

# Tregarthen's Hotel

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Date of Issue: 20 April 2018

# I. Introduction

- 1.1 This statement supports the Planning Application for the development of a pair of holiday cottages within the former derelict garden of Tregarthen's Hotel and a series of other minor works to improve the operation and appearance of the hotel.
- 1.2 This application follows a formal pre-application request made in October 2017 and approval of the partial redevelopment of Tregarthen's Hotel, Hugh Town, St Mary's granted in 2016. This statement sets out all the planning considerations for this proposal.
- 1.3 The proposal is for the following works:
- 1.4 Erection of pair of semi detached C3 use class dwelling units for restricted holiday letting. Landscaping works to including re-profiling of former garden to form outdoor amenity areas for holiday lettings. Alterations to external facade of hotel lounge and hotel bedrooms including replacement windows/ doors, formation of new window, removal of existing chimney. Formation of pedestrian opening in wall to Garrison Hill. Formation of external seating/ amenity areas and new balustrades to hotel rooms and hotel lounge. Replacement flagpole. Downlights on existing lettering on front of main hotel block, Downlights and new external lettering on rear of main hotel block. Additional external lighting to wall on Garrison Hill (hotel side)
- 1.5 The application has been subject to pre-application discussions with the local planning authority, and Historic England. The application has been developed in response to suggestions made in the pre-application process.
- 1.6 The applicant is Tregarthen's Hotel Ltd.
- 1.7 The approach to the proposal was to devise a heritage-led sustainable solution, that responded to the earlier assessment of potential heritage impact.
- 1.8 The application is submitted in conjunction with a second pre-application request for the eastern part of the site. The western part of the site is subject to the planning application. The pre-application submission shows the context for the continued phased improvement of the hotel.

# **Design Rationale**

- 1.9 The Hotel owner has had to reconsider the scheme for rationalisation of the Hotel due to engineering difficulties that jeopardise the implementation of the overall scheme approved under P/16/ 055/FUL.
- 1.10 The Hotel has been developed in a piecemeal fashion over many years, this means that the foundation and engineering solutions that were used to support the various parts of the Hotel are ad hoc and do not meet modern standards. The approved scheme, as designed,

- can neither be warranted nor underwritten as to its structural stability and this would comprise an unacceptable investment risk, an alternative solution is now proposed.
- 1.11 Grainge Architects and Indigo Landscape Architects have been retained and have developed an alternative solution that gives many of the same benefits to the Hotel as the consented scheme and will eventually deal with the visually problematic large flat roofed area. In developing the scheme the applicant has taken the advice on heritage impacts from CgMS and Historic England.
- 1.12 The overall ambition remains; this is to modernise the business model of the hotel over time to become a more sustainable business for future customer requirements. The intention is to create a more luxurious small boutique hotel with a higher proportion of serviced self–catering accommodation as the primary income generator for the business. This is being implemented in stages to allow a phased transition of the business over time.
- 1.13 From the recent experience the hotel proprietors are certain that the way forward is the letting of serviced self-catering cottages as a strong income generator, this is based on the highly successful lettings of the new self-catering units at Tregarthens in the properties Portlight/ Starboard Light, Gibson and Hendra. These have proved very popular and have resulted in significant forward bookings for 2018 and indeed into 2019.
- 1.14 The proposed revised scheme follows on the same theme as before with the introduction of vernacular style cottages to broaden the offer with the emphasis on self-catering.

# **Design Team**

1.15 The development proposal is supported by the following technical team:

Name	Role
Jackson Planning	Development strategy, planning application preparation and submission, environmental impact screening.
CgMS	Heritage Assessment, Desk Based Archaeology Assessment and Development Strategy
Grainge Architects	Development Strategy, Scheme Design, Design and Access Statement
Indigo	Landscape Assessment and Landscape masterplan

# Tregarthen's Hotel

Janine Bright Ecology	Phase I and protected species surveys
Paul Stubbington	Topographical Survey
Richard Gowan	Structural Assessment and Waste Calculations

# 2. Site Location and Description

- 2.1 The site is located at western end of Hugh Town nestled under the defensive Garrison complex, which sits above the site and forms the Hugh, the defensive promontory on St Mary's. Hugh Town sits on a narrow neck of low-lying land attaching the roughly oval-shaped parcel of land containing Star Castle and its associated fortifications (The Hugh /the Garrison) to the rest of St Mary's.
- 2.2 The site occupies a prominent place overlooking the Quay and Rat Island. The Hotel, occupies a visually prominent position above the lower roofscape of Hugh Town and below the skyline of The Hugh. The location of the proposal within the hotel is within the former now derelict hotel garden.
- 2.3 The site is situated within the settlement of Hugh Town, which is entirely contained within the Isles of Scilly Conservation Area. The Area was designated by the Isles of Scilly Council in 1975 and includes the whole archipelago. Several scheduled monuments and numerous listed buildings, including the Grade I listed Star Castle Hotel, associated Grade I, II\* and II listed buildings within the Garrison Walls on The Hugh, fall within a 250 metre radius of the site.
- 2.4 The site for the new cottages is within the lower level of the Hotel where the former kitchen garden is adjacent to the dwellings 'Hendra and Gibson'
- 2.5 The western site boundary is strongly defined by the mass-masonry Garrison Wall formed in large blocks of well-faced, well-coursed and relatively finely jointed granite with turf capping. This is part of the extensive sixteenth and seventeenth-century fortifications on the headland to the west of Hugh Town, The Hugh. The Garrison Wall is designated as a Scheduled Monument and in this section is also listed at Grade I, which includes the adjacent Garrison Gate.
- 2.6 The hotel was originally a private residential dwelling built in the Regency style. By about 1800 the entrance façade of the building originally faced southeast, looking back towards Hugh Town and addressing Garrison Hill behind a well-stocked sub-tropical garden.
- 2.7 The house was converted to a hotel by its owner Captain Frank Tregarthen in 1849, to house visitors from Penzance. Captain Tregarthen was master of the Scilly Mail Packet between 1842 and 1858.

