

Council of the Isles of Scilly Delegated Planning Report Householder/other application

Application Number: P/20/092/HH

Received on: 23 November 2020

UPRN: 000192000667

Application Expiry date: 25 January 2021

Neighbour expiry date: 22/12/2020

Consultation expiry date:

Site notice posted: 1 December 2020

Site notice expiry: 22 December 2020

Applicant: Mr M Cheshire

Site Address: 4 Parsons Field
Hugh Town
St Mary's
Isles of Scilly
TR21 0JJ

Proposal: Replace the four wooden sash windows to the rear of the property with similar looking double glazed UPVC units.

Application Type: Householder

Recommendation: Approve subjection to conditions

Summary Conditions

1. Standard time limit
 2. Adherence to plans
 3. Hours of Operation for Construction Works
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Site Description and Proposed Development

No 4 Parsons Field is a two storey terraced dwelling situated on the north side of Little Porth fronted by a large public parking area and to the rear is an access lane behind the properties on the South side of Garrison Lane.

This proposal is for the replacement on the north (rear) elevation of one ground floor and 3 first floor single glazed timber sliding sash windows with similar looking double glazed top hung casement white UPVC windows. The ground floor has been extended on this elevation with a gable end dual pitch extension however the windows subject to this application are on the original north facing rear elevation.

The rear elevation fronts onto access road backing properties on the South side of Garrison Lane and has an approximately 2m high timber fence topped wall so the ground floor is not visible from the public highway.

This area is predominantly pedestrian as the lane turns into a footpath to Myrtle Cottages and Sally Port. There is also a footpath running down the West side of the property through to Parsons Field/Little Porth and also a footpath opposite the back of the property running North through to Garrison Lane.

Certificate: A

Other Land Owners: None

Consultations and Publicity

The application has had a site notice on display for 21 days (01/12/2020 – 22/12/2020). The application appeared on the weekly list on 7th December 2020.

Due to the nature of the proposal **no external** consultations are required.

Representations:

Neighbouring properties written to directly:

- 17, 19 & 21 Garrison Lane
- 3 & 5 Parsons Field
- 2 Myrtle Cottages, Garrison Lane

[0] letters of objection have been received.

[0] letters of support have been received.

Relevant Planning History:

The only relevant planning history is for a 2011 application to replace doors and windows.

P.4832	Conditional permission granted to replace porch window frame with PVC-U.	14.07.2000
P/11/024	Permission granted to replace existing timber windows with UPVC, installation of new UPVC window on rear elevation and replacement of door at rear with new UPVC window.	18.05.2011

Constraints:

Archaeological Constraint Areas Name: Parson's Field. Island: St Mary's
 Historic Landscape Character Multiple (Spatial)

Planning Assessment

Design	YES OR NO
Would the proposal maintain the character and qualities of the area in which it is proposed?	Y
Would the proposal appear in-keeping with the appearance of the existing dwelling, street and area?	Y
Would the materials, details and features match the existing dwelling and be consistent with the general use of materials in the area?	Y
Would the proposal leave adequate garden area and green space to prevent the proposal appearing as an overdevelopment of the site and to ensure an adequate level of amenity?	n/a
Is the parking and turning provision on site acceptable?	n/a
Would the proposal generally appear to be secondary or subservient to the main building?	Y
Is the scale proposed in accordance with NDSS	n/a

Amenity	YES OR NO
Is the proposal acceptable with regard to any significant overlooking/loss of privacy issues?	Y
Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?	Y
Is the proposal acceptable with regard to any significant change or intensification of use?	n/a

Heritage	YES OR NO
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Would the proposal sustain or enhance the character and appearance of the Conservation Area?	Y
If within the setting of, or a listed building, a) Will the development preserve the character and special architectural or historic interest of the building? b) Will the development preserve the setting of the building?	n/a
Within an Archaeological Constraint Area	Y
Other Impacts Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	n/a
Impact on protected trees a) Will this be acceptable b) Can impact be properly mitigated?	N
Has the proposal been designed to prevent the loss of any significant wildlife habitats or proposes appropriate mitigation where this has been demonstrated to be unavoidable?	n/a
Does the proposal conserve and enhance the landscape and scenic beauty of the AONB	Y
Are the Water connection/foul or surface water drainage details acceptable?	n/a
If sited within a Critical Flood Risk Area (low lying land below the 5m datum) is the application accompanied by an acceptable Flood Risk Assessment?	n/a
Are there external lights	N

Protected Species	YES OR NO
Does the proposal include any re-roofing works or other alteration to the roof	N
Does the proposal include any demolition	N
Does the proposal include tree or hedge removal	N
Is an assessment of impact on protected species required	N
Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements	n/a
Are biodiversity enhancement measures required	N
Is a condition required to provide biodiversity enhancement measures	N

