



# COUNCIL OF THE ISLES OF SCILLY

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## Local Plan 2015 -2030 – Public Consultation August 2019

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#### 1. What is the Local Plan?

- The Local Plan will set out a strategy that aims to meet identified needs for new homes, jobs and community facilities etc. whilst protecting the islands valued environment and heritage.
- It looks forward fifteen years until 2030 and sets out a vision for the future of the islands where people have the ability to live and work within an exceptional environment and enjoy good access to community facilities.

#### 2. Why is a new Local Plan being prepared now?

- To respond to the Government's National Planning Policy Framework published in 2012 and updated in 2019 and the Planning Practice Guidance initially published in 2014.
- To respond to the housing, employment and social needs of the islands community and meet various challenges including climate change.
- To do the best we can through positive future planning and ensure important decisions about future development are made locally.

### 3. What stage of plan-making is this?

- This is the second stage of plan-making, formally known as the Regulation 19 consultation. This is our second Regulation 19 Public Consultation with the first one earlier in 2019 where we set out the full Draft Local Plan for consideration, following earlier 2015 and 2018 consultation.
- This second stage Regulation 19 public consultation is to consider the soundness and legal compliance of the plan, following a series of proposed amendments, ahead of Submission to the Secretary of State.

### 4. What are the Changes now Proposed?

In February 2019 we consulted the community and statutory consultees on the proposed submission Draft of the Local Plan, you can view the documents we consulted on [here](#). This was the first Regulation 19 consultation of the Draft Plan, which asked people for views on the issue of Soundness and Legal Compliance. We received 24 responses to that consultation and it resulted in a number of corrections to the Local Plan and a number of modifications. This second stage of Regulation 19 public consultation seeks to further engage with the community and statutory consultees on the proposed amendments to the plan, ahead of submission to the Secretary of State. The changes include a number of textural changes as well as some Main Modifications, which are set out in the document. The main changes are identified below:

#### Main Modifications made since February 2019

Amended Policy LC1(2) to break down into a), b) and c) to include the need to demonstrate a ratio of homes in favour of affordable in circumstances where open market is justified.

Key Transport Links have been added to the Policies Maps to clarify which transport links would be protected in Policy SS10.

Change policy LC3 to align new homes to the Nationally Describes Space Standards (NDSS).

Change policy LC8 to align new replacement dwellings to the NDSS.

Change policy LC9 to align extensions to existing dwellings to the NDSS.

Rearrange Policy SS9 and Policy SS10 and move strategic transport to the start of this section and adding-in inter-island transport reference.

Evidence supports justification for policy restraint on the size of new homes and revisions to Policy LC3 have been made to clarify the restrictions.

Amend Policy LC8 to align with NDSS as opposed to specific square meter increase as set out. Evidence does show that this is a reasonable approach.

The footnote in Policy LC2 has been amended to reflect that existing Council waiting list stock is controlled by existing qualifying criteria not by the qualifying criteria of Policy LC2.

Part (2) of Policy LC3 has been deleted and moved to Paragraph 272 as it was too imprecise to form part of the policy.

Part (5) of Policy LC3 has been amended to align with NDSS.

Policy SS4 has been modified to refer to recreational sites as shown on the Policies Maps and Council-Maintained Recreational Sites have been added to the policies maps.

Additional criteria (f) has been added to Policy SS6 to ensure protection of habitats.

Policy SS7 has been renamed to Flood Avoidance and Coastal Erosion.

Criteria (c) of Policy SS8 has been amended to reflect protection and enhancement of biodiversity.

Policy OE2 has been amended to remove 'where possible' and use 'of' instead of 'and/or' and reference to 'geodiversity' has been removed.

Policy LC6 site H3 (iv) has been amended to state that surface water impacts on adjacent SSSI should be avoided.

Policy WC5 has had the reference to 'build on links with Cornwall' deleted.

Policy WC6 has had minor textural amendments to remove reference at 1(a) removing reference to having to demonstrate need.
Policy LC6, H3 has been amended to include at iii) protect and enhance...and where appropriate enhance.
Policy LC6, H3 has been amended to add additional criteria vi) to require the submission of a Heritage Impact Assessment
Policy LC6, H1 has had reference to Listed Building removed and replace with designated or undesignated heritage assets.
Policy LC6 has an additional housing allocation site at Sandy Banks, Site H8.
Policy LC6, H8 has been added as a mapped polygon on the Policies Maps
Number 3 of the Spatial Strategy has now moved away from a housing target for affordable homes and seeks to maximise delivery of affordable homes on housing allocations.
Policy LC1 has had the target of 105 affordable homes removed.
Paragraph 266 has been amended to reflect a move away from a housing target and having only a rural exceptions approach for housing on allocated sites only.
Amend Policy LC1 (3) to ensure that larger windfall developments of 5 or more homes could be cross-subsidised by open market.
Paragraphs 214-216 have been amended to add additional clarification on minerals following the completion of a Minerals Assessment Report 2019.

