

RETROSPECTIVE PLANNING PERMISSION FOR FORMATION OF SELF CONTAINED RESIDENTIAL UNIT |
DESIGN, ACCESSIBILITY & PLANNING APPRAISAL

ADDRESS: THE ANNEXE, PIER HOUSE, ST MARY'S, ISLE OF SCILLY TR21 0HY

CLIENT: MR T MITCHELL & MS C EMERSON

DATE: OCTOBER 2017



planning | architecture | landscape

1.0 EXECUTIVE SUMMARY

The design and access statement has been prepared by Laurence Associates to support the retrospective planning application for the formation of a self-contained residential unit, known as “The Annexe.”

This application seeks retrospective planning permission for the formation of a self-contained residential unit, known as “The Annexe.” The unit is used for holiday letting purposes and the application is made on the basis that this will continue to be the case.

The basis of this application is that the development accords with the Isles of Scilly Local Plan, together with national policy considerations, and that there are no material considerations that would lead to an application being refused.



2.0 EXISTING SITE

The site is located to the north west of Hugh Town within the Isles of Scilly, adjacent to Hugh Street and north of Garrison Hill, in an area known as The Bank. The property is a 17th Century (remodeled in early 19th Century) grade II listed building (listing entry: 1141219).

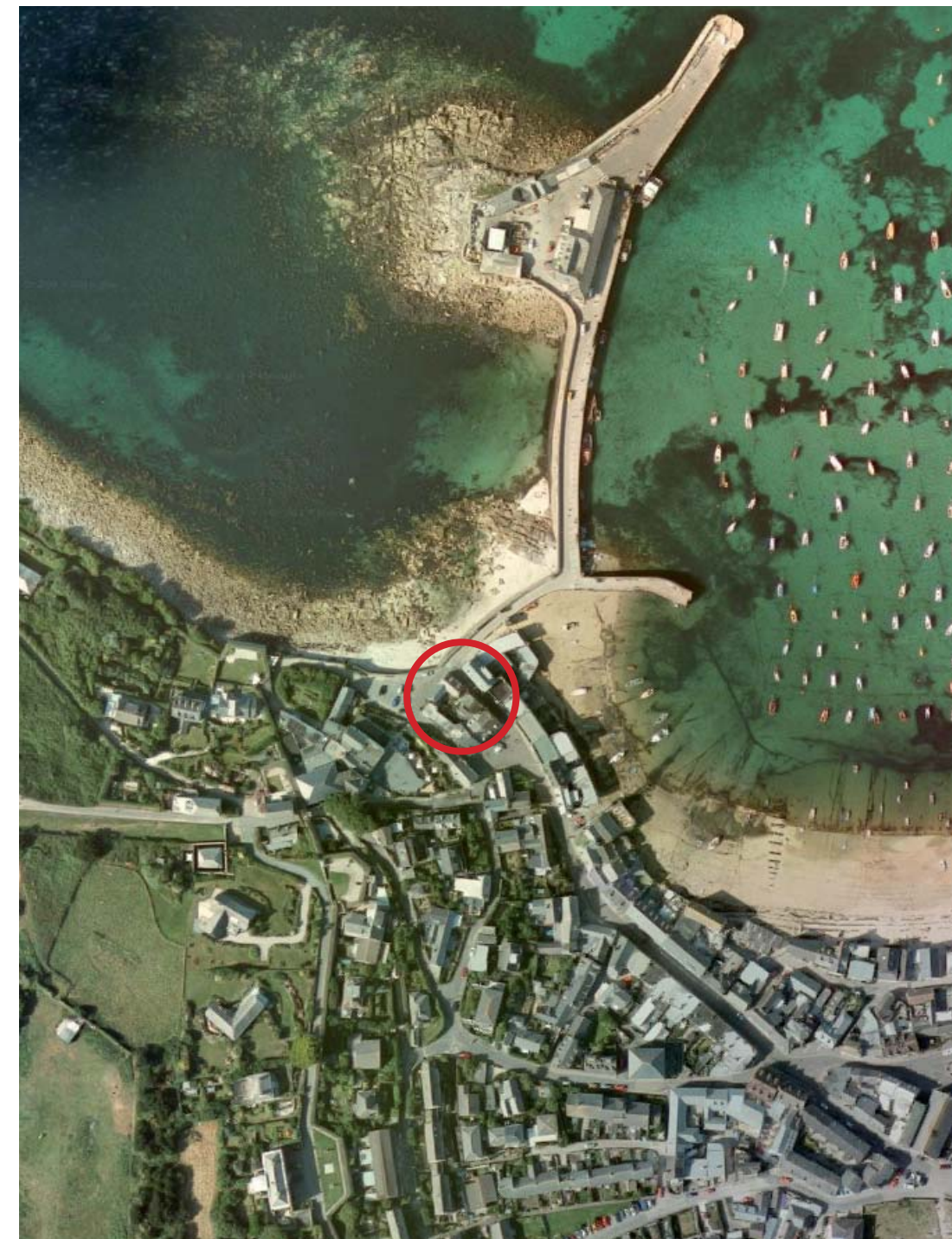
To the west of the site there are defensive Garrison walls which are designated as Scheduled Ancient Monuments. The waters surrounding the island are a designated Special Area of Conservation (SAC). The entire Isles of Scilly are designated as an Area of Outstanding Natural Beauty (AONB) and a Conservation Area.

