

PLANNING APPEAL FORM

WESTWARD LEDGE, CHURCH ROAD, ST MARYS, ISLES OF SCILLY TR21 ONA

COUNCIL OF THE ISLES OF SCILLY APPLICATION P/21/054/HH

LIST OF DOCUMENTS

- | | |
|--|------------|
| 1 COPY OF LPA PLANNING APPLICATIONS LIST P/21/054/HH | |
| 2 COPY LETTER APPELLANT TO LPA | 08/01/2020 |
| 3 COPY LETTER LPA TO APPELLANT | 14/05/2021 |
| 4 COPY LETTER LPA TO APPELLANT | 14/05/2021 |
| 5 COPY LETTER LPA TO APPELLANT | 19/05/2021 |
| 6 COPY OF LPA PLANNING NOTICE 2 MATTHEWS FIELD | |
| 7 PHOTOGRAPH 2 MATTHEWS FIELD | |
| 8 PHOTOGRAPH CHY CARN | |
| 9 PHOTOGRAPH MILL HOUSE | |
| 10 PHOTOGRAPH CARRIACOU | |
| 11 LOCATION MAP | |



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 [COUNCIL & DEMOCRACY](https://www.scilly.gov.uk/council-democracy)
 [PLANNING](https://www.scilly.gov.uk/planning)
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 [COMMUNITY & SAFETY](https://www.scilly.gov.uk/community-safety)

Home (<https://www.scilly.gov.uk/>) / Planning application: P/21/054/HH

Planning application: P/21/054/HH

Roof alteration for introduction of two dormers plus velux roof light (Amended Plans).

Commenting on an application

If you wish to comment on an application, you can do so in writing to the Planning Officer by email (<mailto:planning@scilly.gov.uk?subject=Planning%20Application%20Representation>) or by letter to the address below. Please note that postal communication may currently experience slight delays. Hard copies of the plans are currently unavailable to view in person however please call the Planning Department on 01720 424455 and leave a message if you are unable to view plans electronically or wish to ask any questions about the application and we will get back to you to discuss.

Planning Department
Council of the Isles of Scilly
Town Hall
The Parade

Application number: P/21/054/HH

Application type: Householder

Decision: Refused

Applicant name: Mr Ray Jackman

Site address:

Westward Ledge, Church Road, St Mary's

Applicant address:

Westward Ledge Church Road St Marys Isles Of Scilly TR21 0NA

Valid date: Friday, 16 July, 2021

Consultation period ends: Tuesday, 10 August, 2021

Decision due: Friday, 1 October, 2021

Decision Date: Monday, 13 December, 2021

Documents:

Attachment

P-21-054 Application Form
(https://www.scilly.gov.uk/sites/default/files/planning-apps/planni-application-p/21/054/hh/P-21-054%20Application%20Form_Redact)

P-21-054 Location Plan
(<https://www.scilly.gov.uk/sites/default/files/planning-apps/planni-application-p/21/054/hh/P-21-054%20Location%20Plan.pdf>)

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Ray Jackman
Westward Ledge
Church Road
St Marys
Isles of Scilly
TR21 0NA

Chief Planning Officer
Council of the Isles of Scilly
Town Hall
St Marys TR21 OJD

8TH January 2020

RE – PLANNING REFUSAL WESTWARD LEDGE CHURCH ROAD ST MARYS TR21
ONA

You may recall that a planning application to alter the roof to the above property, P/06/126, was refused, and that refusal was subsequently upheld on appeal, APP/Zo835/A/07/2039828/WF

Since that date, notwithstanding the decisions of the LPA and the Planning Inspectorate, a number of other applications have been approved by the LPA which would not appear to conform with its policies cited for refusal of the application for WESTWARD LEDGE in 2007. (photographs enclosed of two recent developments, CHY CARN and 4PORTHCRESSA ROAD).

Perhaps you could confirm, that the Isles of Scilly Local Plan, with regard to roof alterations has since changed.





COUNCIL OF THE ISLES OF SCILLY

Ray Jackman
Westward Ledge
Church Road
St Mary's
Isles of Scilly
TR21 0NA

Planning Department
Town Hall, St Mary's, Isles of Scilly, TR21 0LW
01720 424455
📧 planning@scilly.gov.uk

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14th May 2021

Dear Mr Jackman,

Ref: PA/20/004 Pre-application enquiry for roof works to Westward Ledge, Church Road, St Mary's

I'm sorry that I'm finding myself having to apologise to you again as your letter dated 22nd January 2021 was missing until your recent follow up letter prompted us to search for it.

