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Planning Statement

Land at Rams Valley
St Mary's
Isles of Scilly

Prepared on Behalf of: John Dalton

Ref: 15465

Date: 27 November 2020

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By Tom Anderton at 9:55 am, Dec 04, 2020

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Executive Summary

Evans Jones Ltd have been instructed by Mr John Dalton to prepare a Planning Statement in support of a full planning application for the erection of a dwelling at Land at Rams Valley, St Mary's, Isles of Scilly.

Whilst the Development Plan for the Isles of Scilly seek to control development of new dwellings to ensure the provision for a local need, previous appeals at the site confirm that there is a need for 1 and 2 bedroom homes. As the proposed dwelling is 2 bedrooms, this need on the Isles of Scilly will be met by the development. Furthermore, the proposed dwelling will help to fulfil the need for affordable housing within the Isles of Scilly, with the applicant being happy to enter into a Section 106 agreement to secure the proposed dwelling as affordable housing.

Additionally, due to the limited impact the development will have on the area, based on the screening measures that will be present for the proposed dwelling and the landscaping works that will be completed, the proposed development is acceptable based on having no harmful impact on the landscape and scenic beauty of the Area of Outstanding Natural Beauty. Furthermore, the proposed dwelling being in keeping with the character of the area, in terms of the proposed design and materials being utilised for the dwelling, will ensure that the character and appearance of the Conservation Area is conserved.

The proposal is acceptable in principle complying with the relevant Development Plan policies. This statement has assessed all the other relevant planning considerations and found that the scheme is fully compliant with the development plan and other material policy considerations, including national policy and the pursuit of sustainable development.

1. INTRODUCTION

- 1.1 This Planning Statement is submitted in support of the full planning application seeking permission for the erection of a new dwelling at Land at Rams Valley, St Mary's, Isles of Scilly.
- 1.2 This Statement sets out the main planning considerations and justifications for the scheme. In support of the application, this Statement demonstrates that the proposed scheme is acceptable in principle and expands upon issues relating to, *inter alia*, impact on heritage assets, impact on the Area of Outstanding Natural Beauty, and design.
- 1.3 The application submitted comprises the following plans and documents.
- Proposed Dwelling – Drawing No. JD-PD-1a
- 1.4 This statement should be read in conjunction with the plans and documents that make up the application as a whole.

2. SITE AND SURROUNDINGS

- 2.1 The application site is located along Rams Valley in Hugh Town, one of the main residential areas within the Isles of Scilly, with the surrounding area thus having a residential character. Hugh Town is identified by the Council of the Isles of Scilly as being the only true 'urban' settlement on the islands. Alongside the residential properties in the area, there are a number of properties providing holiday accommodation. The site is located at the rear of an existing residential dwelling.
- 2.2 The site is currently accommodates a garden shed and greenhouse, which are both in a state of disrepair, with the site also being utilised as a boat storage stile. The site, in its context, can be seen in Figure 1 below.



Figure 1 - Site Location (taken from Google Maps, site outlined in red)

- 2.3 Access to the site is currently obtained via Rams Valley, with connections to the neighbouring streets of Porthcressa Road, Buzza Street and Church Street being located to the west of the site. Based on a review of the area around the site on Google Maps, there is no readily identifiable bus service to connect the site to the wider area of St Mary's.
- 2.4 As the entirety of the Isles of Scilly have been designated as a Conservation Area, the site is thus within a Conservation Area. Additionally, the Isles of Scilly

have been designated as an Area of Outstanding Natural Beauty (AONB), therefore the site is within an AONB. The site is located within Flood Zone 1, indicating a low risk of flooding.

3. DEVELOPMENT PROPOSAL

3.1 The application seeks planning permission for a two bedroom residential dwelling and associated works. The proposed site layout is shown below in Figure 2.

