

**Objection letter**  
Against  
**Planning application P/20/054/FUL**  
At  
**Garage, Buzza Road, Hugh Town St Mary's**  
For  
**Demolition of garage and construction of Local Need Dwelling.**

**Mr and Mrs May**  
Of  
**The Lookout, Porthcressa Rd, Isles of Scilly TR21 0JQ**

**23/10/2020**

## Reasons for objection

We wish to restate our objection to the planning application on the grounds that it will negatively impact our amenities and the enjoyment of our property. We also do not consider that the revised proposal (reduced by 20cm!) has sufficiently overcome the previous reasons for refusal and concerns raised by the councillors previously.

Our reasons for objection are as follows:

1. Loss of light, overshadowing and overbearing

The proposed dwelling will sit close to the front elevation of The Lookout. The planning officer has noted in their report to the Council that the proposed dwelling is positioned so as to “avoid an overlap with the alignment of this property” (point 57). We understand this to mean that the property will be positioned slightly to the south east of The Lookout’s front elevation. We do not consider that this is sufficient to prevent loss of light, overshadowing and overbearing to our windows and property and external amenity space.

The planning officer states in their report to the Council that:

*The issue of light is raised in a number of the representations but it is generally not a matter that can be measured and unless a development results in significant loss of outlook, is not considered to be a material planning consideration.*

Overshadowing and loss of light can be measured and are considered to be a material planning consideration within the “Isles of Scilly Design Guidance Supplementary Planning Document (2007, p58). We do appreciate that rights to light are covered under separate legislation and not governed by planning policies however overshadowing, overbearing and loss of outlook are material planning considerations.

It is also noted that light can be measured through the use of the 25 or 45 degree rule as this is standard practice used by many local authorities. We have not seen sight of any modelling or daylight and sunlight assessments and are concerned that this has not been fully considered.

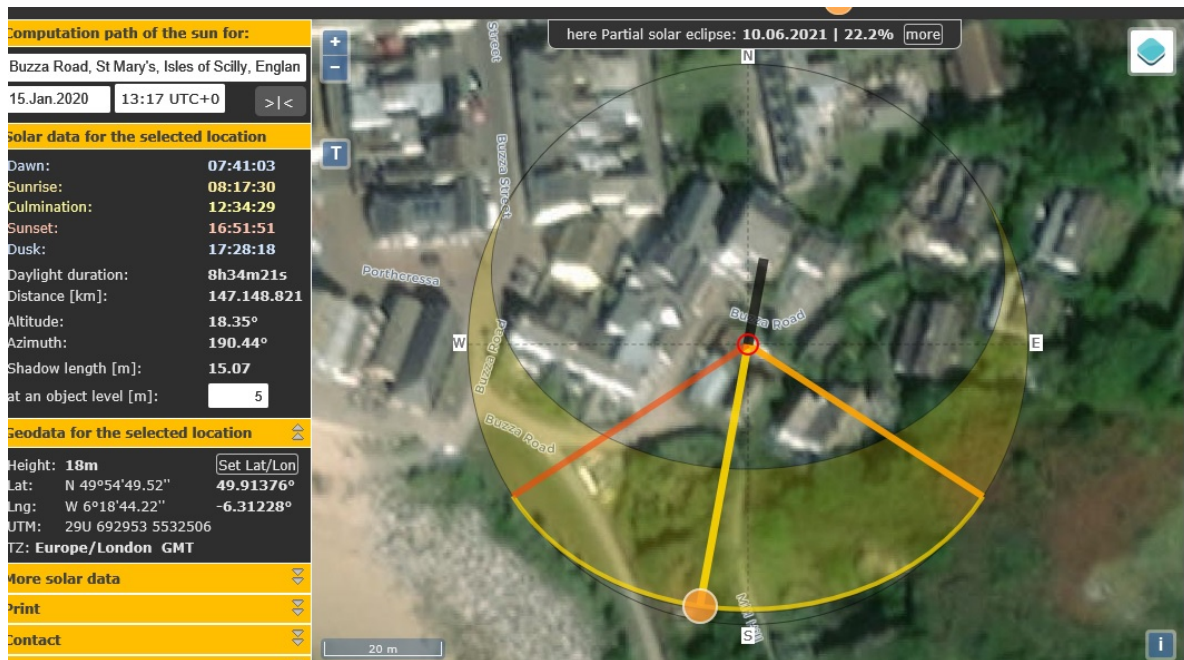


Figure 1 Sun path in relation to The Lookout and the site

Figure 1 is a simple map taken from [suncalc.org](http://suncalc.org). This indicates that there would be possible overshadowing as a result of the siting of a two storey dwelling to the south east of The Lookout. The Lookout's windows are south facing and light to these, particularly those to the eastern side of the front elevation, would be affected by the proposed dwelling. The Lookout has enjoyed a relatively open and uninterrupted outlook and this new building would have a high flank wall close to the Lookout. There is very little separation between The Lookout and the application site owing to the narrow lanes between the properties and the general proximity of properties in the area.

