



## Section 4: Building a Strong Living Community

# Section 4: Building a Strong **Living** Community

## Issues:

- Housing
- Environment
- Infrastructure

## Aims

3. Creating a balanced local housing market that provides housing choice and meets the existing and future needs of the community, enabling economic prosperity.

# Building a Strong Living Community

## Policies in this Section:

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| LC1 | Isles of Scilly Housing Strategy to 2030  | Pages 13-14 |
| LC2 | Qualifying for Affordable Housing   | Pages 16-17 |
| LC3 | Balanced Housing Stock  | Pages 21-22 |
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| LC9 | Homes in Multiple Occupation  | Page 47     |

# Building a Strong Living Community

249. The housing policies in this section aim to ensure that the housing needs of the communities on the Isles of Scilly are addressed, whilst ensuring that the level of housing development is compatible with protecting the outstanding quality of the environment. The focus is on enabling the delivery of homes to address the future needs of those people who live and work on the islands. The policies provide a framework that aims to deliver a better mix of new homes in terms of affordability, size and type, to help create a more balanced and sustainable island community.



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## New Homes – What to Build (1)

- 250. Housing Requirements** The NPPF requires Local Planning Authorities to enable the delivery of a wide choice of quality homes. This framework advocates an evidenced-based approach, to ensure that the Local Plan meets the full, objectively assessed needs of the market and for affordable homes, including identifying key sites that are critical to the delivery of the housing over the plan period.
- 251.** The housing strategy for the plan period is set out in Policy LC1, and establishes the requirement to deliver up to 105 affordable homes over the Local Plan period (2015– 2030). New homes will primarily be delivered on land specifically allocated for development in Hugh Town and Old Town on St Mary's. As windfall homes have historically provided a good mechanism for housing delivery, it is considered that a proportion of the local housing need will continue to be delivered through this route. The housing allocations set out in Policy LC6 demonstrate that these sites could deliver around 105 homes.

Housing Allocations in Old Town



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## New Homes – What to Build (2)

- 252. Affordable Homes** Affordable homes are defined in the NPPF as “affordable housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers)”. Eligibility is determined by a range of factors, including local incomes and house prices. Affordable homes should remain at an affordable price or rent for future eligible households.



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## New Homes – What to Build (3)

|                         |  |
|-------------------------|--|
| Social Rented Homes     | Should generally be owned by local authorities or private registered providers, with rents determined nationally   |
| Affordable Rented Homes | Has to meet all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent). |
| Intermediate Homes      | Are available for sale or rent at a cost above social rent, but below market levels. These can include shared equity (shared ownership and equity loans) and intermediate rent, but not affordable rent.   |

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### New Homes – What to Build (4)

253. Given the costs of construction and the viability of residential development in the Isles of Scilly, it may be necessary to permit open-market housing in order to deliver affordable homes through cross-subsidisation. Policy LC1 therefore establishes an approach that aims to deliver as many affordable homes as possible, with flexibility for allowing some open-market housing to enable delivery. Development proposals solely to meet the demands of the open market are not sustainable on the islands, and will be resisted.
254. Vacant Building Credit is a Government incentive to encourage brownfield land development and allows for an equivalent amount of floorspace as a financial credit equivalent to the existing gross floorspace of relevant vacant buildings. When the existing floor space is calculated, then favourable consideration will be given to an equivalent-size residential use and affordable housing contributions may be required for any increase in floorspace.
255. Open-Market Homes are defined as private housing for rent or sale where the price is established in the open market. To ensure the islands remain socially sustainable, the Local Planning Authority will seek to achieve as many affordable homes as possible in any proposed residential scheme, whilst recognising that some open-market homes may be required to enable delivery of affordable homes. Where open-market residential development is justified as an enabler to deliver affordable homes, the amount permitted will be dependent on the results of a detailed viability assessment. The viability assessment will be required to set out the development cost of a proposal through an 'open book' procedure, to determine the amount and type of open-market housing needed to deliver the required affordable homes.



