



# Draft Local Plan Summary Document

Including Minerals and Waste

PUBLIC CONSULTATION DRAFT (REGULATION 18)  
16TH MARCH—11TH MAY 2018



Council of the  
ISLES OF SCILLY



### *Publication Details*

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## We are in the Local Plan Review Process

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A Local Plan is a legal requirement of local government and is used to determine decisions on planning applications and provide an indication of what type and where new development will be permitted. There is now a requirement to review the Local Plan within 5 years following adoption.

The current Local Plan was adopted in 2005 and in recent years progress towards the preparation of a new Local Plan has been made, based on new national policy and guidance, new evidence and engagement with the public including 2015 Local Plan Review – Scoping events.

We wrote to all residents about the public consultation and published the 'Local Plan Review: Scoping Report' in June 2015 setting out our intention to progress a new Local Plan and undertake public consultation. This consultation took place from the 8th June to the 24th July 2015. We had an excellent response to the consultation. Around 117 people turned out to speak to us at our drop-in sessions and we received 80 written responses. A summary of the consultation and what you told us can be found on our website in the Summary of Responses. This summary also includes the Officer responses to these comments.

We are currently consulting on the Consultation Draft version of the Local Plan. If you want to read the plan in full then please go to one of the locations listed in the Statement of Community Involvement, where you can read a public copy of the full Draft Local Plan. Alternatively, you can go online here [scilly.gov.uk/local-plan-consultation-2018](http://scilly.gov.uk/local-plan-consultation-2018) and read the document.

During this consultation we are asking organisations and the community for their views on the content of the Local Plan and on various alternative options. Any comments received will be reviewed and help shape the final version of the Local Plan.

Once the Council has considered all responses it will produce and publish the Pre-Submission Draft of the Local Plan, and invite further comments. Any comments received at that stage will be submitted with the Plan to the Secretary of State for examination. The examination of the Local Plan will be held by an independent inspector to make sure the Plan is soundly prepared and legally compliant. The final stage of preparation is the adoption of the Local Plan where it provides the development plan for the Isles of Scilly.



Stage		Progress/Schedule
2015	Local Plan Review – 2015 – 2030 Scoping Report, Public Consultation (Regulation 18)	8 <sup>th</sup> June 2015 – 17 <sup>th</sup> July 2015
	Consult on sustainability appraisal scoping report	19 <sup>th</sup> Oct 2015 – 30 <sup>th</sup> Nov 2015
Now	Draft Local Plan Publication (Regulation 18) and Sustainability Appraisal of the draft plan.	Mar 2018
	Public Consultation	Mar-May 2018
2018	Publication of Pre-Submission Draft Local Plan (Regulation 19) and Consultation Statement	May-2018
	Submission (Regulation 22)	Jul-Aug 2018 <sup>1</sup>
	Examination in Public	Sep-18 <sup>2</sup>
	Receipt of Inspector's Report	Dec-18 <sup>3</sup>
2019	Adoption	Jan-19 <sup>4</sup>

## Introduction

Whilst the Council would like to engage the community as fully as possible we do understand that for many people the Local Plan is a technical document that is not particularly accessible or easy to understand.

This summary document presents an overview of the policies in the Consultation Draft version of the Isles of Scilly Local Plan. It attempts to help everyone better understand the scope, purpose and process of the Local Plan. Basically, the Local Plan is a legally required document that provides policies for development and uses of land. It indicates what kind of development will be permitted in planning applications on the Isles of Scilly.

**The information in this document is a summary version of the draft Local Plan which can be viewed in full here: [www.scilly.gov.uk/local-plan-consultation-2018](http://www.scilly.gov.uk/local-plan-consultation-2018)**

Although some policies remain much the same as those in the Local Plan: 20:20 vision, as adopted in 2005, consultation and evidence have given rise to some new policies. Other policies have been reviewed and changed where considered appropriate. Compared with the adopted Local Plan, the new draft Local Plan, for example, widens the options to enable the delivery of affordable homes for local people. It also provides more opportunities and

<sup>1</sup> Indicative dates – the timing is dependent on the number and significance of consultation comments and whether further amendments and consultations are required.

<sup>2</sup> Indicative dates – the timing is dependent on the Planning Inspectorates availability

<sup>3</sup> Indicative dates – timing dependent on the above dates.

<sup>4</sup> Indicative dates – dependent on the above



flexibility for businesses. Although the draft Local Plan does promote sustainable development and growth it also recognises the requirement to protect the outstanding environment for the islands.

In accordance with the appropriate regulations the Local Plan has taken account of national planning policies but have been shaped to address the particular circumstances and issues of the Isles of Scilly. This document summarises the contents and policies of the draft Local Plan, which is a much more detailed document.



## Vision, Aims and Strategy Summary (pages 21-31 in the Full Version)

By 2030													
Vision	The Isles of Scilly has a strong, competitive and diverse economy		The Isles of Scilly is a highly desirable place where people are able to live well, work productively, and benefit from excellent transport, education, leisure, health and social care facilities.		Innovative systems and technologies have taken advantage of the islands location and environment achieving exemplar and sustainable development.		Residents, businesses and visitors enjoy more affordable, resilient and reliable transport links.		The islands communities have access to a range of homes that are more affordable, adaptable and accessible.		The islands infrastructure is a beacon of sustainability		
Aims	Creating a more competitive, diverse and resilient economy		Lower greenhouse gas emissions			Ensure the provision of infrastructure and utilities			Balanced local housing market prosperity.				
	Maintaining an outstanding and world class environment			Engendering and supporting a strong, vibrant and healthy island community			Adapting to the effects of climate change						
Strategy	Support new sustainable and viable development.		Protect the integrity of the distinctive and exceptional environment.		Support new tourist accommodation and facilities.		Support sustainable travel options.		Support development that secures improvements to infrastructure and utilities		Build at 105 affordable homes		
									Support new development to enable the implementation of Smart Island principles		Support new development that creates a more competitive, diverse and resilient economy		
												Concentrate new homes in the settlements of Hugh Town and Old Town	





## Summary of Local Plan Policies

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The Local Plan contains policies on a wide range of issues including a stronger focus on building affordable homes, promoting businesses and the community, responding to the challenges of climate change as well as protecting exceptional quality of the islands environment.

