



COUNCIL OF THE ISLES OF SCILLY

Planning Department

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Mr B Coupe
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Email only: barrycoupe@btinternet.com

2nd July 2021

Dear Barry,

PLANNING REFERENCE	P/21/041/FUL
DEVELOPMENT PROPOSED:	Construction of two new dwellings
LOCATION:	Land at Porthcressa, Buzza Road, Hugh Town, St Mary's, Isles of Scilly,

Further to the submission of the above application I am writing to advise you that we have received a number of objections to your application. These are available to view online here: <https://www.scilly.gov.uk/planning-application/planning-application-p21041ful>. At the time of writing this includes objections from one of our statutory consultees and from our archaeological advisors. The Environment Agency have objected to the development until matters of flood risk have been addressed through the submission of a **Flood Risk Assessment**. In order to address the potential harm to or loss of significance of below ground archaeological remains, our archaeological advisors have objected until this issue has been fully assessed as part of the application. I would also draw your attention to the response from South West Water (SWW) which notes capacity restrictions for the disposal of foul drainage to the public network.

I am not in a position to recommend the scheme for approval, due to the outstanding objections. In addition, and as I have previously raised, the site does not clearly comply with our 'windfall' homes policy, which has been drawn around existing settlements to protect the wider landscape of the islands, as an Area of Outstanding Natural Beauty. Whilst I can judge this site sufficiently to be reasonably well related to Hugh Town, it would result in the proliferation of development into the greenfield edges of the settlement in a very prominent location.

I have looked at historic photographs and maps of this area and whilst there has clearly been development historically at this site, it does not naturally conclude that new development should be permitted again. I am of the view, however, that if the homes are genuinely being developed to meet a local housing need, and in-perpetuity

restrictions are in place, that does give greater weight to the case being made to develop this site as local need homes. I would like the application to be supported by more details on the intended occupancy or tenure of the homes. For example will the homes be sold as local need homes, fully constructed or would they be rented to local persons. Or would the applicant look to sell the plots on a self-build basis? Anyone looking to occupy these homes would need to be assessed and qualify as having a specific local need. Plots with planning permission and homes for sale, that are subject to Section 106 Legal Agreements, restricting occupancy, should have this reflected in their value. The applicant would need to bear in mind that these restrictions make property difficult to sell and less valuable, than an open market equivalent property. Do you as agent, or does the applicant, know **who would occupy these properties?**

In terms of the of the other issues: the traditional design and use of natural materials (granite walls, slate roofs and timber sash windows and timber doors) I consider to be details that result in the development being in keeping with the character of the Conservation Area. I do think the **height overall could be reduced**, the eaves (4.8m) and ridge (6.68m), at full two storey both appear quite high. I note the streetscene drawing does not capture the built edge of Hugh Town, to sufficiently appreciate the height in the context of the nearest neighbouring properties.

In order to fully consider the visual impact on the wider landscape, as an Area of Outstanding Natural Beauty, and coming back to the above concerns about the proliferation of development into what has become a greenfield edge to the settlement, I would like further details in relation to landscape visual impact, which could be assessed through a **Landscape Visual Impact Assessment** or narrative around a wider **perspective drawing or annotated photographs** of the site. The proposed elevation drawings show a completely flat site and I would like to be assured of this through the submission of **section drawings and site levels data**, to understand existing and finished levels (measured from an identified and fixed external datum point) of the site and the relationship of the proposed dwellings to the topography of Buzza Hill, quarry and surrounding landscape. We would also need to be assured on the stability of the hillside and footpath to be satisfied that the works are not going to undermine or cause risks to public safety.

The proposal does not adequately address matters of **Sustainable Design** (reducing water and energy consumption) or **Site Waste Management/Waste Minimisation**, both matters that are required to be addressed in the local plan. Policy SS2(2) requires the submission of both these supporting documents. I do note that the Local Validation Checklist has confirmed that the applicant would be happy to deal with these matters by way of a pre-commencement condition.

I also note that no consideration has been given to the **baseline biodiversity value** of this site and how the proposed development will impact upon this. There is a potential that the site hosts some habitats of value such as foraging species, including protected species, i.e. bats. The scheme should be supported by an assessment of any potential effects on biodiversity, which could be through a **biodiversity survey or a phase 1 habitat survey** which should set out the baseline position and the likelihood of any effects.

