

# Council of the Isles of Scilly Delegated Planning Report

**Application Number:** P/20/065/FUL and P/20/066/LBC

**Received on:** 21 August 2020

**UPRN:** 000192000197

**Application Expiry date:** 28 October 2020

**Neighbour expiry date:** NONE CONSULTED

**Consultation expiry date:**

**Site notice posted:** 3 September 2020

**Site notice expiry:** 24 September 2020

Extension of Time: 31/12/2020

**Applicant:** Lloyds Banking Group  
**Site Address:** Lloyds Tsb Bank Plc  
The Bank  
Hugh Town  
St Mary's  
Isles Of Scilly  
TR21 0PW

**Proposal:** Proposed new level access into the branch comprising alteration/removal of the existing external entrance steps, lowering of the internal floor (where required) and alterations to the existing entrance door surround. Together with the new internal platform lift and internal alterations/re-modelling to facilitate the works. (Listed Building)

**Application Type:** Planning Permission

## **Recommendation**

1. That the Application for Planning Permission is APPROVED and the application for Listed Building Consent is GRANTED for the following reason and subject to the conditions set out below.

## Site Description and Proposed Development

Lloyds Bank is a Grade II listed building in the Isles of Scilly Conservation Area. The National Heritage List for England describes the building as:

House, now bank. Mid C19. Colourwashed render over granite rubble; gabled scantled slate roof; rendered end stacks. Double-depth plan. 2 storeys; 4-window first-floor range. Horned 2/2-pane sashes. Porch to left of centre with 2 Roman Doric columns and correct Doric antae, entablature and cornice; 4-panelled door and rectangular fanlight. Interior: enriched cornices to ground floor. Included for group value.

The property was added to the list in 1992 for its Group Value as a period house in the centre of Hugh Town.

## Constraints

**Scheduled Monuments:** None

**Listed Buildings:** Lloyds Bank, GRADE II

**Archaeological Constraint Areas:** None

**HER Findspots:** None

**Historic Landscape Character:** Settlement

## Background and Relevant History

Relevant planning history includes any planning decisions under the adopted (2005) Local Plan or any decision made under the emerging Local Plan (2015-2030). This includes the following applications:

**P5661** - Lloyds TSB Bank PLC, PO Box 2, Hugh Street, St Mary's:

Replacement of roof covering. Permitted 2005

**P/06/116** - Installation of illuminated signage. Permitted December 2007.

**P/07/009** - Advertisement sign on front of building. Permitted March 2007

**P/11/074/LBC** and **P/11/075/FUL** - Installation of handrails to existing stepped access to main entrance, hazard warning surface at bottom of steps and contrasting step nosings. Like for like repair of external timber joinery.. Permitted 2011

**P/12/023/ADV** - Refresh of existing Grade II Listed Lloyds TSB branch including interior and exterior repaint and redecoration; the application of a marine ply surround to ATM and painting to match branch frontage; the front door to be repainted black and illuminated window marketing. Permitted 2012

**P/13/023/ADV** and **P/13/022/LBC** - Replacement signage including non-illuminated fascia lettering and 1 no. projecting sign. Permitted 2014

## Consultations and Representations

A site notice has been on display in the vicinity of the application site for a period of 21 days (03/09/2020 – 24/09/2020). The application was published on the weekly list published on the 7<sup>th</sup> September 2020. Neighbouring properties have been written to directly. No representations have been received.

Neighbour Consulted	Date Consulted	Response Received (Date)	Comments
The Kavorna	03/09/2020	None	n/a
Bakers Flat	03/09/2020	None	n/a
Flat 2 Kavorna	03/09/2020	None	n/a
Glendale, Jerusalem Terrace	03/09/2020	None	n/a
Crows Nest, The Bank	03/09/2020	None	n/a

Due to the nature of this application there are no external consultation required.