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### New Homes – What to Build (5)

256. In order to enable verification of any viability assessment submitted, the Council may have assessments independently verified through a third party. The costs of verification will be passed on to the developer.
257. In permitting open-market housing as a mechanism to deliver affordable homes by providing sufficient finance and funding, consideration will be given to applying a sequential approach. The sequential approach will, in the first instance, seek to restrict the enabling 'open market' housing to ensure that it is used only as a 'principal residence' through a planning condition, in order to bring down the 'open market' value to levels more equitable to the mainland. Such a restriction would ensure that homes meet Local Housing Needs, and prevent their use as second homes or as an investment opportunity to be used as holiday accommodation. The islands are vulnerable to their own popularity as a destination for both holidaymakers and second-home owners, a situation that constrains the availability of permanent homes, and results in house prices and rents that are unaffordable to many local people.
258. Pure 'open market' housing on the Isles of Scilly is considered to be socially unsustainable development, as it would add to the existing housing problems by fuelling more second-home ownership and holiday accommodation, in conflict with the sustainability tests of the NPPF. This approach chimes with the statutory objectives of meeting the economic and social well-being needs of the islands' communities within an AONB.

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### New Homes – What to Build (6)

259. The National Planning Policy Framework indicates that to determine the minimum number of homes needed in an area, a local housing need assessment conducted using the standard method detailed in the Planning Practice Guidance (PPG) should be carried out. On this basis the minimum number of new homes needed for the Isles of Scilly is 0 dwellings per year, which primarily reflects a decline in population of the islands in recent years. However, the PPG also identifies that it might be appropriate for an authority to plan for more housing than the standard method indicates, including where a Strategic Housing Market Assessment (SHMA) identifies a significantly higher need for housing than the standard method.
260. The Isles of Scilly Strategic Housing Market Assessment (2016) and its associated updates identify 105 new households likely to form during the plan period which are likely to be in need of affordable housing.
261. One of the seven identified strategic aims of the plan is to create a balanced local housing market that provides housing choice and meets the existing and future Local Housing Needs, thus enabling economic prosperity. In line with this the Council is keen to stem the recent trend of population decline, particularly as it has been working-age individuals and families who have predominantly left the islands, locally exacerbating the national trend of an ageing population. Stemming population decline and reducing the average age of the islands' population is essential to the economic and social sustainability of the Isle of Scilly. The lack of affordable housing and less expensive market homes on the islands is thought to have been a key factor in the recent outmigration of working-age individuals and households.

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### New Homes – What to Build (7)

262. Notwithstanding the standard method local housing need figure of 0, it is therefore a justifiable approach for the plan to provide for 105 additional homes during the plan period, with as many as possible of these being affordable homes. 276. As part of the sequential approach, occupancy restrictions will only be waived where the viability of a site submitted on an 'open book' basis clearly demonstrates that the value of the open-market housing is compromised to the extent that it would not be possible to deliver a sufficient amount of affordable homes on a particular site; or that it would result in a notable increase in the number of open-market homes that would be required to deliver affordable homes, to the detriment of the environment and the availability of existing or planned infrastructure.
263. Given the unique circumstances of the Isles of Scilly and the overwhelming need to provide affordable homes to meet the Local Housing Needs, the Local Plan does not set a target for either affordable or open-market homes. The approach to housing delivery in this Plan is to prioritise affordable homes to meet Local Housing Needs, through a rural exceptions approach and to ensure the islands outstanding environment is not harmed. The indicative figure for affordable homes needed in Scilly over the plan period 2015-2030 is 105. Open-market homes will only be permitted on sites allocated specifically for housing and on larger windfall sites, but only when required to deliver affordable homes.



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## New Homes – What to Build (8)

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264. This approach is appropriate in a constrained and isolated island community, given the small size of the five inhabited islands, landscape sensitivity and capacity and is consistent with protecting the intimate landscape of the Area of Outstanding Natural Beauty.
265. In very exceptional circumstances, particularly on difficult-to-develop sites, financial contributions may be sought to provide affordable homes elsewhere on the islands. This exceptional approach will only be used where there is a demonstrable benefit from building more affordable homes elsewhere, rather than providing them on site.