### Chapter 1: Promoting a Sustainable Scilly (Pages 31-54)

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The Local Plan contains 10 policies in this chapter that seek to promote a Sustainable Scilly. These policies will be applicable for much of the development on the islands and should therefore be read in conjunctions with all other policies in the Local Plan.

**Principles of Sustainable Development (Page 32)** The Council has a duty to foster the social and economic well-being of its community. Policy SS1 provides criteria to ensure that all new development is consistent with protecting and enhancing the overall environment of the islands whilst being sustainable. In line with national guidance the policy defines sustainable developments as meeting the economic and social needs of the Isles of Scilly in a manner that does not compromise the ability of future generations to meet their own needs and to enjoy islands outstanding environment.

**Sustainable Quality Design and Place-Making (Page 35)** The design of new development will be required to contribute to the creation of high quality, distinctive, functional and sustainable places. Specifically the aim of this Policy SS2 is to ensure that new development achieves high quality sustainable design that reflects and complements the islands' landscapes, seascapes and settlement characters. This policy also requires new development to incorporate sustainable design measures.

**Re-use of Buildings (Page 38)** Existing buildings that are no longer required for their original or existing use, provide an important resource for the islands. These buildings can include greenhouses, packing sheds and general agricultural buildings. Policy SS3 provides the principles for the conversion of both traditional and non-traditional buildings, where they are structurally sound and most importantly worthy of retention and re-use.

### CONSULTATION OPTION 1 Define a Town Centre (Page 39)

**Protection of retailing and community facilities (Page 41)** Fundamental to maintaining a sustainable island community is the protection against the unnecessary loss of its current retail and community services and facilities.



Policy SS3 aims to retain existing local services and facilities by restricting proposals involving the change of use of commercial services, unless it is clearly evidenced to show that they cannot be continued and made viable over the longer term. The policy also proposes to resist the loss of ground floor retail including ancillary retailing without appropriate marketing and viability to demonstrate that it is no longer required or financially viable.

**Physical Infrastructure (Page 43)** This policy seeks to ensure that new development is supported by the necessary improvements to infrastructure.

**Water and Waste Water Management (Page 46)** Policy SS6 aims to conserve the water resources of the Isles of Scilly through the incorporation of water conservation measures, including opportunities for water storage in addition this policy ensures that new development does not result in the deterioration of but, where possible, assists in improving the islands' water quality.

**Flood Avoidance (Page 49)** Policy SS7 sets out the approach to managing flood risk and applies a sequential approach to the location of development to avoid and, where possible, reduce such risks over the lifetime of the development.

**Renewable Energy Development (Page 51)** Small scale renewable energy technologies that meet the needs of the community are supported in principal. A range of renewable energy technologies may be possible on the islands, including tidal, small scale wind, solar and energy from waste solutions. Many of these technologies will be explored through the Smart Island Programme. For smaller scale developments measures to reduce the need for energy and improve energy efficiency should be considered before considering new renewable energy installations.

Policy SS8 sets out a range of criteria for renewable energy proposals. Applicants will need to ensure that the technology is compatible with the surrounding area, including consideration of cumulative landscape impacts from other developments. Proposals will need to address the associated developments, including ancillary buildings and transmissions lines which should be located below ground where possible in order to reduce the visual impact. Where appropriate, planning permissions will be subject to conditions to require the implementation of a satisfactory restoration scheme following decommissioning of the equipment and apparatus.





**Managing Movement (Page 52)** Although the islands are small in scale there is an increased reliance on private cars, particularly on St Mary's, in terms of accessing jobs, services and facilities; however a key aim of the Local Plan is to ensure new development is located in sustainable locations. Specifically, policy SS9 seeks to locate new development in places that promote sustainable ways of getting round including walking and cycling. Not only will this approach assist in supporting facilities in those locations but it also reduces the necessity to own a car to access the existing services and facilities.

**Travel and Transport (Page 53)** Policy SS10 seeks to ensure that development that has a potential detrimental impact upon the existing travel and transport links both to and from as well as between the islands, is resisted. Development that protects and enhances those links will be supported.

## **Chapter 2: Our Outstanding Environment (Pages 55 – 75)**

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There are 7 policies that are designed to provide sufficient protection for Scilly's outstanding historic and natural environment, whilst ensuring that the necessary development can take place to deliver sustainable development.

**Landscape Character (Page 56)** The islands' landscape has been defined in terms of its character by the Cornwall and Isles of Scilly Landscape Character study. This study identified the features and characteristics of certain areas and why they are different from other areas. The aim of Policy OE1 is to make sure that development does not harm the islands' landscape character in terms of its distinctiveness or sensitivity, including important features or views, and other perceptual qualities such as tranquillity and dark skies.

**Biodiversity and Geodiversity (Page 58)** Scilly has many varied and important habitats, many of which are protected by international and national designations, as well as important wildlife species, some of which are legally protected. Policy OE2 ensures that the islands' wildlife, habitats and geology are protected from development that may cause harm and to ensure that habitats and species are not lost.

