

Supporting Planning and Design Statement
June 2019

Tregarthen's Hotel

JACKSON PLANNING

Tregarthen's Hotel

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I. Introduction

- I.1 This statement supports the variation to the Planning Application P/18/031/FUL for the development of a pair of holiday cottages within the former derelict garden of Tregarthen's Hotel. The approved application also included a series of other minor works to improve the operation and appearance of the hotel, these do not form part of this application.
- I.2 The approved proposal is for the following works:
- I.3 Erection of pair of semi detached C3 use class dwelling units for restricted holiday letting. Landscaping works to including re-profiling of former garden to form outdoor amenity areas for holiday lettings. Alterations to external facade of hotel lounge and hotel bedrooms including replacement windows/ doors, formation of new window, removal of existing chimney. Formation of pedestrian opening in wall to Garrison Hill. Formation of external seating/ amenity areas and new balustrades to hotel rooms and hotel lounge.
- I.4 The application seeks to vary the plans in respect of the pair of semi-detached C3 use class dwelling units for restricted holiday letting, known as the garden cottages. This design change is the result of difficulties with construction of the consented scheme under approval P/18/031/FUL.
- I.5 The applicant is Tregarthen's Hotel Ltd.
- I.6 The Hotel owner has had to reconsider the scheme for rationalisation of the Hotel due to engineering difficulties that jeopardise the implementation of the overall scheme approved under P/16/ 055/FUL.
- I.7 The overall ambition remains; this is to modernise the business model of the hotel over time to become a more sustainable business for future customer requirements. The intention is to create a more luxurious small boutique hotel with a higher proportion of serviced self-catering accommodation as the primary income generator for the business. This is being implemented in stages to allow a phased transition of the business over time.
- I.8 From the recent experience the hotel proprietors are certain that the way forward is the letting of serviced self-catering cottages as a strong income generator, this is based on the highly successful lettings of the new self-catering units at Tregarthens in the properties Portlight/ Starboard Light, Gibson and Hendra. The renovated former staff block has now been converted to two units of self-catering accommodation and these are now let to tourists for the summer season 2019,
- I.9 The proposed revised scheme follows on the same theme as before with the introduction of vernacular style cottages to broaden the offer with the emphasis on self-catering.

2. Site Location and Description

- 2.1 The site is located at western end of Hugh Town nestled under the defensive Garrison complex, which sits above the site and forms the Hugh, the defensive promontory on St Mary's. Hugh Town sits on a narrow neck of low-lying land attaching the roughly oval-shaped parcel of land containing Star Castle and its associated fortifications (The Hugh /the Garrison) to the rest of St Mary's.
- 2.2 The site occupies a prominent place overlooking the Quay and Rat Island. The Hotel, occupies a visually prominent position above the lower roofscape of Hugh Town and below the skyline of The Hugh. The location of the proposal within the hotel is within the former now derelict hotel garden.
- 2.3 The site is situated within the settlement of Hugh Town, which is entirely contained within the Isles of Scilly Conservation Area. The Area was designated by the Isles of Scilly Council in 1975 and includes the whole archipelago. Several scheduled monuments and numerous listed buildings, including the Grade I listed Star Castle Hotel, associated Grade I, II* and II listed buildings within the Garrison Walls on The Hugh, fall within a 250 metre radius of the site.
- 2.4 The site for the new cottages is within the lower level of the Hotel where the former kitchen garden is adjacent to the dwellings 'Hendra and Gibson'
- 2.5 The western site boundary is strongly defined by the mass-masonry Garrison Wall formed in large blocks of well-faced, well-coursed and relatively finely jointed granite with turf capping. This is part of the extensive sixteenth and seventeenth-century fortifications on the headland to the west of Hugh Town, The Hugh. The Garrison Wall is designated as a Scheduled Monument and in this section is also listed at Grade I, which includes the adjacent Garrison Gate.
- 2.6 The hotel was originally a private residential dwelling built in the Regency style. By about 1800 the entrance façade of the building originally faced southeast, looking back towards Hugh Town and addressing Garrison Hill behind a well-stocked sub-tropical garden.
- 2.7 The house was converted to a hotel by its owner Captain Frank Tregarthen in 1849, to house visitors from Penzance. Captain Tregarthen was master of the Scilly Mail Packet between 1842 and 1858.