## Primary Legislation

The Town and Country Planning Act 1990

The Planning (Listed Buildings and Conservation Area) Act 1990

The Countryside and Rights of Way Act 2000

The Conservation of Habitats and Species Regulations 2017

## 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.

### Isles of Scilly Local Plan 2005

Policy 1 environmental protection

Policy 2 Sustainable Development

Policy 4 Economic Development

### 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**

Policy OE1 Landscape Character

Policy OE2 Natural Environment

Policy OE7 Historic Environment.

Policy SS1 (Principles of Sustainable Development)

Policy SS2 (Sustainable Quality Design and Place-Making)

Policy WC1 General Employment Policy

### **Planning Assessment**

The main planning issues are considered to be whether the proposal would accord with the adopted Local Plan (2005) and specifically Policies 1 and 2. These relate to protection of the environment and sustainable development. Additionally the adopted Design Guide SPD sets out the principles of good design and amenity issues to take into account. Although acknowledging that it cannot be given full weight in planning decision making, Policy WC1 of the submission draft Local Plan (2015-2030) also supports proposals for development where these strengthen, enhance and diversify the islands economy provided they are appropriately designed, scaled and located in accordance with other policies of the plan.

The considerations in relation to the Listed Building Consent application are whether the proposed alterations result in harm to, or complete loss of, significance of this building as one statutorily protected. It is also necessary to consider whether the works are appropriate to special characteristics that were the reason for the building being added to the NHLE.

The material planning considerations in relation to the planning application include the impact upon the wider character of the area are assessed below. As this relates to external alterations of a Listed Building (as opposed to an extension or demolition works) there are not considered to be any impacts upon the wider infrastructure issues such as water, long-term waste management or highway safety.

## **Planning Assessment P/20/065/FUL Impact upon Neighbouring Amenity**

The proposal relates to the alteration to the main entrance to the building, including the lowering of the steps to facilitate a ramped access into the building. For those with wheelchairs or disability problems, once inside it is proposed to have a short lift to bring customers up to the internal floor level. For those without disability problems there remains a stepped up into the floor level of the building.

Outside of normal construction noise, the works proposed are not considered to give rise to any amenity issues for neighbouring properties. The installation of the internal lift is not subject to planning assessment (see listed building assessment below). A condition to restrict noisy operations from taking place early or late in the day and not at all on Sundays or public holidays would be recommended.

## **Impact upon the wider character of the area (Conservation Area and AONB)**

Lloyds Bank is a prominent two storey building within the Town Centre area of Hugh Town. It is located on the main thoroughfare that links the west side of St Mary's from the quay and the Garrison through to the east and north side of the island. There is an uninterrupted line of listed buildings on this side of Hugh Street from Mumfords paper shop through to The Bank (including a pair of semi-detached properties known as Port Light and Starboard Light), (all Grade II and all listed for Group Value). Lloyds Bank is slightly set-back and together with the adjoining building at Kavorna, create a recessed 'square' and wider pavement at this point along the road. The works that require planning permission include the alterations to the principal elevation including the removal of two steps within the portico, columned porch feature, and lowering of the door and enlarging the fanlight above. The Hugh Town Urban Survey of 2003 notes that this building is "*small but imposing mid-19<sup>th</sup> century house...elaborated with a Doric-columned classical porch, enabling it to dominate the three-sided 'square' south of the Bank onto which it faced*" (Kirkham, 2003<sup>1</sup>).

The front elevation of the bank building is considered to be an important aspect of the public realm and the historic built-up area of Hugh Town and thus the Conservation Area. Changes that disrupt the original appearance in a negative

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<sup>1</sup> <https://www.scilly.gov.uk/sites/default/files/planning-apps/Hugh%20Town%20Urban%20Survey%202003.pdf>

way would be considered harmful and contrary to Statutory requirements, National Policy as well as local planning policies. This includes Policy 1 of the adopted Local Plan and Policy OE7 of the emerging Local Plan as they would neither preserve nor enhance the wider character of the conservation area as required.