**Development affecting heritage (Page 67)** The historic environment covers a wide range of different features, buildings and areas that have an important historic, archaeological or architectural interest. Collectively these are called



heritage assets. The most important heritage assets are those that are designated which includes Scheduled Monuments, Listed Buildings as well as the Registered Park and Garden on Tresco and the Conservation Area which covers all inhabited islands. All heritage assets, including those that are not designed, are recorded on the Cornwall and Isles of Scilly Historic Environment Record (HER). Policy OE3 ensures that the islands' historic environment is protected from new development and manages development that may affect heritage assets.

**Protecting Scilly's Dark Skies (Page 69)** Scilly does not currently have a designated International Dark Sky status but it does have exceptional quality dark skies, as recognised by its Dark Sky Discovery Sites, of which there is at least one on each inhabited islands. Policy OE4 aims to protect the dark sky of the islands and minimise light pollution by ensuring that development proposals include good light management and design. The remote and open landscape of the islands has enabled it to retain a natural darkness that is exceptional in quality.

**Managing Pollution (Page 71)** The planning system can only control pollution in so far that it can determine whether the development, use of the land and any impacts arising are acceptable. There are various types of pollution including air, soil, water, light and noise. Policy OE5 provides that proposals should first seek to avoid pollution where possible. Where pollution cannot be avoided, then it will need to be demonstrated that there will be no unacceptable adverse impacts either individually or cumulatively.

**Managing Waste (Page 73)** The Council of the Isles of Scilly is the Waste Planning Authority for the islands and is therefore responsible for development associated with waste management. Whilst it may not be desirable to have facilities for the disposal of waste due to the high quality of the environment, it is necessary by virtue of the islands' geographical isolation. To improve waste management appropriate solutions that offer sustainable and cost effective solutions to waste management, will be supported. Policy OE6 seeks to ensure that all development proposals have regard to the waste hierarchy in the first instance, which should form part of a site waste management plan to support planning applications. It also seeks to reduce construction and demolition waste through on-island solutions. This Policy also significantly makes provision for development proposals for waste and recycling facilities where a sustainable form of energy is generated as a result.



**Minerals (Page 74)** Policy OE7 makes provision to support the supply of indigenous materials to meet local needs. Support will be given for the use of recycled and secondary materials to avoid direct extraction and minimise the impact on the environment. This policy also reinforces the need to support development proposals with a site waste management plan to demonstrate the recycling and recovery of materials for re-use.

### **Chapter 3: Building a Strong Living Community (Pages 76 – 92)**

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The housing policies are within chapter 3: building a strong living community and aim to address the housing needs of the islands' communities whilst ensuring that the level of housing development is compatible with the conservation of Scilly. The 10 policies aim to meet the needs of all sections of the community through the provision of housing of appropriate size, type and affordability so that it will help create balanced, living and working communities with a better mix of homes. The key focus, is on delivering affordable homes to address the needs of those people who live and work in the area. As with the 2005 Local Plan, this policy also makes provision for the delivery of appropriate staff accommodation to support businesses and organisations on the islands

**Housing Strategy to 2030 (Page 78)** In order to support a sustainable and balanced island community the Local Plan makes a provision to deliver up to 105 affordable homes. In contrast to the current Local Plan, Policy LC1 makes provision for open market homes but only where these are justified as required to enable the delivery of affordable homes.

Where open market is demonstrated as necessary to cross-subsidise the delivery of affordable homes then it will normally be conditioned to be occupied only as principal residence only. Restricting open market homes so they cannot become second or holiday homes supports a socially sustainable community. Purely open market housing, without any occupancy restriction, will only be permitted where the viability and market considerations demonstrate that it is not possible to deliver the required number and type of affordable; or it will lead to an excessive number of additional houses that would adversely impact on the environment and/or infrastructure. Fundamentally all new homes must contribute towards the creation of a sustainable, balanced and inclusive island community by making a positive contribution to addressing the local housing needs of present and future generations.



## CONSULTATION OPTION 2 Principal Residence Conditions (Page 80)

**Qualifying to Occupy Affordable Homes (Page 80)** Policy LC2 aims to meet the housing needs of the local community by providing affordable housing for people who live and work on the islands. This policy sets the qualifying criteria to enable those people who struggle to buy or rent a suitable home on the open market, the opportunity to occupy more affordable property suited to their needs. In response to issues raised through the Local Plan review process, the criteria has been widened to enable movement and stimulate the housing market to meet the aspirations of the community, including opportunities to downsize or move out of social housing. All new affordable homes will be subject to an occupancy restriction to ensure they will be occupied in perpetuity by a person or persons (and their dependants) with a proven housing need as their principal residence throughout the year. A proven housing need is where:

1. the property would be their sole private residence; and
2. they need to live permanently on the islands due to their employment circumstances and work commitments; or
3. they have been continuously resident on the islands for at least five years and require new accommodation as a result of the requirement to:
  - vacate tied accommodation; or
  - relocate to more suitable accommodation due to a medical and/or mobility condition; or
  - relocate to smaller accommodation due to under-occupation; or
4. they are a former resident who has previously lived permanently on the Isles of Scilly for a continuous period of at least 5 years and who:
  - has been away for educational, training purposes or to obtain work experience or professional or technical accreditation; or
  - is currently employed by the armed forces and merchant navy and whose main residence will be on the islands; or
  - is retired from the armed forces or merchant navy; or
  - needs to provide substantial care to a relative who has lived continuously on the islands for at least 5 years (substantial care means that identified as required by a medical doctor or relevant statutory support agency).