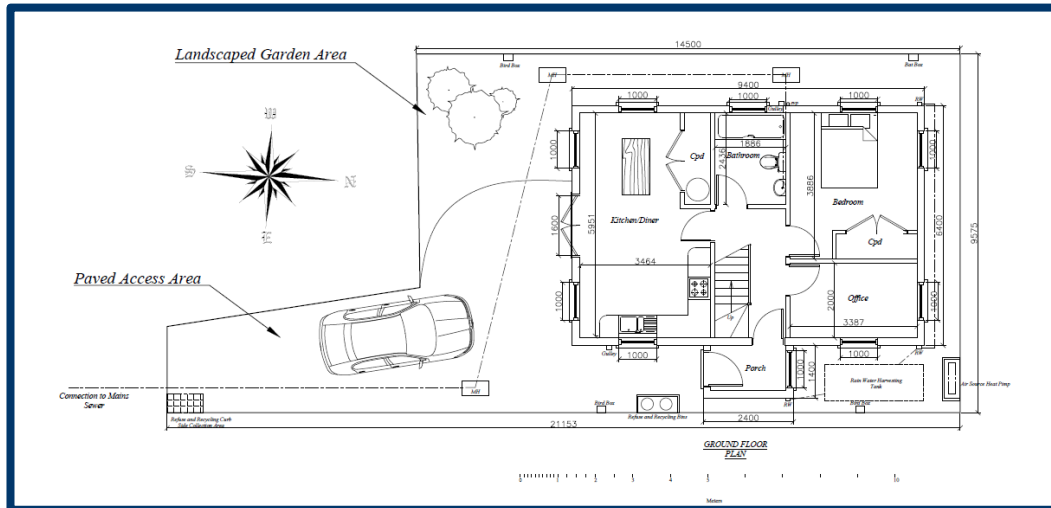


Figure 2 - Proposed Site Layout (extracted from submitted plans)

3.2 As indicated on the proposed plans, the site will also include a rainwater harvesting tank and air source heat pump to the east of the dwelling. For refuse and recycling facilities, a set of bins are indicated to the east of the dwelling, with a dedicated area being provided at the south of the site for curb collection. To ensure that there is minimal impact on the ecology of the area as a result of the development, two bird boxes and a bat box are provided at the site boundaries. A bat box will also be positioned on the north elevation of the dwelling. The garden area meanwhile will be landscaped, with tree planting seen at the south-west corner of the site.

3.3 In terms of the materials used to construct the new dwelling, the elevations of the dwelling will be rendered. For the roof, natural slate will be utilised, with two dormer windows also being present, with these windows having cedar cladding. In terms of windows, the roof will have conservation style roof lights whilst the dwelling will have UPVC white windows. The rainwater goods for the dwelling meanwhile will be black square section gutters and downpipes.

3.4 A new access point from the road is also proposed as part of the development, which will include a paved access area to allow vehicular access to the site.

4. PLANNING HISTORY

4.1 A review of the Council's online planning register shows the following applications which are of relevance to this application:

- P/16/060/FUL

4.2 Application P/16/060/FUL was for the reconfiguration of 5 existing dwellings and the conversion of outbuildings to create 3 new dwellings. The application was refused planning permission, partly on the basis that the development went against policy 3 of the Isles of Scilly Local Plan, which restricted the development of market housing. This development was subsequently the subject of an appeal (reference: APP/Z0835/W/17/3168678), which was subsequently allowed. The Inspector for the appeal noted that the harm that would arise from conflict with Development Plan policy would be outweighed by the benefits of the development. As part of their comments, the Inspector noted that there was a particular need for 1 or 2 bedroom dwellings on the Isles of Scilly and that, at the time of the appeal, there was no robust evidence before them to demonstrate a five year housing supply. Whilst there is emerging Development Plan policy and, as a result, a different context behind the decisions of the Council, this appeal decision is still of relevance in establishing how residential development can be deemed acceptable on the Isles of Scilly.

5. PLANNING POLICY CONTEXT

5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise.

The Development Plan

5.2 The Development Plan policy context for the site and the surrounding area is provided by the Isles of Scilly Local Plan: A 2020 Vision, adopted November 2005 (Local Plan). Whilst there are other documents which comprise the Development Plan, they are not of relevance to the determination of this application.

5.3 The policies that are of relevance to this application are:

- Policy 2 – Sustainable Development
- Policy 3 – Housing

5.4 Policy 2 states that development will be permitted in situations where a proposal would, where practicable and appropriate, contribute to the sustainability of the island's environment, economy or local communities. One of the ways the policy states this can be done is through ensuring or facilitating the re-use of previously developed land and existing buildings.

5.5 Policy 3 states that, to ensure that housing is available to meet the needs of the community in perpetuity and to promote sustainable communities on the inhabited islands, no general open market housing will be permitted. The policy further states that, in the case of any new dwelling, it must be sited adjacent to, or integrated with, an established settlement or established group of dwellings.

National Planning Policy Framework

5.6 The National Planning Policy Framework (the Framework) was revised on 19th February 2019. The Framework sets out the Government's economic, environmental and social planning policies for England and details how these are expected to be applied. It is, in itself, a material consideration in planning decisions.

