



COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department

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

0300 1234 105

planning@scilly.gov.uk

OFFICER REPORT – DELEGATED

Application number: P/18/027/FUL	Expiry date: 29 May 2018
Received on: 29 March 2018	Neighbour expiry date: NONE CONSULTED
UPRN: 000192002536	Consultation expiry date:
Legal agreement:	Site notice posted: 3 April 2018
Departure:	Site notice expiry: 24 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:	Mrs Jo Yeates
Site Address:	Five Islands School Carn Gwaval Old Town St Mary's Isles Of Scilly TR21 0NA
Proposal:	Installation of windows and doors to convert existing void space into useable rooms.
Application Type:	Planning Permission

Description of site and development:

This is an application to enclose a small section of an existing building at Five Islands School. The School was completed as a new replacement combined primary and secondary school in 2011. Located at between Hugh Town and Old Town on land at Nowhere, Church Road/Old Town Road.

The proposed in-fill walls will enclose a colonnade that is currently used for bicycle storage/parking. The resultant enclosed space will form 2 rooms comprising a staff room and a multi-use room. A new set of double doors with two side-light windows, a single pedestrian door and a single 3-pane window. All new fenestration will face slightly north east.

Windows and doors are stated to match those on the floor above and as with the level above a small over-hang will be retained as a covered walk way.

Public representations:

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

Consultee representations:

None

Constraints and designations:

Conservation Area, AONB, Heritage Coast

HLC: Landscape Type: Farmland: bulb strips, late C19/C20.

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.

Policy 2 relates to Sustainable Development and seeks to permit development in situations where the development contributes to the sustainability of the islands' environment, economy or local community. Policy 2 (a) requires development to ensure conserve or enhance 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.

Isles of Scilly Design Guide 2007

The Isles of Scilly Design Guide is a Supplementary Planning Document (SPD) that forms an important part of the local Development Plan. This states that "It is important that the nature of the surrounding area is understood and reflected in any development proposal. Without this awareness it is likely that a development will be unsympathetic".

Consultation Draft Isles of Scilly Local Plan 2015-2030

The emerging policies within the consultation draft of the Local Plan set out a clear range of policies designed to protect the landscape character (Policy OE1) as well as the natural (Policy OE2) and historic environment (Policy OE3). This emerging document also contains policies for the protection of community facilities (Policy SS4). As an isolated island community there is a requirement to retain a wide range of services and facilities to support the community. Whilst the policy seeks to resist the loss of existing community facilities, without fully understanding the long-term needs of the islands, there is an opportunity to enable certain changes of use if these are considered to be otherwise acceptable.

Appraisal/key issues and conclusion:

The main planning issues for consideration relate to whether the enclosure of an external space, that is already part enclosed is acceptable in principle. It is material to consider the impact upon the wider character and appearance of the area including the impact upon the Conservation Area and AONB. Finally it is essential that it does not give rise to any significant harm to the privacy and amenity of existing neighbouring properties.

Principle of development

The proposal involves the erection of two sections of external wall to enclose a partially enclosed section of school building. The resulting space would then add two additional rooms for school purposes. The application site is part of the new school that opened in 2011 and was approved under the current 2005 Local Plan under Proposal C *Sports & Recreation Facilities, St Mary's*. The school as built fulfils this proposal. The current proposal does not compromise or reduce this purpose-built comprehensive educational facility in that the enclosed space to create two rooms will result in the loss of some cycle parking. The school has other cycle parking areas with a bike shed and open-air cycle parking. It is also considered that additional cycle parking could easily be added around the site, if required as a result of school pupil increase or an increase in pupil cycling. It is not however such an easy solution to add additional room space to the building.

The enclosure of the colonnade now proposed will retain the important 'quad' aspect of the school and will not compromise the aesthetic of the design of the school and on this basis the proposed enclosure to add additional internal floorpace is considered acceptable in principle.

Impact upon the wider character of the area

The existing school is located in an area where there are limited long range views of it. It is both well-screened by trees and by the surrounding topography. The area proposed to be enclosed does not add any additional footprint or volume to the school building that makes it more visible in the landscape. It is considered that the two walls and fenestration will be in keeping with the existing school building and will not have any impact upon wider character of the area, including the Conservation Area and AONB.

Impact upon residential amenity

The school is located close to residential property at Carn Gwaval Farm to the north of the school. There are three separate residential properties at this site. The proposed area to be enclosed to form internal space, as proposed, is located on the southern corner of the existing school building, which is the furthest point from the nearest residential property (around 70-80 metres). As there is an existing part of the school building between the proposed works and the nearest residential properties it is not considered that there will be any adverse impacts as a result of the proposal.

Other Issues

The proposal does not give rise to any other issues including transport and it is considered that the impact of the proposal on the public highway network will be neutral. There are not considered to be any historic or natural environment implications including any adverse impact upon protected species.

Recommendation:

Overall it is recommended that the proposed works are acceptable and subject to the below conditions is recommended for approval.

C1 Standard 3 year time limit

C2 In accordance with the approved Plans

- **Location Plan**
- **Proposed Additional Rooms, Drawing No: FI/PR-1a Dated February 2018**

Signed: 	Dated: 23/05/2018	Signed: 	Dated: 23/05/2018
Planning Officer		Senior Manager	