

# Council of the Isles of Scilly

## Delegated Planning Report

### Householder application

**Application Number:** P/25/070/HH

**UPRN:** 000192002753

**Received on:** 5 August 2025

**Valid on:** 1 September 2025

**Application Expiry date:** 27 October 2025

**Site notice posted:** 2 September 2025

**Site notice expiry:** 23 September 2025

**Applicant:** Mr Edward Turtle  
**Site Address:** Porthmellon Hall (Dwelling)  
Moorwell Lane  
Hugh Town  
St Mary's  
Isles Of Scilly  
TR21 0JY

**Proposal:** To replace the existing first floor UPVC windows and door with a BiFold aluminium sliding door and to replace the existing timber balustrade with 1.5m high frameless glass panels (Amended Plans)

**Application Type:** Planning Permission

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**Recommendation:** PER

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#### Summary Conditions

1. Standard time limit (3 years)
  2. In accordance with the approved plans
  3. Hours of Construction
  4. No external illumination
  5. SWMP
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## 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: 18/10/2025

## Site Description and Proposed Development

Porthmellon Hall is a large detached two storey house, located at the start of Moorwell Lane before Jacksons Hill and to the south east of three properties, Teekie, Porthmellon Cottage and Turnstones. It has a generous front garden with a large garage and a very large private rear garden running up to the boundary with the former Carn Thomas Secondary school site. To the south east are properties of Jacksons Hill.

The property is situated on the north-east facing slope of the carn of Carn Thomas and it is visible from coastal views along Porthmellon Beach and beyond to the north east. It is noted that views of the lower storey are partially obscured by the property Teekie and industrial estate buildings on the north east side of Moorwell Lane.

Moorwell Lane is a narrow single carriageway road that provides access to the Council's waste site, to Jacksons Hill and to the footpath/cycleway that leads to Five Islands School and Old Town to the east.

Although it's not entirely clear from the property history. An application made in 1948 was approved for a dwelling (P087) although subsequent applications at this site (P1370 in 1974) reference a dwelling to the front garden and (P2295 in 1984) for the demolition of 4 bedroom extension and provision of garage and kitchen extension. What is clear is that this is not a historic building but a dwelling that dates from some time in the 1950s with subsequent alterations and extensions throughout the latter half of the 20th century.

Certificate: A

Other Land Owners: None

### Consultations and Publicity

The application has had a site notice on display for 21 days (02/09/2025 – 23/09/2025). The application appeared on the weekly list on [08/09/2025](#). Due to the nature of the proposal no external consultations are required.

### Representations from Residents:

[0] letters of representation have been received.

### Relevant Planning History:

Referenced above, but nothing relevant under current local plan.

### Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast

### 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
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	y

overbearing impact?	
Is the proposal acceptable with regard to any significant change or intensification of use?	y

<b>Heritage</b>	<b>YES OR NO</b>
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?	n/a
Within an Archaeological Constraint Area	n/a
<b>Other Impacts</b> Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	n/a
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

<b>Protected Species</b>	<b>YES OR NO</b>
Does the proposal include any re-roofing works or other alteration to the roof	n
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	n
Are biodiversity enhancement measures required	n

Is a condition required to provide biodiversity enhancement measures	n
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Waste Management	YES OR NO
Does the proposal generate construction waste	n
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	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 any site specific sustainable design measures	n
Is a condition required to secure a Sustainable Design Measures	n

The proposal will see modifications to the front primary elevation on what is already a large two-storey dwelling with rooms in the roof space. The property, although located behind lower frontage property, is a very prominent and visible dwelling. It is a relatively traditional form that has had extension over the years and includes a lower ground floor and first floor balcony with views over Porth Mellon beach.



The applicant has amended these plans, from the almost full width design and the bi-fold doors now also feature in-built black out blinds.

Under Policy LC8, the principal of alterations to an existing dwelling are acceptable subject to full consideration of design and character, the wider historic environment (conservation area), residential amenity, landscape character (AONB) as well as energy efficiency and sustainability. These are considered below.

### **Amenity (SS2 (1b))**

The property has three existing windows at the first floor level, with an existing timber balustrade. The proposal will see the three windows replaced with a single centrally positioned bi-fold door with in-built black-out blinds. The proposal will not see any increase in overlooking towards neighbouring properties. Although the balcony will now comprise a glazed finish, which allows for greater visibility, it will not be any larger overall or result in particular or significant increases in views over surrounding neighbouring properties. I consider the proposal accords with the requirements of Policy SS2 (1) b).

### **Sustainability (SS2 (1k))**

Any proposal which sees windows changes is likely to result in improved thermal efficiency and draughtproofing. The windows will be aluminium which are recyclable and achieve a slimmer profile even with double glazing. I note that the proposed bi-fold door system offers significant thermal performance improvements compared to the existing single-glazed windows. The product achieves improved thermal efficiency through with triple glazing, which is well above typical Building Regulations standards and will reduce heat loss, supporting energy efficiency objectives. The system is tested to high air, water, and wind resistance classes, ensuring durability and weatherproofing in a coastal environment. While no explicit claims are made regarding recycled content, the enhanced thermal insulation and robust design contribute to sustainable development principles under Policy LC8 and SS2(1) K) and the Local Plan's climate adaptation aims.

### **Landscape Character and impacts upon the character of the Conservation Area (OE2 and OE7)**

As Porthmellon does not include a high number of listed buildings and includes many modern buildings, I do not consider it can be classed as being at the heart of the Conservation Area. Given the prominence of the building, however, on the approach into Hugh Town, it is important that development ensures a preservation or enhance of the wider area.

