



COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department

Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW

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OFFICER REPORT – DELEGATED

Application number: P/18/016/FUL	Expiry date: 14 May 2018
Received on: 19 March 2018	Neighbour expiry date: 9 April 2018
UPRN: 000192001308	Consultation expiry date:
Legal agreement:	Site notice posted: 19 March 2018
Departure:	Site notice expiry: 9 April 2018
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 James Wakeham
Site Address:	Hospital Hospital Lane Hugh Town St Mary's Isles Of Scilly TR21 0LQ
Proposal:	Installation of new fire escape door on North West Elevation.
Application Type:	Planning Permission

Description of site and development:

This is an application to install a new door, for fire escape purposes, on the north west elevation. The existing building is a purpose built hospital that is situated on Hospital Lane. The site is a relatively elevated position close to the top of Buzza Hill and top of Church Road. The hospital itself however is well-related to the built-up edge of the east side of Hugh Town and is therefore not in itself particularly prominent and is a single storey structure with car parking to the front (north east) elevation and landscaped grounds to the north west and south west elevations.

The hospital is situated to the north, North West of the Doctors surgery and south west of residential properties at Chy Carn, Avoca, Theon and The Mill House. Hospital Lane runs along the north east boundary and joins King Edward Road to the south east.

Public representations:

A site notice has been on display in the vicinity of the site for a period of 21 days. No letters of representation have been received.

Consultee representations:

None

Constraints and designations:

Conservation Area, AONB, Heritage Coast and HLC: Landscape Type: Settlements.

Relevant policies, SPGs and Government guidance:

Primary Legislation and Planning Policy

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 a 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 considerations 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.

Chapter 11 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 115 advises that great weight should be given to conserving the landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection. The conservation of wildlife and cultural heritage are important considerations.

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, (b) Preserve nationally important archaeological remains and their settings; (c) Preserve or enhance the character or appearance of the Conservation Area and preserve the architectural or historic interest of all listed buildings, including their features and settings; (d) safeguard the integrity and nature conservation objectives of Special Protection Areas (SPAs), RAMSAR sites and Special Areas of Conservation (SAC); (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 (SSSI); and locally important biodiversity habitats, species and landscape features.

Appraisal/key issues and conclusion:

The main planning considerations for this application are whether the proposed introduction of a new door, which is required for fire escape purposes, would detract from or harm the wider character of the landscape as a designated Conservation Area and Area of Outstanding Natural Beauty. Additionally it is a material consideration to assess whether the proposal is likely to have any detrimental impacts upon the privacy or amenity of adjacent neighbouring residential properties or land uses.

Impact upon the landscape

It is considered that the new door on the north west elevation, which will be a fire escape door only with half glazing, would not detract from the nearby listed building of Buzza Tower or any of the Scheduled Monuments, which are situated to the north of this site. It is considered that the proposed new door is an appropriate form of development that would preserve the wider character of the conservation area without any significant harm being identified overall in terms of the landscape.

Impact upon amenity

The proposed door would be for fire escape purposes only and would not give rise to any significant impacts upon adjacent properties.

Other Issues

There are no other material planning considerations and on this basis the application is recommended for approval



Recommendation:

C1: Standard 3 Year Time Limit

C2: In accordance with the Approved Plans

- Existing and Proposed Elevations, Project No: 160369, Drawing No: AL(2)15 Dated 27/02/18
- Site Plan, Project No: 160369, Drawing No: AL92)10 A Dated 05/03/18
- Proposed external Door, Project No: 160369, Drawing No: AC9£) 05 Dated 13/13/17
- Proposed ground floor plan, Project No: 160369, Drawing No: AL(2)11 Dated 14/10/16
- Location Plan, Project No: 160369, Drawing No: AL(2)09 A Dated 05/03/18

These are stamped approved

Signed: 	Dated: 15/05/18	Signed: 	Dated: 15/05/18
Planning Officer		Senior Manager	