

Council of the Isles of Scilly Delegated Planning Report Householder application

Application Number: P/25/086/HH

UPRN: 000192001374

Received on: 23 September 2025

Valid on: 29 September 2025

Application Expiry date: 24 November 2025

Site notice posted: 30 September 2025

Site notice expiry: 21 October 2025

Applicant: Sourav Mishra

Site Address: Gunner Rock
7 Jacksons Hill
Hugh Town
St Mary's
Isles Of Scilly
TR21 0JZ

Proposal: Replacement of existing fencing at front of property with
block wall and Solar motion activated lights.

Application Type: Householder

Recommendation: PER

Conditions

1. Standard Time Limit (3 Years)
2. In accordance with the approved plans.
3. 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:

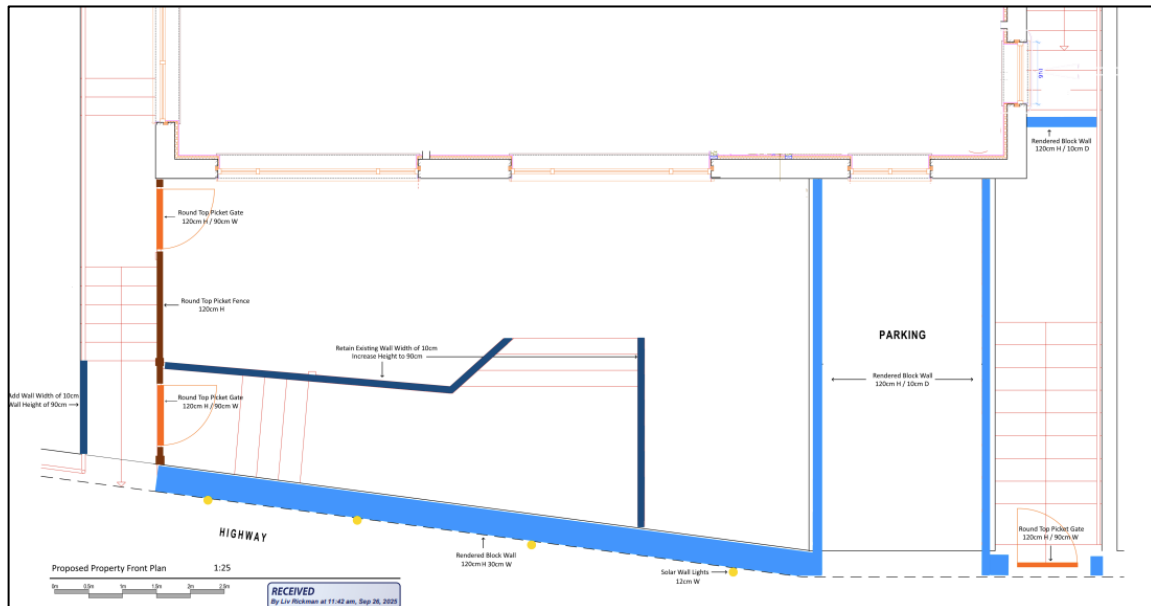
- Not a Councillor ✓
- Not a Senior Officer (or Officer with influence over planning Decisions) ✓
- No relation to a Councillor/Officer ✓
- Not Major ✓
- Not Council's own application ✓
- Not a departure from the Development Plan ✓
- Not Called in ✓

Lead Member Planning Agreed

Name: Cllr D Marcus | Date: 20/10/2025

Site Description and Proposed Development

Gunner Rock is a detached residential property located on Jacksons Hill on the island of St Mary's. To the north of the property is 5 Jacksons Hill, while to the east is the property's rear garden which stretches down to Moorwell Lane. To the south of Gunner Rock are 9 and 16 Jacksons Hill, with the property's entrance steps, driveway and the highway to the west.



The proposal is to replace the existing wooden fence at the front of the property, running adjacent to the highway and around the driveway, with a rendered brick wall that will be painted white. It is proposed that the wall will have four solar motion-activated lights for safety purposes. The applicant is also proposing to

improve and renew the walls and fencing surrounding the property's two entrance ways, including the installation of three wooden gates.



Certificate: A

Consultations and Publicity

The application has had a site notice on display for 21 days (30/09/2025 – 21/10/2025). The application appeared on the weekly list on Monday 6th October 2025.