The Bank is characterised by close knit properties, with stone being the predominant construction material. The highway fronting Pier House is the main thoroughfare to the harbour. The Mermaid public House is the dominant building in the street scene and this sits opposite the application site. The Annexe has uninterrupted views across the highway to the northwest and out to sea and the island of Samson.

The site forms part of a group of buildings that surround a courtyard that forms part of the application site. Pier House occupies the northern corner of this group of buildings, with The Annexe located along its north-western flank.



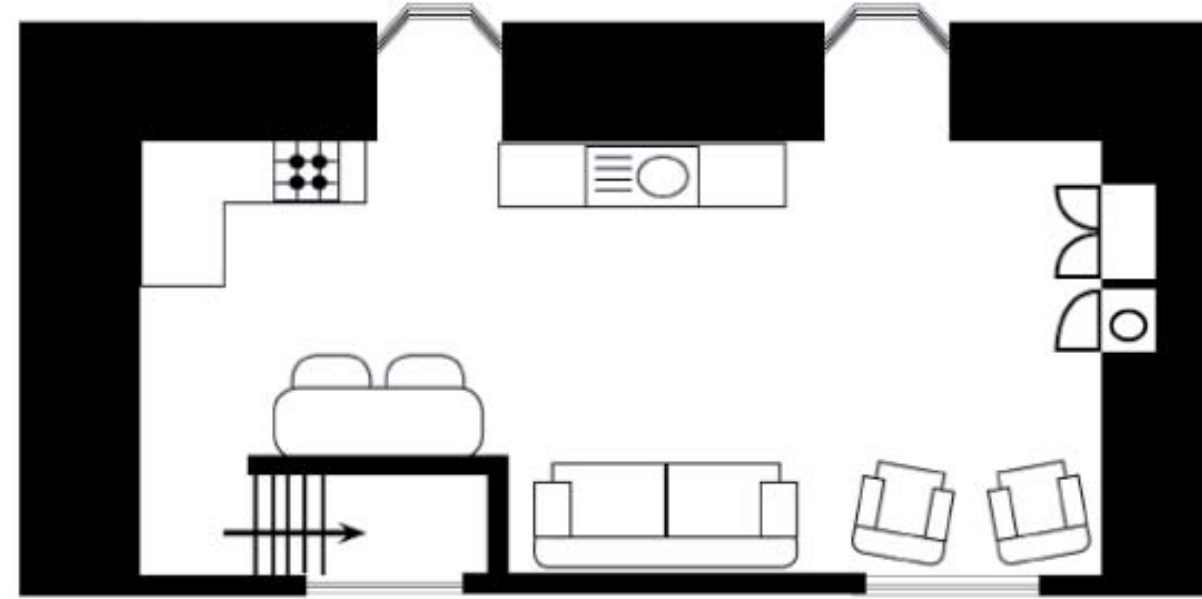
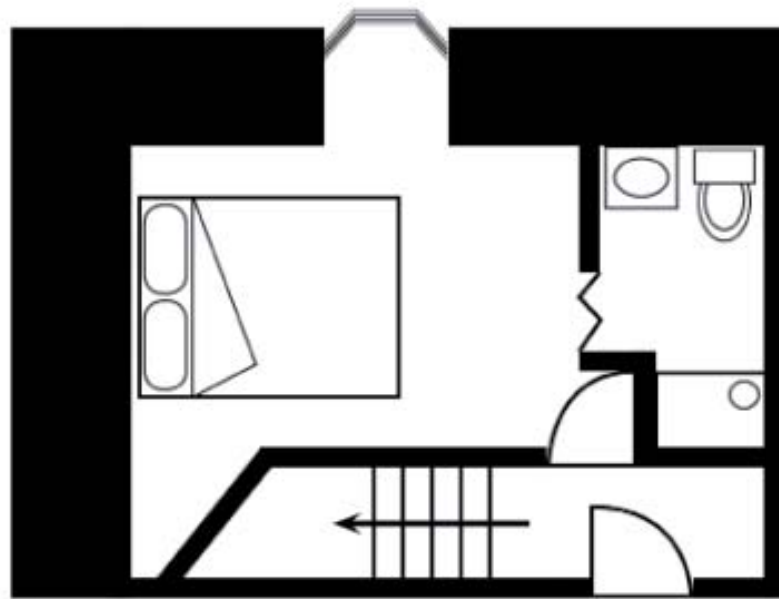
2.1 SITE LOCATION