3. Planning Policy

National Planning Policy Framework (NPPF)

- 3.1 The National Planning Policy Framework ('NPPF') was introduced in March 2012 as a key output resulting from the Government's Plan for Growth agenda. It sets out national planning policies for England and how these are expected to be applied to proactively drive sustainable development and growth and to boost significantly the supply and delivery of new housing.
- 3.2 The 'golden thread' of sustainability was the major change introduced by the NPPF with a presumption in favour of sustainable development.
- 3.3 The framework (NPPF) is intended to be read as a whole but the sections of particular relevance are as follows.
- 3.4 Section 1 of the NPPF supports sustainable economic growth.
- 3.5 Section 7 of the NPPF deals with design. Paragraph 56 states: "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. .
- 3.6 Section 11 of the NPPF deals with conserving the Natural Environment, the aim is to ensure that development contributes to conserving and enhancing the natural environment.
- 3.7 Section 12 deals with conserving and enhancing the Historic environment it seeks to conserve heritage assets in a manner appropriate to their significance.

NPPG

- 3.8 Planning guidance has been adopted in order to guide the application of the NPPF. This is extensive guidance covering many topics. The most critical to the consideration of this application is in relation to conservation of heritage assets in a manner appropriate to their significance as a core planning principle.
- 3.9 The guidance is useful in relation to assessing the degree of harm. It states that substantial harm is a high bar, which may not arise in many cases and while the level of harm will be at the discretion of the decision maker, generally the degree of substantial harm will only be at a level where a development seriously affects a key element of an assets special interest. It is the degree of harm, rather than the scale of development that is to be assessed.

Local Development Framework

- 3.10 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

- 3.11 The Development Framework is a term to include all the plans that make up the development plan. In this case there are both adopted and emerging plans.

Adopted Plans

- 3.12 The Isles of Scilly Council is the Local Planning Authority for the Isles and is a unitary authority. It adopted its current **Local Plan 2005**. Relevant saved policies relating to this application are as listed below. However the plan is essentially 'time expired' in relation to compliance with the NPPF. The policies of the adopted plan lack compliance with the NPPF as they do not address the presumption in favour of sustainable development, they do not contain the balancing considerations and therefore only limited weight can be afforded to them and the NPPF prevails.

- Isles of Scilly Local Plan Policy 1 (Environmental Protection)
- Isles of Scilly Local Plan Policy 2 (Sustainable Development)

Designations

- 3.13 The whole archipelago is designated as an AONB. The site also falls within the conservation area.

Emerging Plans

- 3.14 Isles of Scilly Council has commenced the preparation of a replacement Local Plan. The Council are in the early stages of preparing the new Local Plan for the area, but have yet to produce draft policy which requires any weight of consideration in the planning balance. However the emerging plan contains policy support for new visitor accommodation will be supported where it improves the quality and choice of existing tourism and responds to the changing needs and expectations of visitors.

Supplementary Planning Documents

- 3.15 The **Isles of Scilly Design Guide** was approved in 2006 to complement the Local Plan and the **AONB Management Plan**.

- 3.16 The Isles of Scilly Design Guide was approved in 2006 to complement the Local Plan. The key design advice can be summarised as follows:

- The Simplicity of form
- Robust, durable materials
- Well proportioned, well balanced facades
- Substance to what is built – a sense of weight and strength
- Absence of frills
- Buildings well anchored on their site and integrated in their landscape surroundings

- 3.17 AONB Management Plan

- 3.18 The Isles of Scilly Area of Outstanding Natural Beauty Management Plan 2004-2005 - Planning a Bright Future. The AONB Management Plan seeks to provide a co-ordinated approach to the sustainable management of the island's nationally important protected landscape, its environment and communities. The Plan has nine management themes including Communities, the Marine and Coastal Environment, Archeology, the Historic Environment and Heritage and Nature Conservation and Geology. Each theme has a long term vision or goal which sits within the overall shared vision of the Plan generated through extensive consultation.
- 3.19 The Isles of Scilly AONB guidance can be summarised as:
- Retains the qualities of its land and marine aspects that together form the island's unique essence.
 - Is recognised, understood and conserved for all to appreciate, enjoy and respect in a sustainable manner
 - Welcomes visitors who contribute sustainably to the economy and spirit of the islands without overwhelming the qualities that they have come to enjoy.
 - Supports a farming community successfully rising to the challenges of the changing economics of agriculture through sustainable diversification.
 - Supports a community for whom Scilly is home, to enjoy a good quality of life, providing opportunities for young people whilst achieving an environmentally sustainable economy
- 3.20 The 'Cornwall and Scilly Urban Survey (CSUS): Historic Characterisation for Regeneration Hugh Town 2002'
- 3.21 This important character study, which provides an in-depth assessment of the historic character of Hugh Town, in order to help guide development decisions in relation to the historic characterisation for regeneration.
- 3.22 This characterisation study places the site in two zones. The frontage including Portlight, Stardboardlight and Gibson and Hendra, and the oldest part of the Hotel falls within character area 6 "The historic core-the Bank and Hugh Street". The rear of the site falls in character area 7 "Garrison Lane, Garrison Hill and Jerusalem Terrace, this zone includes the garden. Character Area 9 is immediately behind the site on the Garrison Wall boundary.
- 3.23 The study identifies major elements of the character of Hugh Town as:
- The town's striking topographic situation on the narrow isthmuth
 - A strong presence within the townscape of 'natural' elements: landforms, and gardens, and spectacular views of the sea and off islands
 - Undoubted 'urban' quality, despite it's relatively small size and population