Waste Management	YES OR NO
Does the proposal generate construction waste	Y
Does the proposal materially increase the use of the site to require	N

additional long-term waste management facilities	
Does the proposal include a Site Waste Management Plan	Y
Is a condition required to secure a Site Waste Management Plan	N

Sustainable Design	YES OR NO
Does the proposal materially increase the use of the site to require additional sustainable design measures	N
Does the proposal include a any site specific sustainable design measures	N
Is a condition required to secure a Sustainable Design Measures	N

Analysis: Although the site is within an Archaeological Constraint Area, there are no groundworks associated with the proposal. Although no sustainable design measures are submitted, the application will result in thermal efficiencies to the property through the change in windows proposed.

EIA: Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

Proactive working: In accordance with guidance within the National Planning Policy Framework the Council has worked in a positive and creative way and has concluded that the application is acceptable for planning approval.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

Planning Policy: Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of December 2005, the development plan for the Isles of Scilly comprises the Isles of Scilly Local Plan 2005: a 2020 vision and following submission to the Secretary of State in September 2019 and subsequent Examination in Public significant weight is now given to the submission draft Isles of Scilly Local Plan 2015-2030.

The relevant development plan policies that have been taken into consideration are set out below:

Isles of Scilly Local Plan, adopted December 2005

- Policy 1 Environmental Protection* ✓
- Policy 2 Sustainable Development* ✓
- Policy 3 Housing
- Policy 4 Economic Development
- Policy 5 Transport
- Policy 6 Infrastructure for Sustainable Communities
- Policy 7 Fish and Livestock Processing
- Policy 8 Safeguard Power Station, St Mary's
- Policy 9 Waste Disposal
- Policy 10 Air Travel Infrastructure, St Mary's and Tresco
- Policy 11 Uninhabited Islands
- Proposal A Housing Sites St Mary's
- Proposal B Employment Land, St Mary's
- Proposal C Sport and Recreation Facilities, St Mary's
- Proposal D Quays
- Proposal E Mixed Use Development Tresco

Submission Draft Isles of Scilly Local Plan 2015-2030

Sustainable Scilly

- Policy SS1 Principles of Sustainable Development* ✓
- Policy SS2 Sustainable quality design and place-making* ✓
- Policy SS3 Re-use of Buildings
- Policy SS4 Protection of retailing, recreation and community facilities
- Policy SS5 Physical Infrastructure
- Policy SS6 Water and Wastewater Management
- Policy SS7 Flood Avoidance and Coastal Erosion
- Policy SS8 Renewable Energy Developments
- Policy SS9 Travel and Transport
- Policy SS10 Managing Movement

Outstanding Environment

- Policy OE1 Protecting and Enhancing the landscape and seascape
- Policy OE2 Biodiversity and Geodiversity
- Policy OE3 Managing Pollution
- Policy OE4 Protecting Scilly's Dark Night Skies* ✓
- Policy OE5 Managing Waste
- Policy OE6 Minerals
- Policy OE7 Development affecting heritage

Living Communities

- Policy LC1 Isles of Scilly Housing Strategy to 2030
- Policy LC2 Qualifying for Affordable Housing

- Policy LC3 Balanced Housing Stock
- Policy LC4 Staff Accommodation
- Policy LC5 Removal of Occupancy Conditions
- Policy LC6 Housing Allocations Choose an item.
- Policy LC7 Windfall Housing: Choose an item.
- Policy LC8 Replacement Dwellings and Residential Extensions** ✓
- Policy LC9 Homes in Multiple Occupation

Working Communities

- Policy WC1 General Employment Policy
- Policy WC2 Home based businesses
- Policy WC3 New Employment Development
- Policy WC4 Alternative Uses for Business or Industrial land and buildings
- Policy WC5 Safeguarding Serviced Accommodation

- *Site Waste Management Plan: Provided*
- *Sustainable Design Measures: N/A*
- *Biodiversity Enhancement Measures: Provided in the PEA n/a*

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Recommended 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 Block Plan, 1:200 scale**
- **Plan 2 Location Plan, 1:1250 scale**
- **Plan 3 Elevation Plan**
- **Plan 4 Existing Windows to be replaced**
- **Plan 5 Proposed Window Specification**
- **Plan 6 Site Waste Management Plan**

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 OE1 and OE7(5) of the Submission Draft 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.

Print Name:	Lisa Walton	08/01/2021
Job Title:	Senior Officer, Planning and Development Management	
Signed:		
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*