

# Council of the Isles of Scilly

## Delegated Planning Report

### Other application

**Application Number:** P/25/068/FUL

**UPRN:** 000192000598

**Received on:** 31 July 2025

**Valid on:** 5 August 2025

**Application Expiry date:** 30 September 2025

**Site notice posted:** 5 August 2025

**Site notice expiry:** 27 August 2025

**EOT:** 31/10/205

**Applicant:** Mr Nigel Wolstenholme Tregarthen's Hotel Ltd

**Site Address:**  
Tregarthen's Hotel  
Garrison Hill  
Hugh Town  
St Mary's  
Isles Of Scilly  
TR21 0PP

**Proposal:** Formation of 6 en-suite staff accommodation units in existing staff unit (Amended Plan)

**Application Type:** Planning Permission

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**Recommendation:** PER

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**Summary Conditions:**

**C1 Time limit and**

**C2 Adherence to plans**

**C3 Occupancy restriction** to ensure the units are used only as ancillary staff accommodation

**C4 External lighting control** to protect dark skies and amenity

**C5 Construction hours** to protect residential amenity

## 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: 12/08/2025

## Site Description and Proposed Development

The site is Tregarthen's Hotel, located on Garrison Hill in Hugh Town, St Mary's, Isles of Scilly. The proposed development involves the formation of six en-suite staff accommodation units within an existing staff building on the hotel premises.

Certificate: A

Other Land Owners: None

## Consultations and Publicity

The application has had a site notice on display for 21 days (05/08/2025 – 27/08/2025). The application appeared on the weekly list on 11 August 2025. Due to the nature of the proposal a number of internal and external consultations were required. A summary of responses received is set out below.

Consultee	Date Responded	Summary
South West Water	03/09/2025	South West Water note the applicants proposal to use water-saving fittings as part of this redevelopment and that additional water butts are to be provided. On this basis, there are no further observations.
Cornwall Fire and Rescue	-	-
CIOS Waste and Recycling	-	-

## 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:

Extensive Planning History including under both the last local plan (2005) and under the current local plan (2015-30):

Application	Description	Decision (DATE)
P/16/055/FUL	The demolition of three lower ground floor hotel bedrooms and replacement with 6 self-contained holiday let units, the change of use of the staff block to form 2 self-contained holiday let units as well as a myriad of other additional and ancillary works and alterations.	Approved (2016)
P/18/031/FUL	Revised scheme for redevelopment of Tregarthens Hotel including (1) Erection of a pair of semi-detached dwellings for restricted holiday letting (use class C3) including associated landscaping. (2) Alterations to external facade of hotel lounge and hotel bedrooms including replacement windows/doors, formation of new windows and removal of existing chimney. (3) Formation of a new pedestrian opening in the existing wall adjacent to Garrison Hill. (4) Formation of external seating areas and new balustrades to hotel rooms and hotel lounge. (5) Installation of a package treatment plant for foul drainage. (Amended Plans/Amended Title)	Approved (2018)
P/18/078/NMA	Application for non-material amendment to planning permission for the repositioning, by 1 metre west, of the pair of semi-detached dwellings only.	Approved (2018)
P/18/089/NMA	Application for non-material amendment to planning permission P/16/113/ROV to retain existing windows on East elevation, blocking up of window in bedroom 2 of unit 8 and widening of window in same room.	Approved 2018
P/19/016/ROV	Retrospective application for minor material amendment to planning permission P/16/113/ROV (as amended by P/18/089/NMA) to retain window on West elevation of unit 7 (shown in floor plan of application P/18/089/NMA but not the elevations). (Amended Title).	Approved 2019
P/19/037/ROV	Variation of condition 2 (approved plans) of planning permission P/18/031/FUL to alter the fenestration of hotel rooms 30, 31 & 32, relocate and reduce the scale of the new units known as 'Crump' & 'Kittern' cottages including amendments to the landscaping details as approved under condition 16 of P/18/031/FUL to accommodate these changes.	Approved 2019
P/20/038/COU	Change of use of 16 hotel bedrooms from Use Class C1 (Hotel) to 4 self-contained restricted holiday letting units Use Class C3 (Dwelling) with associated internal works to hotel rooms 41 and 42 with revised fire escape.	Approved 2020
P/20/090/FUL	Erection of five 'micro lodges' - detached C3 use class dwelling units for restricted holiday letting (Amended Plans)	Approved 2020
P/22/018/ROV	Variation of condition 2 (approved plans) of planning permission P/18/031/FUL (Part (4) - Formation of external seating areas and new ballustrade to hotel rooms and hotel lounge) in order to alter the fenestration of hotel rooms 30, 31 & 32 including amendments to landscaping detail.	Approved 2022
P/22/023/ROV	Variation of condition 2 (Approved Plans) of planning permission P/20/090/FUL (Erection of five 'micro lodges' -	Approved 2022

