**OFFICER REPORT – DELEGATED**

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| **Application number: P/16/062/FUL and P/16/063/LBC** | **Expiry date: 30 August 2016** |
| **Received on: 30 June 2016** | **Neighbour expiry date: 12 September 2016** |
| **UPRN: 000192000814** | **Consultation expiry date:** |
| **Legal agreement:** | **Site notice posted: 5 July 2016** |
| **Departure:** | **Site notice expiry: 26 July 2016** |
| **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?** | |

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| **Applicant:** | **Mr Martin Lester** |
| **Site Address:** | **Park View**  **11 The Parade**  **Hugh Town**  **St Mary's**  **Isles Of Scilly**  **TR21 0LP** |
| **Proposal:** | **Alterations to boundary wall, insertion of single and double gates and insertion of window to rear facade. (Listed Building) (Amended Plans)** |
| **Application Type:** | **Planning Permission** |

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| **Description of site and development:** |

This is an application for planning permission and listed building consent to install a small ventilation kitchen window in the approved single storey rear extension. This extension was approved in early 2016 under P/15/092/FUL and has now been constructed. This application is seeking to install a small ventilation kitchen window in the north elevation measuring 0.6m x 0.6m which will be situated at a position at 1.4m above ground level, the window is identified as ‘obscured’ with a bottom hung opening double glazed casement window that will open inwards. Additionally the applicants are seeking to widen their existing pedestrian gate, of which a right of way exists over the forecourt of the adjacent Harbour View Mansions. This would be to a width of 1.6m to allow a golf buggy to access the land to the rear of Park View. This requires the use of a double gate rather than the current single gate.

Park View is a semi-detached two storey house that was listed Grade II in 1975. It is described, together with its attached neighbour, Madura, by Historic England as:

*Pair of houses. Early C19, with earlier origins. Coursed and roughly dressed granite, rendered to Madura; half-hipped slate roof; rendered ridge and rear stacks. Single-depth plan extended to double-depth plan in early C19. 2 storeys. Each house of symmetrical 3-window range. Madura has 6-panelled door set in doorcase with half-columns to flat hood; late C19 horned plate-glass sashes. Parkview has mid C20 door set in similar doorcase and granite lintels over C20 ground-floor windows and late C19 first-floor plate-glass sashes. Left return wall of Madura has quoins to centre marking rear wall of earlier house which was deepened and heightened in early C19. Interiors not inspected.*

It is located on the north east corner of 'The Parade' in Hugh Town on the north side of the Parade, just before Lower Strand. It fronts directly on to the road with no intervening garden or pavement. Access to the rear is via the Thorofare that runs along the west gable of Madura. This runs across shared space of Harbour View Mansions, before the gate to Park View through which is the rear large garden which extends to Town Beach between Harbour View Mansions and the Scillonian Club. This private rear garden space is a concrete space with no soft landscaping. A 2m encloses this yard with an approximate 1.8m high stone wall which provides the sea defence and north boundary of this property before the beach.

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| **Public representations:** |

The application attracted representations from 5 people from Harbour View Mansions. These representations objected to the scheme as originally submitted, which proposed to construct a second gate in addition to the existing pedestrian gate. The second gate was closer to Harbour View Mansions and would be wide enough to pass a golf buggy through. As there is no agreed right of way for the owners of Park View to cross the forecourt, other than the pedestrian path adjacent to Madura, the owners of flats within Harbour View were objecting to the use of their forecourt by vehicles and that there was an intention to restore a former garden in this area.

The application was amended to the widening of the single existing gate and a reconsultation was undertaken with neighbouring properties. This resulted in one neighbouring sending in an additional representation stating that the right of way for Park View should remain along their existing right of way and not over the forecourt of Harbour View Mansions.

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| **Consultee representations:** |

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| **Constraints and designations:** |

Grade II Listed Buildings, Conservation Area, AONB and Heritage Coast

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| **Relevant policies, SPGs and Government guidance:** |

2005 Isles of Scilly Local Plan

Policy 1 Environmental Protection

2007 Isles of Scilly Design Guide SPD

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| **Appraisal/key issues and conclusion:** |

The principal considerations are whether the proposal results in the retention of traditional characteristics of this early 19th century two storey house, it should not result in harm to or loss of significance as a building of special architectural or historic interest. The proposal should not result in harm to the wider character of the conservation area or AONB. It is a material consideration to ensure the development proposal does not give rise to harm to the privacy and amenity of adjacent neighbouring properties or land uses.

As the proposed window and gate and located in the rear of the property the alterations do not affect the significance of the original fabric of this building as one of special architectural interest. The small window will be a timber top-hung casement window which will sit within the approved flat roof rear extension. It will be located within the newly constructed wall that forms the north elevation of this extension, which would look into the courtyard of Harbour View Mansions. The window is considered to be acceptable and would not give rise to any harm to or loss of significance for this grade II listed building.

The boundary wall that separates the private rear garden of Park View from the forecourt of Harbour View Mansions is a particularly unattractive unpainted blockwork and concrete rendered wall that is around 1.8 metres high. It has limited historic value relative to the dwelling of Park View. A section of this wall has been removed to facilitate the implementation of P/15/092/FUL and as such it is considered that its re-construction to provide for a double gate, with a timber ledge and brace door, would not result in harm to or loss of significance for the setting of this grade II listed building. The wall will be reconstructed in blockwork and re-rendered, which replicates the construction of the current wall. This change to the boundary wall of a grade ii listed building is considered to be acceptable.

In terms of impact upon the privacy and amenity of adjacent neighbouring properties then it is considered that the installation of a small window to the ground floor, which would be within 6.8 metres of rear facing windows of Harbour View Mansions could give rise to some amenity issues. The window however is small and is required for ventilation purposes. As the window is identified as a bottom hung double glazed casement window that will open inwards which will be obscured, it is considered that this will not give rise to any issues of harm to the privacy or amenity of adjacent residential properties.

The creation of a wider timber gate would result in a wider opening sufficient for up to a golf buggy sized vehicle to access the rear of Park View. The size of the proposed opening is not sufficient for larger vehicles and given the limited width of the public right of way it is unlikely that it would be used for vehicles, unless an agreement was reached with the landowner of the forecourt. The increased width of this existing gated is not considered to give rise to any significant amenity issues that would warrant refusing this application. The right of way restrictions on the applicant that may not permit use of the gate is not a material planning consideration and not sufficient reason to resist the development proposed that is otherwise acceptable.

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| **Recommendation:** |

Grant planning permission and listed building consent for the proposed works, subject to conditions set out above.

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| Signed: | Dated: | Signed: | Dated: |
| Planning Officer | Senior Manager |