

Beggars Roost  
Buzza Road  
St Mary's  
Isles of Scilly  
22nd October 2020

Planning Department  
Council of the Isles of Scilly  
Town Hall  
The Parade  
St. Mary's  
Isles of Scilly  
TR21 0LW

**Application: P/20/054 Boatshed, Buzza Road, Hugh Town**

I wish to object strongly to these amended plans on behalf of my father, Ken Peay and myself, on the grounds set out below. The Council, in their consideration of the earlier application, deferred their decision in order for the applicants to address issues relating to the scale of the property and its impact on the light of the adjoining properties.

1. The applicants' revised plans have scaled down the roof by a mere 20cm. Since the height of the ridge was 6.55 metres this represents a reduction in height of 3%. Given the Council's concerns, and the seriousness with which they discussed the applicants' proposal, these amended plans represent no more than a perfunctory adjustment. It also, in my view, demonstrates that the applicants have no willingness to understand the objections to their plans of those they wish to have as neighbours.
2. The distance of the proposed building from the surrounding buildings is not, as was asserted at the Council meeting, over 10 metres. Rather, as the plans display it is as little as 6.2 metres from the neighbouring properties. Penventon is a mere 3 metres from the proposed courtyard wall. Given the proximity of the building, together with its height, it looks inevitable that Penventon, in particular, will be badly affected by loss of light. The photographs submitted by the Woodcocks are telling. I would hope that both a site visit by the Council and the expert report on light which the Council is obtaining, will establish this beyond dispute.
3. Our objections to the scale and mass of the proposed building remain relevant. The applicants' plans are for a three bedroomed, two bathroomed property. This is not a 'starter home' compatible with the size of the available brownfield site. Whilst the applicants assert new ownership of land, to increase the brownfield boatshed site with further land, this additional land is garden land, previously belonging to Charlie's Cottage or Domremy (subject to potential dispute). But it is, on any interpretation, garden land. Building on it cannot be subsumed under the development of a brownfield/windfall site but would entail substantial building on garden land – a green space within a protected conservation area. *Dartford Borough Council v Secretary of State for Communities & Local Government* (CO/4129/2015). Undeveloped land (garden land) in a built-up area is at more of a premium than greenfield sites outside the urban area, and thus requires greater protection.
4. Whilst the planning officer correctly asserted that disputes over the ownership of land are civil matters and not relevant for planning decisions, the plans submitted by the applicants claim ownership of land that is manifestly attached to Domremy – including their vital access

path and the steps down from their property. I understand from helpful exchanges with the planning officer that Mr Fletcher does not intend to restrict Mr Child's access in any way, but conceding that would seem to acknowledge Mr Child's use of the land (and arguably implied ownership) over many years. In any event, the practical area of land for the building reduces significantly once Mr Child's rights are taken into account. Thus, the proportion of the site occupied by the proposed building will rise substantially above the 39% calculated by the planning officer.

5. I am aware that Mr Child is in no position to assert his rights at present (he is in Park House). But submissions by Janet Vosper (who is prepared to make a statutory declaration) and Mr Child's relatives are in accord with my earlier contention that part of the garden land arguably belongs not to Mr Fletcher but to Mr Child at Domremy. And has belonged to him for the past 30 years or so.
6. I believe that the Council's earlier conclusions remain valid; namely, that the development would be overbearing and dominant when viewed from Penventon, Monaveen and Domremy, and that it would fail to preserve or enhance the character and appearance of the Conservation area. Indeed, the further assertion by the Council that it would set a pattern for similar undesirable developments in the vicinity was very prescient. The spatial standards of the area are to be applauded not endangered. The walk along Porth Cressa beachfront and up the Buzza is a treasured route for many visitors, as previous objectors have noted.

With kind regards  
Dr Jill Peay and Mr Ken Peay