## CONSULTATION OPTION 3 Affordable Housing Need Qualifications (Page 81)

**Accessible Homes (Page 83)** In order to ensure that everyone is able to secure and sustain their independence in a home appropriate to their circumstances, Policy LC3 requires all new homes to be accessible and adaptable, where possible.

**Staff Accommodation (Page 84)** Policy LC4 enables the development of staff accommodation for businesses and organisations where there is a functional and operational need for additional accommodation that cannot otherwise be met by existing accommodation. All staff accommodation permitted will be subject to occupancy restrictions. In addition to the construction of permanent staff accommodation, it may also be necessary to consider other types of short-term accommodation solutions to meet the needs of seasonal businesses. If temporary accommodation is justified as necessary then it must be located in an area that relates well to the business where possible; and does not cause harm to residential amenity through staff working unsociable hours. Where staff accommodation is required for a new business, the development will only be supported where it is demonstrated that the business is viable.

**Removal of Occupancy Restrictions (Page 85)** It is accepted that there will be circumstances where staff accommodation is no longer required for the purpose for which it was originally intended. Any application to remove an occupancy condition for staff accommodation will need to demonstrate that the need for which the dwelling was approved originally no longer exists. Policy LC5 requires sufficient marketing to have taken place to demonstrate that the accommodation is no longer required by any other business on the islands before consideration will be given to the removal of such restriction.

**Housing Allocations (Page 86)** Policy LC6 makes provision for a range of potential housing sites to deliver the affordable housing of up to 105 affordable homes. These are located within the sustainable settlements of Hugh Town and Old Town on St Mary's. The proposals maps on pages 108 – 115 of the full plan show these 8 sites as suitable for new homes:

H1	Former Secondary School, Carn Thomas, Hugh Town, St Mary's
H2	Former Primary School, Carn Thomas, Hugh Town, St Mary's
H3	Land west of Old Town Road, north of Ennor Castle, Old Town, St Mary's
H4	Land north east of Ennor close, Old Town, St Mary's





H5	Land south of Launceston Close, Old Town St Mary's
H6	Land south of Ennor Close, Old Town, St Mary's
H7	Land south east of Ennor Close, Old Town, St Mary's
H8	Land east of Ennor Close, Old Town, St Mary's

**Windfall Housing (Page 87)** To provide more flexibility in response to the needs of the community, particularly on off-islands, where there are no housing allocations, provision is given for new homes to be built on windfall sites (that is any other site not identified above). Policy LC7 provides support for housing on suitable windfall sites where these are required to meet the specific local needs of the community, including opportunities for custom and self-build.

#### Consultation Option 4 Define Settlement Boundaries on St Mary's (Page 88)

**Replacement Dwellings (Page 89)** Replacement dwellings are supported particularly where they replace an existing dwelling that is poorly designed and affects the landscape or built character of the area. Policy LC8 seeks to ensure that the building to be replaced lawfully exists as a dwelling, is not subject to a temporary permission and that the scale of the replacement does not have other adverse impacts upon the wider landscape as a result of the new building. The policy also addresses concerns about replacing modestly sized dwellings with larger properties that could be affordable or available to the community, by seeking to impose occupancy restrictions where there is a significant increase in scale of the new dwelling.

**Residential Extension (Page 91)** Policy LC9 aims to ensure that extensions or conversions of outbuildings are proportionate to the size of the dwelling, are well sited and designed and do not reduce the level of amenity spaces (garden and/or parking areas) available to the dwelling to an unacceptable level. Extensions to the residential curtilage should not adversely affect the surrounding landscape or character of the built settlement. As with replacement dwellings, policy LC9 seeks to resist extensions to existing dwellings that result in disproportionate additions over and above the original dwelling.

**Homes in Multiple Occupation (Page 92)** The use of existing larger homes, as shared accommodation to meet business and organisation needs, is recognised as an acceptable solution to staff recruitment issues. It is also necessary, however, to ensure that such changes do not result in adverse impacts upon the surrounding area. Policy LC10 therefore provides criteria to



prevent the intensification of such buildings where they could result in harm to the privacy and amenity of existing homes.

## **Chapter 4: Building a Strong Working Community (Pages 93-103)**

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It is necessary to create a positive policy framework to enable appropriate business developments to come forward or expand where these are compatible with the environment. Rather than identifying specific sites for employment use, the 6 policies in chapter 4 seek to create the basis for the flexible release of appropriate sites and buildings for business development in response to emerging needs.

**General Employment Policy (Page 95)** Policy WC1 sets out a general employment policy to apply to all types of employment development. Appropriate employment and business development are encouraged where they avoid negative impacts on the area so the economic benefits of the islands' high quality environment can be maintained and its special qualities are not compromised.

**Home Based Businesses (Page 96)** Where development can be accommodated as part of a residential use or it is compatible with the area, then it will be supported under Policy WC2. The impacts of the business would need to ensure that capacity of the road network, car parking and other infrastructure pressures are acceptable and that the use does not harm the amenity of the area or result in visual harm to the landscape as a result of extensions or pollutions, including noise, odour and light.

**New Employment Development (Page 97)** There are a number of sites which have a variety of business or storage uses. These sites comprise an important element of the island economy and provide local job opportunities. Within the boundaries of these sites, proposals for redevelopment or intensification through extensions or new buildings will be permitted provided there is no significant harm to the landscape and deals comprehensively with the whole site. Proposals that involve the extension of the site boundary into the countryside would be considered on their individual merits, with the economic benefits weighed against any environmental impacts. Open storage will only be permitted if it is not visually intrusive or harmful in any other way.



