

Council of the Isles of Scilly Delegated Planning Report Householder application

Application Number: P/21/048/HH

Received on: 21 June 2021

UPRN: 000192000673

Application Expiry date: 19 August 2021

Neighbour expiry date: 16 July 2021

Consultation expiry date: None

Site notice posted: 25 June 2021

Site notice expiry: 16 July 2021

Applicant: Mr Scott Hicks

Site Address: 10 Parsons Field
Hugh Town
St Mary's
Isles of Scilly
TR21 0JJ

Proposal: Proposed additional front dormer to existing dwelling.

Application Type: Householder

Recommendation: PER

Summary Conditions

1. Standard time limit (3 years)
 2. In accordance with the approved plans
 3. Hours of Construction
 4. No external illumination
 5. Biodiversity enhancement
-

Reason for Delegated Decision

No Councillor has requested that the application come to the Full Council. The decision defaults to the level of Delegated:

- Not a Councillor ✓
- Not a Senior Officer (or Officer with influence over planning Decisions) ✓
- No relation to a Councillor/Officer ✓
- Not Major ✓
- Not Council's own application ✓
- Not a departure from the Development Plan ✓
- Not Called in ✓

Lead Member Planning Agreed

Name: Dan Marcus

Date: 30/07/2021

Site Description and Proposed Development

10 Parsons Field is a semi-detached dormer bungalow located at Parsons Field, just below Sally Port on the western side of Hugh Town on the island of St Mary's. The property is a mid-late 20th century property that has been altered and extended from the early 2000's onwards. The property is a white render structure with a slate roof and two existing dormer windows on the east elevation and three existing dormer windows on the west elevation. The proposal is to add a central third elevation on the east elevation, in place of an existing rooflight. The internal space is shown as an enlarged landing area which would be enlarged by 2m². The dormer proposed will match the appearance and scale of the existing two dormer windows either side.

Certificate: A

Other Land Owners: n/a

Consultations and Publicity

The application has had a site notice on display for 21 days (25/06/2021 – 16/07/2021). The application appeared on the weekly list on 28TH June 2021. Due to the nature of the proposal no external consultations are required.

Representations from Residents:

Neighbouring properties written to directly:

Neighbour Consulted	Response Received (Date)	Comments
19 Sally Port	None	n/a
15 Sally Port	None	n/a
13 Sally Port	None	n/a
17 Sally Port	None	n/a
9 Parsons Field	None	n/a

[0] letters of objection have been received and include the following points:
 [0] letters of support have been received and include the following points:
 [0] letters of representation have been received.

Relevant Planning History:

This property has been subject to a number of alterations and extensions, as approved under the 2005 Local Plan:

Ref	Proposal	Decision (DATE)
P5684	Erection of a timber fence and building of a garden shed.	PER (22/07/2005)
P/06/094	Erection of rear extension for dining room, bedroom and utility	PER (11/12/2006)
P/13/037/FUL	Addition of first floor window and replacement of existing working chimney with replica false chimney to south elevation.	PER (25/09/2013)
P/14/019/FUL	Lowering of pavement kerb and removal of part garden wall to allow access for off road parking in existing paved garden.	PER (19/06/2014)
P/15/101/FUL	Addition of two new dormer windows	PER (22/01/2016)
P/20/045/HH	Conversion of conservatory into front extension.	PER (04/09/2020)

Constraints:

Archaeological Constraint Areas: Name: Parson's Field. Island: St Mary's
 Historic Landscape Character: Landscape Type: Settlements.
 Listed Buildings: None
 Scheduled Monuments: None

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?	y
Is the parking and turning provision on site acceptable?	y
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?	y

Heritage	YES OR NO
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 Will this be acceptable Can impact be properly mitigated?	n/a
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	y
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	y
Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements	y
Are biodiversity enhancement measures required	y
Is a condition required to provide biodiversity enhancement measures	y

Waste Management	YES OR NO
Does the proposal generate construction waste	n
Does the proposal materially increase the use of the site to require additional long-term waste management facilities	n
Does the proposal include a Site Waste Management Plan	n
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 any site specific sustainable design measures	n
Is a condition required to secure a Sustainable Design Measures	n

Conclusion: Whilst the proposal will see a marginal increase in usable floorspace the proposal is not considered to give rise to a significant increase as it does not see any increase in footprint or building height.

