



COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department
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OFFICER REPORT – DELEGATED

Application number: P/17/070/FUL	Expiry date: 13/10/17
Received on:	Neighbour expiry date: 08/09/17
UPRN: 000192000600	Consultation expiry date: 08/09/17
Legal agreement:	Site notice posted: 18/08/17
Departure:	Site notice expiry: 08/09/17
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:	Mr R Green
Site Address:	(Charlotte House) Myrtle Cottage, 23 Garrison Lane, Hugh Town, St Mary's
Proposal:	Replacement of existing roof coverings with alterations to height of rear roof section. Insertion of new window and doors.
Application Type:	Householder

<http://www.scilly.gov.uk/planning-application/planning-application-p17070>

Description of site and development:

This application proposes the replacement of the existing roof coverings, alterations to the height of the rear roof section together with the insertion of new windows and doors at Charlotte House (previously named Myrtle Cottage), 23 Garrison Lane, Hugh Town, St Mary's.

Site Description

Charlotte House is located on Garrison Lane in Hugh Town, St Mary's. Charlotte House is a two storey dwelling of granite construction. It has white painted timber windows and doors. The windows are multi-paned and have authentic blown glass bulls-eyes. The existing roof covering is slate, with the rear section of roof being scantle slate. The roof sections are of differing heights. The applicant states that the house appears to have been constructed in three phases. The first being the lower section, which was originally a cowshed. The second phase was the taller two storey front section with porch and thirdly the rear section which is of similar size and proportion to that of the second phase. The applicant also states that the date of these phases is unknown.

Description of Proposal

The proposed works include the replacement of the roof coverings on all three roof profiles. The existing slates will be re-used where possible and all new slate will match the existing in material and module size (150 x 300). The proposals include the alteration to the rear roof section on the west elevation. The applicants wish to raise this roof section to allow the installation of an internal staircase and its associated

head height. This would incorporate two new rooflights in the raised roof section and the re-use of an existing sash window in the rear hallway. The proposals include the insertion of two new timber multi-paned doors in the west elevation and the insertion of a new set of patio doors on the east elevation. These will also be timber and multi-paned to match and complement the existing. The proposals also include the insertion of a new ledged and braced double timber door and the replacement of a single door with a single ledged and braced timber door in the boundary wall adjacent to Garrison Lane. The proposed works also includes the removal of the cement pointing to the exterior granite and window reveals and its replacement with lime mortar pointing.

Background and Relevant History

There is no planning history for this property. In 1983 a building regulations application was submitted in relation to the provision of a porch.

Public representations:

A site notice has been on display outside the site for a period of 21 days.

No letters of representation have been received.

Consultee representations:

A site notice has been on display outside the site for a period of 21 days. Two letters of representation have been received.

Cornwall Archaeological Unit:

CAU have no comments to make on this application.

Isles of Scilly Bat Group

The roof tiles look to have few if any gaps that might allow bat access. Most of the alterations are to be in the interior but roof tiles will be replaced. The day-time survey revealed no evident signs that bats had been roosting in this complex building (no droppings found, one possible point of entry, in the roofing felt, was high up on west side of building and impossible to examine closely. Because of its complexity, we examined the roofing inside the building as carefully as we could. An area with no ceilings indicated that entry was unlikely. In several rooms with a hatch, we used a ladder to examine the roof space. There were no signs of droppings and no daylight seen. There were abundant cobwebs suggesting that no bats had been flying here. The night-time emergence survey did not detect any bats emerging from the building (2 observers, one on the west, the other on the east side) although several bats were observed in the neighbourhood during our survey. We do not consider that bats are likely to be inhabiting the building or to have done so in the past. However, in consideration of the gap in the felt, mentioned above, and the fact that we can never be sure that, when the work is commenced, the situation might not have changed, care should therefore be taken during the work in removing/replacing the roof tiles in case bats had gained entry by some means that we could not detect. If any bats should be discovered during the work, they must not be handled: work must stop immediately and advice sought from local bat wardens in the first instance (Mike & Anne Gurr, 422224) or, if neither is available, The Bat Conservation Trust's National Bat Helpline on 0345 1300 228. The e-mail address is enquiries@bats.org.uk

Constraints and designations:

Conservation Area, AONB and Heritage Coast.