# Policy LC1 (1) (2)

## Isles of Scilly Housing Strategy to 2030

- 1) 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, through the provision of:
  - a) affordable homes, either on the sites specifically allocated for housing in Policy LC6, or through windfall sites elsewhere on the five inhabited islands, in accordance with Policy LC7;
  - b) appropriate staff accommodation to support the continuity and viability of businesses and organisations, in accordance with Policy LC4.
- 2) Open-market housing will be permitted, but only as a mechanism for the delivery of affordable homes on sites allocated on the Policies Map, and as set out in Policy LC6, where:
  - a) the ratio is in favour of affordable homes; and
  - b) it is demonstrated through a viability assessment that such provision is the only viable option to enable the delivery of affordable homes; and
  - c) c) it has been established that no other form of grant funding or cost subsidisation is available.

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# Policy LC1 (3) (4)

## Isles of Scilly Housing Strategy to 2030

- 3) On windfall sites, affordable homes to meet a Local Housing Need through Policy LC7, or staff accommodation through Policy LC4, will be permitted. Only for larger developments of 5 or more new dwellings, would any consideration be given to permitting an element of open market housing, as a means to deliver affordable homes.
  
- 3) Any open-market homes justified to facilitate the delivery of affordable homes will be conditioned to be occupied as principal residence homes only, unless:
  - a) viability and market considerations demonstrate that it is not possible to deliver the maximum number and type of affordable homes; or
  - b) it will lead to an excessive number of additional houses that would adversely impact on the environment and/or infrastructure.



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## New Homes – What to Build (9)

266. **Qualification to occupy affordable housing** In meeting the islands' social and economic well-being needs whilst protecting the environment, the Local Plan housing strategy as set out in Policy LC1 aims to deliver new homes to meet the needs of the islands' community. The eligibility to occupy the homes provided, which are intended to meet Local Housing Needs in both the short and long term, will be assessed in accordance with Policy LC2.



# Policy LC2 (1) (2) (3)

## Qualifying to Occupy Affordable Housing

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

- 1) The property would be occupied sole private residence, where a need cannot be met by the local housing market; 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:
  - a) vacate tied accommodation; or
  - b) relocate to more suitable accommodation due to a medical and/or mobility condition; or
  - c) relocate to smaller/larger accommodation due to under/over-occupation; or

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# Policy LC2 (4)

## Qualifying to Occupy Affordable Housing

- 4) They are a former resident who has previously lived permanently on the Isles of Scilly for a continuous period of at least five years, and who:
  - a) has been away for educational or training purposes, or to obtain work experience or professional or technical accreditation; or
  - b) is currently employed by the armed forces or 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 five years ('substantial care' means that the requirement for such care has been identified by a medical doctor or relevant statutory support agency).



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## New Homes – What to Build (10)

- 267. Type and Mix of Homes** An agreed type and mix of affordable housing, including tenures, will be determined through local evidence of housing need and viability at the time of submitting a proposal for planning permission. Housing proposals must meet the specific Local Housing Needs at the time it is proposed, particularly in terms of size, type and tenure. As demonstrated in the 2016 SHMA, most new homes should either be one or two-bedroom in size, to reflect Local Housing Needs.
- 268. A Balance of Homes** The Isles of Scilly, as with the rest of the population of the United Kingdom, has an increasingly ageing population; that is, a greater number of people living on the islands over the age of 65 years. This trend is projected to increase, with the working-age population projected to decrease, over the plan period. Evidence suggests that on the Isles of Scilly, population increases are predicted in those over 65 years, and particularly those aged over 85. An ageing population will have implications for suitable housing provision now and in the future in terms of specialist homes, both in the affordable and market housing sectors.

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### New Homes – What to Build (11)

269. Some form of disability, either temporary or permanent, can affect everyone at some stage of their lives. The Council will seek to ensure that the housing needs of older people and those with mobility or sensory impairments are met across all tenures, and that these groups are not restricted in their choice of homes. Developers and other agencies will be encouraged to provide dwellings that will enable more people to remain in their homes if they become disabled or infirm, and to live as independently as possible in the community. In order to support the ageing population and the specific needs of people with disabilities, the Council will encourage all new dwellings to be made accessible and adaptable.
270. The SHMA indicates that a far greater amount of housing of various types will be needed to meet older people's needs and rising aspirations in the future. New housing specifically provided for older people must meet high standards of accessibility and amenity relevant to their needs. One of the projects of the Smart Islands programme<sup>1</sup> will seek to facilitate access to emerging online healthcare initiatives, as well as smart metering in relation to utilities such as electricity, water and telecommunications. Such technologies should be considered during the design stage of any proposed residential development.