- 5.7 The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. This means “*approving development proposals that accord with an up-to-date Development Plan without delay*” or “*where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out of date, granting permission unless: i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole.*”
- 5.8 The Framework defines the three overarching objectives of sustainable development as:
- An Economic Objective** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- A Social Objective** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being;*
- An Environmental Objective** – *to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*
- 5.9 These objectives should be delivered through the preparation and

implementation of plans and the application of policies in the Framework; they are not criteria against which every decision can or should be judged. Planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

- 5.10 Paragraph 212 of the Framework advises that the policies within the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.
- 5.11 Paragraph 213 of the Framework advises that existing policies should not be considered out-of-date simply because they were adopted or made prior to publication. Due weight should be given to them, according to their degree of consistency with the Framework and that the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
- 5.12 Section 5 of the Framework focuses on delivering a sufficient supply of homes. Paragraph 59 states *“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”*
- 5.13 Section 12 of the Framework provides context to design within planning. Paragraph 124 states *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*
- 5.14 Section 15 focuses on conserving and enhancing the natural environment. Paragraph 172 states *“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale*

and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”

- 5.15 Section 16 focuses on conserving and enhancing the historic environment, Paragraph 193 states *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. “*

Other Material Policy Considerations

- 5.16 Outside of the Development Plan and the Framework, there are other material policy considerations that need to be discussed in relation to this development. In this case, the other material policy considerations are:
- Isles of Scilly Local Plan 2015 to 2030 (Emerging Local Plan)
 - Isles of Scilly Design Guide (Design Guide)
 - Isles of Scilly Area of Outstanding Natural Beauty Management Plan 2015-2020 (Management Plan)
 - Planning (Listed Building and Conservation Areas) Act 1990
- 5.17 Whilst the Emerging Local Plan has not been adopted and thus cannot be given full weight in the determination of a planning application, the document has been given substantial weight by the LPA in their determination of other planning applications. The policies within the Emerging Local Plan of relevance to this application are as follows:

- Policy SS1 – Principles of Sustainable Development
- Policy SS2 – Sustainable Quality Design and Place Making
- Policy OE1 – Protecting and Enhancing the Landscape and Seascape
- Policy OE7 – Development Affecting Heritage
- Policy LC1 – Isles of Scilly Housing Strategy to 2030
- Policy LC2 – Qualifying for Affordable Homes
- Policy LC3 – Balanced Housing Stock

- 5.18 Policy SS1 states that development proposals will be permitted where they make a positive contribution to the social, economic and environmental needs of the Isles of Scilly.
- 5.19 Policy SS2 states that development will not be permitted if it is considered to be of poor or unsuitable design. New development must be of a high quality design and contribute to the islands' distinctiveness and social, economic and environmental elements of sustainability.
- 5.20 Policy OE1 states that development will only be permitted where it aligns with the statutory purpose of the AONB and therefore conserves or enhances the islands' landscape, seascape and scenic beauty.
- 5.21 Policy OE7 states that great weight will be given to the conservation of the islands irreplaceable heritage assets. Any harm to the significant of a designated or non-designated heritage asset must be justified. With regard to the Conservation Area, the policy states that development will be permitted where it preserves or enhances the character or appearance of the area. It further states that the design and location of development has to take into account the development characteristics and context of the area, in terms of important buildings, spaces, landscapes, walls, trees and views within, into or out of the area and the form, scale, size and massing of nearby buildings, together with materials of construction.
- 5.22 Policy LC1 states that 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. It further states that open market housing will only be permitted as a mechanism for the delivery of affordable housing on allocated sites and where

the following apply:

“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) it has been established that no other form of grant funding or cost subsidisation is available.”

- 5.23 Policy LC2 sets out that all new affordable homes will be subject to occupancy restrictions, to ensure they will be occupied in perpetuity by a person or persons with a local housing need as their principle residence throughout the year.
- 5.24 Policy LC3 states that all new residential development must contribute towards the creation of sustainable, balanced and inclusive island communities and that all new homes must offer a good standard of accommodation by being constructed in accordance with the Nationally Described Space Standards. New dwellings will be no more than 30% above these minimum standards.
- 5.25 The Design Guide sets out the principles for development on the Isles of Scilly to ensure that good, sustainable design solutions for all types of new development are deployed.
- 5.26 The objective of the Management Plan is to ensure that development, wherever possible, enhances the special qualities of the AONB and not adversely affect the AONB designation
- 5.27 Additionally, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states *“In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

Appropriate Weight

- 5.28 Regarding the weight that is given, Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, determination of applications must be made in accordance

with the Development Plan, unless material considerations indicate otherwise. In this instance, full weight is given to the Local Plan as it forms the Development Plan.