The proposal will see the retention of the external fenestration including the columned portico feature and a retention of the position of all doors and windows. The main change will be the removal of the steps and its replacement with a ramp, the removal of the existing single hand rail and its replacement with a new hand rail to both sides of the entrance. To facilitate the ramp and its connection to the threshold of the entrance, the door will be lowered and the fanlight above the door will be enlarged to fill the space left by the lowered door. Detailed drawings of the handrails, and fanlight have been provided in sufficient detail to understand the impact on the front elevation. It is considered that the works proposed, in relation to the wider character of the area, would result in a neutral change and would therefore preserve the character of the conservation area and wider scenic beauty of the AONB, in accordance with policy.

### **Listed Building Consent – P/20/066/LBC**

The main issue for consideration for a listed building is whether the proposal would result in any harm to or loss of significance, as a building identified as having special architectural or historic interest and whether the harm is considered to be 'less than substantial'. If harm to or loss of significance is identified this is only acceptable where wider public benefits have been identified and are considered to outweigh the harm. The justification put forward for the works in this case is that there is only one entrance to the building, which can be difficult for elderly customers, those with pushchairs and those in wheelchairs. The building does not provide an accessible banking facility. It is also noted that Lloyds Bank remains the only present bank on the Isles of Scilly.

The property of Lloyds Bank is listed for its group value as a mid-19th century building that adds to the historic character of Hugh Town. It retains a traditional appearance. The original use is recorded as a dwelling and the windows and off-centre porch with its Roman Doric columns are specifically referenced in the listing description. There is good evidence to suggest that its current appearance has remained largely unchanged for most of the last 100 to 150 years. That is a significant period of time.

Of the highest significance and sensitive to change is the primary front elevation of the building, particularly the columned portico. Additionally the internal original decorative fixtures, as noted in the listing description remain important and should be retained. It is noted that whilst the stone steps will be removed, which is the loss of original fabric, thus there will be some level of harm to the significance, the porch feature itself and the main entrance door will be retained.

The purpose of this project is to provide enhanced accessibility for banking customers, whilst conserving or enhancing the historical significance of the Lloyds Bank building. External alterations would directly affect the main entrance, where the visual impact of the proposals would most noticeable. Loss of the steps and the lowering of the door and enlargement of the fan light above would lead to some harm but it is considered that this would be less than substantial on the basis that the feature will be retained as the point of access to the building. The harm is balanced with the justification of creating improvements to the accessibility of the building, which is a vital community asset on Scilly.

Details of the finish, materials and design of the ramp, hand rails and any renewed paint finishes to the entrance have now been provided. Overall it is considered that the proposal requires minimal alterations to the front entrance to achieve improved access for customers. On this basis it is considered that the proposed external alterations would be acceptable.

The internal changes will have some impact upon the significance particularly the lowering of the internal floor, modified counter for disabled customers and the installation of the 'lift'. The interior of the building is however considered to be of moderate significance, on the basis that the interior has been remodelled to meet modern banking standards over the years. It is considered that internally the building is broadly adaptable providing that this does not affect the significant features noted as the enriched cornices to ground floor. The introduction of a modified counter and insertion of a lift would both be reversible elements that would not impact upon the important internal fixtures as noted. The lowering of the floor would not be a reversible change, and as such this would lead to some harm to significance. The lowering of the floor would essentially be required to meet the external ramp and provide the necessary accessible access. To avoid having to do this would be to install a longer ramp potentially resulting in a much greater degree of harm to the principle elevation. It is therefore considered that the harm identified is balanced with the optimum solution for achieving maximum accessibility into the building.

In accordance with the Planning (Listed Buildings and Conservation Areas) Act, the special architectural and historic interest of the Grade-II listed building and the character and appearance of the conservation area would be preserved by the proposed scheme. In accordance with the National Planning Policy Framework (NPPF), it is considered that any perceived harm caused by the scheme would be considered 'less than substantial,' and would be mitigated by the wider public benefits provided by the scheme, which contribute to the continued and optimum viable use of the listed building. The proposals are therefore considered to be the type of sustainable development for which the NPPF establishes a strong presumption and it would align with relevant national and local policy. As such, the proposals are considered to be acceptable in heritage terms.