# 3. Planning Policy

## **National Planning Policy Framework (NPPF)**

- 3.1 The National Planning Policy Framework ('NPPF) was introduced in March 2012 as a key output resulting from the Government's Plan for Growth agenda. It sets out national planning policies for England and how these are expected to be applied to proactively drive sustainable development and growth and to boost significantly the supply and delivery of new housing.
- 3.2 The 'golden thread' of sustainability was the major change introduced by the NPPF with a presumption in favour of sustainable development.
- 3.3 The framework (NPPF) is intended to be read as a whole but the sections of particular relevance are as follows.
- 3.4 Section I of the NPPF supports sustainable economic growth.
- 3.5 Section 7 of the NPPF deals with design. Paragraph 56 states: "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 3.6 Section 11 of the NPPF deals with conserving the Natural Environment, the aim is to ensure that development contributes to conserving and enhancing the natural environment.
- 3.7 Section 12 deals with conserving and enhancing the Historic environment it seeks to conserve heritage assets in a manner appropriate to their significance.

## NPPG

- 3.8 Planning guidance has been adopted in order to guide the application of the NPPF. This is extensive guidance covering many topics. The most critical to the consideration of this application is in relation to conservation of heritage assets in a manner appropriate to their significance as a core planning principle.
- 3.9 The guidance is useful in relation to assessing the degree of harm. It states that substantial harm is a high bar, which may not arise in many cases and while the level of harm will be at the discretion of the decision maker, generally the degree of substantial harm will only be at a level where a development seriously affects a key element of an assets special interest. It is the degree of harm, rather than the scale of development that is to be assessed.

#### **Local Development Framework**

3.10 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

3.11 The Development Framework is a term to include all the plans that make up the development plan. In this case there are both adopted and emerging plans.

#### **Adopted Plans**

- 3.12 The Isles of Scilly Council is the Local Planning Authority for the Isles and is a unitary authority. It adopted its current **Local Plan 2005**. Relevant saved policies relating to this application are as listed below. However the plan is essentially 'time expired' in relation to compliance with the NPPF. The policies of the adopted plan lack compliance with the NPPF as they do not address the presumption in favour of sustainable development, they do not contain the balancing considerations and therefore only limited weight can be afforded to them and the NPPF prevails.
  - Isles of Scilly Local Plan Policy I (Environmental Protection)
  - o Isles of Scilly Local Plan Policy 2 (Sustainable Development)

## **Designations**

The whole archipelago is designated as an AONB. The site also falls within the conservation area.

## **Emerging Plans**

3.14 Isles of Scilly Council has commenced the preparation of a replacement Local Plan. The Council are in the early stages of preparing the new Local Plan for the area, but have yet to produce draft policy which requires any weight of consideration in the planning balance. However the emerging plan contains policy support for new visitor accommodation will be supported where it improves the quality and choice of existing tourism and responds to the changing needs and expectations of visitors.

## **Supplementary Planning Documents**

- 3.15 The **Isles of Scilly Design Guide** was approved in 2006 to complement the Local Plan and the **AONB Management Plan**.
- 3.16 The Isles of Scilly Design Guide was approved in 2006 to complement the Local Plan. The key design advice can be summarised as follows:
  - The Simplicity of form
  - Robust, durable materials
  - Well proportioned, well balanced facades
  - Substance to what is built a sense of weight and strength
  - Absence of frills
  - Buildings well anchored on their site and integrated in their landscape surroundings
- 3.17 AONB Management Plan