With the way the Council has been working over the last 14 months, post is taking longer to get through to departments but unfortunately your letter was not scanned and emailed through and it only made it to our old office. We are working to ensure that this doesn't happen again in our new ways of working as it is not acceptable. Where possible please email correspondence to us or call and to leave a message for us to call you back.

Please be assured that a response is being put together and will be sent to you next week. If you are able to, please can you email planning@scilly.gov.uk so that we can email the response directly to you to avoid any more delays.

Yours sincerely,

Andrew King
Officer Planning and Development Management

Direct Line: 01720 424457 (please leave a message) **Reception:** 0300 1234 105
Email: andrew.king@scilly.gov.uk | planning@scilly.gov.uk |



COUNCIL OF THE ISLES OF SCILLY

Planning Department

Town Hall, St Mary's, Isles of Scilly, TR21 0LW

01720 424455

planning@scilly.gov.uk

Ray Jackman
Westward Ledge
Church Road
St Mary's
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TR21 0NA

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23rd July 2020

Ref: PA/20/004 Pre-application enquiry for roof works to Westward Ledge, Church Road, St Mary's

Dear Mr Jackman,

Firstly, I must apologise that we did not respond to your original enquiry from January. Please find below a response after your follow-up received by the department on 24th June 2020. In generating this response, I have consulted with the Senior Officer for Planning and Development Management (Lisa Walton) and incorporated these views, although I would draw your attention to the caveat at the end of the letter.

The appeal referenced in your letter relates to planning application P/06/098 which was refused a few months before P/06/126 although the wasn't a huge difference in proposals. It is noted that it included an increase the roof pitch of the dwelling with the addition of dormer windows front (3) and rear (2) with UPVC windows and planking on the dormer cheeks and also replacing the roof covering with slate.

With regards to the other approved developments with dormer windows referenced in your letter, these were considered, as required, on their individual merits with regard to the appearance of the existing dwelling, street scene and in the context of the Conservation Area and AONB. Each proposal must be assessed on its own merits and immediate surroundings and in the case of Westward Ledge, the sloping of the site up from road level and prominence in the street scene will have come into consideration. We would not simply approve an application, where harm was identified, simply on the basis that other applications have been permitted.

In general, the planning policies used in 2006/7 have not changed significantly, in terms of appropriate design. We do, however, have an emerging draft Local Plan which is being given weight in planning decision-making. This new local plan will result in a material change in planning policy framework, which will be taken into account, should you decide to re-submit an application for the works previously refused. I would highlight that this emerging document now includes a policy on guiding domestic extensions (Policy LC9) and some additional issues that were not considered in 2006 will be considered in any new application. Some of the issues to be aware of are addressed below. At the time of the 2006 appeal decision, the Planning Inspector considered that the quality of certain elements of the design to be an issue and did not consider dormer windows to generally enhance the character and appearance of the conservation area and AONB.

Commenting on the design of the proposal now submitted, this would appear to be a relatively modern property as opposed to a traditional or historic property. The 'proposed' elevation does

...working for a strong, sustainable and dynamic island community

not look particularly out of keeping (the steeper pitch of the roof would look better potentially). Providing materials are in keeping with the surrounding area and do not result a poor quality appearance, then they could be considered acceptable. Natural slate is preferable as are timber windows, doors and cladding but substitutes are not out of the question it just depends on the quality of the finish.

As identified above, policy LC9 of the new emerging Isles of Scilly Local Plan will be important should you wish to apply for planning permission again. This sets out the requirements for residential extensions and would be relevant as the development would generate extra useable floorspace making internal space standards a consideration. The policy is included for you to read but generally, if your proposal increases the number of bedrooms, this should be clearly justified. For example, to meet a growing household need. The new local plan does not permit extensions which are specifically to accommodate holiday letting accommodation. An application would need to be supported by details to state the existing and proposed number of floors, floorspace, bedrooms, number of occupants. These should meet the minimum gross internal floorspace standards (enclosed) for the size of the property proposed and be no more than 30% above. If significantly above this then you would need to set out the rationale for the enlargement.

I hope that the above addresses your query. Please let us know should you wish to make a new application for planning permission, and we can provide you with a checklist of documents that would need to be submitted. These would include the usual application form, fee, location plan, block plan, existing and proposed floor, elevation and roof plans, site waste management plan, bat survey, supporting planning statement etc.