Relevant policies, SPGs and Government guidance:

Primary Legislation

The Planning (Listed Buildings and Conservation Area) Act 1990

The site is within a Conservation Area where there is a requirement to ensure that any development preserves or enhances the character or appearance of the area, as embodied in Section 72 of The Planning (Listed Buildings and Conservation Area) Act 1990.

The Countryside and Rights of Way Act 2000

The Isles of Scilly is also a designated Area of Outstanding Natural Beauty (AONB). The legal framework for such areas is provided by The Countryside and Rights of Way Act 2000. The Act places a statutory duty on the Local Authority to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land within it.

The Conservation of Habitats and Species Regulations 2010 (Consolidation of Conservation (Natural Habitats, &c.) Regulations 1994)

It is a legal duty of a Local Planning Authority, when determining a planning application for a development, to assess the impact on European Protected Species ("EPS"), such as bats, great crested newts, dormice or otters. A LPA failing to do so would be in breach of Regulation 3(4) of the 1994 Regulations which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.

Planning Policy

National Planning Policy Framework (NPPF) 2012

At the heart of the NPPF is presumption in favour of sustainable development. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material consideration indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place. With respect to general development and the Strategic Policies it is considered that the Local Plan remains up to date and conforms to the requirements of the NPPF.

Isles of Scilly Local Plan 2005

Policy 1 relates to environmental protection and seeks to permit development proposal only where they respect and protect the recognised quality of the island's natural, archaeological,

historic and built environment. Proposals should (a) conserve or enhance the natural beauty, wildlife and cultural heritage of the Area of Outstanding Natural Beauty and protect the unspoilt character and good appearance of the heritage coast, (c) Preserve or enhance the character or appearance of the Conservation Area, (e) protect a statutorily protected plant or animal species and the wildlife, geographical and geomorphological interest and features of designated Sites of Special Scientific Interest; and locally important biodiversity habitats, species and landscape features.

Policy 2 relates to sustainable development and seeks to permit development where practicable and appropriate, proposals would contribute to the sustainability of the islands' environment, economy or local communities through: (a) conserving or enhancing the landscape, coastline, seascape and existing buildings of the islands through appropriate design including siting, layout, density, scale, external appearance (i.e. details and materials) and landscaping; (b) ensuring or facilitating the re-use of previously developed land and existing buildings for the economic, social and environmental benefit of the islands and local communities taking into account any environmental designations set out in Policy 1.

Appraisal/key issues and conclusion:

In light of the above mentioned policies and identified designations it is considered that the principal issue for consideration is whether the impact of the proposed development is acceptable in relation to the principle of development, the materials, scale, design and appearance; the impact on neighbouring amenity and the wider Conservation Area.

The proposed works are to replace the existing slate roof covering with slate (some new and some re-used where possible) to match existing. The rear roof section will be raised by approximately 0.3m at eaves height to 2.3m and by approximately 0.4m where the roof lies adjacent to the existing dwelling to 3.4m. The raised roof slope extends approximately 1.25m further eastward up the roof slope than the existing rear roof section. The insertion of two new timber doors, two new rooflights and the re-use of an existing timber sash window in the rear hallway in the west elevation. The insertion of two timber patio doors in the east elevation. The insertion of a new double timber doorway in the existing boundary wall and the replacement of a single door in the boundary wall with a new timber one together with the replacement of the cement pointing with lime mortar pointing.

In relation to Policy 1(a) of the Isles of Scilly Local Plan 2005 the proposed works will not have an impact on the natural beauty, wildlife or cultural heritage of the AONB or the heritage coast. In relation to Policy 1 (c) whilst the proposed works may not enhance the conservation area, the works will not negatively impact what currently exists and will therefore preserve the character and appearance of the Conservation Area. In relation to Policy 1 (e) the proposed works could have an impact on protected wildlife or biodiversity habitats as indicated in the response from the Isles of Scilly Bat Group and the recommendations have been included as an informative in this report.