- 3.18 The Isles of Scilly Area of Outstanding Natural Beauty Management Plan 2004-2005 Planning a Bright Future. The AONB Management Plan seeks to provide a co-ordinated approach to the sustainable management of the island's nationally important protected landscape, its environment and communities. The Plan has nine management themes including Communities, the Marine and Coastal Environment, Archeology, the Historic Environment and Heritage and Nature Conservation and Geology. Each theme has a long term vision or goal which sits within the overall shared vision of the Plan generated through extensive consultation.
- 3.19 The Isles of Scilly AONB guidance can be summarised as:
  - Retains the qualities of its land and marine aspects that together form the island's unique essence.
  - Is recognised, understood and conserved for all to appreciate, enjoy and respect in a sustainable manner
  - Welcomes visitors who contribute sustainably to the economy and spirit of the islands without overwhelming the qualities that they have come to enjoy.
  - Supports a farming community successfully rising to the challenges of the changing economics of agriculture through sustainable diversification.
  - Supports a community for whom Scilly is home, to enjoy a good quality of life, providing
    opportunities for young people whilst achieving an environmentally sustainable economy
- 3.20 The 'Cornwall and Scilly Urban Survey (CSUS): Historic Characterisation for Regeneration Hugh Town 2002'
- 3.21 This important character study, which provides an in-depth assessment of the historic character of Hugh Town, in order to help guide development decisions in relation to the historic characterisation for regeneration.
- 3.22 This characterisation study places the site in two zones. The frontage including Portlight, Stardboardlight and Gibson and Hendra, and the oldest part of the Hotel falls within character area 6 "The historic core-the Bank and Hugh Street". The rear of the site falls in character area 7 " Garrison Lane, Garrison Hill and Jerusalem Terrace, this zone includes the garden. Character Area 9 is immediately behind the site on the Garrison Wall boundary.
- 3.23 The study identifies major elements of the character of Hugh Town as:
  - The town's striking topographic situation on the narrow isthmuth
  - A strong presence within the townscape of 'natural' elements: landforms, and gardens, and spectacular views of the sea and off islands

- Undoubted 'urban' quality, despite it's relatively small size and population
- A distinctive architectural style of great charm and visual appeal
- A high degree of completeness in the historic environment
- · Good extremely high quality architectural detail
- An unusually prominent contribution to the build environment first half of the 20<sup>th</sup> century
- A significant later 20th century component, some elements of which have a negative impact on the town's character
- 3.24 In terms of relevant guidance that flows from the characterisation for this proposal the following points are of note:
- 3.25 In character area 6 The historic core the study notes the form of Hugh Street as I long, narrow, Street, interrupted by several irregularly shaped 'squares'. Buildings are predominantly two storey and small in scale. Buildings are generally set tight to the pavement edge in continuous granite or plain rendered facades create a strong sense of, tightly grained and strongly urban space.
- 3.26 In character area 7 Garrison Lane, Garrison Hill and Jerusalem Terrace it notes that historic houses in the area are generally modest two storey buildings in coursed granite rubble, plain white washed some have particularly heavy quoins and lintels.
- 3.27 The character study concludes in the generation principles that there is an opportunity to promote beneficial change. They suggest there is a strong case for a significant contribution to reinstating character and the permanent removal of buildings. Whilst Tregarthen's hotel is not identified specifically as requiring this approach. This advice would apply to the inappropriate design of much of the 20th Century additions to the hotel.
- 3.28 The 'Cornwall and Scilly Urban Survey: Historic Characterisation for Regeneration Hugh Town 2003' (Kirkham, 2003) has also been published, which provides an in-depth assessment of the historic character of Hugh Town, in order to help guide development decisions in relation to the historic environment.

#### The Garrison Conservation Plan

- 3.29 This document is non-statutory publication, which sets out the practical management of the Garrison.
- 3.30 The importance of the visibility and setting of the Garrison Wall, and the adverse impact of new development on its significance and public value, is highlighted in the site's Conservation Plan (The Garrison, St Mary, Isles of Scilly: Conservation Plan, English Heritage and Cornwall Council, October 2010). This is a live plan produced by a stakeholder group, with the

- Council of the Isles of Scilly and the Isles AONB as principle consultees. The *Plan* specifically singles out the problem of intrusive development, including around Tregarthens.
- 3.31 The *Plan* (pp 34-5) notes that: 'The Garrison walls are a dominant feature of the landscape and seascape and can be seen from the modern town, architecturally, the walls contribute greatly to the richness of the historic environment of St Mary's and Hugh Town.'
- 3.32 'the character and integrity of the historic elements and aesthetic qualities of the Garrison have undoubtedly been eroded by the masking effect of the development which has taken place immediately in front of the curtain wall, and the half dozen modern bungalows immediately behind the curtain wall.'
- 3.33 In section 4 'Threats to the monument', under paragraph 4.1.3 'Inappropriate development', the Plan notes:
- 3.34 'Comprehensive planning controls now exist to regulate development on the Isles of Scilly. These controls will ensure that inappropriate planning decisions such as the extension to the Tregarthen's Hotel that almost abuts the Garrison wall and also the line of the three-storey flats that obstruct the north-eastern side of the Garrison will no longer occur.'
- 3.35 5.4 Communal 'Policies that seek to retain historic communal significance and preserve and enhance the relationship between the Garrison and Hugh Town should be encouraged; this includes preserving and improving the setting and avoiding inappropriate development.'