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### New Homes – What to Build (12)

271. As there is a finite amount of land for new development, which is heavily constrained by multiple designations, coupled with affordability issues for the local community, it is necessary to ensure that all new homes constructed remain reasonably affordable. To meet this objective, new homes should have good internal space standards, whilst ensuring that they are not excessive in size and scale. The Government's Nationally Described Space Standards (Technical Housing Standards), or any successive guidelines, will be used to guide the size of accommodation to achieve a balanced housing stock that remains available to meet Local Housing Needs into the future. This approach is appropriate in a remote and isolated location, given the limited land supply and few opportunities for building, and is consistent with protecting the intimate landscape of the Area of Outstanding Natural Beauty, as set out in Aim 1.



# Policy LC3 (1) (2) (3)

## Balanced Housing Stock

- 1) All new residential development must contribute towards the creation of sustainable, balanced and inclusive island communities by ensuring an appropriate mix of dwelling types, number of bedrooms and tenures, taking account of what is in demand at the time, imbalances in the housing stock, and viability and market considerations.
- 2) All new homes must offer a good standard of accommodation by being constructed in accordance with the minimum Nationally Described Space Standards (Technical Housing Standards) (or any replacement standards) and no more than 30% above these minimum standards, as a maximum;
- 3) All homes will be encouraged to be accessible and adaptable in accordance with Building Regulations Requirement M4(2) or any successor regulations.

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# Policy LC3 (4) (5) (6)

## Balanced Housing Stock

- 4) Wheelchair users' homes will be encouraged to be constructed in accordance with Building Regulations Requirement M4(3) or any successor regulations, and will be encouraged where a specific local need for a wheelchair-adaptable or accessible home is identified.
- 5) All affordable homes permitted under LC6 and LC7, including custom/self-build, must be affordable by size and type to local people and will remain so in perpetuity,
- 6) All affordable homes will be subject to a condition removing permitted development rights in respect of extensions, to ensure they remain of a size that meets the affordability needs of the islands.

## Building a Strong Living Community

### New Homes – What to Build (13)

- 272. Staff Accommodation** As a small island-based community, there is a need for Scilly to retain a balanced workforce. Clearly, staff accommodation needs cannot be met outside the islands, due to the expense and logistics of commuting to and from the mainland. Where the skills are not available in the local community, there is a need to recruit to the islands from elsewhere. Policy LC4 recognises that additional staff accommodation may be required for businesses or organisations. Such accommodation could comprise small-scale seasonal workers' accommodation to meet the particular needs of agriculture, fishing or tourism, as well as a range of longer-term accommodation for businesses and organisations that require staff to relocate to the islands on a permanent or semi-permanent basis. Longer-term staff accommodation may need to cater for families, unlike shorter-term accommodation for more transient staff.
- 273.** Unusually large staff accommodation dwellings in relation to the needs of the business, or expensive construction in relation to the income the business can sustain, will not be permitted. Due to the small scale of the islands, it will be possible for workers in most occupations to live anywhere on the island and be within reasonable distance of the business location. However, very occasionally the nature of a business may make it essential for someone to live on, or in close proximity to, the business premises. All staff accommodation should be commensurate with the needs of the business.

# Building a Strong Living Community

## New Homes – What to Build (14)

274. Whilst the plan supports the need to deliver staff accommodation that meets the accommodation needs of multiple businesses in one development, in order to retain staff accommodation for its intended use, a restrictive condition will be included on any planning approval under Policy LC4, limiting its occupation to persons who are employed to work on the islands. This would not prevent the accommodation from being used as staff accommodation for multiple businesses.