THE ANNEXE, PIER HOUSE, ST MARY'S | EXISTING SITE LOCATION MAPS



2.2 EXISTING FLOOR PLANS



NOT TO SCALE



3. RELEVANT PLANNING HISTORY

P1679	Refusal of planning permission for the erection of a first floor extension to provide bathroom with attendant structural alterations at Pier House, The Bank, St Mary's	03.01.1978
P1715	Conditional approval of advertisement consent for the provision of a notice board on the South East elevation of Pier House, The Bank, St Mary's	20.06.1978
P1722	Refusal of planning permission for the change of use of the ground floor to a restaurant. Allowed on appeal 22.05.1979	27.07.1978
P2011	Refusal of planning permission for the extension to first floor rear to provide lounge and ancillary alterations including a private kitchen in the existing lounge at Pier House, The Bank, St Mary's	08.09.1981
P2060	Conditional approval of planning permission for the provision of two windows to first floor lounge - North West elevation at Pier House, The Bank, St Mary's	09.02.1982
P2064	Refusal of listed building consent for the extension to first floor rear to provide lounge and ancillary alterations, including a private kitchen in the existing lounge at Pier House, Bank, St Mary's	01.03.1982
P2075	Conditional approval of Listed Building Consent for the provision of two windows to the West elevation at Pier House, The Bank, Sty Mary's	30.03.1982
P2134	Conditional approval of Listed Building Consent for amendments to fenestration of extension approved under P.2011 under Appeal at Pier House, The Bank, St Mary's	04.01.1983
P2562	Conditional approval of planning permission for the renewal of Planning Permission P.2060 for the provision of two additional windows to the first floor lounge at Pier House, The Bank, St Mary's	06.01.1986
P2590	Conditional approval of planning permission for the provision of two additional ground floor windows on the North elevation at Pier House, The Bank, St Mary's	14.04.1987
P2661	Conditional approval of planning permission for the renewal of planning permission P.2011 Approved under appeal in 1982 for extensions to Pier House, The Bank, St Mary's	14.01.1988
P2771	Conditional approval of planning permission for the provision of lean to store at rear of premises.	07.07.1988
P3338	Refusal of planning permission for the insertion of windows on side elevation of Pier House, Bank, St Mary's	18.03.1992
P3358	Conditional approval of Listed Building Consent for alteration to rear extension at Pier House, St Mary's	22.05.1992