# 4. Planning History

- 4.1 The current owner of the hotel is seeking to develop a long-term sustainable business and in this regard gained planning permission and listed building consent for redevelopment of a large part of the hotel in 2015.
- 4.2 The partial redevelopment of Tregarthen's Hotel, Hugh Town, St Mary's was granted consent on 12<sup>th</sup> August 2015 under reference P/16/055/FUL.
- 4.3 The previous approval gave consent for the following development.
- 4.4 "Demolition of 3 number lower ground floor hotel bedrooms, and replacement with 6 number C3 use class dwelling units for restricted holiday letting. Change of use of staff accommodation block to 2 number C3 use class dwelling units for restricted holiday letting and formation of pitched roof with stone clad chimney, to replace flat roof. Alterations to external facade of staff block including new windows, doors and cladding, demolition of chimney to former boiler. New pitched roof above dining room over existing flat roof. Partial demolition of flat roofed hotel lobby area and replacement with new entrance to hotel. Installation of green roof over flat roof to hotel lounge. Landscaping works to form outdoor dining terraces on former hotel garden and re-profiling of garden. Installation of ground source heat pump/loop, solar panels on flat roof, break tank for foul sewage. Partial demolition of wall to car park and rebuilding at cill height. Demolition of garage and store and replacement with gas bottle store. (Re-submission) (Amended plans)".
- 4.5 A further application to vary the planning conditions was granted consent in 2016 under reference P/16/113/ ROV.
- 4.6 This secured the **Variation of Conditions C2, C4, C6, C7, C8, C9 and C10** which included some minor changes to the scheme secured through a change to condition C2.
- 4.7 The consent P/16/113/ROV has been implemented by virtue of the works to the rear block behind the staff block. The consent has been partially implemented and is therefore live and an important fall-back consideration.

# 5. Pre-Application Advice and Response

## **Pre Application Meetings and Responses**

- 5.1 A pre application request was submitted to the Local Planning Authority in November 2017. This set out the revised the strategy for the Hotel given issues with engineering described above 1.9-1.10.
- 5.2 Overall the response from the Council confirmed that a new planning application would be required. The suggestion was that if the application was submitted as described in November 2017 this would be a 'small-scale' major development. This current planning application is for only phase one of that proposal so would only be a 'minor development'.
- 5.3 The Pre-application response in respect of the garden cottages was to consider the orientation and to ensure that the setting of the Garrison Wall (SM and GI LB) is not harmed. The cottage orientation has been reconsidered and is now part of the orthogonal grid of established buildings in the conservation area. The attached heritage assessment by CgMS has considered the impact on the Garrison Wall in detail and this is considered in that report and weighed up against public benefits in the assessment section of this report.
- 5.4 The pre-application response also questioned the potential loss of serviced accommodation. This current planning application makes no change to the Hotel in this regard, although the pre-application package shows the overall ambition to become a boutique scale hotel of higher quality to meet market demand. For information the laundry has not operated at the Hotel for over two years and there is no intention to reuse it.
- 5.5 A meeting with Historic England was held in January 2018 with respect to both this application and the proposals for the second phase redevelopment. This meeting reviewed the design to date and asked for additional visualisation in respect of the additional cottages adjacent to Garrison Hill. This is now provided in the pre-application package that has been submitted in tandem with this formal application.

# 6. The Proposal, Design and Access Considerations

#### Development of the design

6.1 The redevelopment scheme has evolved following the approval under P/ 16/ 055/FUL and P/16/113/ROV. The need to find a solution to the hotel that could be guaranteed for structural purposes and provide the transition to higher quality and more self catering accommodation are the key design drivers.

## The Proposal

6.2 Erection of pair of semi detached C3 use class dwelling units for restricted holiday letting. Landscaping works to including re-profiling of former garden to form outdoor amenity areas for holiday lettings. Alterations to external facade of hotel lounge and hotel bedrooms including replacement windows/ doors, formation of new window, removal of existing chimney. Formation of pedestrian opening in wall to Garrison Hill. Formation of external seating/ amenity areas and new balustrades to hotel rooms and hotel lounge. Replacement flagpole. Downlights on existing lettering on front of main hotel block, Downlights and new external lettering on rear of main hotel block. Additional external lighting to wall on Garrison Hill (hotel side)

### **Design Rationale**

- 6.3 The design rationale has been to respond with a heritage and contextual solution that respects the advice of the characterisation studies to ensure the approach is one that overall will result in an enhancement of the site, experience of the heritage assets, the townscape and the conservation area.
- 6.4 Design detail is explained below where there has been considerable emphasis on creating a scheme that is sympathetic to the local vernacular. The design team has taken the lead form Scilly Design Guide 2006 in achieving a robust but simple solution for this difficult site.

## **Design Strategy**

#### Use

6.5 The hotel will continue under the use class C1 (Hotels), whilst the new cottages will provide additional accommodation under the use class C3 (self-catering holiday cottages).

#### **Amount**

- 6.6 The total site footprint of the existing hotel and staff accommodation is 1,271.24m2 (not including Hendra/ Gibson or Port Light/ Starboard Light).
- 6.7 The proposed floorspace of the new self catering cottages of class C3 is 166m2.

6.8 No floorspace is lost as part of this current proposal.

#### Scale

6.9 The scale of the proposal is designed to ensure that views of the Garrison walls are maintained by making sure that there is no additional structure obscuring of the view of the Garrison Wall than is currently available.

### Landscaping

- 6.10 The proposal will bring back the garden in to beneficial use. The concept is to retain the existing wall and then create new levels within the garden area to create smaller private areas for each cottage and utilise the spoil from the site. A landscape plan is submitted in support of the application to demonstrate the physical solution. This will then be planted with appropriate native species that will improve the biodiversity of this part of the site.
- 6.11 Additional spoil from the excavation will also be used to improve the garden area to the front of the hotel adjacent to the Mermaid car park. This will reduce the level change between the new terrace and create a more verdant and attractive frontage to the hotel.