	detached C3 use class dwelling units for restricted holiday letting) in order to revise the design of the approved units.	
P/22/088/NMA	Application for a Non-Material Amendment to planning permission P/20/090/FUL (Erection of five 'micro lodges' - detached C3 use class dwelling units for restricted holiday letting (design amended by application P/22/023/ROV) to revert to a horizontal timber cladding finish from vertical timber cladding.	Approved January 2023
P/23/025/FUL	Installation of pedestrian safety lighting, comprising five number fixed wall lamps at 1.2 m height and five number wall lamps to rear elevations of Micro Lodges at 1.8 m height.	Approved December 2023

### Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast
- Dark Sky Discovery Site: St Mary's The Garrison Milky Way Class with hosted events
- Scheduled Monument: Post-medieval breastwork, curtain wall and associated defensive structures on the periphery of The Garrison, St Mary's
- Listed Building: Grade II\* The Guard House; Grade I Outer Walls and Garrison Gateway

### 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?	n/a
Is the parking and turning provision on site acceptable?	n/a
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

<b>Heritage</b>	<b>YES OR NO</b>
Would the proposal sustain or enhance the character and appearance of the Conservation Area?	y
If within the setting of, or a listed building,	y
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/a
<b>Other Impacts</b>	<b>YES OR NO</b>
Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	n/a
Impact on protected trees	n/a
a) Will this be acceptable	
b) Can impact be properly mitigated?	
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/a
Are there external lights	n

<b>Protected Species</b>	<b>YES OR NO</b>
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 and includes mitigation, enhancement and timing requirements	n/a

Are biodiversity enhancement measures required	n/a
Is a condition required to provide biodiversity enhancement measures	n/a

<b>Waste Management</b>	<b>YES OR NO</b>
Does the proposal generate construction waste	n
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	n

<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 a any site specific sustainable design measures	n
Is a condition required to secure a Sustainable Design Measures	n

### **Analysis:**

#### **Principle of development:**

The proposal involves the conversion of an existing building within the existing hotel complex of Tregarthens. Relevant policies include policy WC5 (tourism developments) and SS3 (re-use of existing buildings and Policy LC4 (staff accommodation).

Policy SS3 of the Isles of Scilly Local Plan supports the re-use of existing buildings, including non-traditional structures, where this contributes to sustainable development and meets identified local needs. In the case of the proposed conversion of an existing staff building at Tregarthen's Hotel into six en-suite staff accommodation units, the development aligns with the intent of SS3 by making efficient use of an existing structure within the confines of an established hotel complex.

The building is already in ancillary use and its conversion for staff accommodation supports the operational needs of a local business, helping to retain employment and reduce pressure on the wider housing stock. While the building is non-traditional, its continued use avoids the need for new development in a sensitive location and contributes to a more sustainable pattern of land use.

Provided the conversion is carried out in a way that respects the character of the site and its surroundings, and does not result in harm to nearby heritage assets such as the Garrison Walls Scheduled Monument and associated listed buildings or the Grade I listed Star Castle, the proposal can be considered consistent with the objectives of SS3. The reuse of the building for staff accommodation represents a pragmatic and sustainable solution that supports the local economy while minimising environmental and heritage impacts.

Policy LC4 of the Isles of Scilly Local Plan supports the provision of staff accommodation where it meets an identified operational need and contributes to the sustainability of local businesses. The proposed development at Tregarthen's Hotel, involving the conversion of an existing staff building into six en-suite staff units, aligns with the intent of LC4 by addressing the accommodation needs of hotel staff within the confines of the existing site.

The reuse of an existing building avoids the need for new development in a sensitive location and supports the continued operation of a key local employer. As noted above, by providing dedicated staff accommodation, the proposal helps reduce pressure on the wider housing market and supports the retention of a year-round workforce, which is essential for the viability of tourism-related services on the islands.

Provided the accommodation is appropriately converted and managed and does not result in adverse impacts on neighbouring uses or the historic environment, the proposal can be considered consistent with LC4. It represents a practical and sustainable response to the challenges of staffing and housing on the Isles of Scilly.