Representations from Residents:

[0] letters of objection or support have been received.

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?	Yes
Would the proposal appear in-keeping with the appearance of the existing dwelling, street and area?	Yes
Would the materials, details and features match the existing dwelling and be consistent with the general use of materials in the area?	Yes
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?	Yes
Is the parking and turning provision on site acceptable?	Yes
Would the proposal generally appear to be secondary or subservient to the main building?	Yes
Is the scale proposed in accordance with NDSS?	N/A
Amenity	YES OR NO
Is the proposal acceptable with regard to any significant overlooking/loss of privacy issues?	Yes
Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?	Yes
Is the proposal acceptable with regard to any significant change or intensification of use?	Yes
Heritage	YES OR NO

Would the proposal sustain or enhance the character and appearance of the Conservation Area?	Yes
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?	No
<i>Other Impacts</i> Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	Yes
Impact on protected trees: • Will this be acceptable? • 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?	Yes
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/A
Are there external lights?	Yes
Protected Species	YES OR NO
Does the proposal include any re-roofing works or other alteration to the roof?	No
Does the proposal include any demolition?	Yes
Does the proposal include tree or hedge removal?	No
Is an assessment of impact on protected species required?	No
Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements?	N/A
Are biodiversity enhancement measures required?	No
Is a condition required to provide biodiversity enhancement measures?	No
Waste Management	YES OR NO
Does the proposal generate construction waste?	Yes
Does the proposal materially increase the use of the site to require additional long-term waste management facilities?	No

Does the proposal include a Site Waste Management Plan?	Yes
Is a condition required to secure a Site Waste Management Plan?	No
Sustainable Design	YES OR NO
Does the proposal materially increase the use of the site to require additional sustainable design measures?	No
Does the proposal include any site-specific sustainable design measures?	No
Is a condition required to secure Sustainable Design Measures?	No

Analysis: The relevant policies for this application are SS2, OE1, OE4 and OE5 of the Isles of Scilly Local Plan (2015-2030).

Character & Design: Policies SS2 and OE1 of the Isles of Scilly Local Plan (2015-2030) require proposals to respect the character of the site and be of an appropriate scale, density, layout, height, mass and use of materials. To help understand if the proposal would meet these tests, a site visit to Jacksons Hill took place on Monday 27th October 2025. It was noted that the proposed wall (rendered and finished in white) and fencing (round-top picket) would be in keeping with materials used nearby and respect the character of the property and site. The density, mass and layout of the proposal was judged to be acceptable on the basis that it reflects the existing layout with only a small increase in density due to the material change from fencing to block. The height of the proposed wall and fencing is justified within the applicant's Design & Access Statement and the reasoning, to ensure the development is in line with building regulations, is acceptable. For these reasons, the proposal is judged to accord with Policies SS2 and OE1 of the Isles of Scilly Local Plan (2015-2030).

Dark Skies: Policy OE4 of the Isles of Scilly Local Plan (2015-2030) states that development proposals that include external lighting will only be permitted where it can be demonstrated that the lights are essential for safety, security or community reasons and where details have been provided of attempts to minimise light pollution. The applicant has provided an External Illumination Assessment as the proposal includes the installation of four downward facing motion-activated solar lights. The Assessment states that the lights are required to ensure safe access to the property and to provide adequate illumination of the pavement. This is judged to be reasonable, given the property is stepped down from the highway, as are the mitigation measures outlined. The proposal accords with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

Waste Management: Policy OE5 of the Isles of Scilly Local Plan (2015-2030) requires proposals to submit a Site Waste Management Plan and demonstrate best practice in addressing waste management solutions. A Site Waste Management Plan has been provided, which covers the materials required for the development and where any waste generated will be disposed of. The Site Waste Management Plan is acceptable and accords with Policy OE5 of the Isles of Scilly Local Plan (2015-2030).

Summary: The proposal accords with Policies SS2, OE1, OE4 and OE5 of the Isles of Scilly Local Plan (2015-2030) and it is recommended that permission is 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.

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.

Print Name: Lisa Walton

04/11/2025

Job Title: Chief Planning Officer

Signed:



Authorised Officer with Delegated Authority to determine Planning Applications