Please note that there is currently a delay in us receiving and sending correspondence by post so communication by email is the most efficient way to correspond with us if possible.

Any advice given by Council officers for pre-application enquiries does not indicate any formal decision by the Council as Local Planning Authority. Any views or opinions are given without prejudice to the formal consideration of any planning application. The recommendation on any application can only be made after the Council has consulted local people, statutory consultees and any other interested parties in accordance with statutory procedures. The final decision on an application will then be made by the Full Council or by the Senior Officer for Planning and Development Management under delegated powers (normally within 8 weeks). This is in accordance with the Council's approved Scheme of Delegation and Planning Protocol and will be based on all of the information available at that time. You should therefore be aware that officers cannot guarantee the final formal decision that will be made on your application.

Yours Sincerely,

Andrew King

Officer: Planning and Development Management

Direct Line: 01720 424457 | Reception: 0300 1234 105 | Andrew.king@scilly.gov.uk

Enclosed:

Policy LC9 of the Isles of Scilly Local Plan 2015-2030 (Pages 120-122):

https://www.scilly.gov.uk/sites/default/files/Submission%20Isles%20of%20Scilly%20Local%20Plan%20Local%20Plan%202015%20-%202030%20July%202019_3.pdf

Nationally Described Space Standards (NDSS):

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachmen](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/fi)

[t_data/fi](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/fi)
[le/524531/160519_Nationally_Described_Space_Standard_Final_Web_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/fi/524531/160519_Nationally_Described_Space_Standard_Final_Web_version.pdf)



COUNCIL OF THE ISLES OF SCILLY

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01720 424455

planning@scilly.gov.uk

Ray Jackman
Westward Ledge
Church Road
St Mary's
Isles of Scilly
TR21 0NA

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19th May 2021

Dear Mr Jackman,

Ref: PA/20/004 Pre-application enquiry for roof works to Westward Ledge, Church Road, St Mary's

Further to my holding response last week please find enclosed a considered response to your most recent proposal. This is taking into account the advice given in my letter to you dated 20th July 2020 which considered your query about the current planning policy for roof alterations namely the introduction of dormer windows.

Design

As previously advised, development proposals are assessed on their individual merits with regard to the appearance of the existing dwelling, street scene and in the context of the Conservation Area and AONB. When considering any planning application that affects a conservation area a local planning authority must take into account statutory requirements. The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires all planning decisions to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. In the case of Westward Ledge, the sloping of the site up from road level and prominence in the street scene will be an important consideration.

In addition to statutory requirements, National and Local policy reinforce the desirability of new development making a positive contribution to local character and distinctiveness. The design policies further strengthen the need to enhance the area's character and local distinctiveness, concluding that "Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area..." (National Planning Policy Framework, paragraph 130). Compliance with statutory requirements, National and Local Policies therefore requires all planning decisions to take into account the desirability of taking opportunities to enhance the character and appearance of a conservation area.

In light of the above, whilst the dwelling is located prominently, the introduction of rooflights and dormer windows of the style proposed could be considered to reflect features on the neighbouring properties at Chy An Mor and at 2 Mathews Field and the 'proposed' elevation does not look particularly out of keeping. I would emphasise the need to ensure materials are both sustainable and in keeping with the surrounding area and do not result a poor quality appearance, subject to this the proposal could be considered acceptable.

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The positioning of the rooflights on the rear do not appear to unbalance the appearance of the roof so provided that they do not introduce any direct overlooking of the neighbouring dwellings then they could be acceptable.

Floorspace

A noted change from the previous proposal is that the roof is not proposed to be increased in pitch to create habitable floorspace. This means that the advice relating to what is now Policy LC8 (Replacement Dwellings & Residential Extensions) in the recently adopted Isles of Scilly Local Plan (2015-2030) is not relevant although we would advise that any alteration/extension to a dwelling should be reasonably justified by the applicant. A reminder of the implication of an increase in floorspace is set out below.

