



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

COUNCIL OF THE ISLES OF SCILLY

Town Hall, The Parade, St Mary's TR21 0LW
Telephone: 01720 424455 – Email: planning@scilly.gov.uk

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2010

REFUSAL OF PERMISSION FOR DEVELOPMENT

Application No: P/22/081/HH
Date Application Registered: 5th January 2023
Applicant: Mr Raymond Jackman
Westward Ledge
Church Road
Hugh Town
St Marys
Isles Of Scilly
TR21 0NA
Site address: Westward Ledge Church Road Hugh Town St Marys Isles Of Scilly
Proposal: Introduction of two dormers plus a velux roof light (Re-submission of planning application P/21/054/HH).

In pursuance of their powers under the above act, the Council hereby **REFUSE** the above development for the following reasons:

R1 The proposed alterations to the roof are considered to result in a form of development that adds bulk relative to the shallow pitch roof of the existing property, which is very prominent in the streetscene, in a manner that is not considered to result in high quality sustainable design, as required by the Local Plan. As a result it is considered that the application would not make a positive contribution to local character and distinctiveness and would fail to both preserve or enhance the character or appearance of the conservation area. It would cause 'less than substantial harm' to the significance of the conservation area, as a designated heritage asset that would not be outweighed by any public benefits. The proposal is therefore in conflict with Policies SS2(1)a), LC8(1)a) and Policy OE7(5)a) of the Isles of Scilly Local Plan (2015-2030) and paragraphs 176 and 197(c) of the National Planning Policy Framework (2021).

The Decision relates to the following documents and drawings:

Ref No:	Plan Type:	Date Received:
Plan 1	Location Plan (1:1250)	28/11/2022
Plan 2	Block Plan (1:200)	28/11/2022
Plan 3	Proposed Plans and Elevations	28/11/2022
Plan 4	Existing and Proposed Roof Space Plan	05/01/2023
Plan 5	Existing and Proposed Roof Plan	05/01/2023
Plan 6	First Floor Plan indicating roof space access	05/01/2023
-	Supporting Statement and SWMP	28/11/2022
-	Preliminary Ecological Appraisal and PRA	28/11/2022

The following Policies of the adopted Local Plan (2015-2030) are considered relevant to this decision:

- Policy SS2 Sustainable Quality Design and Place-Making
- Policy LC8 Replacement Dwellings and Residential Extensions, Alterations and Ancillary Accommodation

- Policy OE1 Protecting and enhancing the landscape and seascape
- Policy OE7 Development affecting heritage (5) Conservation Area

Informative

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement: The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner. The reason for refusal has been clearly set out the reason(s) for refusal above.

Signed:



Chief Planning Officer

Duly Authorised Officer of the Council to make and issue Planning Decisions on behalf of the Council of the Isles of Scilly.

DATE OF ISSUE: 06 March 2023

IMPORTANT: PLEASE REFER TO THE NOTES ATTACHED TO THIS DOCUMENT



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

Dear Applicant,

As your application has been refused, this letter is to inform you of the process in which you can appeal against the decision made by the Local Planning Authority.

Appealing Against the Decision

If you are aggrieved by the decision to refuse your application as detailed on your decision notice, you can appeal against this decision to the Secretary of State. All appeal decisions are considered by the Planning Inspectorate – a government department aimed at providing an unbiased judgement on a planning application. From the date of the refused decision notice attached you must lodge an appeal within the following time periods:

- Householder Application - 12 weeks
- Planning Application – 6 months
- Listed Building Consent – 6 months
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Lawful Development Certificate – None (unless for LBC – 6 months)
- Other Types - 6 months

Note that these periods can change so you should check with the Planning Inspectorate for the most up to date list. You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

You find more information on appeal types including how to submit an appeal to the Planning Inspectorate by visiting <https://www.gov.uk/topic/planning-development/planning-permission-appeals> or you can obtain hard copy appeal forms by calling 0303 444 5000. Current appeal handling times can be found at: [Appeals: How long they take page](#).

Purchase Notices

Planning control is intended to regulate the development of land in the public interest. For this reason, planning decisions may conflict with the private interests of land owners. There is no entitlement to compensation for adverse planning decisions (except in limited circumstances). This is because owners usually have some continuing benefit from current uses. However, occasionally there may be no reasonably beneficial use for the land. In order to remedy this situation; an owner has the right, in certain circumstances, to serve a "purchase notice" requiring a local authority to purchase their interest in the land. Purchase notices will be considered by the Planning Inspectorate, although you are advised to contact the Planning Department if you wish to consider this option.

Listed Buildings

Please note that any unauthorised works to a listed building are considered to be a criminal offence. If you need further clarification of what type of works may require consent, please contact the department.

Re-submissions for Planning Permission

Under planning regulations, you are allowed to re-submit your application after a refusal without a fee, provided certain criteria are met. The re-submission must be within 12 months of the date of the original decision, the proposal must be on the same site and be similar to the previous application. Similarly, the application must be made by the same applicant. If you consider resubmitting your application, contact the Planning Department so we can explain where your application can be improved to be in accordance with local planning policy. In order for the Council reach a different decision, however you will need to address all of the previous reasons for refusal.

Should you require any further advice regarding any part of your application, please contact the Planning Department and we will be happy to help you.