The Lookout has limited external amenity space and as such any impact to this space will be more keenly felt. There is a patio between the front elevation of the Lookout and the application site (figure 2), this is not indicated on the proposed plans and it is not thought that the officer has considered the impact to this space. The officer's report states, in reference to the impact to the Lookout:

*It is noted that a gap of around 9.3 metres will lie between the rear wall of the proposed dwelling and the front building line of this property to the rear, with a physical gap from corner to corner of 10.3 metres. As with the impact on dwellings to the north west, there will be some impact of overshadowing in the early morning, which will decrease as the sun moves through the sky through to midday.*

Figure 1 indicates the position of the sun at 1pm when it is considered there would still be some overshadowing of the front terrace and windows in The Lookout. It does not appear that the officer has made reference to the Lookout's patio which will sit closer to the development than its front elevation and as such we consider that this impact has not been fully considered by the officer.

We also consider that the north arrow on the plans gives the impression that the proposed dwelling will be more to the east of the Lookout than it will be in actuality. Figure 3 shows a comparison between the placement of the north arrow on the applicant's plans and how this appears when the drawing is rotated to align with the northern arrow. As such we consider that the overshadowing of

the patio and front windows will endure for longer than stated by the officer and we believe that the impression given by the placement of the north arrow on the drawing is inaccurate and misleading.

We also note that the small garden area to the west of the development is within separate ownership and is owned by the cottages opposite. This area of amenity space would also suffer overbearing as a result of the proposal.



**The Lookout's patio area to front of dwelling**



*Figure 2 the Lookout's external amenity space*

The impacts are exacerbated by the modern, bulky appearance of the property and materials which would appear stark and visually overbearing.

The property is not in keeping with the scale and form of properties immediately surrounding it and it would be intrusive and dominant, we consider.

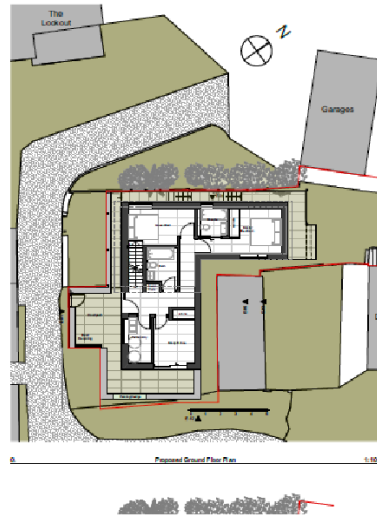


Figure 3 comparison the illustrated north and the actual north

## 2. Loss of

privacy

The new dwelling will have windows and an entrance door with a glazed panel in its northern elevation facing The Lookout. There is a first floor guest bedroom which, based on the floor plans, will have only one window which will face the front elevation of The Lookout. Even if this window were to be obscure glazed initially there will be pressure to clear glaze this window given that this is its sole source of outlook.

The plans also show that there would be external steps leading up to the access door in the property's northern elevation. These raised steps would be around 10 metres from the front of The Lookout. It is considered that the proposed external steps and northern windows will overlook The Lookout and result in loss of privacy both in terms of into its front windows and over its modest patio area. This would be the case whether or not these windows were obscure glazed due to their proximity, perceived overlooking and pressure to clear glaze these in future.

### 3. Character and appearance of the Conservation Area

We have already expressed our concerns that we do not feel as though the previous reasons for refusal have been overcome by the limited revisions to the application. We would state again that we do not understand how such a different conclusion has been reached in respect of the impact to the Conservation Area when there has been so little change in terms of the scale and bulk of the proposal. Infact, this one is larger!

The most recent application was withdrawn and there is little available to the public in terms of the reasons for this withdrawal and it is thought this should be made available for reasons of transparency within the planning process.

We do not object in principle to the redevelopment of the site however we consider that what is proposed is an overdevelopment which will be harmful to the character and appearance of the area and that will be detrimental to our amenities. We would consider that a smaller scale single storey property, more in keeping with the other properties, would be more suited to this plot.

The Council is respectfully asked to consider our objections to the proposals.

Yours sincerely,

Mr and Mrs May

Photographs





The

Lookout viewed from the south with the site to the east of Buzza Street, the Lookout would be boxed in by the new 2 storey dwelling, losing outlook and light. We consider that the Lookout is made to appear larger on the plans in comparison with the site.

Charlie's Cottage to the west of the site. This photo was taken at around 10am, there is already some low level loss of light to the ground floor windows. The two storey dwelling will result in a significant



increase to this, harmful to the occupiers. All this light would be blocked, as it also would be on Penventon.





The Lookout's living room window and the patio in front of this. The light would be blocked from this window and its outlook severely reduced. All sky would be blocked from this view. We have sat our chair in the middle of the room as stated in the 'Right to Light' rules.





The Lookout's patio area/ amenity space looking towards the site. This open patio area would suffer loss of outlook and light contributing to a sense of enclosure for this open space.