#### **Impact upon the historic environment**

Tregarthens Hotel is a large multi-level site hotel that backs on to the Garrison Wall, which is both a Scheduled Monument and Grade I listed building. The whole site is washed over by the Isles of Scilly Conservation Area and National Landscape (AONB) Designations. The site lies within the established hotel complex on Garrison Hill, Hugh Town, and is in close proximity to highly sensitive heritage assets, including the Grade I listed Star Castle and the Scheduled Monument of the Garrison Walls and associated Grade II\* properties.

In assessing the proposal against Policy OE7, which seeks to conserve the islands' irreplaceable heritage assets, the key consideration is the impact on the significance and setting of these designated assets. Given that the works are confined to an existing building and do not involve new external development or alterations to the historic structures themselves, the physical impact is likely to be limited. However, the setting of the Scheduled Monument and Grade I listed building must still be carefully considered.

The reuse of an existing building within the hotel grounds for staff accommodation is consistent with the established use of the site and does not introduce new built form or visual intrusion into the historic landscape. It is considered that the conversion will respect the character of the existing building as it does not involve harmful external changes. It is considered that the proposal is unlikely to result in substantial harm or less than substantial harm to the significance of nearby heritage assets. Nonetheless, it would be appropriate to ensure that materials, detailing, and any external works are sympathetic to the historic context, and that any lighting, signage, or servicing is discreetly managed.

Overall, subject to careful control of design and detailing, the proposal appears capable of being accommodated without conflict with Policy OE7, and without adverse impact on the setting of the Garrison Walls or Star Castle.

### **Impact upon neighbouring amenity**

The proposed conversion of an existing staff building at Tregarthen's Hotel into six en-suite staff accommodation units is unlikely to result in significant harm to neighbouring residential amenity. The nearest residential property lies approximately 25 metres to the north-west of the site and is elevated above the hotel complex, which helps to mitigate potential impacts such as overlooking or loss of privacy. As the building is already in ancillary use and the proposal does not involve intensification beyond its existing footprint, any increase in activity is expected to be modest and contained within the operational context of the hotel. Provided that noise, lighting, and servicing are appropriately managed, the development is considered acceptable in terms of its relationship with neighbouring uses.

### **Impact upon highway safety**

Policy SS10 of the Isles of Scilly Local Plan relates to transport and parking, with an emphasis on promoting sustainable travel and minimising reliance on private vehicles. In this case the proposal to convert an existing building into six en-suite staff accommodation units, there is no net increase in private car use or any intensification of use of the hotel. Staff occupying the units will not have their own vehicles, and the accommodation is located within walking distance of the hotel and other local services.

This approach aligns well with the objectives of SS10, which seeks to reduce transport impacts and support low-carbon travel choices. By reusing an existing building within the hotel grounds and avoiding the need for additional parking provision, the proposal supports a compact and sustainable pattern of development. It also helps reduce pressure on limited parking infrastructure in Hugh Town and contributes to the broader goals of environmental stewardship and sustainable living on the islands.

Overall, the proposal is considered consistent with Policy SS10 and demonstrates a responsible approach to transport and land use planning.

### **Flood risk issues**

Policy SS7 of the Isles of Scilly Local Plan seeks to ensure that development is appropriately located in relation to flood risk, with a presumption against placing vulnerable uses in areas at risk unless justified by exception. In this case, although situated close to sea level and near areas identified as being at risk of flooding the site itself lies outside any designated flood risk zones.

Given that the proposal involves the reuse of an existing building within an established hotel complex, and no new footprint or external development is proposed, the risk of increased flood vulnerability is minimal. The development does not introduce a new residential use into a flood-prone area, nor does it compromise safe access or egress in the event of flooding. As such, the proposal is considered to comply with the objectives of SS7, which aim to avoid placing people or property at unnecessary risk while supporting sustainable development in appropriate locations.

### **Other Issues**

Policy SS2 of the Isles of Scilly Local Plan (2015–2030) promotes high-quality, sustainable design and place-making. Part 2 of Policy SS2 requires the submission of a Site Waste Management Plan (SWMP) for development proposals. Specifically, it states that proposals should demonstrate how waste will be managed sustainably, including

during construction, and that the reuse and recycling of materials should be maximised. It supports measures that contribute to environmental sustainability, including the responsible management of construction waste.