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# Policy LC4 (1)

## Staff Accommodation

- 1) New staff accommodation for businesses and organisations will be permitted where:
  - a) an appraisal is submitted demonstrating that there is a functional and operational need for the proposed accommodation that cannot be met by existing suitable accommodation available in the area; and
  - b) the size and type of the proposed accommodation is appropriate to the functional and operational needs of the business or organisation; and
  - c) on St Mary's the proposed accommodation is within or adjoining an existing settlement unless it involves the re-use of an existing building in accordance with Policy SS3; or
  - d) on an off-Island the proposed accommodation is located within an existing building or adjacent or well related to the existing business consistent with Policy LC7.

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# Policy LC4 (2) (3)

## Staff Accommodation

- 2) All staff accommodation permitted will be subject to occupancy restrictions. In addition to the above, seasonal staff accommodation will only be permitted where it:
  - a) is located in an area that relates well to the business where possible, with the exception of the re-use of buildings; and
  - b) does not cause harm to residential amenity through staff working unsociable hours.
- 2) Where staff accommodation is required for a new business, the development will only be supported where it is demonstrated that the business is viable in the long term, supported by a business plan for a minimum of five years.

# Building a Strong Living Community

## New Homes – What to Build (15)

- 275. Removal of Occupancy Restrictions** 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 originally approved no longer exists. There are many other 'occupancy restrictive' conditions known to apply to various types of residential accommodation. Any applications to remove these will be dealt with on their individual merits.
- 276.** Policy LC5 below sets out the criteria that will apply to any application to remove any restrictive occupancy condition and thereby ensure that such accommodation can remain available where possible. An applicant would be expected to appropriately market the accommodation for a reasonable period (at least 12 months) at a realistic market price for the type of dwelling, to establish whether it could meet the existing functional needs of a qualifying person or business. Evidence demonstrating how this requirement has been investigated will need to be included to support any application to vary or remove a restrictive occupancy condition.

# Policy LC5

## Removal of Occupancy Conditions

- 1) Planning permission for the removal of an occupancy restriction on residential accommodation will only be permitted where it can be evidentially shown that:
  - a) there is no longer a continued need for the accommodation for any business or organisation on the islands; and
  - b) the property has been marketed locally for an appropriate period (minimum 12 months) at an appropriate price.
  
- 1) In the event that staff accommodation is no longer required in connection with a business and depending on the type and location of the accommodation, an alternative condition will be imposed restricting occupancy to a principal residence home that would be available to meet a Local Housing Need.



## Building a Strong Living Community

### New Homes – Where to Build (16)

- 277. Housing Allocations** Allocating a site for new homes in the Local Plan establishes the principle that the development for housing is acceptable. Site allocations provide certainty both to developers and the community, to help understand what may happen in the area or on their island in the future. They also help the Council and other service and utility providers to look at the cumulative impact of development and plan for future needs, such as school places, as well as the capacity of energy, telecommunications, sewerage and water infrastructure. Policy LC6 identifies seven housing sites on St Mary's that have been assessed as viable, suitable and achievable locations to build new homes.
278. The housing allocation sites, set out below, are strategically allocated for housing that delivers affordable homes. In accordance with the housing strategy set out in Policy LC1, it is essential that all forms of grant funding and subsidy are explored, to facilitate the delivery of 100% affordable homes. Only in exceptional circumstances in the interests of viability can open-market housing be considered on sites allocated for housing, again in accordance with Policy LC1. Each site should also be developed with an appropriate mix of dwelling types, sizes (in terms of number of bedrooms) and tenures to meet Local Housing Needs, in accordance with Policy LC3.

# Policy LC6 (H1)

## Housing Allocations

The following sites are allocated on the Policies Map for housing development over the plan period. In addition to all other relevant policies in this plan each site has specific development requirements as set out below.

### **H1: 0.54ha Former Secondary School, Carn Thomas, Hugh Town, St Mary's**

A residential development of around 26 homes of an appropriate scale and design, which will require:

- i. Appropriate connections and upgrades to water and sewerage, with any planned improvements taken into consideration; and
- ii. An appropriate heritage assessment to guide the design of the scheme, to ensure no harm to the setting and protect the significance of designated and undesignated heritage assets, in the vicinity of this site, given its prominent location.

# Policy LC6 (H2)

## Housing Allocations

### **H2: 0.2ha Former Primary School, Carn Thomas, Hugh Town, St Mary's**

A residential development of around 7 homes of an appropriate scale and design, which will require:

- i. The retention/conversion of the original and traditional buildings, enhanced to a high standard of design; and
- ii. Appropriate connections and upgrades to water and sewerage, with any planned improvements taken into consideration.