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- A distinctive architectural style of great charm and visual appeal
- A high degree of completeness in the historic environment
- Good extremely high quality architectural detail
- An unusually prominent contribution to the built environment first half of the 20th century
- A significant later 20th century component, some elements of which have a negative impact on the town's character

3.24 In terms of relevant guidance that flows from the characterisation for this proposal the following points are of note:

3.25 In character area 6 – The historic core the study notes the form of Hugh Street as 1 long, narrow, Street, interrupted by several irregularly shaped 'squares'. Buildings are predominantly two storey and small in scale. Buildings are generally set tight to the pavement edge in continuous granite or plain rendered facades create a strong sense of, tightly grained and strongly urban space.

3.26 In character area 7 Garrison Lane, Garrison Hill and Jerusalem Terrace it notes that historic houses in the area are generally modest two storey buildings in coursed granite rubble, plain white washed some have particularly heavy quoins and lintels.

3.27 The character study concludes in the generation principles that there is an opportunity to promote beneficial change. They suggest there is a strong case for a significant contribution to reinstating character and the permanent removal of buildings. Whilst Tregarthen's hotel is not identified specifically as requiring this approach. This advice would apply to the inappropriate design of much of the 20th Century additions to the hotel.

3.28 The **'Cornwall and Scilly Urban Survey: Historic Characterisation for Regeneration Hugh Town 2003'** (Kirkham, 2003) has also been published, which provides an in-depth assessment of the historic character of Hugh Town, in order to help guide development decisions in relation to the historic environment.

The Garrison Conservation Plan

3.29 This document is non-statutory publication, which sets out the practical management of the Garrison.

3.30 The importance of the visibility and setting of the Garrison Wall, and the adverse impact of new development on its significance and public value, is highlighted in the site's Conservation Plan (*The Garrison, St Mary, Isles of Scilly: Conservation Plan*, English Heritage and Cornwall Council, October 2010). This is a live plan produced by a stakeholder group, with the Council of the Isles of Scilly and the Isles AONB as principle consultees. The *Plan* specifically singles out the problem of intrusive development, including around Tregarthen's.

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- 3.31 The *Plan* (pp 34-5) notes that: 'The Garrison walls are a dominant feature of the landscape and seascape and can be seen from the modern town, architecturally, the walls contribute greatly to the richness of the historic environment of St Mary's and Hugh Town.'
- 3.32 'the character and integrity of the historic elements and aesthetic qualities of the Garrison have undoubtedly been eroded by the masking effect of the development which has taken place immediately in front of the curtain wall, and the half dozen modern bungalows immediately behind the curtain wall.'
- 3.33 In section 4 '**Threats to the monument**', under paragraph 4.1.3 '**Inappropriate development**', the *Plan* notes:
- 3.34 'Comprehensive planning controls now exist to regulate development on the Isles of Scilly. These controls will ensure that inappropriate planning decisions such as the extension to the Tregarthen's Hotel that almost abuts the Garrison wall and also the line of the three-storey flats that obstruct the north-eastern side of the Garrison will no longer occur.'
- 3.35 5.4 *Communal* 'Policies that seek to retain historic communal significance and preserve and enhance the relationship between the Garrison and Hugh Town should be encouraged; this includes preserving and improving the setting and avoiding inappropriate development.'