P3358/A	Conditional approval of Listed Building Consent for rear extension at Pier House, The Bank, St Mary's	22.05.1992
P3525	Conditional approval of Listed Building Consent for internal alterations at Nut Rock cafe (formerly Pier House), The Bank, St Mary's	19.05.1993
P3588	Conditional approval of planning permission for the change of Use of ground floor restaurant and kitchen to an exhibition centre within Class D1 of the Town and Country Planning (Use Classes) Order 1987 at Pier House, Bank, St Mary's	10.09.1993
P.3888	Refusal of Planning Permission to change the use from Exhibition Display & Gift sales to general retail A1.	19.03.1996
P.3888A	Conditional approval of Listed Building Consent install of a sink and a wash hand basin in the Exhibition Centre at Pier House.	19.03.1996
P.4057	Resubmission: Refusal of Planning Permission to change the use from Exhibition Display & Gift sales to general retail A1. Allowed on Appeal: 10.06.1997	06.08.1996
P.4794	Conditional Approval of Planning Permission to reduce floor level in shop by 6" and remove studded wall and en-suite in room 2 to accommodate Fish and Chip Restaurant/Takeaway.	11.05.2000
P.4795	Conditional Approval of Listed Building Consent to reduce floor level in shop by 6" and remove studded wall and en-suite in room 2 on ground floor and install en-suite in room 3 on first floor.	11.05.2000
P.4844	Conditional approval of Planning Permission to change ground floor shop area (Class A) to residential (Class C3)	29.08.2000
P.4900	Conditional Approval of Listed Building Consent to place an advertisement sign for B&B.	14.12.2000
P.5613	Conditional Approval of Planning Permission to change the use of part of ground floor to restaurant.	20.01.2005
P.5614	Conditional Approval of Listed Building Consent to change one ground floor room to a restaurant and install two showers in two bedrooms.	20.01.2005
P/16/051	Conditional Approval of Listed Building Consent to replace single glazed hardwood sash windows with double glazed in same style and material.	23.09.2016
P/16/052	Conditional Approval of Planning Permission for Replacement of single glazed hardwood sash windows with double glazed in same style and material.	23.06.2016



4.0 PLANNING ASSESSMENT

Physical Context

The site and its immediate surroundings form part of the historic core of Hugh Town and this is reflected in the area's designation as a Conservation Area and the relatively high proportion of listed buildings in the vicinity. Any development proposal, therefore, has to consider the potential impacts on both the individual properties and the wider settings of both the listed buildings and the Conservation Area.

Social context

Properties in this part of Hugh Town are close-knit and there is always the risk of issues regarding loss of privacy and overlooking that must be considered as part of any development proposal. Private amenity spaces are limited, although there is good access to beaches, walks and other public amenity spaces. Parking is limited; however, services and facilities are within easy, level walking distance and there is no easy provision for tourists to bring vehicles to St Mary's in any event.

Economic context

The Isles of Scilly is heavily reliant on the tourism industry and development proposals within the town must ensure that this aspect of the economy is not damaged and, ideally, is supported.

Planning Policy Context

National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and sets out the Government's planning policies for England and how these are expected to be applied. The NPPF replaces all of the previous national planning policy statements (with the exception of PPS10).

The NPPF also has an impact on the weight given to policies within existing Local Plans. Planning policy from earlier Development Plans will be given weight according to their degree of consistency with the NPPF.

Paragraphs 1-5 provide the introduction to the NPPF, setting out that the NPPF is the Government's planning policy that sets out the requirements of the planning system providing a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities. It sets out that applications are required to be determined in accordance with the development plan unless material considerations indicate otherwise, with the NPPF being a material consideration in the decision-making process, and acting as the principal policy consideration where the development plan is out of date.

Paragraph 6 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraphs 7 and 8 consider that there are three dimensions to sustainable development: economic, social and environmental all of which gives rise to the need for the planning system to perform a number of mutually dependent roles.

Paragraphs 14 – 16 set out that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or,
 - specific policies in this Framework indicate development should be restricted.



For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development that is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.

Paragraph 17 sets out the following 12 core planning principles that should underpin both plan-making and decision-taking:

- be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraphs 18–147 deal with thirteen sections under the broad heading of ‘Delivering Sustainable Development’.

Of particular relevance to this application:



4.1 THE DEVELOPMENT PLAN

Paragraph 23 requires LPA's to manage the growth of town centre environments to promote competitive town centre environments through appropriate use mixtures to include a range of key uses, such as tourism. This is further explored through Planning Policy Guidance – Ensuring the vitality of town centres, where the NPPF provisions on town centres is further elaborated, in particular that LPA's should positively plan for diverse places where people want to live, visit and work.

Paragraph 49 requires LPA's to take account of housing applications in the context of the presumption in favour of sustainable development.

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.