If you are looking to convert the roof space into habitable accommodation, then we will need to consider the increase in usable floorspace. Policy LC8 of the new Local Plan seeks to ensure that homes meet the minimum floor space standards and are not enlarged more than 30% above as a maximum. You would be required to provide details of existing and proposed internal floorspace calculations, in a table format, as per the example below. Please refer to the Nationally Described Space Standards, which is available online here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard_Final_Web_version.pdf

	No of Floors	No of Bedrooms	Gross Internal Floor space (metres squared) overall.
Existing			
Proposed			

Bat Survey

An alteration to a roof of this nature will trigger the need for an assessment and is important as there is a known bat roost on an adjacent site. Whilst a preliminary assessment can take place at any time during the year, any subsequent Bat Emergence Survey, that may be required, can only take place when Bats are active (May through to September). Your application may not be valid for consideration until all required and recommended assessments have been submitted so the timing of your development should take this into account. A list (not exhaustive) of some bat ecologists/consultants local to Scilly is enclosed.

Finally, I would confirm that panning permission is required for the proposals. Please refer to the enclosed householder validation checklist which would need to be completed and submitted with your application. This guides you through the documents required to be submitted and provides you with the option to explain anything not submitted. You will be expected to provide a Site Waste Management Plan, which sets out how short-term construction waste will be managed, in accordance with the waste hierarchy (reduce, re-use, recycle) and how the proposal improves the overall sustainability of the property (reducing energy and water consumption). It is also important to consider whether it is possible to improve biodiversity through the provision of bat and bird boxes.

Please note that the process to determine a planning application takes up to 8 weeks and we legally have to carry out a 3-week statutory consultation period. If you have not provided all the information requested for your application, then it may be 'invalid' and the 8 week clock will not start until the application is 'valid'. I appreciate that there may seem to be a lot more information required this time around, but it reflects the revision and enhancement of our planning policies which aim to ensure development is sustainable. Hopefully I have set it out clearly enough for you to follow.

(S)

Any advice given by Council officers for pre-application enquiries does not indicate any formal decision by the Council as Local Planning Authority. Any views or opinions are given without prejudice to the formal consideration of any planning application. The recommendation on any application can only be made after the Council has consulted local people, statutory consultees and any other interested parties in accordance with statutory procedures. The final decision on an application will then be made by the Full Council or by the Chief Planning Officer under delegated powers in accordance with the Council's approved Scheme of Delegation and will be based on all of the information available at that time. You should therefore be aware that officers cannot guarantee the final formal decision that will be made on your application(s).

Yours sincerely,

Andrew King
Officer Planning and Development Management

Direct Line: 01720 424457 (please leave a message) **Reception:** 0300 1234 105
Email: andrew.king@scilly.gov.uk | planning@scilly.gov.uk |

Documents Enclosed:

Householder Validation Checklist:

https://www.scilly.gov.uk/sites/default/files/document/planning/Householder%20Checklist%2001-2021_3.pdf

Householder Application Form:

https://ecab.planningportal.co.uk/uploads/appPDF/Z0835Form001_england_en.pdf

Householder Application Form Help Notes:

https://ecab.planningportal.co.uk/uploads/appPDF/Help001_england_en.pdf

Bat Consultants/Ecologists:

https://www.scilly.gov.uk/sites/default/files/document/planning/Bat%20Consultants%20-%20OCT%2019_0.pdf



COUNCIL OF THE ISLES OF SCILLY

Planning Department

Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW

0300 1234 105

planning@scilly.gov.uk

Owner / Occupier
Westward Ledge
Church Road
Hugh Town
St Mary's
Isles Of Scilly
TR21 0NA

(6)

11th April 2018

Dear Owner/Occupier

PLANNING REFERENCE

P/18/026/FUL

DEVELOPMENT PROPOSED:

Extension of first floor over existing ground floor flat roof.

LOCATION:

2 Matthews Field, Church Road, Hugh Town, St Mary's.

This letter is to advise you that a planning application has been made for the development mentioned above. If you have any comments please make them to the Planning Department at the address shown above. Comments should be in writing, and received by **2nd May 2018**. If your comments are received any later, you should be aware that the application may have already been determined. **Please quote the Planning Reference P/18/026/FUL in your reply.**

