

Council of the Isles of Scilly Delegated Planning Report Full & LBC Application

Application Number: P/25/058/FUL & P/25/059/LBC

UPRN: 000192001073

Received on: 26 June 2025

Valid on: 10 July 2025

Application Expiry date: 4 September 2025

Site notice posted: 10 July 2025

Site notice expiry: 31 July 2025

Applicant: Mr & Mrs Kevin & Catherine Newman

Site Address: 10 Higher Strand
Hugh Town
St Mary's
Isles Of Scilly
TR21 0PT

Proposal: Removal of entire wet laid scantle slate roof and replacement with dry laid natural Spanish slate, minor works to the roof of the adjoining property (9 Higher Strand), and the like-for-like removal and replacement of the Glass Reinforced Polymer (GRP) flat roof on the rear garage (Listed Building).

Application Type: Planning Permission & Listed Building Consent

Recommendation: PERMITTED / GRANTED

Summary Conditions

1. Standard time limit (P/25/058/FUL & P/25/059/LBC)
2. Adherence to plans (P/25/058/FUL & P/25/059/LBC)
3. Natural slates and non-corrosive fittings (P/25/058/FUL & P/25/059/LBC)
4. Materials as set out in the application (P/25/058/FUL & P/25/059/LBC)
5. Hours of Operation for Construction Works (P/25/058/FUL)

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 D Marcus | Date: 18/07/2025

Site Description and Proposed Development

10 Higher Strand is a Grade II listed end of terrace dwelling located at the eastern end of Hugh Town on the island of St Mary's. To the property's north is Town Beach and St Mary's Harbour and to the south is Back Lane. To the west of 10 Higher Strand is 1-9 Higher Strand and collectively (1-10) the terrace was listed in February 1975 and forms Historic England List Entry [1291818](#):

GV II. Terrace of 10 cottages. Early/mid C19. Coursed granite rubble; gabled slate roof, slurried except to No 1; granite ridge and end stacks. Double-depth plan. Two storeys. Symmetrical 3-window range to Nos 1 and 2, 5, 6 and 7, all with central entrances; 2-window range to No 3 and 1-window range to No 4, each with left-hand entry; Nos 8-10, which are taller and later, share a 3-window first-floor range. All have granite lintels over C20 doors and late C19/C20 horned 2/2-pane sashes, except late C19 four-panelled door with glazed top light to No 3, mid C19 four-panelled door to No 6. Interiors not inspected but noted as having moulded joists.



The proposal is to remove the existing, non-original, wet laid scantle slate roof and replace it with a dry laid natural Spanish slate. The replacement tiles will be 400mm by 200mm and dry nail fixed with non-corrosive fixings. A mortar upstand is proposed between the neighbouring roof slopes of 9 and 10 Higher Strand, with an invisible bonding gutter installed beneath the slates of the abutting roof. The Heritage Impact Assessment states the replacement is required because of the condition of the wet-laid scantle slate and its “failure in large areas”.



Front and rear elevation of property from Higher Strand (left) and Back Lane (right).

The like-for-like removal and replacement of the Glass Reinforced Polymer (GRP) flat roof on the garage located at the rear of the property is also included in the application.

Certificate: B – 9 Higher Strand were informed of the application due to the potential need for minor works to the neighbour’s slate roof.

Consultations and Publicity

The application had a site notice on display for 21 days (10/07/2025-31/07/2025) and appeared on the weekly list on 14th July 2025. Due to the nature of the proposal no external consultations are required.

Representations from Residents:

- [0] letters of objection have been received
- [0] letters of support have been received
- [0] letters of representation have been received.

Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast
- Grade II Listed Building
- Nearby Grade II Listed Buildings: 1-10 Higher Strand & St Mary's Methodist Church

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?	N/A
Is the parking and turning provision on site acceptable?	N/A
Would the proposal generally appear to be secondary or subservient to the main building?	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?	Y
Within an Archaeological Constraint Area	N

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 a) Will this be acceptable b) 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	N
Is a condition required to provide biodiversity enhancement measures	N

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	Y
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 a any site specific sustainable design measures	N
Is a condition required to secure a Sustainable Design Measures	N

Policy Analysis | Terrace Roof of 10 Higher Strand

The key Isles of Scilly Local Plan (2015-2030) policies for this application are Policy SS1 (Principles of Sustainable Development), Policy SS2 (Sustainable Quality Design & Place-Making) and Policy OE7 (Development affecting Heritage). These policies support sensitive alterations to heritage assets that preserve or enhance their character and, where appropriate, encourage the use of traditional materials and detailing.

Policy OE7 of the Isles of Scilly Local Plan (2015-2030) goes on to require that any harm to the significance of a heritage asset must be justified, and that proposals causing harm will be weighed against the substantial public, not private, benefits of the proposal. Part 6 of the policy states that any development affecting listed buildings, including alterations, will be supported where it protects the significance of the heritage asset and its setting.

Further to these local policies, paragraphs 212 to 214 of the National Planning Policy Framework (2024) sets out that great weight should be given to the conservation of heritage assets, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The provided Heritage Impact Assessment (HIA) addresses these issues and sets out that “the slates are not in good condition and deteriorating” and that a number of them have lifted thereby exposing the rafters to water ingress. It goes on to note that there are cracks in the junctions between the slates and the flanking chimneys. These statements are backed up by picture seven of the HIA, included below, which visually demonstrates the state of the roof. The justification for the proposal is clear and convincing.



As the work is evidently necessary, we will now turn to the degree of harm that will be caused. It is considered that the subtle and sensitive change, primarily visual, from wet laid slates to dry laid slates with mortar upstand will result in 'less than substantial harm' to the property, the terrace and the wider character of the conservation area. This minor level of harm is weighed against the clear public benefit of restoring a failing roof on a listed building and, by extension, ensuring the long-term future of a designated heritage asset within the conservation area.

The proposal to remove the wet laid scantle slate roof and replace it with dry laid natural Spanish slate is judged to accord with Policies SS1, SS2 and OE7 of Isles of Scilly Local Plan (2015-2030). To ensure this accordance with the Local Plan, a condition is suggested stating that the roof shall be covered with natural slates only using non-corrosion fixings.

Glass Reinforced Polymer (GRP) Flat Roof

The like-for-like removal and replacement of the Glass Reinforced Polymer (GRP) flat roof on the garage located at the rear of the property has been judged against Policy LC8(1) of the Isles of Scilly Local Plan (2015-2030), which requires residential alterations not to impact upon the amenity of neighbouring properties. By virtue of being a like-for-like replacement, the alteration is not judged to impact the amenity of neighbouring properties and is considered to accord with Policy LC8 of the Isles of Scilly Local Plan (2015-2030).

Site Waste Management Plan

Policy OE5(2) of the Isles of Scilly Local Plan (2015-2030) requires all proposals to submit a Site Waste Management Plan (SWMP) in support of a planning application. A basic, but acceptable, SWMP has been provided by the agent and with this in place the proposal is considered to accord with Policy OE5 of the Isles of Scilly Local Plan (2015-2030).

Protected Species

Policy SS3(4) of the Isles of Scilly Local Plan (2015-2030) requires that proposals to re-roof a building should not result in harm to any protected species. In advance of the application being submitted to the Local Planning Authority, two Bat Presence/Absence Surveys (PAS) were carried out by James Falconbridge of IoS Ecology. Neither survey identified any bats emerging from the property and the report provided concluded that a European Protected Species Mitigation Licence (EPSML) is not required. The Precautionary Method of Works Statement, outlined in Appendix 1 of the PAS, should be given to the appointed contractor in advance of any works taking place. The proposal is considered to accord with Policy SS3 of the Isles of Scilly Local Plan (2015-2030).