#### **Appearance**

- 6.12 The cottages have been designed in an Island vernacular following the advice in Scilly Design Guide;
- The Simplicity of form
- · Robust, durable materials
- Well proportioned, well balanced facades
- Substance to what is built a sense of weight and strength
- Absence of frills
- Buildings well anchored on their site and integrated in their landscape surroundings
- 6.13 The opportunity has also been taken following pre-application advice to orientate the cottages in line with the grid formed adjacent cottages Hendra/ Gibson and to abandon the angled orientation that was not supported at the pre-application stage. The result is a very comfortable pair of cottages that sit comfortably within the townscape and respond well to the site characteristics as shown in the perspective views.
- 6.14 The cottage designs will have roofs that will be of natural slate with granite chimneystacks. The granite detailing is designed to provide contrast to the rendered facades with painted wooden windows and doors.
- 6.15 The improvements to the hotel buildings in terms of fenestration with improvements to the window and door openings will make the composition of the buildings more coherent, and will also tie the buildings together better. They will also serve to make the hotel bedrooms and common areas function better. The windows and doors have a lightweight

contemporary appearance and the balustrades will be lightweight glazed systems with minimal framing.

#### **Advertisements**

- 6.16 The inclusion of the additional lettering and replacement flagpole reflect the need to help identify the hotel to visitors. The lettering proposed is simply replicating the existing and is painted on to the elevations. Lighting has been carefully chosen to protect light spill and to provide a gentle appropriate light wash to the signage to keep light levels as low as possible consistent with the appropriate commercial use of the site.
- 6.17 The replacement flagpole simply replaces the former flagpole in a new position.

#### Access

6.18 Given the topography of the site and general access issues to the island the two new cottages would offer accommodation consistent with the rest of the hotel. The cottages would be accessible to the ambulant disabled rather than full wheelchair access, which is not practical on this part of the site.

# 7. Technical Considerations.

#### **Biodiversity**

- 7.1 The Biodiversity Survey by Janine Bright, was first completed in 2015 and updated in June 2016. This confirmed that the garden areas associated with the hotel are very small in extent. There are areas of lawn with perennial ryegrass, common bent grass, cock's-foot, daisy, white clover, common cat's-ear and ribwort plantain. The borders and flowerbeds support kitchen herbs and garden plants that are mostly non-native and common in the residential gardens of the island, including Phormia sp., Agapanthus, Echium sp. and acaves.
- 7.2 Native species include alexander's and butterbur. No plant species of biodiversity value were observed within the gardens. The garden areas of the hotel are not considered to have notable biodiversity value.
- 7.3 The biodiversity report also noted: "There is also a stonewall with an earth core and without cement mortar between the northern access road and the kitchen garden. Sea spleenwort was noted here. Due to a lack of earth and/or little/sparse vegetation cover the walls cannot be described as hedgerows and therefore would not be protected by the Hedgerow Regulations 1997 nor do they qualify as Biodiversity Action Plan (BAP) priority habitat.
- 7.4 The Isles of Scilly Biodiversity Audit 2008 (Lewis et al., 2008) states that there are virtually no true native hedgerows in the Isles of Scilly. Lewis et al. (2008) states that 'hedges' come in three main types, dry-stone walling (single leaved), 'Cornish hedges' (double leaved) and granite masonry (such as the Garrison walls). All three types are present within/along the boundaries of Tregarthens Hotel. Such boundary features can play a role in enabling species to move through the landscape by connecting semi-natural habitats. However those within the site are present within an urban setting and do not have connections with semi-natural habitat. The wall with the earth core may provide a refuge for invertebrates and small mammals. The walls may also support notable lichen populations. They are likely to be of value at the level of the site.
- 7.5 The survey concluded the proposed development will not impact upon any designated sites of nature conservation importance or the features for which they were designated. The Environment Agency's 'Pollution Prevention Guidelines for Works and maintenance in or near water (PPG5)' will be followed to ensure the works do not impact upon the adjoining SAC.
- 7.6 Whilst some small part of the garden habitats will be lost to the development these are of no biodiversity value and their loss does not require mitigation.
- 7.7 Garden clearance has the potential to disturb hibernating hedgehogs or cause injury to hedgehogs and lesser white-toothed shrew (Scilly shrew). To avoid these impacts once

invasive weeds have been removed or treated the remaining garden foilage will be cleared to ground level by hand at least three days prior to earth movements. The cut material will be removed from the construction zone. The areas are small so this is achievable. This will degrade the habitat and allow hedgehog and lesser white-toothed shrew to move away from the site on their own. The stone wall that contains the kitchen garden will be retained and protected during development to avoid impacts to shrews. If hedgehog and shrews do not move to safety on their own accord they may be transferred to a neighbouring garden.

- 7.8 The proposed demolition works have the potential to disturb nesting birds. If demolition is to be carried out between March and October (inclusive) then a search for nesting birds will be carried out. If active nests are found the works will not proceed until dependent young have fledged. Given the development must take place outside this period so as not to affect hotel trade this is not an issue.
- 7.9 The proposed landscape plan introduces additional planting with greater biodiversity and the additional stone retaining walls will provide additional refuge for invertebrates and small mammals.

