



## Appeal Decisions

Site visit made on 24 July 2025

**by S Edwards BA MATCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 October 2025.

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### **Appeal A Ref: APP/Z0835/W/25/3364460**

#### **Treskey, Track leading to Newman Point, The Garrison, St. Mary's, Isles of Scilly TR21 0LS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Ms. Cynthia Rickman against the decision of The Isles of Scilly Council.
  - The application Ref is P/24/084/HH.
  - The development proposed is described as 'creation of new window to match design / configuration of existing elevation'.
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### **Appeal B Ref: APP/Z0835/Y/25/3364459**

#### **Treskey, Track leading to Newman Point, The Garrison, St. Mary's, Isles of Scilly TR21 0LS**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
  - The appeal is made by Ms. Cynthia Rickman against the decision of The Isles of Scilly Council.
  - The application Ref is P/24/085/LBC.
  - The works proposed are described as 'creation of new window to match design / configuration of existing elevation'.
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## **Decisions**

1. Appeal A is dismissed.
2. Appeal B is dismissed.

## **Preliminary Matters**

3. The proposed development and works affect a listed building located in a conservation area. As required by the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of a conservation area.
4. For the purposes of the Act, a listed building includes any structure sited within its curtilage, which has existed since before 1<sup>st</sup> July 1948, irrespective of whether or not it has been explicitly identified in the list description.
5. Both appeals relate to the same site and raise similar issues, and I shall therefore consider them in a single document, in the interests of brevity.

## Main Issue

6. The main issue is whether the proposed development and works would preserve a Grade II\* listed building, Newman House, and any features of special architectural or historic interest that it possesses.

## Reasons

7. Newman House was historically built as a large military store house in the early part of the eighteenth century. A number of workshops and other buildings were subsequently added during the nineteenth and twentieth centuries which, together with Newman House, are arranged around a central courtyard. As a largely complete example of its type, part of an important fortification and one of the most architecturally elaborate buildings on the Isles of Scilly, this is a building which holds significant architectural and historical interest.
8. Although the appellant's submissions indicate that Treskey was constructed in the mid-20<sup>th</sup> century, this is not supported by detailed information. Having regard to the presented evidence and my own observations, I find it more likely that the central element is noticeably older, possibly dating from the nineteenth century due to its construction, and that it may have been built as a store, due to its close proximity to and relationship with Newman House. Consequently, I consider that as a matter of fact and degree, the appeal building has to be treated as a curtilage listed building under Section 1(5) (b) of the Act, and its preservation therefore carries the same considerable importance and weight as the principal listed building.
9. The appeal property is characterised by its symmetrical façade framed by granite quoins. Although it has been subject to a number of subsequent alterations and additions either side, the building is clearly of architectural and historic interest, which is primarily derived from its construction, materials and fenestration. Furthermore, the arrangement of the principal listed building and subsequent additions such as the appeal building, around the central courtyard, contributes to the special interest of Newman House and the ability to appreciate its past function.
10. The proposed development and works would enable the creation of an additional painted, timber window serving the property's living room and seek to replicate the design and size of the existing fenestration, in the form of an 8/8-pane vertical sliding sash with an arched head. The appeal scheme would result in the loss of historic fabric which, although relatively modest, would be detrimental to the special interest of the listed building. It would also harmfully alter the proportions of solid wall to window, to the detriment of the character of the host building, which adds to my concerns regarding the proposal. Moreover, the proposed window would be double-glazed and would therefore inevitably appear distinct from the existing single glazed fenestration, notably due to the double reflection associated with the use of two parallel panes. I note that the Duchy of Cornwall and Historic England did not raise an objection to the appeal scheme but this does not alter my view regarding the impact of the proposal.
11. The appeal scheme would cause less than substantial harm to the special interest of the listed building. The less than substantial harm would be of a modest scale but, nevertheless, still attracts considerable importance and weight against the proposal. In such circumstances, paragraph 215 of the National Planning Policy Framework (the Framework) requires the harm to be identified against the public benefits of the proposal. The proposal would increase natural light within the living

area at first floor level and could thus reduce the reliance on artificial lighting, but this would solely benefit the occupiers of the appeal property, and therefore remain of a private nature.

12. It is also advanced that the proposal would help lowering the energy costs, improve the thermal comfort of the property and its overall sustainability. In the absence of further evidence to the contrary, it is my view that any benefits in this respect would remain very limited. Overall, there are no presented public benefits which would outweigh the harm identified.
13. Given the above, the appeal scheme would fail to preserve the special architectural and historic interest of the listed building, and would not, therefore, meet the requirements of Sections 16(2) and 66(1) of the Act. The proposal would also conflict with Policy OE7 of the Isles of Scilly Local Plan 2015-2030 (adopted 2021) and paragraphs 212-215 of the Framework. These notably seek to ensure that proposals affecting listed buildings protect the significance of the affected assets and their setting, including impacts on the character, architectural merit or historic interest of the building. It also requires materials, layout, architectural features, scale and design to respond to and not to detract from the listed building.

### **Other Matters**

14. The appeal site lies within the Isles of Scilly Conservation Area (CA), which covers the whole of the archipelago. The CA owes much of its significance to its rich collection of historic buildings which reveals how the settlements on the islands have developed over the centuries. Furthermore, the military heritage exemplified by The Garrison acts as an important reminder of the key strategic role which the Isles of Scilly have long occupied, due to their position near the entrance to the English Channel. The proposed development and works affect an existing building, which would not compromise the significance of the CA as a whole, and I am therefore satisfied that its character and appearance would subsequently be preserved.
15. No concerns have been raised by the Council regarding the impact of the appeal scheme on the Isles of Scilly National Landscape (NL). As the appeal site forms part of a group of buildings and the proposal relates to minor alterations, I have no reason to come to a different view. I therefore find that the proposal would leave the natural beauty of the Isles of Scilly NL unharmed.

### **Conclusion**

16. For the reasons given above, and having regard to all other matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

*S Edwards*

INSPECTOR