## [Consultation Option 5 Define Employment Land at Porth mellon \(Page 98\)](#)

**Alternative uses for Employment Land and Buildings (Page 98)** It is important that existing employment sites are safeguarded as an important resource for the islands. Policy WC4 seeks to ensure that existing employment sites and buildings remain available for prospective businesses. This policy not only seeks to safeguard other parts of the islands' from industrial or commercial development but minimises the need to develop new sites. Protecting existing employment sites from alternative uses ensures that impact upon residential amenity as well as landscape character and environmental quality is minimised.

**Visitor Economy and Tourism (Page 100)** To sustain the islands as a competitive visitor destination, it is necessary to protect and encourage, wherever appropriate, improvements to existing visitor accommodation. The cumulative loss of visitor accommodation to alternative uses can weaken the destination's appeal and ability to grow its visitor market.

New visitor accommodation will be supported where it improves the quality and choice of existing tourism and responds to the changing needs and expectations of visitors. Such accommodation will be supported for both serviced and self-catering at the most luxurious end as well as more basic end of the market, with quality and value for money being key drivers. It will be important to ensure a balance between serviced and self-catering accommodation, recognising that a limited availability of serviced accommodation restricts the opportunity for short-breaks, particularly outside the main tourism season and reduces passengers by air and sea.

**Safeguarding Serviced Accommodation (Page 102)** Safeguarding existing serviced accommodation on the islands is important as they provide an economic benefit to the local economy and can also provide social and community facilities such as a public bar or function room. In some circumstances where a hotel or guesthouse was formerly a single dwelling it can revert back to a single residential dwelling if the policy tests are met. Any change of use to more than one dwelling will need to address a local affordable housing need in line with the approach set out in the housing policies. In all other circumstances, it will need to be shown that the hotel cannot be made viable over the longer term and that it has been marketed at a reasonable value for a minimum of 12 months with no willing buyers, before a change of use of part or the entire hotel will be considered.



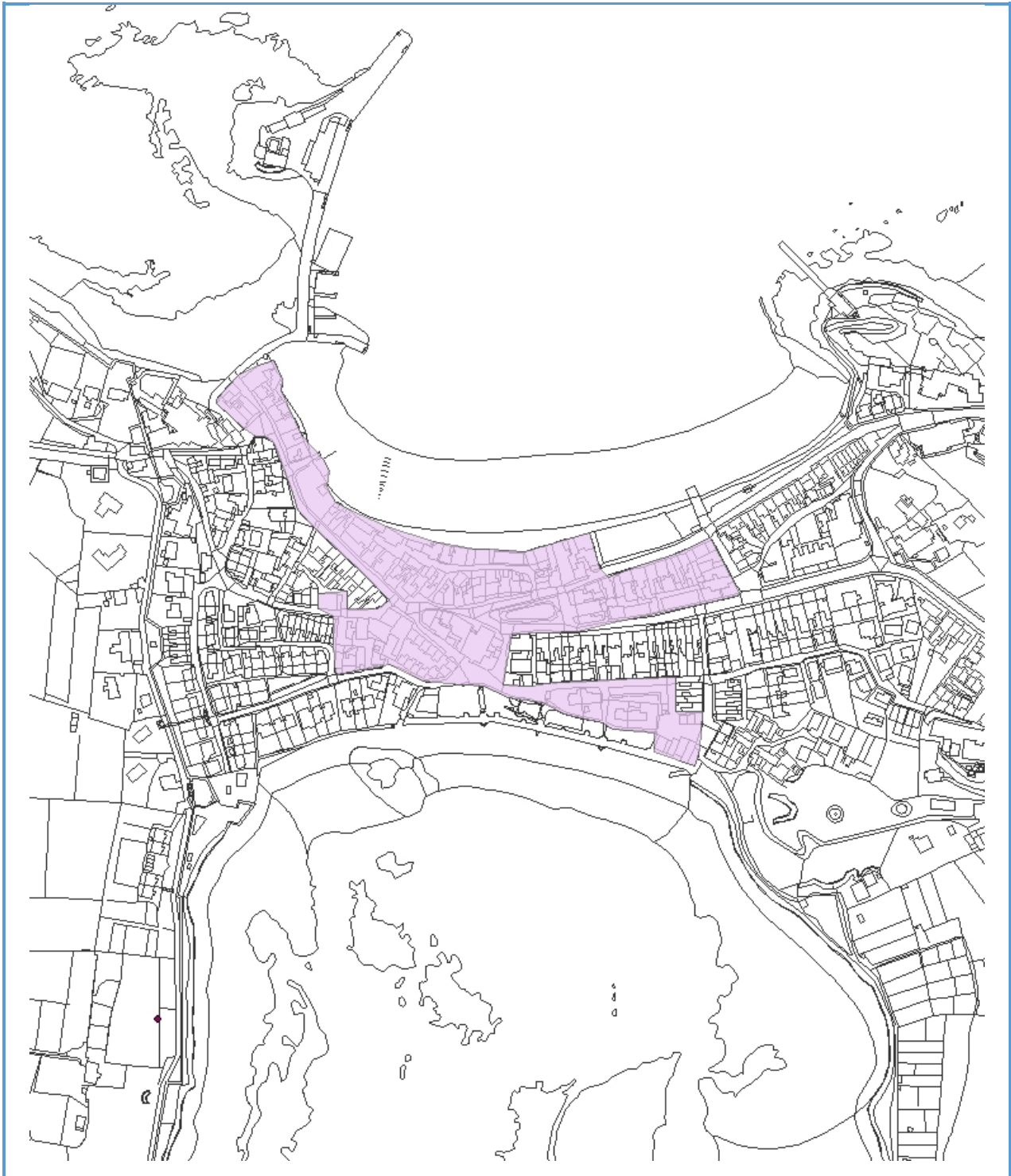
## Consultation Options

The Consultation Draft Local Plan contains 5 consultation options where we are seeking the particular views of the community, businesses and organisations as well as statutory consultees. Each Option, together with its rationale and any alternative option is set out below.