### **Sewage**

- 7.10 The Sewerage Services team have been concerned in the past about the potential impact on the deteriorating and ageing sewerage infrastructure which is known as the 'Mermaid Run'. Tregarthens is at the start of this run, which travels under the Mermaid Inn and along the sea wall to the Atlantic slip (where the over flow point for the whole of the town is located) and onto join the sewerage line in the main street.
- 7.11 The removal of the laundry from within the hotel has reduced the flows in the mermaid run significantly.
- 7.12 In order to deal with the anticipated increase in volume of foul water as a result of the two additional units of accommodation a package treatment plant (bio-disc) is proposed within the garden area. This small-scale solution would result in no additional flows into the Mermaid run. This is seen as the first phase solution for the eventual complete redevelopment will replace the bio-disc with a pump to divert flows from the hotel from the Mermaid run to Garrison Hill sewer that has more capacity.

#### Water

7.13 The public water supply on St Marys is already under increasing pressure to meet demand at peak consumption periods. With the recent redevelopment of the quay, there has already been an increased demand for the supply of drinking water in that section of the public mains supply to which Tregarthens Hotel is connected.

7.14 This proposal will include water saving fixtures, fittings, appliances and devices within the two new cottages to significantly reduce demand over conventional systems. The hotel will also replace existing fittings at the end of their life with water efficient systems.

#### Waste

- 7.15 Previously the Waste & Recycling Business Unit welcomed the applicant's implementation of the waste hierarchy through the processing of hardcore on site. It is understood the Council can grant T7 exemptions for this activity.
- 7.16 Whilst this current application involves only minimal demolition it is the intention that the re-use of materials within the site's development will reduce the potential for any additions to the waste stream. Demolition waste can be used for the soakaways and the soils and top soils are to be reused in the garden design.
- 7.17 The applicant will prepare detailed Site Waste Management Plan but initial calculations from the consulting engineer confirm that virtually all the waste arising from the development will be accommodated within the site. If there is any residual material the only type left over will be top soil and this has a market outlet on the island if required.

### Flooding - Surface Water

- 7.18 The proposed development will cause some changes to run-off characteristics of the site due to the proposed small increase in impermeable surfaces. There is currently an overall 'very low' risk of surface water flooding across the site and this is not expected to change as a result of the development.
- 7.19 Surface water run-off from the proposed development will drain in to soakaways and to the existing surface water drainage system.
- 7.20 In light of the above, the site is considered to satisfy the flood risk requirements of the NPPF and the development plan.

# 8. Economic Considerations

- 8.1 National planning policy encourages a proactive approach to delivering economic growth.

  The NPPF says that the government is committed to ensuring that the planning system does "everything it can" to support sustainable economic growth.
- 8.2 Local policies support tourism development that: contributes to diversification and modernisation; improves the quality of tourist accommodation; potentially extends the tourist season; involves changes of use between forms of tourist accommodation.
- 8.3 It is recognised in local policy that tourism is important and the Isles of Scilly should achieve "a high quality and distinctive response to changing markets in tourism". The future of the local economy is recognised as "challenging" and hence an innovative approach to investment is often required. The response to the challenges needs to be positive and proactive to avoid the risk identified in the Strategic Economic Plan of "a spiral of decline".
- 8.4 The seasonal nature of tourism on the Isles of Scilly makes it all the more important that investment in the islands' visitor accommodation is encouraged a) to safeguard current business and b) to help extend the season. Self-catering accommodation is an important part of this equation (about 50% of trade) and this proposal is central to that seeking to make good the deficit in its offer of this type of accommodation to the market, especially on St Mary's.

## **Investment strategy**

- 8.5 Tregarthen's Hotel has developed its own strategy based on refurbishment for survival, followed by joint venture funding to raise capital for improvement and growth (as proposed by this planning application). The quality of Tregarthen's Hotel must rise to match the expectations of the clientele that can afford the exceptional travel costs to/from the Isles of Scilly. To respond to this market it is proposed to upskill the workforce and to invest in staff accommodation (as well as visitors' accommodation).
- 8.6 Tregarthen's Hotel is badly in need of investment both as a defensive measure to stand still and as a proactive measure to move forwards. This proposal does not intend to rely on bank finance alone. The success of the conversion of former staff cottages to holiday lets at Portlight, Starboard light, Gibson and Hendra has proved the necessary success of this model for investors. The forward booking of the cottages has demonstrated into 2019 and the success of this model and the income stream allows the investors to make positive finance decisions to further fund works. A recent refinancing package has secured the necessary funding to carry out all the works proposed in the current planning application.
- 8.7 A joint venture/shared equity model generates more value for those investors that appreciate the ethos of the Isles of Scilly and can derive a benefit from using the cottages with a C3 use class consent under the hotel's administration. A long lease on each of the

hotel cottages, combined with an investment lease agreement, puts the hotel and the investors in alignment by giving them what they require – early stage capital and on-going income for the hotel; plus an opportunity for investors to complement their investment with visits to the Isles of Scilly.