# Policy LC6 (H3)

## Housing Allocations

**H3: 0.53ha Land at to the west side of Old Town Road on the north of Ennor Castle, Old Town, St Mary's**

A residential development of around 15 homes of an appropriate scale and design, which will require:

- i. Appropriate vehicular and pedestrian access;
- ii. Appropriate connections and upgrades to water and sewerage, with any planned improvements taken into consideration;
- iii. Design and access measures to protect and enhance the setting of Ennor Castle, including:
  - maintenance or enhancement of the historic landscape character through careful design of density, style, fabric and variety for new homes and garden boundaries, informed by those existing in the historic core of Old Town and through retention of existing boundary banks and trees;
  - retention of the existing trackway on the south to ensure continued access to the rear (west side) of the development; and
- iv. Impacts of surface water run-off (on the adjacent SSSI) to be avoided; and v. Heritage assessment and archaeological monitoring of groundwork.

# Policy LC6 (H4) (H5) Housing Allocations

## **H4: 0.44ha Land to the north east side of Ennor close, Old Town, St Mary's**

A residential development of around 13 homes of an appropriate scale and design which will require:

- i. Appropriate vehicular and pedestrian access;
- ii. Appropriate connections and upgrades to water and sewerage with any planned improvements taken into consideration; and
- iii. Heritage assessment and archaeological monitoring of groundwork.

## **H5: 0.42ha Land to the south of Launceston Close, Old Town St Mary's**

A residential development of around 12 homes of an appropriate scale and design which will require:

- i. Appropriate vehicular and pedestrian access;
- ii. Appropriate connections and upgrades to water and sewerage with any planned improvements taken into consideration; and
- iii. Heritage assessment and archaeological monitoring of groundwork.

# Policy LC6 (H6) (H7)

## Housing Allocations

### **H6: 0.37ha Land to the south east of Ennor Close, Old Town, St Mary's**

A residential development of around 11 homes of an appropriate scale and design which will require:

- i. Appropriate vehicular and pedestrian access;
- ii. Appropriate connections and upgrades to water and sewerage with any planned improvements taken into consideration;
- iii. Heritage assessment and archaeological monitoring of groundwork; and
- iv. Investigations as to potential tidal flood risk including appropriate mitigation measures.

### **H7: 0.65ha Land to the east of Ennor Close, Old Town, St Mary's**

A residential development of around 20 homes of an appropriate scale and design which will require:

- i. Appropriate vehicular and pedestrian access;
- ii. Appropriate connections and upgrades to water and sewerage with any planned improvements taken into consideration;
- iii. Heritage assessment and archaeological monitoring of groundwork; and
- iv. Measures to reduce future amenity issues for occupants of new housing and to minimise conflict with the operational and safety requirements of St Mary's Airport.



# Policy LC6 (H8)

## Housing Allocations

### **H8: 0.4ha Land at Sandy Banks, Porthmellon, St Mary's**

A residential development of around 12 homes of an appropriate scale and design which will require:

- i. Appropriate vehicular and pedestrian access;
- ii. Appropriate connections and upgrades to water and sewerage with any planned improvements taken into consideration;
- iii. Heritage assessment and archaeological monitoring of groundwork; and
- iv. Investigations as to potential tidal flood risk including appropriate mitigation measures.

## Building a Strong Living Community

### New Homes – Where to Build (17)

279. **Windfall Sites** Windfall sites arise where a sustainable site suitable for development becomes available and where it has not been specifically allocated for housing in the Local Plan. Windfall sites provide opportunities for small scale residential development, including one-off homes and custom/self-build opportunities. Historically windfall sites have made a positive contribution to the delivery of affordable homes for the community across all of the islands.
280. Policy LC7 allows for windfall sites to come forward for affordable housing to meet Local Housing Needs. In particular, this policy provides an opportunity for custom and self-build homes for those on the Custom and Self-Build Register.

