

Council of the Isles of Scilly Delegated Planning Report Householder application

Application Number: P/21/055/HH and P/21/056/LBC

Received on: 8 July 2021

UPRN: 000192000601

Application Expiry date: 3 September 2021

Neighbour expiry date: 03/08/2021

Consultation expiry date: 03/08/2021

Site notice posted: 13 July 2021

Site notice expiry: 3 August 2021

Extension of Time Date Agreed: 24/09/2021

Applicant: Mr A Martin Duchy of Cornwall

Site Address: Veronica Lodge

The Garrison

St Mary's

Isles of Scilly

TR21 0LS

Proposal: Full refurbishment of grade II listed dwelling including demolition of 2 no. porches with 1 no. replacement porch, re-roof using existing timbers and internal reconfiguration works including electrical rewire and replumb. (Listed Building)

Application Type: Householder and Listed Building Consent

Recommendation: Permit

Summary Conditions

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

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: Cllr Dan Marcus

Date:

Site Description and Proposed Development

Veronica Lodge is a detached three-bay, two storey house, with a centralized front door and an altered rear door, off the kitchen. It is a rendered white granite property with a slated pitched, hipped roof and matching double chimney stacks. To the front is a small flat roofed porch and to the rear there is a similar porch feature and a lean-to out-building and store. The front garden is relatively open in nature, elevated above the access road to the front and to the rear is a small private courtyard. To the south side is a larger established garden, which joins Hugh House.

The proposal is to modernize the property which includes the demolition of both front and rear porch features and a replacement of the front porch. The proposal also includes a re-roofing of the building and internal works which will see the reconfiguration of the ground floor space and removal of a small shower from one bedroom and the loss of bedroom 4 and its re-use as bathroom and wc facilities. The lean-to out-building within the rear courtyard will be converted from an annexe bedroom to an ancillary store and utility room.

Certificate: A

Consultations and Publicity

Both the Planning and Listed Building consent applications have had a site notice on display for 21 days (13/07/2021 – 03/08/2021). The application appeared on the weekly list on 9th July 2021. Due to the nature of the proposal a number of consultations have been required. These including any responses have been set out below.

Consultee	Date Consulted	Response Date	Comments
Cornwall Fire and Rescue	12/07/2021	14/07/2021	Access and Facilities for the Fire Service as detailed in B5 ADB Volume 1 will be required. For dwellings access for a

			pumping appliance should be provided to within 45m of all points inside the dwelling. It is important to remember that failure to do so may prevent the applicant from obtaining a completion certificate under the Building Regulations but more importantly, the lives of the occupiers will be put at risk.
Cornwall Archaeological Unit	28/07/2021	29/07/2021	Thank you for consulting us on this application to refurbish the Grade II Listed Veronica Lodge (NHLE: 1141189), Hugh Town, St Mary's. We have consulted the Cornwall & Isles of Scilly Historic Environment Record and the submitted heritage information, and in this instance, we consider it unlikely that significant archaeological remains will be disturbed by groundworks or the refurbishment and minor internal reconfiguration of the building. No archaeological mitigation is required, and therefore no archaeological condition is sought.

Representations from Residents:

Neighbouring properties written to directly:

- GFF Hugh House, The Garrison
- North Flat, Hugh House, The Garrison
- Sanderlings, Hugh House, The Garrison
- South Flat, Hugh House, The Garrison

[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:

There is no planning history associated with this property.

Constraints:

Scheduled Monuments: POST-MEDIEVAL BREASTWORK, CURTAIN WALL AND ASSOCIATED DEFENSIVE STRUCTURES ON THE PERIPHERY OF THE GARRISON, ST MARY'S

Listed Buildings: Grade: II. Name: VERONICA LODGE

Archaeological Constraint Areas: The Garrison. Island: St Mary's

HER Findspots: Multiple (Spatial)

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?	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?	See below
Within an Archaeological Constraint Area	y
Other Impacts	n/a
Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	
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	n
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	y
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	y

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

Listed Building Consent Assessment:

Veronica Lodge is a prominent edifice on the Garrison on the island of St Mary's and a

designated heritage asset within a conservation area. It is located within the setting of number other listed building and scheduled monuments, of the highest order, and as such it is necessary to understand the impact upon the original character of the building, including its setting and whether the proposed works will result in any harm to or complete loss of significance. Officers concur with the statement of significance as outlined in the Heritage Statement and Impact Assessment, that the values and significance of this property are closely connected with those other designated heritage assets within the immediate vicinity. The late twentieth century remodeling of the property does not add to the significance and works to refurbish this property, that result in the loss of the 1970s changes, would not result in harm to or loss of significance.

It is noted that no significant external alterations are proposed, the roof is to be recovered in a natural slate and thermally improved and the central front porch feature is to be removed and replaced with one the same footprint but with a more traditional appearance. One ground floor rear window is proposed to be replaced with a timber window to match the existing but with slim lite double glazing. The window and door schedule provides a clear set of plans of windows to be retained and those to be changed. These details are considered to result in a positive change to the exterior of the building. These changes are not considered to result in any harm to or loss of significance to this building for the roof the existing timbers are to be retained and as such this will not impact upon the original fabric of the building. It is not considered that these changes will have any impact upon the setting of other designated heritage assets in the vicinity, including the garrison wall as a Grade I listed building and Scheduled Monument.