Consultation Option 1 (Page 39)	
<b>Define a Town Centre</b>	In order to provide some protection to the loss of retail facilities the Local Plan could seek to define a town centre around Hugh Town. Within this boundary it would be appropriate to seek to locate and retain the majority of the islands' retail and ancillary town centre uses and enable the local planning authority to resist the loss of existing ground floor retailing units where they are not properly supported specific justification.
<b>Rationale</b>	The NPPF requires all areas to maintain vital and vibrant towns within each local authority area. There is a need to define the extent of town centres and primary shopping areas (para.23 <sup>5</sup> ) and set policies that make clear which uses will be permitted in such locations. Recent changes of use have seen a decline in retail offer particularly within Hugh Town (e.g. Grape Vine, Sports Mode, Bucabbu Bike Hire, the Dairy Cafe).
<b>Alternative</b>	The Local Plan does not define areas of retail protection or a town centre and alternatively applies a policy that seeks to protect any existing retail or ancillary retail uses unless the loss is sufficiently justified.

<sup>5</sup> Paragraph 23 of the The National Planning Policy Framework 2012:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)





*Proposals Maps C (Pages 123 - 125)*





## Consultation Option 2 (Page 80)

<b>Principal Residence Conditions</b>	The draft plan proposes to permit open market homes as means to deliver affordable homes to meet the needs of the community. As part of this and as set out in Policy LC1 this would seek to restrict any open market homes, that are justified as being necessary to deliver affordable homes, to be occupied as a 'principal residence' homes.				
<b>Rationale</b>	The justification for this approach would be on the basis that pure 'open market' could be considered to be socially unsustainable development by potentially adding to the existing housing problems on the islands by fuelling more second home ownership and holiday accommodation, as an investment opportunity, contrary to the sustainability tests of the NPPF. Such principal residence open market housing could be secured by businesses and organisation needs to meet their staffing, recruitment and retention issues. However the preference for this approach could be waived where the viability of a site submitted on an 'open book' basis demonstrates either an over-provision of such restricted open market and/or that the value of the open market property is compromised to the extent that it would not facilitate the amount of affordable homes required on a particular site or elsewhere, or it would result in an a greater number of open market homes as a result.				
<b>Alternative</b>	The Local Plan could accept that unfettered open market homes could be permitted without any restrictions or obligations to maximise their value and enable maximum affordable housing contributions. The policy would need to be reviewed to ensure that once the affordable housing target is reached no further market homes would be permitted.				
<table border="1"> <tr> <th colspan="2">Example Principal Residence Condition</th></tr> <tr> <td colspan="2">The dwelling hereby approved shall not be occupied otherwise than by a person as his or her only or principal home. The occupant shall supply to the Local Planning Authority (within 14 days of the Local Planning Authority's request to do so) such information as the Local Planning Authority may reasonably require in order to determine compliance with this condition. For the avoidance of doubt the dwelling shall not be occupied as a second home or as a unit of holiday letting accommodation.</td></tr> </table>		Example Principal Residence Condition		The dwelling hereby approved shall not be occupied otherwise than by a person as his or her only or principal home. The occupant shall supply to the Local Planning Authority (within 14 days of the Local Planning Authority's request to do so) such information as the Local Planning Authority may reasonably require in order to determine compliance with this condition. For the avoidance of doubt the dwelling shall not be occupied as a second home or as a unit of holiday letting accommodation.	
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## Consultation Option 3 (Page 81)

<b>Redefine qualifications for local occupancy of affordable homes</b>	The objective for a local need qualification is to ensure that any new homes built are occupied by people living and working on the islands and that homes are not used as a holiday or second home. To meet this objective, but also provide more flexibility to meet the wider housing needs of the community, a new criteria approach is being proposed as set out in Policy LC2.
<b>Rationale</b>	Feedback to the LPA suggests that people who are genuinely committed to the islands are being prevented from occupying property because they don't qualify for the qualifying criteria adopted in 2005. There is also feedback that the current criteria and restrictions on existing properties are overly restrictive and make it difficult to sell as mortgage lenders are reluctant to lend on such properties. In addition, the restrictive approach creates difficulties when it comes to re-mortgaging or financing preventing improvement works or the actual building of new homes therefore restricting supply.
<b>Alternative</b>	The alternative option is to continue to use the existing Specific Local Need or Key Worker criteria, as adopted in 2005.

### POLICY LC2 Qualifying for Affordable Homes

All new affordable homes will be subject to an occupancy restriction to ensure they will be occupied in perpetuity by a person or persons (and their dependants) with a proven housing need as their principal residence throughout the year. A proven housing need is where:

1. the property would be their sole private residence; and
2. they need to live permanently on the islands due to their employment circumstances and work commitments; or
3. they have been continuously resident on the islands for at least five years and require new accommodation as a result of the requirement to:
  - vacate tied accommodation; or
  - relocate to more suitable accommodation due to a medical and/or mobility condition; or
  - relocate to smaller accommodation due to under-occupation; or
4. they are a former resident who has previously lived permanently on the Isles of Scilly for a continuous period of at least 5 years and who:
  - a) has been away for educational, training purposes or to obtain work experience or professional or technical accreditation; or
  - b) is currently employed by the armed forces and merchant navy and whose main residence will be on the islands; or
  - c) is retired from the armed forces or merchant navy; or
  - d) needs to provide substantial care to a relative who has lived continuously on the islands for at least 5 years (substantial care means that identified as required by a medical doctor or relevant statutory support agency).

