



# COUNCIL OF THE ISLES OF SCILLY

Planning Department  
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Mr Clive Sibley

27<sup>th</sup> June 2023

Dear Clive,

**PLANNING REFERENCE** P/23/033/FUL  
**DEVELOPMENT PROPOSED:** Demolition of derelict house & replacement with fully accessible dwelling.  
**LOCATION:** Cootamundra, Mcfarland's Down, St Mary's, Isles Of Scilly, TR21 0NS,

Further to the submission of the above application and my visit to the property. I am writing to clarify a number of issues. Firstly can I ask whether the property will be permanently occupied by the applicant? Clearly this property is an open market dwelling but I am aware that planning permission was granted, for Mr Miles, for an annexe accommodation at Green Pastures, to allow him to spend time on St Mary's. This is an extant planning permission that allows for an 'accessible standard' unit of annexe accommodation at that address. Can you clarify that the acquisition of Cootamundra, and its rebuilding to accessible standards, would be in lieu of implementing that permission? If that permission would not be implemented (and there is until November 2024 to implement it) then I would ask that a unilateral undertaking or similar commitment is considered to not implement that extension to Green Pastures. This existing permission diminishes the requirement for an accessible standard home and leads into the justification for a larger home, as set out below.

Aligned to this issue relates to the 'fall back' position of a previous 2008 permission, which you suggested has been part-implemented. I would advise that the permission referenced would be for Cootamundra to be used as a guesthouse. If this was part implemented, and our records cannot find evidence of a lawful material start being made to that permission, then it would require the property to be used as a small guesthouse. On this basis it does not appear to be a reasonable alternative permission to now implement, based on the requirements for accessibility.

Although the current proposal is now smaller than the 2008 permission (209.08 compared to 237.5 square metres of gross internal floorspace) as noted above, I am not convinced that the 2008 permission could still be implemented or would be suitable for the applicant's needs. The starting point is therefore the current dwelling, at 136 square metres. Although the minimum space standards required by the Local Plan would not be adequate for Category 3 homes in Part M of the Building Regulations, the proposed two storey three bedroom house is above our maximum space standards, which restricts homes to being no more than 30% above the national minimum. The rationale for the policy restriction on size relates to the affordability and

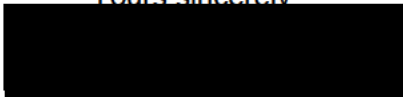
availability of housing to support a permanent population of the islands. The proposed replacement dwelling is 104% larger than the minimum required for 6 people sharing. Policy LC8, however, clearly makes provision for a case to be made for a larger home, and I do think that the accessibility standards shown to be required by the applicant are acceptable. But this comes back to my first question about whether the home will be the applicant's principal place of residence? I ask these questions on the basis of the housing crisis that has been declared by the Council. This was declared on the basis of a lack of affordable and locally available housing. We would very much like to ensure that where an existing home is enlarged or replaced and that enlarged or replaced home results in a property that is less likely to be locally available in the future, we have considered all of the options to ensure it remains locally available. We would therefore like to explore with the applicant what options they would consider in this respect, to enable the proposed rebuilding but also secure the housing in the longer-term. I would be very much interested in your thoughts on this point.

Thirdly, and notwithstanding the above issues, I would like to understand the levels of the site. Can you confirm whether the existing finished floor level of the existing dwelling will be retained as the finished floor level of the proposed dwelling and will the ground levels around this site change from the current levels? Clearly there will be a need to ensure appropriate ramped access. Can you provide details of existing and proposed ground levels of the site and existing and proposed finished floor levels of the dwelling. I would ask you to include sections through the site and relate the measurements to an external fixed datum. Please can you provide sections to show the depth of any new/additional footing required, so we can assess the potential impact on below ground archaeology. Significant groundworks, so close to a scheduled monument would suggest we would need to have archaeological monitoring as part of any ground works.

Finally, I note that you have provided a Site Waste Management Plan (SWMP) which sets out how all of the demolition waste will be handled. Can you confirm that no asbestos will be crushed on site and how specifically this would be handled? My understanding is that the disposal of construction and demolition waste materials will need to be moved by licensed waste carriers who hold the appropriate waste carriers license, with a waste transfer note, to a licensed site. Please can you update the SWMP to provide these details to confirm that, if approved, the waste material from the site will be transferred by licensed carriers to a permitted facility.

If you can provide a response to the issues raised above, as soon as possible, it will inform the recommendation and if it is a development that we can support, what conditions may be required.

Yours sincerely



*MRTPI*

**Chief Planning Officer**