Internally it is proposed to remodel the ground floor to provide improved living accommodation, this includes the removal of an original internal wall and chimney piece that separates the living room and the snug. This currently has a no fireplace feature and any original fireplace is now blocked up or removed. The proposal includes the introduction of a new hearth and wood burner, retaining key features of the removed wall, for legibility. A cupboard/WC at the end of the corridor is to be removed, to enlarge the kitchen space and a window is to be removed and replaced with a timber door. The loss of one of the original internal walls, and therefore original room layout does result in some harm to significance, but this is considered less than substantial and is off set by the wider improvements to the property, as proposed. These changes will have no impact upon the exterior of the building and as such there is no wider impact upon the historic environment.

At first floor it is proposed to remove an unsympathetic shower room and toilet from the front bedroom, remove all sink fitting from each bedroom and create two bathrooms from bedroom four and part of the landing space. This provides for one family bathroom and one en-suite shower room. Throughout it is proposed to remove unsympathetic wall linings and replace these with traditional lime plaster. The outbuilding has been converted to an annex bedroom and it is proposed to reinstate this as a store room and

utility room. The loss of one of the original internal walls on the ground floor, will result in some changes to the original room layout. Together with the insertion of one upper floor window does result in some harm to significance, but this is considered less than substantial and is off set by the wider improvements to the property, as proposed. These changes will have no impact upon the exterior of the building and as such there is no wider impact upon the historic environment.

Conclusion: Overall it is considered that the proposal will not result in any enlargements to the existing dwelling, there will be no increase in overlooking or impacts upon amenity for existing neighbouring properties. There will be no impact upon existing infrastructure or highway safety.

The assessment on the character and significance of the listed building has concluded that whilst there will be some harm to the significance of this building, it is less than substantial and is considered that there are wider benefits to the remodeling and renovation to outweigh that harm, particularly when a visible record will be retained to assist in legibility of the original layout on the ground floor.

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 to enable the grant of planning permission.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

This application has been considered in accordance with Sections 16, 17, and 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990

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 Tourism Developments	

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

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 P/21/055/HH:

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:

- **Location and Block Plan, drawing number: MYS-VL-04, dated June 2021**
- **Proposed Floor Plans and Elevations, drawing number: MYS-VL-02, Dated March 2021**
- **Proposed Timber Sash Window Detail, drawing number: MYS-LV-05, dated June 2021**
- **Proposed Timber Casement Window Detail, drawing number MYS-VL-06, dated June 2021**
- **Window and Door Schedule, drawing number MYS-VL-03, dared March 2021**
- **Heritage Statement and Impact Assessment, Version 3: June 2021, Silverlake Design Ref 3386HIA**
- **Design and Access Statement**

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 OE1 and Policy OE7(5) of the 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 Prior to the commencement of the development, hereby approved, a scheme including details of the sources of all building materials and the means/location of disposal of all demolition material and all waste arising from building works, shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.**

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application, but are required to fully understand the impact upon landscape and management of waste and ensure this aligns with the waste hierarchy, to be submitted and agreed by the Local Planning Authority. In accordance with the requirements of Policy SS2(2) of the Isles of Scilly Local Plan 2015-2030.

- C5 The roof shall be covered with natural slates using corrosion resistant fixings. Before roofing starts, samples of slates and fixings shall be made available for inspection on site, and subsequent written approval, by the Local Planning Authority. The approved slates and fixings shall then be used to roof the approved building/structure. The roof shall be retained as such thereafter.**

Reason: To preserve and enhance the character and appearance of the Listed Building and in accordance with Policy OE7(7) of the Isles of Scilly Local Plan (2015-2030).

- C6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking or re-enacting that Order) prior to installation, details of any form of 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 including the Garrison Dark Sky Discovery site, in accordance with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

- C7 Prior to the first occupation of the dwelling, hereby approved, details of measures to promote biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority, this shall include details of any new landscaping, where required, to comprise native species from sustainable sources and the installation of bat boxes and bird nesting opportunities appropriate to species found on the Isles of Scilly. Appropriate local guidance from the Isles of Scilly Wildlife Trust, for example, should be sought to inform the type, number and positioning of suitable bat and bird boxes. The measures approved shall be installed, prior to the first breeding/nesting season following completion of the development and shall be retained as such thereafter.**

Reason: To promote measures to improve an awareness of the value of biodiversity on the Isles of Scilly and in accordance with the requirements of Policies SS1(d) and SS2(g) of the Isles of Scilly Local Plan (2015-2030).

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- C1 The development hereby authorised shall be begun not later than three years from the date of this consent.**


Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- C2 The roof shall be covered with natural slates using corrosion resistant fixings. Before roofing starts, samples of slates and fixings shall be made available for inspection on site, and subsequent written approval, by the Local Planning Authority. The approved slates and fixings shall then be used to roof the approved building/structure. The roof shall be retained as such thereafter.**

Reason: To preserve and enhance the character and appearance of the Listed Building and in accordance with Policy OE7(7) of the Isles of Scilly Local Plan (2015-2030).

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 of the National Planning Policy Framework 2019.
2. **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.
3. **Discharge of Conditions:** In accordance with the Town and Country Planning (fees for Application and Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 a fee is payable to discharge any condition(s) on this planning permission. Currently, for a householder application, the fee is £34 but any fee increase would need to be applied should the national fees increase). The fee is payable for each individual request to discharge condition(s).
4. **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.
5. **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
6. **Fire Safety:** Access and Facilities for the Fire Service as detailed in B5 ADB Volume 1 will be required. For dwellings access for a pumping appliance should be provided to within 45m of all points inside the dwelling. It is important to remember that failure to do so may prevent the applicant from obtaining a completion certificate under the Building Regulations but more importantly, the lives of the occupiers will be put at risk.

Print Name:	Lisa Walton	20 th September 2021
Job Title:	Chief Planning Officer	
Signed:		
	<i>Authorised Officer with Delegated Authority to determine Planning Applications</i>	