The application as submitted does not address the issue of biodiversity and as such there are no specific measures identified that could be implemented to achieve any contributions or enhancements in biodiversity terms. Policy SS2(1) g) requires development to provide opportunities for achieving measurable net gains in biodiversity by ensuring that natural and semi-natural features are created and enhanced as integral elements of the design, through the provision of features such as bird and bat boxes, and by incorporating measures that support the removal of any threats to the islands' biodiversity. Similarly Policy OE2 (1) b) to retain, protect and enhance features of biodiversity and geological interest (including supporting habitat and commuting routes through the site and taking due account of any use by migratory species) and ensure appropriate and long-term management of those features. Given the naturalised state of this site and its location outside the settlement boundary, it is critical that the development accords with these requirements.

You reference that no heritage assessment has been submitted because the site does not impact upon the heritage of Hugh Town. I would advise you that a Conservation Area is a designated heritage asset which requires consideration. The above referenced concerns of archaeological impact should be combined with a wider **heritage impact assessment** to consider the nearby Scheduled Monuments and Listed Building on Buzza Hill as well as the impact of developing this site as one within a Conservation Area. This should include the minimum requirements such as checking the Historic Environment Record for notable records of this site, as well as the impact of groundworks in terms of potential archaeological remains. This should be undertaken by a suitably qualified heritage professional and draw conclusions as to whether any harm to significance would be an outcome, and if it is what wider public benefits outweigh that harm and what mitigation measures could be put in place.

In terms of the requirements of a 'balanced housing stock' then I note that the demand, as identified in the local plan, is for smaller homes and I note that the proposed dwellings, which are both detached two-storey, two-bedroom homes would accord with Policy LC3 (2). Based on the calculation of gross internal floorspace it would appear that the two homes are above the minimum and do not exceed the maximum space standards. Whilst I do not consider it to be necessary for a site such as this, so close to shops and services, to require space for off-street car parking, there would appear to be no nearby space in which to park a vehicle. I do note that you reference **timber storage for bicycles and refuse**, but these are not shown on the drawings. Please could you provide details of these structures on the plans. I note the **red line has not been identified on the block plan or site plan, as required**. Please can you update these plans to show the red line site boundary. We have noted a small section of land on the southern boundary, where it adjoins the play park. This does not appear to be registered and I would ask you to check that this small parcel of land is within the applicant's control.

I note that the applicant would be prepared to have a condition in relation to construction management. If the above issues can be satisfactorily addressed then it is likely that the submission of a **Construction Environment Management Plan** would be required by condition. This is on the basis of the potential for construction to have negative environmental impacts that would need to be appropriately managed.

The application form identifies that foul drainage will connect to the public network and surface water will be disposed of through Sustainable Urban Drainage. I note that SWW have identified restrictions for individual connections to the public network. You will be required to apply to and get an approval from SWW for any connections to the public network. SWW can be contacted at:

developerservicesplanning@southwestwater.co.uk.

In relation to the sustainable drainage I would welcome this as a solution for surface water, as there are clearly capacity issues with disposal routes to the public network. There are however no specific details or a **report on the surface water strategy**. This should demonstrate how surface water, usually caused by rain, affects a site and the surrounding area. The report should establish how water behaves on the site and determine the runoff rate, flow pathways, and infiltration potential (the likelihood of water being soaked into the ground). The report should investigate what effect the development will have on these issues and outline measures the development can take so that runoff rates are not causing drainage or flooding issues elsewhere. Given the proximity of this site to the marine environment, which is a Special Area of Conservation and Special Protection Area, and the location of this at the foot of a hill, I would like to request that these details are provided.

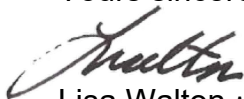
If all of the above issues can be addressed sufficiently to recommend the application for approval this would be on the basis of the applicant entering into a **Section 106 Legal Agreement** and any conditions identified. It will be critically important that the homes are retained in perpetuity for local occupation.

Based on the level of information I consider necessary to address the critical matters identified above, I would suggest the applicant considers withdrawing this scheme to consider the potential costs versus the risk that this scheme could be rejected. At the present time this application, if it is to be determined within the current 8 week period (which runs to 27th July 2021) would need to be brought to the next full council meeting on the 27th July 2021. Based on the application, as submitted, the recommendation would be to refuse.

If the applicant considers the risk and is happy to provide the information requested, then I would send out an Extension of Time (EoT) Agreement to keep this application open longer to allow more time to prepare the additional information. This would need to be reported to our Members in September. Tuesday 21st September is the next available Full Council meeting after 27th July 2021 meeting. I would be happy to agree an extension of time to this effect.

Unless you confirm a withdrawal of the application or request an Extension of Time, then the application will go to Full Council on 27th July and as noted above, it will be recommended for refusal.

Yours sincerely



Lisa Walton MRTPI

Chief Planning Officer