4. Planning History

- 4.1 The current owner of the hotel is seeking to develop a long-term sustainable business and in this regard gained planning permission and listed building consent for redevelopment of a large part of the hotel in 2015.
- 4.2 The partial redevelopment of Tregarthen's Hotel, Hugh Town, St Mary's was granted consent on 12th August 2015 under reference P/16/055/FUL.
- 4.3 The previous approval gave consent for the following development.
- 4.4 *"Demolition of 3 number lower ground floor hotel bedrooms, and replacement with 6 number C3 use class dwelling units for restricted holiday letting. Change of use of staff accommodation block to 2 number C3 use class dwelling units for restricted holiday letting and formation of pitched roof with stone clad chimney, to replace flat roof. Alterations to external facade of staff block including new windows, doors and cladding, demolition of chimney to former boiler. New pitched roof above dining room over existing flat roof. Partial demolition of flat roofed hotel lobby area and replacement with new entrance to hotel. Installation of green roof over flat roof to hotel lounge. Landscaping works to form outdoor dining terraces on former hotel garden and re-profiling of garden. Installation of ground source heat pump/loop, solar panels on flat roof, break tank for foul sewage. Partial demolition of wall to car park and rebuilding at cill height. Demolition of garage and store and replacement with gas bottle store. (Re-submission) (Amended plans)".*
- 4.5 A further application to vary the planning conditions was granted consent in 2016 under reference P/16/113/ ROV.
- 4.6 This secured the **Variation of Conditions C2, C4, C6, C7, C8, C9 and C10** which included some minor changes to the scheme secured through a change to condition C2.
- 4.7 The consent P/16/113/ROV has been implemented by virtue of the works to the rear block behind the staff block. The consent has been partially implemented and is therefore live and an important fall-back consideration. Works to the staff block conversion are complete.
- 4.8 A further consent was granted under

5. Design Rationale

Background

- 5.1 The following sets out the design rationale to explain why there has been a need to change the scheme from the approval under P/18/031/FUL.
- 5.2 The original design was located close to the traditional cottages Hendra & Gibson, as well as the upper level of the hotel. The original design required the excavation of approximately a 6m depth of embankment and the construction of a complex retaining wall to the rear.
- 5.3 It has been calculated that Approximately 300 m³ of excavated material would need to be exported away from the site to an approved tip. Given the lack of facilities on the Isles of Scilly to receive such material this would require exportation of the material to the mainland. This was considered uneconomic and unsustainable.
- 5.4 Given the proximity of the construction to the existing structures there was potential for undermining the stability of Hendra and Gibson, together with that of the hotel at the upper level and the historic dry stone wall that surrounds the frontage of the site.
- 5.5 The hotel owner had instructed the design of a complex retaining wall and construction methodology was developed. Following this the works was tendered to a contractor used to the constraints of working on Isles of Scilly.
- 5.6 Due to the complexity of the scheme (excavation material & retaining walls) the tender was assessed as not being viable for funding from the lender. An alternative approach was sought, to deliver the garden cottages in a sustainable and affordable fashion.

Revised approach

- 5.7 Opportunities for an alternative approach to mitigate the above constraints have addressed the problem as follows:
 - In order to reduce volumes of excavated material the cottage parallel to the sea wall has been re-designed to be single storey only and set at a ground floor level that minimises excavation into the site.
 - The ridge height of the single storey cottage is reduced from that approved whilst matching the approved ridge height of two storey cottage – which is set at the level of the ridge of Hendra adjacent.
 - The reduced ridge alignment of the proposed single storey cottage improves the sight lines for guests in the living accommodation of recently completed former staff block cottages to the east.

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- In reducing excavation, the footprint has also been moved north westwards of the current approved scheme by 2.8 metres on the Hendra facing boundary (5m in total from Hendra), thus permitting the retention of the historic stone faced bank & reducing the risk to the Hendra/Gibson and hotel structures.
- As well as the reduction in excavation and significant reduction in removal of material from site, the relocation of the footprint also avoids the need for complex retaining walls.
- Additionally, opportunities have been sought to improve landscape & amenity areas on Tregarthen's site as part of the proposal.
- The north western area of the proposed cottages will be subject to the creation of landscaped mounding with grassed areas over areas of excavated material. As a sustainable solution with use of site material.
- Included within this application is the raising of the level of amenity space to former staff block, bringing the external level upwards by using excavated material to avoid excessive steps externally out from these units.

5.8 The applicant hopes that the Isles of Scilly Council will appreciate the constraints to the delivery of the original scheme, and be able to support this application in a timely manner to enable these works to be commenced at the start of the 'off season' and delivered ready for tourist occupation for summer 2020.

Design Approach

5.9 The design of the units has been to respond with a heritage and contextual solution that respects the advice of the characterisation studies to ensure the approach is one that overall will result in an enhancement of the site, experience of the heritage assets, the townscape and the conservation area.

Scale

5.10 The scale of the proposal is designed to ensure that views of the Garrison walls are maintained by making sure that there is no additional structure obscuring of the view of the Garrison Wall than is currently available.

5.11 The proposed revised floorspace of the new self catering cottages of class C3 is a total of 98.04m² this compares to a previous total of 166m².

