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Attn : David Wyborn, Stephanie Wade, Lisa Walton

Ref : Planning Application P/17/056/FUL - The Dairy

Date : 17th September 2017 - Revision A - 04.10.17

Dear Mr Wyborn.

Thank you for your letter dated 12th September 2017. It would appear from your response that there are 2 main issues of concern that need to be addressed, however I feel it would aid clarity to the discussion if I answer, in the fullest detail possible, all the relevant comments contained in your correspondence.

1. Planning history : This history shows that the building has had a number of uses over time with changes to the mix of commercial use and residency. The latest application has a condition 5 attached which restricts occupancy of the staff flat to those employed in the business. To bring this up to date, in 2014 my clients purchased the leasehold of the property for £184,000 with a remaining lease period of 22 years, and they continue to pay a significant sum to the Duchy in ground rent. This is an appreciating rent with incremental increases over time currently set at £21,300.00 per annum. They also pay business rates on both the holiday accommodation and the ground floor commercial space totalling £7,979.04 . Council tax is paid on the staff accommodation. This would indicate that The Dairy are business premises with staff accommodation attached. The use of the building has changed over time, as many do, and will continue to change as the Isles of Scilly economy diversifies. The high costs in Duchy rental and current rates (£29,279.04) do not lend the property to being developed to satisfy the local housing need, therefore the current proposal has included for further holiday accommodation with a rental premium which justifies the cost of the refurbishment and the ongoing building costs.

2. Isles of Scilly AONB Partnership : AONB state that their response contains no comment from the Duchy. I would like to point out that throughout the design process the Duchy have been fully aware of the scheme and are in approval of it. The Duchy architects have evaluated and approved the design, especially in relation to the development of the old school site at the top of Telegraph Rd. They comment on the lack of sustainable features such as solar panels. Such panels would not be appropriate on this building as they would be very visible from The Strand (I note that 14-19 The Strand are to be fitted with solar panels, but on the rear of the properties). My clients have

signed up to the Smart Island initiative with Hitachi and are currently investigating other sustainable initiatives. They also feel it is a shame that a further holiday let is being created in lieu of staff or local housing. Unfortunately the significant sums payable in ground rent to the Duchy make local housing economically unviable on this site.

3. Public Consultation

a : Visual historical development, obstruction of views, context of The Hugh

It is true that the view towards the Garrison will be impacted to some degree though I would argue that the main element of The Hugh as noted in Heritage England's description of the site is as follows:

“The site chosen was The Hugh, a prominent headland jutting out to the west from St Mary's. The nucleus of the scheme was Star Castle, built in 1593–4 (now a hotel)”.

<http://www.english-heritage.org.uk/visit/places/garrison-walls/history/>

Photographs taken from the highest point of the The Telegraph hill pavement show that views towards Star Castle, Hugh House and indeed Tamarisk will not be unduly affected. It could be noted that Properties on the Western side of Telegraph have already had a significant impact on the views and context of The Hugh

b : Dominance and impact on sunlight.

Firstly the orientation of the building will have no impact whatsoever on daylight levels. Early morning winter sun will already be overshadowed by the hillside behind and for the majority of the day its shadow will face away from the adjacent properties at 14-19 The Strand. In terms of dominance I would note that the building is 1 meter higher than the next property above Ice Cottage though is also approximately 1.1 meter lower than Hillside. The Old School building (council offices) at the top of Telegraph Rd are again higher with dominant pitched roofs.

c : Loss of privacy and overlooking. I feel this would only be an imposition if the proposed amenity spaces i.e terraces, would be overlooking private gardens. The Dairy is bounded on 3 sides by public space and roadways. Neighbouring properties also face onto these roadways which are trafficked by cars and pedestrians alike and I therefore do not feel these comments are relevant.

d : The development would not be in keeping : Reference to local character. The buildings on this part of The Strand are of poor aesthetic quality, particularly 12, 13, 14-19. I would argue that these properties, including The Dairy in its current form, are not in keeping with the character of the area. Beach Haven is somewhat suburban in style and Ice Cottage is the only property that retains any significant local quality. It is not possible to turn The Dairy into a Scillonian cottage, therefore other references to local character need to be made. Dual pitched roofs, Western Red Cedar boarding and a reinstatement of timber doors and windows all help to instill a sense of character and

place. The scheme is not dissimilar to the recent development on Buzza Street, Porthcressa. It should also be noted again that the Duchy architects have approved the design in relation to the future development of the the Old School site.

4 : Correction and Clarification : The Addendum from my clients state :

‘We believe the building would not support an alternative retail outlet...’

This should state that they believe the building would not support and alternative food retail outlet. Apologies for the error as it does appear to conflict with the argument.

My clients will continue to run the current milk delivery from the premises as well as a shop / gallery / workshop space in the remaining 40sqm of commercial ground floor space.

This is explained in Addendum 2, attached to this letter

The space has not been marketed to other prospective retailers as the owners wish to continue there own business interests from the building. It would also appear somewhat contrary to condition 5 of the latest planning decision P/12/099/FUL which restricts occupancy of the staff flat to those employed in the business.

They have also proved to be very good at running a self catering holiday business from the premises, which is fully booked each year. Yve Peck has proven here ability to maintain a high 4 star standard of accommodation and is capable of improving on this if an additional apartment is approved on the site. Her tenure as housekeeper at Tregarthen's Hotel is testament to this. Enhancements to facilities, amenity space and aesthetics could only improve their success and viability.

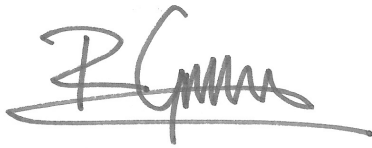
5 : Policy 4 - Economic Development. I feel we support fully items a and b of this policy. As noted above in point e, the enhancements to the building and inclusion of facilities, amenity space and aesthetics, support this. Items c, d and e, are not relevant to this site.

6 : Design, Scale, Massing and Materials. With regard to context in relation to 14 - 19 Higher Strand please refer back to my comments in point 3(d). I feel we have sympathetically adhered to the requirements of the design guide. I feel the point made regarding the maintenance of existing character in the building is disputable as it currently conveys all the characteristics of things to avoid in new designs and alterations.

7 : Overall Impact. In order for my clients to be able to justify the high cost of improvement to a building who's commercial viability and location do not provide the best opportunities for food retail, it is fundamentally necessary to change the commercial nature of the building. High quality self catering provision is the best opportunity for growth on this site. Without the level of financial opportunity this type of business would provide it is difficult to see how this building will ever be improved as the costs to do so

are restrictive. I would be very happy to discuss how we can deal with your concerns regarding the additional storey in the planning proposals, but a further storey is vital to the future viability of this site.

Best regards

A handwritten signature in black ink, appearing to read 'R Green', with a long horizontal flourish underneath.

Robert Green
(Acting as agent on behalf of Mick and Yve Peck)