This part of St Mary's is referenced in the Hugh Town Historic Urban Survey from 2003 (Kirkham, G) which describes this area under the section on the 20<sup>th</sup> Century:

*"There was also a boom in private housing development, fueled by rising demand for holiday and retirement homes. 'Apart from the flower and tourist industries',*

*noted Jellicoe in 1965, the wealth that is generated privately in the islands comes from land speculation in Hugh Town, a source that may soon run dry.' This period saw large-scale building, predominantly bungalows, on greenfield sites in Rams Valley, along the road to Old Town and on Jackson's Hill overlooking Porthmellon.*

*These later 20th century developments paralleled the huge growth in housing which took place throughout Britain at this period. As elsewhere, the designs, materials and siting of the new structures rarely made connection with historic character. Recent houses and flats on Scilly 'might be anywhere', commented the authors of a collection of historic photographs in 1972, and a local journalist observed that from its 'former compactness' Hugh Town had taken on a 'sprawling character'."*

It is within this context that the application site is situated. As a holiday let home that appears to have been split into 2 flats at some point, the property is maintained and the works proposed appear to be part of modernization works for the applicant.

The works will have a noticeable change in appearance, and shifting from a traditional three-bay window appearance to a single opening will give the building a more modern appearance, but I do not consider this will result in visual harm. The finish of the frames is indicated to be a paler colour such as cream, so as to reduce the contrast and the use of aluminium will ensure the finished appearance won't stand out, as can be the case with chunky upvc frames.

The use of blackout blind will ensure night time light spill from windows doesn't harm night time tranquility which is an important aspect of the AONB designation. On balance, which the changes are not traditional, the existing dwelling is a mid-late twentieth century modern design and the proposal will have a relatively neutral to positive impact overall.

**Conclusion:** Overall the proposal is considered to preserve the wider character of the conservation area, there are no identified impacts upon existing neighbouring amenity. The proposed changes are likely to have a positive impact on the overall sustainability of the dwelling. Subject to conditions to build in accordance with the approved plans the application is recommended for approval.

**EIA:** Given the scale, nature, and location of the development, it is not considered EIA development as it would not have significant effects on the environment.

**Proactive working:** In accordance with the National Planning Policy Framework, the Council has worked positively and proactively with the applicant to resolve

planning issues and enable permission to be granted. This application has been considered in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Planning Policy:** Under Section 70 of the Town and Country Planning Act 1990, regard must be had to the development plan, any local finance considerations, and other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. For decision-making purposes, the development plan for the Isles of Scilly comprises the Isles of Scilly Local Plan 2015–2030 (adopted March 2021).

The relevant development plan policies that have been taken into consideration are set out below:

**Isles of Scilly Local Plan, 2015-2030**

<b>Policy</b>	<b>Tick if Used ✓</b>
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:** In reaching this recommendation, the provisions of the Human Rights Act 1998 and the Equality Act 2010 have been considered. Under section 149 of the Equality Act, the authority must have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and other prohibited conduct;
- b) Advance equality of opportunity between persons who share a protected characteristic and those who do not; and
- c) Foster good relations between persons who share a protected characteristic and those who do not.

Advancing equality of opportunity includes:

- Removing or minimising disadvantages linked to protected characteristics;
- Meeting different needs of persons with protected characteristics; and
- Encouraging participation in public life where it is disproportionately low.

There is no absolute duty to remove disadvantage, but the authority must have regard to these matters when considering the merits of the application. This report confirms that such regard has been given.

#### **Recommended Conditions:**

**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**
- **Plan 2 Block Plan**
- **Plan 3 Proposed South Elevation and Floor Plans (AMENDED)**
- **Plan 4 AMENDED Proposed East and North Elevations**
- **Plan 5 External Opening Reveal**
- **Plan 6 Proposed Specification of Bi-fold Doors (including black-out blinds)**

**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 No permanent external lighting shall be installed on the exterior of the building hereby approved unless:**
- a) It complies with the following parameters:**
- Fully shielded luminaires with zero upward light output (ULR = 0%).
  - Warm white light with a correlated colour temperature (CCT) not exceeding 3000K.
  - Lumen output per fitting not exceeding 1000 lumens.
  - No lighting directed beyond the site boundary.

**OR**

**b) A Lighting Scheme has first been submitted to and approved in writing by the Local Planning Authority.**

**Any lighting installed shall thereafter be retained and operated in accordance with the approved details or the above parameters.**

Reason: To preserve the scenic beauty of the Isles of Scilly as a designated Area of Outstanding Natural Beauty which includes its Dark Night Skies, including the Garrison Dark Sky Discovery Site, in accordance Policy OE4 of the Isles of Scilly Local Plan (2015- 2030).

#### **PRE-COMMENCEMENT CONDITION: Site Waste Management Plan**

- 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, including excess material from excavations, 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, to be submitted and agreed by the Local Planning Authority. This is to ensure those characteristics which contribute to the status of the Isles of Scilly as a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast are not eroded by uncontrolled mineral extraction or the tipping of waste. In accordance with the requirements of Policies SS2(2) and OE5 of the Isles of Scilly Local Plan (2015 - 2030).

- 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.

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**Print Name:** Lisa Walton

12/01/2026

**Job Title:** Chief Planning Officer

**Signed:**

A handwritten signature in black ink, appearing to read 'Lisa Walton', written over a light grey horizontal line.

Authorised Officer with Delegated Authority to determine Planning Applications

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