## Building a Strong Living Community

### New Homes – Where to Build (18)

281. On St Mary's windfall, developments will only be permitted where the site is within or adjoining an existing settlement, and where the proposal complies with any other relevant policies elsewhere in this Local Plan. Existing settlements include those shown on the Policies Maps:

- S1 Hugh Town
- S2 Old Town
- S3 Porthloo
- S4 McFarlands Down/Telegraph
- S5 Holy Vale
- S6 Normandy
- S7 High Lanes

282. **Off-Island Homes** During the plan period any future homes required to meet the housing needs of the off-island communities will be delivered through windfall development, rather than on sites specifically allocated for housing. This flexible approach will ensure that new homes are permitted on the off-islands in response to the needs of off-islands communities in accordance with Policies LC1 and LC7. The number and type of new homes should therefore be in response to the identified needs of a particular off-island community. Wherever possible, new homes should be well related to an existing settlement or group of existing dwellings and in all cases appropriate in scale, character and appearance to the site and the surrounding area or wider landscape.

## Building a Strong Living Community

### New Homes – Where to Build (19)

- 283. All development proposals on a windfall site on St Mary's or the off-islands will be required to comply with other relevant policies in the Local Plan. In relation to scale, design and layout, proposals will need to accord with Policy SS2.
- 284. All new homes permitted on windfall sites will need to meet the housing requirements of the community in accordance with Policy LC1. In addition, any residential development permitted will be subject to secure arrangements to ensure the accommodation is retained to meet local housing needs of the islands, in accordance with Policy LC2.



# Policy LC7

## Windfall Housing

- 1) Proposals for new homes, including custom and self-build, will be permitted:
  - a) On St Mary's where the site is within or adjoining an existing settlement as shown on the Policies Map; or
  - b) On the off-islands where new homes are required to meet a Local Housing Need specific to that off-island.
- 2) All new homes will be required to meet Local Housing Needs in accordance with Policies LC1, LC2 and LC3.


# Building a Strong Living Community

## Existing Homes (1)

- 285. Replacement Dwellings** Renovating existing homes is often a more sustainable and environmentally friendly approach than replacing existing dwellings in their entirety. Where the existing dwelling is not considered suitable for retention, the replacement home should be well sited in relation to the existing site and buildings, not visually intrusive, and not significantly larger than the dwelling it replaces. Where a replacement home is considered appropriate, it must have a lawful planning use as a dwelling, and not have been demolished prior to the determination of the associated planning application, and/or its use abandoned. Replacement dwellings should be sited within the lawful curtilage of the existing dwelling, unless significant environmental benefits would result from its repositioning.
286. The impact of a replacement dwelling is likely to be greater with increases in size, especially in relation to the surrounding area. Any increase in the size and scale of a replacement dwelling can also have implications in relation to its affordability. Any planning application for a replacement dwelling can take into account the size of extension that could be sought. In order to apply a consistent approach, the increase in scale of a replacement dwelling will be restricted, to ensure it is no larger than a previously enlarged property.

# Building a Strong Living Community

## Existing Homes (2)

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287. Where a replacement dwelling is proposed, it must be demonstrated that the overall energy performance of the building will be improved where it is viable to do so, in accordance with Policy SS1 and Policy SS2.
288. **Residential Extensions** Due to the exceptional quality of the environment, many of the usual permitted development rights for householders on the islands are removed through Article 4(2) Directions. As a result, there is a higher proportion of planning applications submitted for extensions and alterations to existing properties. It is therefore necessary to guide homeowners as to what would be considered acceptable in the context of the islands.

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# Building a Strong Living Community

## Existing Homes (3)

- 289. Additional space created by an extension to a dwelling, or the erection or alteration of outbuildings or other structures to provide ancillary accommodation, can be an acceptable means of addressing changes in household space requirements. In supporting extensions and alterations, it is important to strike an appropriate balance to ensure the protection of amenity of neighbouring residents and the character of the locality.
- 290. As all homes on the islands command higher than the national average house price, larger homes are therefore less likely to be affordable to the community, who have on average, lower incomes when compared to the national average. Consequently, proposals for extensions should not result in an imbalance in the existing housing stock, and ensure the retention of an appropriate mix of homes available to the community.
- 291. To prevent an imbalance of house types and sizes, and to help retain affordable homes, proposals that seek to extend an existing property significantly, by more than 30% above the minimum for the size of property, will be resisted unless there is a demonstrable proven need for a larger home.





