys**
- **Preliminary Roost Assessment**

**These are stamped as APPROVED**

Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the [Listed Building and] Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policy 1 of the Isles of Scilly Local Plan 2005.

- C3 The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.**

Reason: To safeguard the appearance of the building and the character of the area.

- C4 Prior to the commencement of the approved development, a scheme including details of the sources of all building materials and the means/location of disposal of all demolition material and all waste arising from building works, including excess material from excavations, shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.**

Reason: This is a pre-commencement condition that requires details, that were not submitted as part of the application but are required to be submitted and agreed by the Local Planning Authority. This is to ensure adequate consideration is given to the minimisation of unnecessary waste generation, and adherence to the waste hierarchy, in accordance with the requirements of Policy SS2 (2) and Policy OE5 of the Isles of Scilly Local Plan 2015-2030.

- C5 Prior to commencement of development, a Bat Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the recommendations set out in the Bat Presence/Absence Surveys (Ecological Surveys Ltd, September 2023), and shall include:**

**1. Timing of Works:**

- **Works affecting the roof structure shall be undertaken outside the bat active season (i.e. between October and March), unless otherwise agreed in writing following updated bat activity surveys.**

**2. Supervision by a Licensed Ecologist:**

- **Any roof dismantling or works to potential roost features shall be supervised by a licensed bat ecologist.**

**3. Provision of Roosting Features:**

- **At least one integrated bat box (e.g. Schwegler 1FR or similar) shall be installed on the new extension, in a location and orientation**

agreed with the ecologist.

**4. Lighting Strategy:**

- **External lighting shall be designed to avoid light spill onto bat roosting and foraging areas, in accordance with BCT guidance on bats and artificial lighting.**

**The development shall be carried out in accordance with the approved Bat Mitigation Strategy and retained thereafter.**

Reason: This is a pre-commencement condition because the mitigation measures must be agreed and implemented before any works begin that could disturb or destroy the roost, particularly roof alterations. Delaying implementation until after commencement could result in irreversible harm to protected species and breach legal protections. To ensure the protection of a confirmed bat roost within the application site, which is a legally protected feature under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. The mitigation measures are necessary to avoid harm to bats, a European Protected Species, and to ensure compliance with statutory obligations.

- C6 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.

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**Print Name:** Lisa Walton

05/11/2025

**Job Title:** Chief Planning Officer

**Signed:**



Authorised Officer with Delegated Authority to determine Planning Applications

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