The application is supported by submitted Site Waste Management Plan (SWMP), which is a comprehensive and includes:

- Clear objectives for minimising and managing waste.
- Defined responsibilities, including a site waste coordinator.
- Identification of expected waste types and disposal/reuse methods.
- Commitment to training and site induction.
- A register of legislation and duty of care compliance.
- Provisions for segregation, reuse, and recycling both on- and off-site.

However, the SWMP is currently a template-style document with placeholders (e.g. for contractor details, container types, and waste contractor licences) that are to be completed once the principal contractor is appointed and works commence. Because of this, it does not yet constitute a fully populated or finalised SWMP. It is recommended that the full details are secured by way of a pre-commencement condition.

### **Space Standards**

The proposed staff accommodation units fall below the minimum internal space standards set out in the Nationally Described Space Standards (NDSS). However, these standards apply to permanent dwellings intended for independent residential occupation. In this case, the units are proposed as ancillary staff accommodation within the curtilage of an existing hotel and are intended for seasonal or short-term use by employees.

Policy LC4 of the Isles of Scilly Local Plan supports the provision of staff accommodation where it meets an identified operational need and contributes to the sustainability of local businesses. Provided the use is restricted to ancillary staff accommodation and not as independent dwellings, the reduced internal space is considered acceptable. A condition is recommended to ensure the units remain tied to the operation of Tregarthen's Hotel and are not used for general residential purposes.

### **Conclusion and recommendation**

The proposed development involves the conversion of an existing staff building within the grounds of Tregarthen's Hotel to form six en-suite staff accommodation units. The proposal is considered acceptable in principle and aligns with Policies SS3 and LC4 of the Isles of Scilly Local Plan, supporting the reuse of existing buildings and provision of staff accommodation to meet operational needs.

The development is located within a sensitive historic and landscape setting, including proximity to the Garrison Walls Scheduled Monument and Grade I listed Star Castle. However, as no external alterations are proposed and the works are confined to an existing building, the proposal is not considered to result in harm to the significance or setting of these heritage assets, in accordance with Policy OE7.

The site lies outside designated flood risk zones and does not raise concerns in relation to highway safety, residential amenity, or biodiversity. Conditions are recommended to secure details of site waste management, and appropriate lighting controls in line with Policies SS2, SS6, OE4 and OE5.

It is therefore recommended that planning permission be granted, subject to the conditions set out in this report.

**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 approval.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 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	
Policy OE4 Protecting Scilly's Dark Night Skies	
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 Location Plan and Block Plan, Drawing number: 1156/P99**
- **Plan 2 Location of Proposed and Existing Staff Unit, Drawing number: 9906.113, rev A**
- **Plan 3 Proposed elevations and floor plan, Drawing number: 9906.112**
- **Planning Statement, by Jackson Planning Ltd**

**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 accommodation hereby permitted shall only be occupied as seasonal staff accommodation ancillary to the operation of the business known as Tregarthen's Hotel. It shall not be occupied as separate dwellings or used for any other residential purpose.**

Reason: The size and layout of the units are not considered suitable for year-round permanent occupation and do not meet the standards expected for general housing provision. This restriction is necessary to ensure the accommodation remains tied to the operational needs of the business and to prevent pressure on the local housing stock, in accordance with Policy LC4 of the Isles of Scilly Local Plan 2015–2030.

**C4 No additional external lighting shall be installed on the site unless it is necessary for safety purposes and has first been submitted to and approved in writing by the Local Planning Authority. Any approved lighting shall be:**

- **Designed and certified as compliant with dark sky standards.**
- **Timed to switch off when not required for safety or operational purposes.**
- **Directed downwards and fully cowled or shielded to prevent upward or horizontal light spill.**
- **Positioned to avoid interference with the amenity of neighbouring properties and highway safety.**

**The lighting shall be installed and operated strictly in accordance with the approved details and retained as such thereafter.**

Reason: To protect the amenities of the locality, including the amenities of neighbouring residential properties and to protect the amenities of this rural area and preserve the dark night skies of the Isles of Scilly and the Garrison Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Submission Draft Isles of Scilly Local Plan (2015-2030).

**C5 All works involving machinery required in connection with the implementation of this permission shall be restricted to between 0800 and 1800 hours Monday to Saturdays. There shall be no works involving 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 **31/10/2025**

**Job Title:** Chief Planning Officer

**Signed:**



Authorised Officer with Delegated Authority to determine Planning Applications

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