#### Footnote:

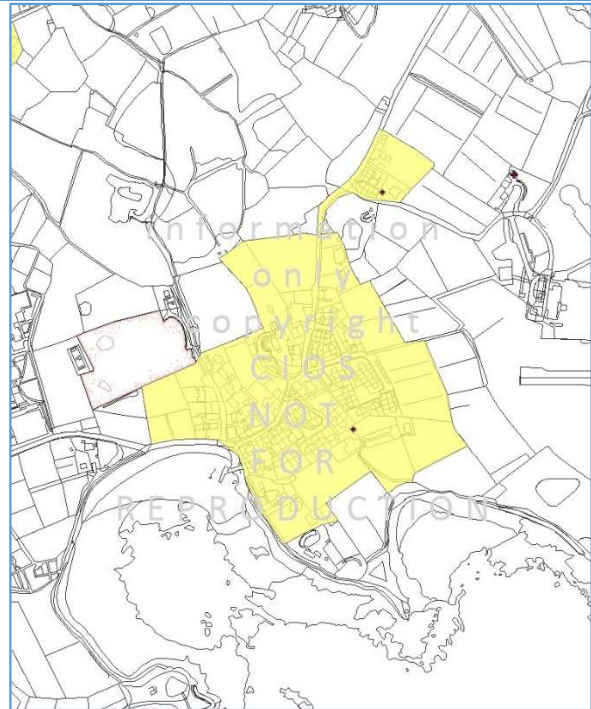
Eligibility for social housing will be subject to separate qualifying criteria in accordance with the Councils housing policies.



## Consultation Option 4 (Page 88)

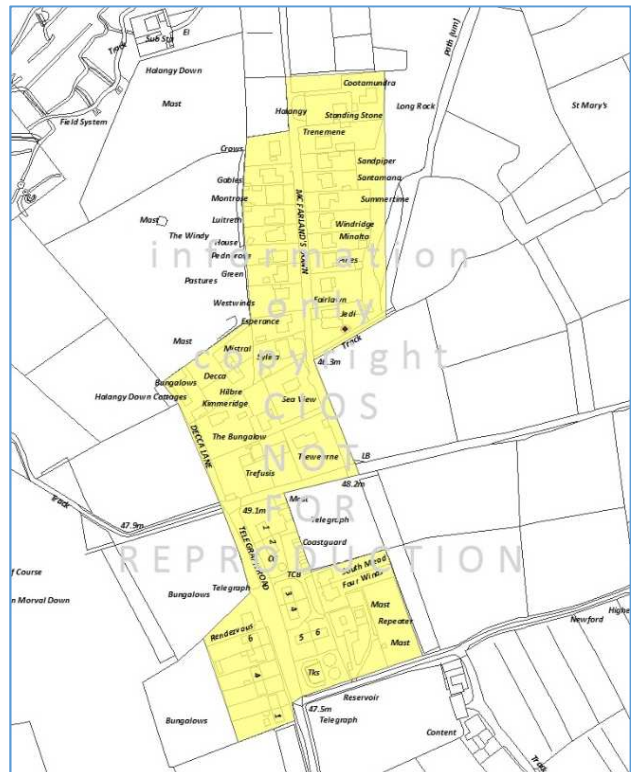
<b>Define Settlement Boundaries of where windfall homes could come forward</b>	<p>The Local Plan could seek to define Settlement boundaries on St Mary's around those existing settlements referred to below. This would provide a degree of containment as well as certainty around where new homes, through windfall sites, could come forward. On St Mary's existing settlements could be defined as:</p> <ul style="list-style-type: none"> <li>• Hugh Town</li> <li>• Old Town</li> <li>• Telegraph/McFarlands Down</li> <li>• Porthloo</li> <li>• Holy Vale</li> <li>• Normandy</li> </ul> <p>The majority of historic windfall sites have come forward on St Mary's and all of the demand for self-build has been identified on St Mary's.</p> <p>Settlement Boundary maps are appended in the proposals maps. It provides certainty to the expectations of developers or those looking to custom/self-build.</p>
<b>Rationale</b>	<p>Local Planning Authorities may make an allowance for windfall sites in the five year supply if they have compelling evidence that such sites have consistently become available (NPPF, para. 48). Over the life of the 2005 Local Plan, most residential development has been through windfall sites that were not identified previously.</p>
<b>Alternative</b>	<p>The Local Plan does not define settlements and only allocates development sites together with a criteria based policy that permits development on windfall sites that are well-related to existing dwellings and where there is no harm to the wider landscape. This creates a more flexible approach as proposed in this draft local plan and a wider opportunity for windfall housing and self-build sites.</p>