## **Conclusion**

It is considered that the work proposed will not result in the building becoming larger, as it would seek to reuse the volume and footprint of an existing structure. The neighbour impacts would be acceptable and there would be a positive-neutral impact upon the wider character of the area. The proposal in terms of both the planning merits and its impact upon the character of the listed building and its significance are considered to align with both the adopted and emerging local plan.

## **Recommendation**

For the above reasons this application for planning permission and listed building consent are recommended for approval, subject to the conditions set out below.

## **Other implications**

Due to the application being located in a sensitive environment, as denoted by the AONB, the application has been screened for environmental impacts through an Environmental Impact Assessment, Screening Opinion. This screening concluded that the development proposed does not constitute EIA development requiring an Environmental Statement.

The planning application engages certain human rights under the Human Rights Act 2008 (HRA). The HRA prohibits unlawful interference by public bodies with conventional rights. The term 'engage' simply means that human rights may be affected or relevant. The rights potentially engaged by this application, including



the right to a fair trial and the right to respect for private and family life, are not considered to be unlawfully interfered with by this proposal.

### **Conditions P/20/065/FUL**

- 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 and Block Plan, Drawing Number: 50252700-AREX-00-0010, Dated 21/008/2020**
  - **Plan 2 Proposed Elevations, Drawing Number: 50252700-AR01-E1-0101, REV B Dated 02/12/2019**
  - **Plan 3 Proposed Ground Floor Plan, Drawing Number: 50252700-AR01-00-0001, 02/12/2019**
  - **Plan 4 Entrance Door Details, Drawing number: 50252700-AR01-00-0902 Dated 07/12/2020**
  - **Plan 5, Ramp Details, Drawing Number: 5025700-AR01-00-0901, Dated 07/12/2020**
  - **Plan 6 Heritage Statement, Dated August 2020**
  - **Plan 7 Site Waste Management Plan Details**

**These are stamped as APPROVED**

Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Listed Building, Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policy 1 of the Isles of Scilly Local Plan 2005 and Policies OE1 and OE7 of the Submission Isles of Scilly Local Plan (2015-2030).

- C3 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.

- C4 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 new 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 that 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 Garrison Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Submission Draft Isles of Scilly Local Plan 2015-2030.

### **Conditions P/20/066/LBC**

- 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 18 of the Planning (Listed

Buildings and Conservation Areas) Act 1990 (as amended).

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


- **Plan 1 Location and Block Plan, Drawing Number: 50252700-AREX-00-0010, Dated 21/008/2020**
- **Plan 2 Proposed Elevations, Drawing Number: 50252700-AR01-E1-0101, REV B Dated 02/12/2019**
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- **Plan 4 Entrance Door Details, Drawing number: 50252700-AR01-00-0902 Dated 07/12/2020**
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**Print Name:** Lisa Walton

**Job Title:** Senior Officer, Planning and Development Management

**Signed:**  07/01/2021

**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)	b)	1. a), b), c), d), e), G)								
Contrary to (tick)										
In accordance with (tick)	✓	✓								
Our Outstanding Environment										
	OE1	OE2	OE3	OE4	OE5	OE6	OE7			

Clause/Part (State)							(5),
Contrary to (tick)							
In accordance with (tick)							✓

Strong Living Community									
	LC1	LC2	LC3	LC4	LC5	LC6	LC7	LC8	LC9
Clause/Part (State)									
Contrary to (tick)									
In accordance with (tick)									

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

Application Number:	P/20/065/FUL and P/20/066/LBC	
Valid Date	02/09/2020	
Date Decision Issued	27/10/2020	
<b>Approved</b>	Refused	Withdrawn
DEL/LMP: 21/10/2020		COMM

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

Biodiversity enhancements required		✓
Provided		
conditioned		