- 5.29 Whilst weight has been given to policies in the Emerging Plan by the Council in previous applications, the plan has not yet been adopted and the Inspector's Report for the Emerging Plan has not been received. As such, there is no guarantee that the policies within the Emerging Plan, as it currently stands, will remain. As such, only limited weight can be given to the Emerging Plan at this time.
- 5.30 As it forms the basis of Government policy for planning applications, a high degree of weight should be given to the policies of the Framework. Since they do not form part of the Development Plan, limited weight can be given to the aforementioned Design Guide and Management Plan.

6. PLANNING CONSIDERATIONS

- 6.1 Having regard for the proposed development; the sites planning history; the relevant planning policy context; and all other material issues; the main planning considerations for the determination of this application relate to the principle of development, impact on the heritage assets, impact on the AONB and design.

Principle of Development

- 6.2 The main policy considerations relating to the principle of development are set out by policy 3 of the Local Plan and policies OE7 and LC1 of the Emerging Local Plan, along with the Framework.
- 6.3 Whilst the policies of the Local Plan and Emerging Local Plan indicate a resistance to new market housing, there are areas where such housing can be permitted, along with there being a principle in favour of residential development set out in the Framework.
- 6.4 It is noted that there is a need for 1 and 2 bedroom homes in the Isles of Scilly, with appeal decision APP/Z0835/W/17/3168678 using this need, as cited in the Strategic Market Housing Assessment (dated 2016) as one of the reasons for the appeal being allowed. As the proposed development provides for a 2 bedroom dwelling, this need is being met by the proposed development.
- 6.5 Furthermore, the emerging policy notes that market housing should only be allowed on the basis that it will enable the provision of affordable housing. The dwelling as proposed is intended to be an affordable dwelling to ensure that this need is met, in accordance with the Local Plan and the Emerging Local Plan. To ensure that the dwelling is utilised for affordable housing it is proposed that a Section 106 agreement is entered into to confirm that the dwelling shall be used in perpetuity as affordable housing.
- 6.6 As the development fulfils the need for two bedroom dwellings within the Isles of Scilly, the development is thus acceptable in principle in accordance with the Development Plan policies and the Framework.

Impact on Heritage Assets

- 6.7 As the site is located within a designated Conservation Area, the proposed dwelling will need to avoid creating harm to the Conservation Area and preserve or enhance the character or appearance of the area. This in turn will demonstrate that the development is acceptable in accordance with the Local Plan, Emerging Local Plan and the Framework.
- 6.8 Through the design and layout of the proposed dwelling, use of facing materials, landscaping and scale the proposal is consistent with the surrounding built form. Through this, the development is in compliance with emerging policy OE7, which in turn demonstrates that the development is acceptable in relation to the Conservation Area. In particular, the materials used for the walls, windows and doors, as well as the design of them, respect the design elements set out in the Design Guide as being acceptable within the Conservation Area. Whilst UPVC windows are proposed to be utilised, which the Design Guide states is inappropriate in most Conservation Area locations, the properties surrounding the site also make use of UPVC windows. As such, the use of this material will conserve the character of this particular area of the Conservation Area, thus confirming the development to be acceptable.
- 6.9 The Framework defines the setting of a heritage asset as “*the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*” The containment of the development is such that its impacts will not be perceptible from the wider setting of the Conservation Area in any respect, thus appropriately conserving setting.
- 6.10 In terms of the wider character of the Conservation Area, the Emerging Local Plan notes that the views onto and from the site as being important. The proposed location of the development, being with other dwellings and boundary walls providing screening, ensures that these elements of the Conservation Area will be conserved. Due to the current degree of disrepair that any views onto the existing site contain (albeit such views are limited), any elements that

would detract from the character and appearance of the Conservation Area will be removed through the proposed development. This in turn further conserves and leads to a degree of enhancement to the character and appearance of the Conservation Area.