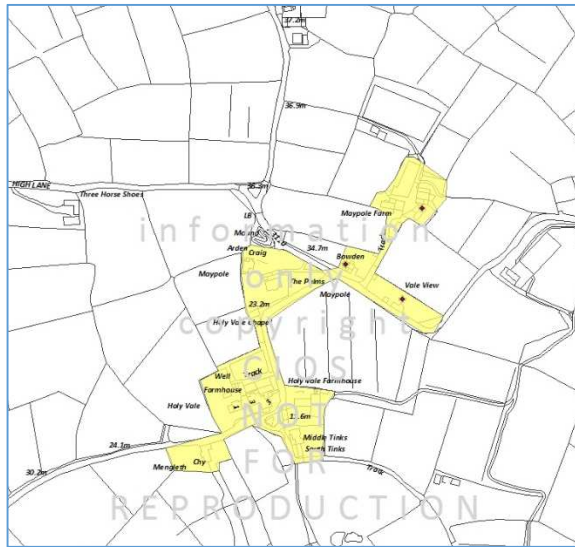
## Hugh Town

## Old Town

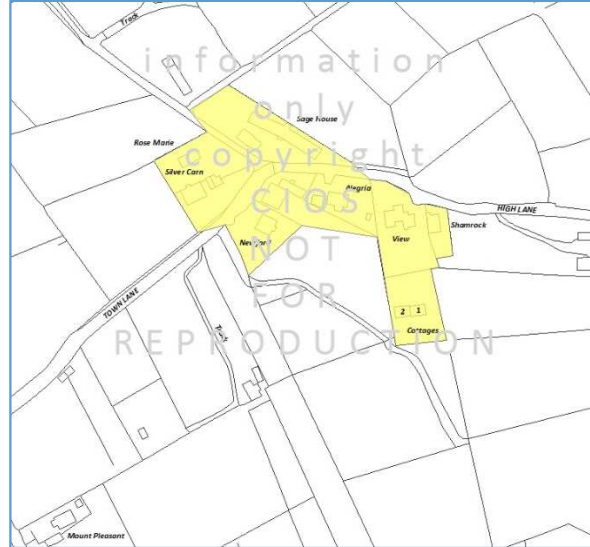


## Porthloo

## Telegraph/McFarlands Down



Holy Vale



High Lanes



Normandy

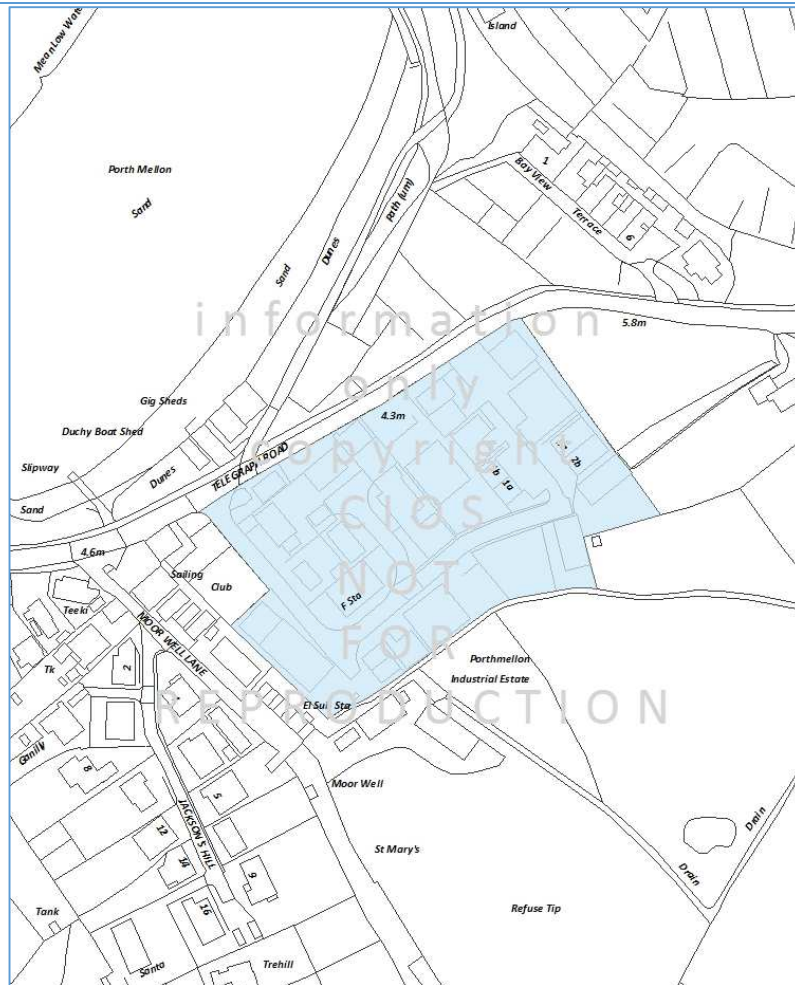
## *Proposals Maps B (Pages 116 – 122)*





## Consultation Option 5 (Page 98)

<b>Define/Map areas of Employment Land</b>	The Local Plan could specifically define employment land and seek to resist the loss of employment land and buildings, within those defined areas. At present the option is to identify Porth mellon Business Park only and seek to retain employment uses at this site (proposal D attached).
<b>Rationale</b>	To protect existing land and buildings, at this site, from alternative uses which could compromise or constrain the use for employment or industrial purposes through the introduction of other uses such as residential or retail. Annual monitoring suggests there have been increasing applications to seek to change the use of industrial units to other uses. E.g. retail, residential, office. Without support from a policy to resist such changes it has been difficult to refuse most of these applications.
<b>Alternative</b>	An alternative approach is to not define land for employment uses, but ensure Policy WC4 applies to any application where the result is a loss of employment land or buildings and the proposed use compromises the economic base of the islands. Such a policy would still permit changes where the use proposed continues to support employment and/or industrial uses needed to support the islands and where the use of the land or building is no longer appropriate or viable as an employment use, such as, for example, where the unit cannot be filled even after marketing and rent reductions.



**Proposals Map D (Page 126)**



**End of Document**