## Building a Strong Living Community

### Existing Homes (4)

292. For ancillary accommodation, which is accommodation required for immediate members or relatives of the existing household (and not for use as lettable holiday accommodation), standards of privacy and amenity may be relaxed in relation to the main dwelling. In such circumstances, the occupation of the accommodation will be tied by condition to the occupation of the main dwelling. The scale and design of an extension should be in accordance with the Isles of Scilly Design Guide Supplementary Planning Document. 307. Where an extension or major refurbishment is proposed, it must be demonstrated that the overall energy performance of the building will be improved, where it is viable to do so, in accordance with Policy SS1 and Policy SS2.
293. Alterations and modifications to existing buildings and dwellings, including proposed extensions, outbuildings and annexes, must be of an appropriate scale and subservient in relation to the existing building, taking into account the site location and the cumulative impacts of previous extensions and development on the site where appropriate.



# Policy LC8 (1)

## Replacement Dwellings and Residential Extensions, Alterations and Ancillary Accommodation

- 1) The alternation, enlargement, replacement or substantial rebuilding of a lawful dwelling will be supported subject to compliance with the following requirements:
  - a) The size, siting and design, as well as the use of materials, of the proposal would not be more visually intrusive in the landscape or have a harmful impact upon the amenity of neighbouring properties.
  - b) Where a proposal results in an increase in size (either in relation to number of bedrooms, floors, usable floor space or footprint) of the original dwelling then this should meet, and be no greater than 30% above as a maximum, the minimum space standards as set out in the Nationally Described Space Standards (Technical Housing Standards) (or any replacement standards); unless clear justification is provided as to why a larger home is required.

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# Policy LC8 (2) (3)

## Replacement Dwellings and Residential Extensions, Alterations and Ancillary Accommodation

- 2) A replacement dwelling or an extension or alteration to an existing dwelling will not be permitted to include any self-contained holiday letting accommodation unless this already lawfully forms part of the existing property, secured through planning permission or a lawful development certificate.
- 3) All planning applications for replacement dwellings, extensions or alterations that increase the number of bedrooms relative to the existing dwelling should:
  - a) proportionately improve the overall energy performance of the building and accord with the principles set out in Policies SS1 Principles of Sustainable Development and SS2 Sustainable Quality and Design; and
  - b) ensure there is sufficient space within the existing curtilage to accommodate the proposal without resulting in overdevelopment of the site or adversely impacting on residential amenity space and parking provision; and
  - c) be supported by calculations of the existing and proposed internal habitable floor space and the number of proposed permanent occupants.

# Building a Strong Living Community

## Existing Homes (5)

294. **Homes in Multiple Occupation (HMO)** A HMO is a property that is shared by three or more tenants who are not living together as a family, and who share basic amenities such as a kitchen, bathroom or toilet facilities, but have separate bedrooms. The change of a home to a HMO for up to 3–6 people is permitted development. Where there is a mixed HMO and private dwelling, or the HMO is shared by more than six people, then planning permission is required.
295. Unlike the UK mainland, the Isles of Scilly does not have high numbers or concentrations of HMOs, which are often established as a means of providing low-cost accommodation for students or young professionals. Locally, HMOs are established largely to provide accommodation for seasonal staff.
296. In order to accommodate the need and demand for HMOs, while ensuring the future balance of established communities, Policy LC10 provides guidance for developers and prospective landlords in order to minimise the potential social, environmental and economic impacts of HMOs on communities.



# Policy LC9 (1) (2)

## Homes in Multiple Occupation

- 1) In order to support mixed and balanced communities and to ensure that a range of household needs continue to be accommodated throughout the islands, a material change to a House in Multiple Occupation (HMO) will be permitted where:
  - a) the use would not cause a detrimental impact upon adjacent and neighbouring residential amenity or neighbouring land uses; or
  - b) the immediate area is not already imbalanced by a concentration of such uses and where the development would not create such an imbalance.
- 2) Dwellings in use as Class C4, mixed C3/C4 use, and HMOs in sui generis use will be considered to be HMOs.