

Council of the Isles of Scilly

Delegated Planning Report

Application Number: P/20/023/HH
Received on: 6 May 2020
UPRN: 000192001371
Application Expiry date: 6 July 2020
Neighbour expiry date: 9 June 2020
Consultation expiry date:
Site notice posted: 20 May 2020
Site notice expiry: 10 June 2020

Applicant: Mr Michael Pritchard
Site Address: 16 Jacksons Hill
Hugh Town
St Mary's
Isles Of Scilly
TR21 0JZ

Proposal: Extension of existing garage including replacement of pitched roof with mono pitched roof.

Application Type: Householder

Recommendation

1. That the Application is APPROVED for the following reason/subject to the condition set out below.

Site Description and Proposed Development

This is an application to alter an existing detached garage and erect an extension to form a workshop for the applicant.

The applicant site is a property at 16 Jacksons Hill is located at the top of the road, which is a cul-de-sac. It is a modern detached, two storey house with a separate and detached single garage. The property is a cream render house. The area between the existing garage and proposed workshop extension is an area of hardstanding which is separated from the property to the rear (on Pilots Retreat) is a high 2m stone boundary wall.

Background and Relevant History

P1021	The erection of dwelling house at No. 16	Permitted 1971
P1506	Erection of a four bedroomed house/garage	Permitted 1976
P1751	The provisions of a house and gardens	REFUSED 1978
P/07/103/FUL	Extension for games room and bedroom	Permitted 2007

Consultations and Representations

Public Representations: **NONE**

Neighbouring properties have been consulted, listed below and a site notice has been in place for a period of 21 days to the front of the property: 20/05/2020 – 10/06/2020.

Neighbour	Date Consulted	Comments (DATE)
Lower Jacksons	19/05/2020	None
Upper Jacksons	19/05/2020	None
Gunner Rock	19/05/2020	None
Gunner Flat	19/05/2020	None
Santamana	19/05/2020	None
14 Jacksons Hill	19/05/2020	None
Demelza, 19 Jacksons Hill	19/05/2020	None
Nancherrow, Pilots Retreat	19/05/2020	None
Trehill, Pilots Retreat	19/05/2020	None

Consultation Representations:

A consultation was sent out to Cornwall Archaeological Unit. The commented on the 20th May and confirmed that there was unlikely to be significant archaeological remains at this site and as such no archaeological monitoring was recommended.

Constraints:

Listed Building: None

Scheduled Monument:	None
Archaeological Constraint Area:	None
Historic Landscape Character:	Settlement

Planning Policy

National Planning Policy Framework (NPPF) 2019

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.

Paragraphs 39-41 identifies the need to front-load the planning system through pre-application engagement. This states that the right information is crucial to good decision-taking, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitat Regulations Assessment and Flood Risk Assessment). To avoid delays the NPPF advocates early discussions with the local planning authority as well as expert bodies as early as possible.

Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 172 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”.

Submission 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 OE7). This emerging document also contains policies for residential extensions (Policy LC9). This permits extensions to enable smaller homes to be enlarged to either the minimum size (internal space standards) or enlarged to meet a growing household need, providing the design is otherwise in keeping with the character of the area and it does not impact upon the amenity of neighbouring properties or highway safety.

As of 30th September 2019 the Submission draft Local Plan has been submitted to the Secretary of State, at the time of writing this report, and as such the policies it contains can be given greater weight.

Planning Assessment

The principle of alterations to an existing dwelling is considered acceptable and in accordance with both the existing Local Plan (2005) and the Design Guide SPD (2007). Additionally the emerging Local Plan Policy LC9 of the submitted draft Local Plan (2015-2030) also accepts the principle of a domestic extension. The issues for consideration therefore relate to whether the proposed workshop extension gives rise to any issues of impacts upon the amenity of adjoining neighbouring properties and whether it is in keeping with the design of the existing dwelling and the wider character of this part of the conservation area.