### **Economic benefits**

#### Market and management feedback

- 8.8 Historically, loyalty to the hotel (like the islands) has been strong but it cannot be taken for granted. The hotel is at a tipping point and failure to invest at this time could threaten its survival. Defensive measures have been taken to refurbish parts of the hotel, this was primarily limited redecoration during the winter 2015/16 and staff training for the 2016 season but this is just to "stand still". The proposed development is a necessary step change to avoid a downward spiral.
- 8.9 The proposed staged investment in Tregarthens Hotel will help St. Mary's capture a greater share of trade from day visitors (especially the growing number travelling on cruise liners). Creating attractive bar and restaurant areas, as well as improved hotel and self-catering accommodation will be a draw for return visits. This will be backed up by improved IT systems plus on-going staff development and training in all aspects of running the hotel.

### **Economic benefits**

- 8.10 The proposal has significant economic benefits as one of the three key strands of sustainability.
- 8.11 The Annual Report of the Islands' Partnership confirms the crucial role of tourism as being "vital to Scilly" (contributing over £32 million and over 1,000 jobs to the local economy); furthermore, tourism is nationally recognised as a "key economic driver". Further investment is required to build on this strength and to connect with current and future visitors. In this context it can be seen that a capital investment plan for Tregarthen's Hotel in the order of £5m (plus ongoing income expenditure) is a significant material consideration aligned with the economic strategy, which should weigh in the balance in favour of the proposal.

# 9. Planning Assessment & Conclusion

#### Introduction

- 9.1 The assessment of the planning application is a balance of all the considerations associated with the proposal, the site and the local environment. Whilst planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act (1990) they must also pay regard to the guidance provided by the NPPF as a material consideration.
- 9.2 The National Planning Policy Framework (NPPF) places a presumption in favour of sustainable development as the golden thread running through decision-making. Where policies are out of date planning permission should be granted unless specific policies of the NPPF indicate otherwise. This is the case with the Area of Outstanding Natural Beauty.
- 9.3 The development proposed is entirely within the urban context of Hugh Town and given the approach to the development is mostly redevelopment within an entirely built context it would not be considered harmful to the AONB area as a whole and indeed more locally the assessment of impact suggests that the are neutral when considering the landscape impacts, therefore the presumption in favour of sustainable development prevails as the policies relating to the AONB are not harmed and therefore are not engaged to overcome NPPF 14.

## **Development Plan**

9.4 Given the existing Local Plan is in effect 'time expired' in relation to the NPPF the current development plan policies have no weight in the consideration of the current application. The proposals sit well with the emerging Local Plan policy WC5 – all this policy can only have very limited weight at this stage of the plan process.

# **Sustainable Development**

- 9.5 The NPPF advises that sustainable development has three strands: firstly an Economic Role to create strong, responsive competitive economy, secondly a Social Role- to create a high quality built environment to support the community and thirdly an Environmental Role to protect/ enhance natural, built and historic environment, improve biodiversity, minimise waste.
- 9.6 The preceding sections of the report have examined all the relevant parts of the sustainability spectrum and show substantial support for all three strands of sustainable development.
- 9.7 These can be summarised as follows:

#### **Economic Role**

- Additional self-catering accommodation will create capital for investment, as demonstrated by the success of the four units developed at the site that cannot be generated by raising hotel room rates.
- The long-term significant investment of circa £5million development value (for all phases) plus ongoing income expenditure from repeat business is a valuable injection in to the local economy from the private sector.

#### The Social Role

- The proposal in particular supports the creation a high quality environment through a careful contextual scheme that respects the Isles of Scilly Design Guide.
- o The scheme has responded to community concerns expressed on previous proposals.

#### The Environmental Role

- The enhancement of the natural environment through biodiversity gain from establishing a better local provenance in the garden and removing invasive species
- The enhancement of the AONB by the improvement to views as a result of a more cohesive townscape solution to the site and formation of an attractive garden typical of the character area
- The reduction in construction waste re-use of excavated material (construction waste) in achieving a new landscape garden
- o The management of foul sewage and more sustainable use of water

# **Potential Harms**

### Heritage

- 9.8 The Heritage assessment states that the site is currently considered to make a minor negative contribution to Hugh Town's character and appearance, but has a **negligible** impact in terms of its overall significance on the whole Conservation Area as a single heritage asset.
- 9.9 The assessment goes on to report that development will introduce pitched roofed and gabled cottages within the north-western garden that will reintroduce a characteristic and historic townscape morphology and scale that will, to a small extent, visually reduce the dominance of Tregarthen's Hotel in this assets' setting. The proposal will not significantly change the current level of enclosure and screening caused by nineteenth and twentieth-century development in Hugh Town up to the Garrison Walls.