The site is within an ACA but there are no groundworks proposed as a result of the alterations to the roof and insertion of dormer window.

The proposed dormer window will face east over the applicants' own garden and there are no neighbouring properties immediately to the east side of this property.

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 permission to be granted. 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 March 2021, the development plan for the Isles of Scilly comprises the 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, 2015-2030

Policy	Tick if Used ✓
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	
Policy OE1 Protecting and Enhancing the landscape and seascape	
Policy OE2 Biodiversity and Geodiversity	
Policy OE3 Managing Pollution	
<i>Policy OE4 Protecting Scilly's Dark Night Skies</i>	✓
Policy OE5 Managing Waste	
Policy OE6 Minerals	
Policy OE7 Development affecting heritage	
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	
Policy LC7 Windfall Housing:	
Policy LC8 Replacement Dwellings and Residential Extensions	✓
Policy LC9 Homes in Multiple Occupation	
Policy WC1 General Employment Policy	
Policy WC2 Home based businesses	
Policy WC3 New Employment Development	
Policy WC4 Alternative Uses for Business/Industrial land and buildings	
Policy WC5 Visitor Economy and Tourism Developments	

Info Requirements	Submitted (LVC)	Not Submitted	Condition Required
Site Waste Management Plan	Yes		No
Sustainable Design Measures		No	No
Biodiversity Enhancement Measures:	Yes		Yes

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 Location Plan**
- **Plan 2 Site Plan**
- **Plan 3 Proposed Floor Plans and Elevations, Drawing Number: PF-PFD-1a, dated June 2021**
- **Plan 4 Site Waste Management Plan**
- **Plan 5 Preliminary Roost Assessment and Preliminary Ecological Appraisal, REF: BS33-2020 Dated 15 July 2020 (timing, mitigation and enhancement)**

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 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.

Removal of Permitted Development Rights: External Illumination

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.

- C5 Following the completion of the dormer extension, hereby approved, the biodiversity enhancement measures including the erection of a free standing bat box, for crevice-dwelling species, if not already installed following the completion of the replacement extension as approved under P/20/045/HH, shall be installed as high up as possible at the apex of the gable end of the southern elevation of the main house, as set out in the Preliminary Roost Assessment (Ref: BS33-2020, Dated 15th July 2020). The bat box shall be retained as such thereafter.**

Reason: In the interests of securing appropriate and proportionate biodiversity net gains at this site in accordance with Policy OE2, SS1(d) and SS2(g).


Further Information

1. **STATEMENT OF POSITIVE ENGAGEMENT:** In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and proactive manner, in accordance with paragraph 38 the National Planning Policy Framework 2019.
2. **DISCOVERY OF BATS:** The Applicant is reminded of the provisions of the Wildlife and Countryside Act 1981 and the E.C. Conservation (Natural Habitats) Regulations Act 1994, the Habitat and Species Regulations 2012 and our Natural and Environment and Rural Communities biodiversity duty. This planning permission does not absolve the applicant from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licences required, as described in part IV B of Circular 06/2005. Care should be taken during the work and if bats are discovered, they should not be handled, work must stop immediately and a bat warden contacted. Extra care should be taken during the work, especially when alterations are carried out to buildings if fascia boards are removed as roosting bats could be found in these areas. If bats are found to be present during work, they must not be handled. Work must stop immediately and advice sought from licensed bat wardens. Call The Bat Conservation Trust's National Bat Helpline on 0845 1300 228 or Natural England (01872 245045) for advice.
3. **NON-MATERIAL AMENDMENTS:** In accordance with the provisions of Section 96A of the Town and Country Planning Act which came into force on 1st October 2009, any amendments to the approved plans will require either a formal application for a non-material amendment (currently the fee is for this is £34 but any fee increase would need to be applied should the national fees increase) or the submission of a full planning application for a revised scheme. If the proposal relates to a Listed Building you will not be able to apply for a non-material amendment and a new application for a revised scheme will be required. Please discuss any proposed amendments with the Planning Officer. Please check the latest fee schedule before you apply here:
https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
4. **BUILDING CONTROL:** Please ensure that all building works accord with the Building Regulations and that all appropriate approvals are in place for each stage of the build project:
buildingcontrol@cornwall.gov.uk

Print Name:

Lisa Walton

30/07/2021

Job Title:	Chief Planning Officer
Signed:	
	<i>Authorised Officer with Delegated Authority to determine Planning Applications</i>