Appearance

5.12 The cottages have been designed in an Island vernacular following the advice in Scilly Design Guide;

- The Simplicity of form
- Robust, durable materials
- Well proportioned, well balanced facades
- Substance to what is built – a sense of weight and strength
- Absence of frills
- Buildings well anchored on their site and integrated in their landscape surroundings

5.13 The cottage designs will have roofs that will be of natural slate with granite chimneystacks. The granite detailing is designed to provide contrast to the rendered facades with painted wooden windows and doors.

5.14 The revised design incorporates the same architectural language.

Access

5.15 Given the topography of the site and general access issues to the island the two new cottages would offer accommodation consistent with the rest of the hotel. The cottages would be accessible to the ambulant disabled rather than full wheelchair access, which is not practical on this part of the site.

6. Planning Assessment & Conclusion

Introduction

- 6.1 The assessment of the planning application is a balance of all the considerations associated with the proposal, the site and the local environment. Whilst planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act (1990) they must also pay regard to the guidance provided by the NPPF as a material consideration.
- 6.2 The National Planning Policy Framework (NPPF) places a presumption in favour of sustainable development as the golden thread running through decision-making. Where policies are out of date planning permission should be granted unless specific policies of the NPPF indicate otherwise. This is the case with the Area of Outstanding Natural Beauty.
- 6.3 The development proposed is entirely within the urban context of Hugh Town and given the approach to the development is mostly redevelopment within an entirely built context it would not be considered harmful to the AONB area as a whole and indeed more locally the assessment of impact suggests that they are neutral when considering the landscape impacts, therefore the presumption in favour of sustainable development prevails as the policies relating to the AONB are not harmed and therefore are not engaged to overcome NPPF 14.

Development Plan

- 6.4 Given the existing Local Plan is in effect 'time expired' in relation to the NPPF the current development plan policies have no weight in the consideration of the current application. The proposals sit well with the emerging Local Plan policy WC5 – all this policy can only have very limited weight at this stage of the plan process.

Sustainable Development

- 6.5 The NPPF advises that sustainable development has three strands: firstly an Economic Role to create strong, responsive competitive economy, secondly a Social Role- to create a high quality built environment to support the community and thirdly an Environmental Role to protect/enhance natural, built and historic environment, improve biodiversity, **minimise waste**.

Potential Harms

Heritage

- 6.6 The Heritage assessment of the original application states that the site is currently considered to make a minor negative contribution to Hugh Town's character and appearance, but has a **negligible** impact in terms of its overall significance on the whole Conservation Area as a single heritage asset.

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- 6.7 The assessment goes on to report that development will introduce pitched roofed and gabled cottages within the north-western garden that will reintroduce a characteristic and historic townscape morphology and scale that will, to a small extent, visually reduce the dominance of Tregarthen's Hotel in this assets' setting. This current proposal will not significantly change the current level of enclosure and screening caused by nineteenth and twentieth-century development in Hugh Town up to the Garrison Walls. The impact is reduced from the previous approval.
- 6.8 It is clear that the Garrison Walls are of very high national significance and despite the small degree of negative impact, specifically from the highly localised screening to some experiences of the asset's significance, the aggregate impact of the proposed Garden Cottages development provides a **negligible** level of harm within the spectrum of less than substantial harm to the experience of the significance of the Garrison Walls.
- 6.9 The proposed development of the Garden Cottages will represent a small change to a portion of this asset's character and appearance and will result in **a minor enhancement** to the significance of the Isles of Scilly Conservation Area. This will be a notable positive enhancement to the townscape of the northern part of Hugh Town at an important point of focus of the settlement, both functionally and historically, between the Pier and those elements of the Garrison that remain externally perceptible elements.
- 6.10 As an aggregate, the Garden Cottages proposal will provide a collective **negligible/minor enhancement** to the significance of the Garrison Walls and to the Isles of Scilly Conservation Area. No other built heritage assets will be affected by these proposals.

Conclusion - The Planning Balance and Recommendation

- 6.11 In coming to a conclusion on the proposal the planning authority must consider whether the proposal constitutes sustainable development and consider the balance of harms and benefits of the proposal given legislation, the lack of appropriate development plan policy framework and guidance in the NPPF as a material consideration.
- 6.12 The revised development proposal as described and assessed in this statement has shown no harm to the amenity of adjacent residents or any other harms to any public interest.
- 6.13 In summary the applicants believe that the positive economic benefits of the proposal balance in favour and considerably outweigh any residual minor harm.
- 6.14 The scheme has overall compliance with National and Local Policy and with no demonstrable harms that outweigh the considerable benefits, assessed against the policies of the Framework as a whole. The development should therefore be considered sustainable and planning consent should be granted without delay.