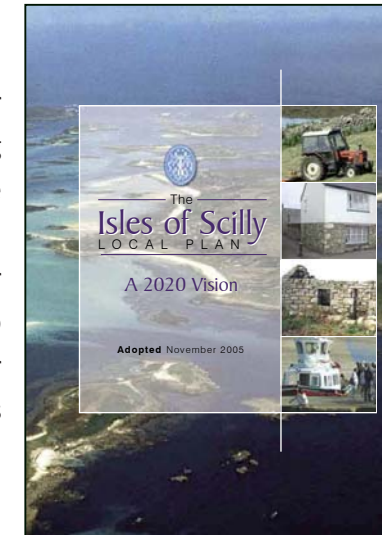
Paragraph 134 where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits.

The site lies in the Council of the Isles and Scilly Administrative area which has a currently adopted local plan.

The Isles of Scilly Local Plan: A 2020 Vision

Policy 2 of the Local Plan contains a presumption in favour of sustainable development. It states that, when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development, this Plan predates the NPPF but contains similar provisions. Importantly for this case, the policy seeks to ensure proposals facilitate the re-use of existing buildings for the economic social and environmental benefit of the islands and local communities taking account any environmental designations

Policy 4 refers to economic development, in particular there are provision within this policy that supports proposals which improve the quality of existing tourist accommodation or potentially extend the length of the tourist season.



5.0 INVOLVEMENT

Due to the scale and nature of the development it was not considered necessary or appropriate to undertake formal community involvement.

6.0 EVALUATION

The application is for retrospective planning permission for the formation of a self-contained residential unit used for holiday letting purposes within the rear wing of Pier House.

The site is located within the historic core of Hugh Town and is closely related to existing residential and tourism accommodation. It has a very limited impact on historic character and appearance of the area, with no external physical alterations having been made. Therefore, in purely physical terms, the impact on the character and appearance of the area is negligible.

Access to the unit is via the courtyard that belongs to Pier House and the applicant's intention is to retain the unit as part of the wider property, i.e. not to sell it off separately. Therefore, the relationship between both the existing dwelling and the holiday unit is understood by occupiers of both and there is no conflict in terms of residential amenity.

Tourists do not bring vehicles to the islands, so there is no issue in terms of increased parking requirements.

In policy terms, the provision of an additional unit, capable of year-round occupation is entirely consistent with the aims and intentions of policy 4(b) of the Local Plan. This policy provides 5 examples of where economic development will be acceptable and they are all mutually exclusive. Therefore, compliance with one part of the policy renders the development compliant with the policy in its entirety. The proposal is also compliant with the broader provisions provided in both the Framework and the PPG.

The application is considered to have an acceptable impact in respect of all relevant material planning considerations.

The proposed development represents sustainable development, re-using existing buildings and leading to an enhancement of the setting and contributing to the rural housing stock in the area. The development accords entirely with the relevant policies outlined above and would be compatible with the character and appearance of the area.



The proposed development is therefore considered to be compliant with policies set out in the Cornwall Local Plan, the NPPF and the Cornwall Design Guide. Development would satisfy the three roles of planning, being of benefit in social, economic and environmental terms, whereas currently the site is of no benefit in economic and social terms and is considered to have a negative impact on the character and appearance of the environment.

The conclusion to the evaluation of the site and the design of the proposal is that it is sustainable development and is of a high quality sensitive design. The development should therefore be approved, having regard to the statutory determination obligation prescribed by Section 38(6)

7.0 HERITAGE IMPACT

This building itself is a Grade II listed building, built in the 17th Century and remodelled in the 19th Century, in addition the Isles or Scilly in their entirety are designated as a Conservation Area. The proposals will not involve any internal or external modifications and purely seeks to establish permission for its current use, the modifications to date have been covered by historic listed building applications.

The site also has a Scheduled Ancient Monument nearby, namely a Post-medieval breastwork, curtain wall and associated defensive structures on the periphery of The Garrison, St Mary's. However, as no physical development has taken place, there are limited impacts on the wider setting of this monument.



8.0 CONCLUSION

The use of part of the buildings as a self-contained residential unit for holiday letting purposes is similar to established uses in the immediate area, and would not result in any significant or overriding harm that would outweigh the presumption in favour of sustainable development set out in the NPPF, and in particular, paragraph 14.

National policy guidance also seeks good quality environments with attractive, well designed developments that cater for the whole of the community. Due regard has been given to the physical, social, economic and planning policy context of the site. The proposed development accords entirely with the relevant policies outlined above and would have no significant or adverse impact on the character and appearance of the area.