- 9.10 It is clear that the Garrison Walls are of very high national significance and despite the small degree of negative impact, specifically from the highly localised screening to some experiences of the asset's significance, the aggregate impact of the proposed Garden Cottages development provides a **negligible** level of harm within the spectrum of less than substantial harm to the experience of the significance of the Garrison Walls.
- 9.11 The proposed development of the Garden Cottages will represent a small change to a portion of this asset's character and appearance and will result in a minor enhancement to the significance of the Isles of Scilly Conservation Area. This will be a notable positive enhancement to the townscape of the northern part of Hugh Town at an important point of focus of the settlement, both functionally and historically, between the Pier and those elements of the Garrison that remain externally perceptible elements.
- 9.12 Most of the other development proposals subject to planning are internal to the eighteenth/nineteenth century core of the Hotel and to the 1920s' extension. These will involve the re-ordering of some rooms. These proposals will cause **no impacts**, positive or negative, to the historic built environment
- 9.13 As an aggregate, the Garden Cottages proposal will provide a collective **negligible/minor** enhancement to the significance of the Garrison Walls and to the Isles of Scilly Conservation Area. No other built heritage assets will be affected by these proposals.
- 9.14 The decision maker has a statutory duty to give consideration to keeping the identified heritage assets from harm under the auspices of s.66 (in regard to listed buildings) and s.72 (in regard to conservation areas) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Following the statutory test, the decision maker will need to weigh any harm that the scheme causes to heritage assets' significance (namely a negligible degree of harm within the spectrum of less than substantial harm to the significance of a small portion of the Grade I listed and scheduled Garrison Walls) with the scheme's public benefits, as required by paragraph 134 of the NPPF.
- 9.15 As set out in the conclusion of this report, it is shown that the public benefits of the scheme outweigh the negligible harm the proposal will cause to the significance of a small part of one heritage asset. In addition positive impacts on the townscape of Hugh Town and, therefore the character and appearance of the conservation area, it can be further concluded that the proposed development meets and facilitates the planning authority's statutory duty under section 72 of the 1990 Act such that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance' of the conservation area. Scheme delivers a degree of enhancement to the character and appearance of the Isles of Scilly conservation area.

## Sustaining and Enhancing the Significance of the Heritage Assets

- 9.16 In weighing up the balance of considerations the first of the historic environment considerations is the experiential element of the asset's significance.
- 9.17 This relationship is not changed by the proposal. The proposal would enhance and better reveal the significance of the heritage assets by experience in the garden areas (NPPF para 137) especially to those at close quarters, as currently this is not an area where residential hotel or walk-in guests use. The applicant is willing to provide appropriate heritage interpretation (to be produced in agreement with Historic England) in the garden to aid this understanding for all visitors.

#### **Economic Vitality**

9.18 This second strand of NPPF 131 is also met by the proposal as outlined in the economic section of this report. Securing the future of the Hotel is a key consideration for the future of the Tourist Industry on the Island and for Hugh Town more generally.

#### **Local Character and Distinctiveness**

9.19 The third strand of NPPF 131 is clearly met by the proposals. The application considers the impact on the townscape. The CSUS study concludes in the regeneration principles that there is an opportunity to promote beneficial change. The proposed development of the Garden Cottages has benefits for character and appearance and will result in a minor enhancement to the significance of the Isles of Scilly Conservation Area.

## **Conclusion - The Planning Balance and Recommendation**

- 9.20 In coming to a conclusion on the proposal the planning authority must consider whether the proposal constitutes sustainable development and consider the balance of harms and benefits of the proposal given legislation, the lack of appropriate development plan policy framework and guidance in the NPPF as a material consideration.
- 9.21 It is clear that in terms of heritage there are positive benefits to conservation area, and the very minor impact on the Garrison Wall is very much outweighed by the public benefit of sustaining and investing in this important tourist facility which sustaubs both jobs and inward investment.
- 9.22 The development proposal as described and assessed in this statement has shown no harm to the amenity of adjacent residents or any other harms to any public interest.
- 9.23 In summary the applicants believe that the positive economic benefits of the proposal balance in favour and considerably outweigh any residual minor harm.
- 9.24 The scheme has overall compliance with National and Local Policy and with no demonstrable harms that outweigh the considerable benefits, assessed against the policies of

# Tregarthen's Hotel

- the Framework as a whole. The development should therefore be considered sustainable and planning consent should be granted without delay.
- 9.25 The applicant anticipates the use of conditions to control the occupation of the self catering cottages, as well as other conditions to secure details not included in the current application submission. To assist the applicant has set out conditions in **Appendix I** he envisages will need to be imposed to make the development acceptable to the Council. This list is a starting point only and may not cover all controls that you would wish to secure to make the development acceptable.

# Appendix I

#### List of Putative Conditions

- 1. **Time Limit** The Development hereby permitted shall be begun before the expiration of three years of the date of this permission
- Development in accordance with Plans –The Development hereby permitted shall be carried out in accordance with the approved plans only.
- 3. Samples and Sources of Materials and Waste Plan -Prior to the commencement of the approved development, a scheme including details and sources of all building materials and the means/location of disposal of all demolition material and waste arising from building works, including excess material from excavations, shall be submitted to and agreed in writing by the planning authority.
- 4. **Archaeological watching brief** No development hereby approved shall take place until applicant has secured the implementation of an archaeological watching brief in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the local planning authority
- 5. Occupation Restriction- Notwithstanding the provisions of part C, class C3 'dwelling house' to the schedule of the Town and Country Planning (use classes) Order 1987 (as amended), (or any order revoking re-enacting that order), the premises hereby permitted under class C3 shall be used for the purposes of holiday accommodation only and for no other purpose, including any other purpose within class C3 of the order. The C3 properties shall not be occupied by any person is a total period exceeding 42 days in any calendar year. Shall maintain a register of occupiers for each calendar year including names, addresses and length of stay, and a copy of the register shall be supplied to the local planning authority on request.