In relation to Policy 2 (a) of the Isles of Scilly Local Plan 2005 it is considered that the design and materials of the proposed works are appropriate and enhance the existing building. In relation to Policy 2 (b) it is considered that the proposed works to increase the height of the rear roof slope will create a social benefit for the owners of the property, enabling a more functional and useable living space.

Impact upon the wider landscape.

Properties within this area are largely rendered white or a pale shade of stone with slate roofs and a mixture of materials on fenestration details. The proposed materials for the works match the materials on the existing dwelling and surrounding properties and it is judged that the use of these materials will pass the legislative test of preserving or enhancing the character and appearance of the Conservation Area.

The proposed site is visible from public vantage points and from adjoining neighbouring properties. There is existing planting, the existing dwelling, fencing and stone walls that would help to screen the proposed works. It is judged that the proposed works would have no material impact on the Conservation Area or the wider landscape due to its small size and subservient nature. The proposed works are to a dwelling which is situated in a built-up area and would be seen in context with the existing residential dwellings and development.

The Cornwall Archaeological Unit have advised that they have no comments to make on these works. No archaeological mitigation is required, and no archaeological condition is sought.

The Isles of Scilly bat group have conducted a bat survey and recommend that they do not consider that bats are likely to be inhabiting the building or to have done so in the past. However, the consideration of the gap in the felt and the fact that we can never be sure that, when the work is commenced, the situation might not have changed, care should therefore be taken during the work in removing/replacing the roof tiles in case bats had gained entry by some means that they could not detect. They also advise what should happen if bats are discovered during works and this advice will be included as an informative in the decision notice.

Impact upon privacy and amenity

The proposal is not considered to result in material harm to the privacy or amenity of adjacent residential properties or neighbouring land uses. The proposed works are to raise the height of a rear roof slope, repair and replacement to the existing roof covering with matching materials (and where possible the re-use of the existing slates), two new rear doors, two new rear rooflights, the replacement of a window to the front with patio doors, removal of cement pointing and replace with lime mortar pointing and the replacement of a door in the boundary wall and the insertion of a new double door in the boundary wall. The existing garden area raises to the rear of the dwelling and the form of the existing roof slopes on the dwelling obscure the proposed works to the rear. The existing boundary wall and vegetation screen the front of the house from public view.

It is considered that the proposed works would not cause any material increase in overlooking, be overbearing or cause any additional loss of light and it is therefore judged that the proposal is acceptable, in this case.

Conclusion

Drawing on all of the above considerations, it is considered that the proposal is acceptable and it is recommended for approval.

Recommendation:

Recommendation: The application be Conditionally Approved subject to the following Conditions:

- 1. 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 2. The development hereby permitted, shall be carried out in accordance with the approved details only including:**

- **The Location Plan – Drawing Number CH01 and dated August 2017**
- **The proposed elevations – Drawing Number CH06A and dated August 2017**
- **The proposed elevations and section – Drawing Number CH07 and dated August 2017**
- **Proposed Plans – Drawing Number CH05A and dated August 2017**



These are signed and 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 1 of the Isles of Scilly Local Plan 2005.

Further Information:

1. 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 manner, in accordance with paragraphs 186 and 187 of the NPPF.
2. In accordance with the Town and Country Planning (fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 a fee is payable to discharge any condition(s) on this planning permission. **The fee is £28 for each request to discharge condition(s).** The fee is payable for each individual request made to the Local Planning Authority.
3. 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 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.

4. If any bats should be discovered during the work, they must not be handled: work must stop immediately and advice sought from local bat wardens in the first instance (Mike & Anne Gurr, 422224) or, if neither is available, The Bat Conservation Trust's National Bat Helpline on 0345 1300 228. The e-mail address is enquiries@bats.org.uk

Signed: 	Dated: 12/10/2017	Signed: 	Dated: 12/10/2017
Planning Officer		Senior Manager	