Impact on the AONB

- 6.11 Due to the site being within an AONB, the impact of the development on the landscape and scenic beauty of the area needs to be addressed, to ensure compliance with the Local Plan, Emerging Local Plan, Management Plan and the Framework.
- 6.12 With regard to the landscape and scenic beauty value of the site as it currently stands, the site has been in a state of disrepair for a number of years. The proposed development will benefit the area through providing a new landscaped green area for the garden, with this including new vegetation and trees being planted. In its current state, the site is overgrown and in a state of disrepair. By allowing for the landscape of the site itself to be reworked through the development process, the proposed development will enhance the landscape of the AONB, compared to how it currently stands.
- 6.13 Additionally, the impact that the proposed development will have on the landscape and scenic beauty of the AONB will be limited because of the screening that is currently present on site and which will be utilised for the proposed dwelling. The presence of other buildings surrounding the site, which includes a dwelling which will limit the visibility of the dwelling from the street, the landscape and scenic beauty of the AONB will be preserved by the proposed development. The screening measures that are currently in place for the site will be sufficient to ensure that the proposed dwelling is screened from the landscape, ensuring that the landscape is preserved.
- 6.14 Due to the limited impact that the proposed dwelling will have on the landscape of the AONB, along with the improvements to the site area that will be seen as a result of the development, the proposal will preserve and enhance the landscape and scenic beauty of the AONB.

Design

- 6.15 With regard to the design of the proposed dwelling, a high standard of design is required as set out in the Local Plan, Emerging Local Plan, Design Guide and the Framework.
- 6.16 In respect of the design of the dwelling, its overall structure, and the building materials which will be utilised, respect the character of the surrounding dwellings. The use of painted render and natural slate is consistent with that of the surrounding dwellings, along with the use of dormer windows. Additionally, the internal layout of the dwelling complies with the Nationally Described Space Standards in respect of 2 bedroom dwellings, ensuring compliance with policy LC3 of the Emerging Local Plan.
- 6.17 With regard to the impact the design of the development will have on neighbouring amenity, as is indicated in the pictures in Figures 3 and 4 below, the neighbouring properties to the site do not have any windows which would directly overlook the site. This in turn means that there will be no impact on overlooking or privacy for both the existing neighbouring dwellings and the proposed dwelling and no loss of natural light to habitable rooms.



Figure 3 - Picture of Neighbouring Property



Figure 4 - Picture of Neighbouring Property

- 6.18 As a result of the design of the dwelling being respectful of both the character of the area and the amenity of neighbouring occupiers, the development is thus acceptable in principle in accordance with the Local Plan, Emerging Local Plan, the Framework and the Design Guide.

The Objectives of Sustainable Development

- 6.19 Paragraph 8 of the Framework sets out the three overarching objectives of sustainable development. These are independent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure new gains across each of the different objectives. As previously mentioned, these objectives are economic, social and environmental.

An Economic Objective

- 6.20 On an economic level, the development is sustainable as it will provide employment opportunities for those hired to construct the dwelling and provide the landscaping services. Additionally, there will be a direct monetary injection into firms that will provide the materials that will be utilised for the construction of the dwelling, providing further economic benefits from the dwelling.

A Social Objective

- 6.21 On a social level, the development will enhance the social character of this area of the Isles of Scilly by providing an additional dwelling, which will help to expand the social cohesion in the area. Furthermore, the affordable housing provision that will be seen as a result of the proposed development will result in this social need of the Isles of Scilly being met.

An Environmental Objective

- 6.22 On an environmental level, by conserving the landscape and scenic beauty of the AONB, the development will be sustainable on an environmental level. Additionally, the development will result in the creation of a landscaped garden area, which will provide a higher environmental quality to the site than that currently present.

7. SUMMARY AND CONCLUSIONS

- 7.1 The application seeks planning permission for the erection of a two bedroom dwelling at Land at Rams Valley, St Marys.
- 7.2 As the proposed dwelling is proposed to be secured for affordable housing the dwelling is acceptable in accordance Development Plan policies and The Framework. Additionally, the proposed dwelling being 2 bedrooms fulfils the need for such dwellings, as established in prior appeal decisions. The attention given to the design of the building and the general site area meanwhile ensures that no harm will be seen towards the Conservation Area or AONB, making it clear that the development is acceptable in these areas.
- 7.3 This Statement has reviewed the relevant Development Plan Policy Framework as it applies in this case, together with the other material considerations. On the evidence presented it has been demonstrated that the proposal accords with all relevant Development Plan policies and national guidance, and there are no other material considerations present to override them.
- 7.4 It is therefore urged that the Local Planning Authority grant planning permission for this sustainable development.

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Project Management



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Disabled Access
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Drafted: AC 24/11/2020

Checked: MC 26/11/2020

Finalised: MC 27/11/2020