As the proposal does not include an enlargement of the gross internal floor space of the existing dwelling at 16 Jacksons Hill, there are no calculations submitted in relation to the proposed and existing floor space measurements. There are similarly no details about the number of floors, the number of bedrooms or the number of permanent occupants at this address. It is noted however that due to the slope of the site, at the top of Jacksons Hill, and that the existing dwelling is built into the slope, the workshop extension to the garage, whilst it would attach to the dwelling, it would not physically link into the accommodation as it would be below ground level. This assessment therefore does not consider an enlargement of the gross internal floorspace of the

existing dwelling, which will remain unchanged. The proposal is for a workshop extension on the side of the existing single garage.

Impact upon neighbouring amenity

Located to the rear of the dwelling and between the existing garage and the private rear garden, the proposed workshop will connect on to the an existing extension to the rear of the dwelling. The proposed extension will be a shallow-pitched lean-to roof new roof proposed will not result in any enlargement to the existing dwelling or any additional windows or doors. It is considered that there will not be any greater impact or overlooking from the extension, due to the high boundary wall between the application site and the adjacent property at Trehill, Pilots Retreat. Some of the roof pitch will be visible above the wall, but due to the position of the application site, north of this neighbour, it will not result in any additional overshadowing or general impacts upon outlook, privacy or amenity. As a result the proposal is considered to accord with emerging Policy LC9 (3) b) of the submission draft Isles of Scilly Local Plan (2015-2030).

Impact upon the character of the area

It is considered that the proposed workshop extension, by virtue of the design, will have no wider impact upon the street scene and will be in keeping with the style of this modern dwelling. On this basis it is considered that the proposal will not result in any harm and will have a neutral impact overall on the character of the conservation area. On balance, it is considered that the proposal is acceptable and in accordance with Policy 1 of the adopted Isles of Scilly Local Plan (2005) and Policy OE7 (5)a of the submission draft Isles of Scilly Local Plan (2015-2030).

Impact upon the Natural Environment

As the proposal includes removal of a roof of an existing building there is a requirement to demonstrate whether the proposal will have an impact upon protected species such as birds, bats or other wildlife. Whilst there is a statutory requirement to ensure protected species are not harmed or injured, the emerging Local Plan also requires development proposals to not result in net losses of biodiversity and where possible should result in biodiversity net-gains.

In addition to wildlife, the site is 145 metres to the south west of Lower Moors Site of Special Scientific Interest (SSSI). The Lower Moors SSSI is 100% (of the 10.13 hectare site) in an unfavourable but recovering condition. Lower Moors is located immediately to the east of Hugh Town on the island of St Mary's in the Isles of Scilly. The site comprises a topogenous mire, exhibiting a range of wetland habitats, developed on alluvium and peat overlying the Hercynian granite bedrock. Streams and drainage ditches flow southwards towards Old Town Bay. Due to the distances between the application site and the type of development proposed: workshop extension within a residential area, it is considered that the proposal would not have an impact upon the natural environment of the SSSI.

In terms of understanding the impact upon protected species. The applicant has submitted a Preliminary Ecological Appraisal (PEA) and Preliminary Bat Roost Assessment (PRA) as the Isles of Scilly are home to the most southerly population of Common Pipistrelle Bats. Bats can find shelter in any tiny crack and crevis on buildings so where re-roofing works or the demolition of buildings is proposed, the Council have an obligation to understand the impact upon protected species, before granting planning permission. These reports identify that the building is in use by nesting birds but there is a negligible potential that it are in use by bats due to the characteristics of the building. On this basis no further bat emergence surveys are required.

As set out in the PEA and RRA reasonable avoidance measures should be taken when carrying out the works. These include (i) when roofing works are planned these should avoid the main breeding and mating season of Vespertillionidea bats, typically works should take place outside the bat active season (between 1st November and 1st May, inclusive, in any year). In relation to birds, the PEA and PRA suggest that the nesting birds are unlikely to relocated to the building once the works have taken place. Subject to this information and any mitigation required as a result, the proposal is considered to be acceptable without biodiversity net loss. A condition that would require works in accordance with the PRA would ensure timing of works, mitigation and enhancement measures would ensure impacts would be managed.