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. 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 Visitor Economy and Tourism Developments	

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. In discharging their functions, must have “due regard” to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

Recommended Conditions for P/25/058/FUL:

- 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, Drawing Number: TQRQM24348154623453, Dated: 09th July 2025**
 - **Plan 2 Block Plan, Drawing Number: TQRQM25017155117840, Dated: 09th July 2025**
 - **Plan 3 Proposed Elevations & Plans, Drawing Number: TS-PT-1a, Dated: November 2024**
 - **Plan 4 Planning & Listed Building Statement, Ref:17906, Dated: 11th December 2024**
 - **Plan 5 Heritage Impact Assessment, Dated: November 2024**
 - **Plan 6 Additional Information (Proposed Works & Site Waste Management Plan), Ref: 17906 - 10 The Strand, IoS - P/25/058/FUL & P/25/059/LBC, Dated: 09th July 2025**
 - **Plan 7 Bat Survey, Ref:24-9-5, Dated: 22nd June 2025**

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 OE7 of the Isles of Scilly Local Plan (2015-2030).

- C3 The terrace roof shall be covered with natural slates only, as identified in the submitted documents listed in Condition C2 above using non-corrosion fixings. The roof shall be retained as approved thereafter.**

Reason: In the interests of the special architectural character of the Listed Building and to preserve the character and appearance of the Conservation Area. In accordance with policies OE7 of the Isles of Scilly Local Plan 2015-2030.

- C4 The materials used shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.**

Reason: To safeguard the appearance of the listed building and the character of the conservation area.

- C5 No construction plant and/or machinery shall be operated on the premises, as part of the implementation of this permission, before 0800 hours on Mondays through to Saturdays nor after 1800 hours. There shall be no works involving construction plant and/or machinery on a Sunday or Public or Bank Holiday.**

Reason: In the interests of protecting the residential amenities of the islands.

Recommended Conditions for P/25/059/LBC:

- 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- C2 The development hereby permitted shall be carried out in accordance with the approved details only including:**
- **Plan 1 Location Plan, Drawing Number: TQRQM24348154623453, Dated: 09th July 2025**
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- C4 The materials used shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.**

Reason: To safeguard the appearance of the listed building and the character of the conservation area.

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 creative way, in accordance with paragraph 39 of the National Planning Policy Framework 2024.
2. **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. **COMMENCEMENT NOTICE:** Under Section 93G of the Town and Country Planning Act 1990 (as amended), this decision notice informs you that a 'commencement notice' must be served on the Local Planning Authority - subsections (2) and (3) are set out below:
(2) Before the development is begun, the person proposing to carry it out must give a notice (a "commencement notice") to the local planning authority specifying the date on which the person expects the development to be begun.
(3) Once a person has given a commencement notice, the person:
o may give a further commencement notice substituting a new date for the date previously given, and
o must do so if the development is not commenced on the date previously given
The notice should be provided to the Local Planning Authority a minimum of seven (7) days before the development commences.
Failure to provide the commencement notice could lead to the Local Planning Authority serving notice on them to require information to be provided, and if that is not provided within 21 days, they will be guilty of an offence, as below:
(5) Where it appears to the local planning authority that a person has failed to comply with the requirements of subsection (2) or (3)(b), they may serve a notice on any relevant person requiring the relevant person to give the authority such of the information prescribed under subsection (4)(a) as the notice may specify.
(7) A person on whom a notice under subsection (5) is served is guilty of an offence if they fail to give the information required by the notice within the period of 21 days beginning with the day on which it was served.
(9) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
PLEASE NOTE: The requirement under Section 93G of the Town and Country Planning Act 1990 (as amended) is separate from any requirements under the Community Infrastructure Levy Regulations 2010 (as amended) or any requirements for serving notices secured through the signed Section 106 Legal Agreement.
4. **BUILDING CONTROL:** This decision is not a determination under the Building Regulations. 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. You can contact Building Control for further advice or to make a building control application: buildingcontrol@cornwall.gov.uk.

Print Name: Lisa Walton

03/09/2025

Job Title: Chief Planning Officer

Signed:



Authorised Officer with Delegated Authority to determine Planning Applications