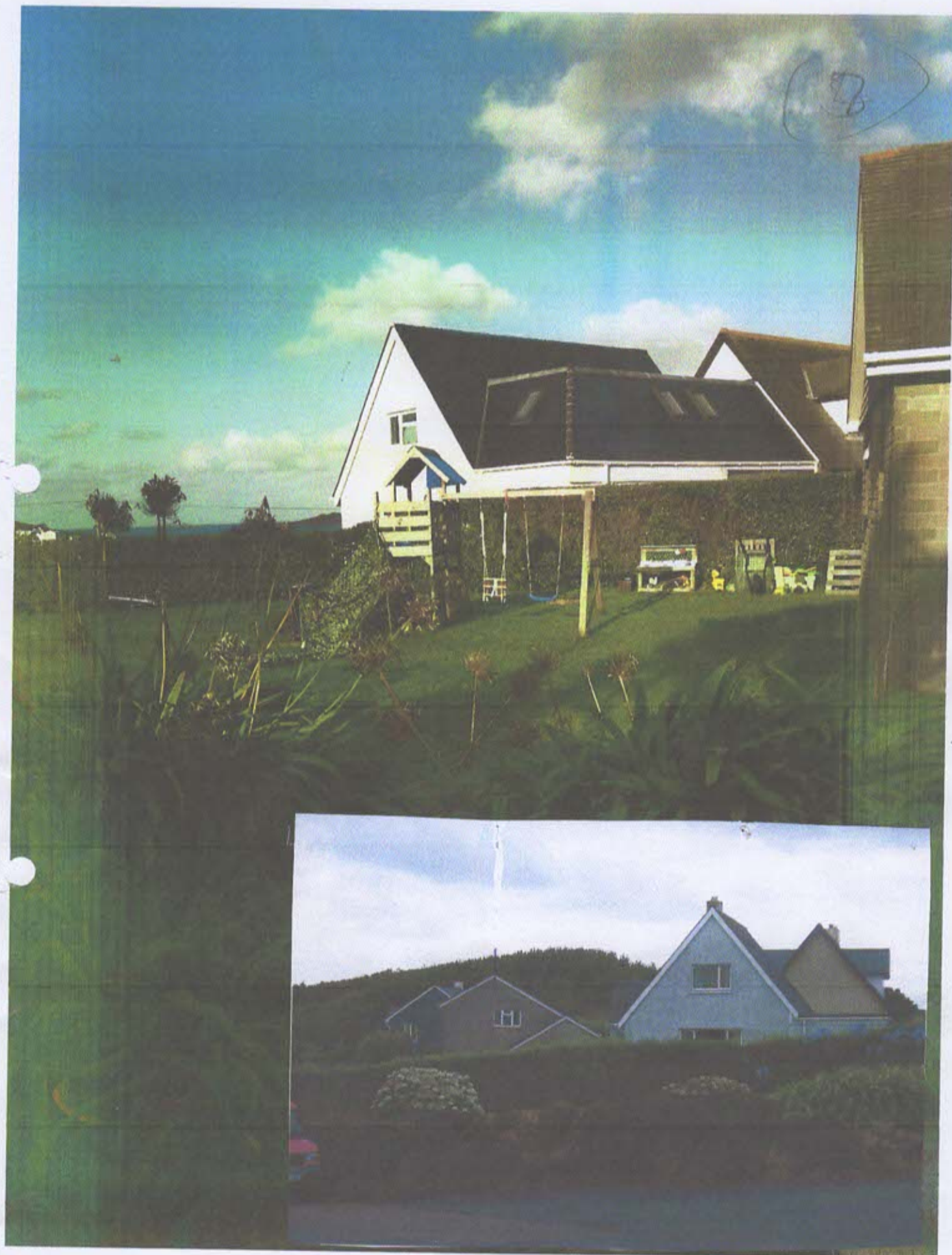
Copies of the application, plans and other documents submitted with it are available for inspection at the Planning Department, Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW during normal office hours. Please call the department in advance to ensure an appointment is not required, alternatively, applications can be viewed online at www.scilly.gov.uk.

Anyone who wishes to make representations about the application should do so in writing to the Planning Department, Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW or by e-mail to planning@scilly.gov.uk within a period of 21 days beginning with the date of this notice.

Under the provisions of the Local Government (Access to Information) Act 1985 you should be aware that any comments you make are not confidential and may be read by any person who so wishes.

Yours faithfully,

Lisa Walton
Senior Officer Planning and Development Management

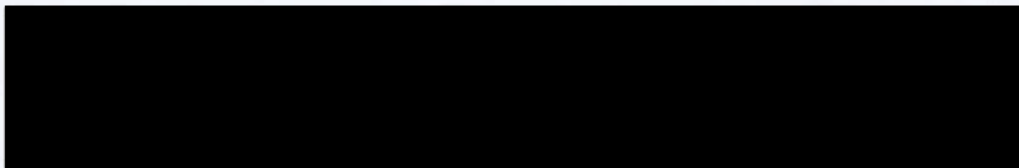


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'WESTWARD LEDGE' St. MARY'S

ISLES of SCILLY