Other Issues

The proposal does not seek to increase the size of the property and as such there is no pressure for additional car parking likely to arise as a result. The scale of the proposal does not trigger the need for sustainable design enhancements and on this basis it is considered that no further assessments on these issues are required.

In relation to the requirement for a site waste management plan, then it is noted that emerging Policy SS2(2) states that a Site Waste Management Plan will be required to support development proposals for construction or conversions of buildings. The applicant has set out the sources of materials will be imported from a builders merchants in Penzance, as opposed to extracted locally. It is also stated that materials will be disposed of at the Council's waste site. Although the information is limited, it does provide details to ensure minerals are not extracted from the local environment and waste will be disposed of through the islands regulated waste channels. This is proportionate to the level of works proposed and would accord with the requirements of Policy SS2(2) of the draft Local Plan.

Conclusion

The proposal is considered to be acceptable without giving rise to any issues of acknowledged importance, as assessed above.

Recommendation

Subject to the standard conditions set out below the application is recommended for

approval.

Conditions

- C1 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 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- C2 The development hereby permitted shall be carried out in accordance with the approved details only including:**

- Plan 1 Location Plan
- Plan 2 Proposed Site Plan
- Plan 3 Proposed Floor Plan
- Plan 4 Existing and Proposed North Elevation
- Plan 5 Existing and Proposed South Elevation
- Plan 6 Existing and Proposed North Elevation (1:50 Scale)
- Plan 7 Bat Roost Assessment (timing, mitigation and enhancements)
- Plan 8 Existing East and West Elevations

These are 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 adopted Isles of Scilly Local Plan (2005) and Policy LC9 of the Submission Draft Isles of Scilly Local Plan (2015-2030).

- C3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended), (or any order revoking or re-enacting that Order) prior to installation, details of any external lighting shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the agreed details.**

Reason: To protect the amenities of the locality, including the amenities of neighbouring residential properties and to protect the amenities of this rural area and preserve the dark night skies of the Isles of Scilly and the St Martins Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Submission Draft Isles of Scilly Local Plan 2015-2030.

- C4 All works involving machinery required in connection with the implementation of this permission shall be restricted to between 0800 and 1800 hours Monday to Saturdays. There shall be no works involving machinery on a Sunday or Public or Bank Holiday.**

Reason: In the interests of protecting the residential amenities of neighbouring properties.

Print Name: Lisa Walton

Job Title: Senior Officer, Planning and Development Management

Signed:



29/07/2020

Authorised Officer with Delegated Authority to determine Planning Applications

Monitoring – Case Officer – Don't forget to complete and enter into the Monitoring Table: Y:\Infrastructure & Planning\Planning\Monitoring\2015-2030 Local Plan Monitoring

Promoting a Sustainable Scilly										
	SS1	SS2	SS3	SS4	SS5	SS6	SS7	SS8	SS9	SS10
Clause/Part (State)	a), b)	1. a), b), c), d), e),								
Contrary to (tick)										
In accordance with (tick)	✓	✓								

Our Outstanding Environment							
	OE1	OE2	OE3	OE4	OE5	OE6	OE7
Clause/Part (State)							
Contrary to (tick)							
In accordance with (tick)							

Strong Living Community									
	LC1	LC2	LC3	LC5	LC5	LC6	LC7	LC8	LC9
Clause/Part (State)									(1) (3)b
Contrary to (tick)									
In accordance with (tick)									✓

A Strong Working Community						
	WC1	WC2	WC3	WC4	WC5	WC6
Clause/Part (State)						
Contrary to (tick)						
In accordance with (tick)						

Monitoring	Yes	No
Sustainable Design Measures required		✓
Provided		
Conditioned		
Site Waste Management Plan Required	✓	
Provided	✓	
Conditioned		
Biodiversity enhancements required	✓	
Provided		
conditioned	✓	