



COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department
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OFFICER REPORT – DELEGATED

Application number: P/15/075/FUL	Expiry date: 3 December 2015
Received on: 21 September 2015	Neighbour expiry date: 29 October 2015
UPRN: 000192002400	Consultation expiry date:
Legal agreement:	Site notice posted: 8 October 2015
Departure:	Site notice expiry: 29 October 2015
Complies with Development Plan? Y/N If not, ensure you cover in the report how material considerations outweigh the plan?	
Is this decision contrary to local council recommendation?	

Applicant:	Mrs Charlie Carrs
Site Address:	Little Porth Garages Little Porth Hugh Town St Mary's Isles Of Scilly
Proposal:	Erection of 2m high timber fence and gates (adjacent to the highway) and installation of north facing double patio doors
Application Type:	Planning Permission

Description of site and development:

This is an application to erect a 2m high timber panel fence and access gates along the boundary of Storm Cottage and adjacent garages on the south side of Little Porth in Hugh Town.

Public representations:

The owners of the adjacent garages have confirmed that they have been notified by the application of the intention to erect the fence and that this is on condition of the sale of the garages to the applicant, which is currently being agreed. The neighbour who owns the adjacent driveway and garages has no objection to the erection of the fence, to enclose this land, as the sale is almost complete.

Consultee representations:

NONE

Constraints and designations:

Conservation Area, AONB and Heritage Coast

Relevant policies, SPGs and Government guidance:

The 2007 Isles of Scilly Design Guide 2007 SPD.

Appraisal/key issues and conclusion:

Storm Cottage was created from the demolition of two former garages, similar in appearance to the two attached garages. P5416 was approved for the demolition of 2 garages and construction of a chalet bungalow. This was conditionally approved in January 2006 and was subject to a Section 106 Legal Agreement to restrict occupation to those identified as having a SLN or KWs. This cottage currently has no outdoor amenity space or car parking. The applicants are in the process of purchasing the attached garages and drive way and the proposal is to erect a 2m high fence to enclose the land for the purposes of creating a private outdoor amenity space.

The principal issues for consideration are whether the proposal would be in keeping with the wider character of the Conservation Area and whether it would result in any harm to the privacy and amenity of any neighbouring properties or land uses or impact upon highway safety.

I consider that the construction of a 2m high domestic fence and gate on the boundary with a highway does not create a particularly pleasing public realm as it creates a dead frontage at ground floor and whilst it can often hide an untidy or unattractive piece of land it can also erode the character of a place by hiding an attractive garden, which, if in view, can enhance the public realm. Having said that I consider this site falls at junction in the street where the dwellings on little porth, heading up to Sally Port in the west have open gardens and the area towards Porthcressa where front gardens are limited. It would therefore not appear out of keeping with the character not to have an open front garden. Currently the site is open but this is due to the need to be able to access the garages by vehicles. I consider that the enclosing of this hardstanding would not result in harm to the character of the conservation area. The proposed fence and gates are domestic in appearance with hit and miss timbers which would have a neutral impact generally on the street scene and public realm.

The construction of a fence in front of a double garage can create difficult parking parameters and would require any vehicles using it to either reverse it to the parking space or reverse out on to the highway. The road at Little Porth is an adopted highway but the vehicle speeds are low and the level of traffic is such that generally it is possible to control traffic to enable any vehicle using the garages to enter and exit the site safely without harming the free flow of traffic. The site could be enclosed by a 1m high fence and gate without planning permission which would have the same impact upon vehicles using the garages. I consider therefore that the proposal is acceptable without significantly harming highway safety.

The position of Storm Cottage with Periwinkle to the east and Pennlyon to the south west are such that the creation of the proposed fence and gates would not impact upon privacy or amenity for these properties.

Recommendation:

Conditionally Approved

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Existing Location Plan 115-01 received 07/10/15
Existing and Proposed Floor Plans 115-02 received 07/10/15
Existing Elevations 115-03 received 07/10/15
Proposed Elevations 115-04 received 07/10/15

ANY ADDITIONAL INFORMATION:

- In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and proactive, in accordance with paragraphs 186 and 187 of the NPPF.
- In accordance with the Town and Country Planning (fees for Application and Deemed Applications) (Amendment) (England) Regulations 2008 a fee is payable to discharge any condition(s) on this planning permission. The fees are as follows:
 - a) £28 for each request to discharge condition(s) where the planning permission relates to a householder development (domestic extension/alteration or outbuilding etc).
 - b) £97 for each request to discharge condition(s) where the planning permission relates to any other type of development other than a householder application.The fee is payable for each individual request made to the Local Planning Authority.
- In accordance with the provisions of Section 96A of the Town and Country Planning Act which came into force on 1st October 2009, any amendments to the approved plans will require either a formal application for a non-material amendment (for which a fee of £28/£195 would be required) or the submission of a full planning application for a revised scheme. If the proposal relates to a Listed Building you will not be able to apply for a non-material amendment and a new application for a revised scheme will be required. Please discuss any proposed amendments with the Planning Officer.