## 5. What is the purpose of this consultation?

- To identify and seek your views on the changes now proposed in the draft Local Plan. These are considered to be the final amendments to the Local Plan in order to address the issues of housing, economic and social development, whilst protecting the environment.
- Overall, to engage local people, organisations, businesses and others in shaping the content of the Local Plan and ensure it is relevant to the Isles of Scilly.

## 6. Will there be additional opportunities to take part in plan-making?

Yes. Whilst this is intended to be the final opportunity to comment on the draft Local Plan before it is submitted to the Secretary of State, you will have a further opportunity to participate in the Public Examination of the Plan, when this takes place later in 2019 or early in 2020, before it is adopted by the Council. You can either request to be added to the Local Plan Consultation Database: <http://www.scilly.gov.uk/sites/default/files/planning-apps/IOS%20LPA%20Consultation%20Database%20Registration%20Form.pdf> or keep an eye on the NEWS on our website here: <http://www.scilly.gov.uk/planning/local-plan-local-planning-policies/local-plan-examination-library-news>.

## 7. What is the status of the existing Development Plan Documents?

- The Isles of Scilly Local Plan: 2020 Vision adopted in 2005 still represents the Council's Development Plan Document, as the main policy document for determining planning applications.
- The Draft Local Plan 2015-2030 will not replace this document, as tool for planning decision making for the islands, until it is formally adopted, which is likely to be in the Spring of 2020.
- Once the Draft Local Plan 2015-2030 is submitted to the Secretary of State, scheduled for Autumn 2019, its emerging policies will gain more weight in the decision-making process.

## 8. Where can I find out more information about the Local Plan?

- More details about the Local Plan including the latest news and the official timetable etc. can be obtained from the Local Plan landing page: <http://www.scilly.gov.uk/planning-development/local-plan-review>
- Details about this specific consultation itself can be obtained from the consultation page: [www.scilly.gov.uk/local-plan-consultation-Aug2019](http://www.scilly.gov.uk/local-plan-consultation-Aug2019)
- The consultation documents are available to view at the Council's offices at the Town Hall on St Mary's and at the library. Each of the community halls of the Off-Islands will have a public copy of the consultation documents.

## 9. How can I take part in this consultation?

Anyone can read, review and comment on the Draft Local Plan 2015-2030. We will write directly to anyone on our Consultation Database as well as any person, business or organisation who has commented already during the last public consultation on the draft Local Plan. There are a couple of ways that people can take part in this consultation but responses must be made in writing:

- E-mail – [planning@scilly.gov.uk](mailto:planning@scilly.gov.uk)
- By post - submit response forms to:

**(Submission Draft Local Plan 2015-2030),  
Planning Department,  
Town Hall, St Mary's,  
Isles of Scilly TR21 0LW**

## 10. When is the deadline for comments?

- The consultation is open for 6 weeks from **Friday 2<sup>nd</sup> August 2019**.
- The deadline for the submission of comments is **5pm on Friday 13<sup>th</sup> September 2019**.

## 11. How Many New Houses will be built under the new Local Plan?

We are setting a target to deliver 105 affordable homes over the plan period (15 years). This has been identified through the Strategic Housing Market Assessment (SHMA)<sup>1</sup> and the new Local Housing Need Calculation 2019<sup>2</sup>. Although the plan will accept that some open market homes could come forward we are not setting a target for housing delivery. The plan for new homes will be affordability-led only, seeking to maximise affordable homes, to meet the needs of the community on sites specifically allocated for housing as well as on windfall sites<sup>3</sup>. We consider there is significant justification for taking this position. Whereas the national requirements state we need to plan for open market homes as well as affordable homes, the Isles of Scilly are uniquely constrained. This includes the outstanding and world class environment, high value of housing, lower-wage economy, finite amount of land and

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<http://www.scilly.gov.uk/sites/default/files/document/planning/Isles%20of%20Scilly%20Final%20SHMA%20Report%202016.pdf>

<sup>2</sup> <http://www.scilly.gov.uk/sites/default/files/planning-apps/SHMA%20UPDATE%20Housing%20Need%20July%202019.pdf>

<sup>3</sup> Windfall sites are other sites not specifically allocated for housing but that may come forward during the plan period.

the overall sustainability of planning to build open market homes. Open market homes will only be permitted where they directly enable the delivery of affordable homes.

Viability testing, is an assessment of the costs of delivering housing development on the islands and suggests that as much as 50% of a site would need to be open market housing in order to deliver any affordable homes. We will expect any Government funding to be explored and used to deliver affordable homes rather than automatically permitting open market homes, as the enabler for delivery. At the time of drafting the plan and undertaking the viability assessment, no Government grants are available, and as such open market homes are likely to be required to cross-subsidise the provision of affordable homes. It is likely that more than 105 homes could be built BUT it is important to remember that within 5 years the Council will be reviewing the Local Plan to understand the impact of any new housing that has been delivered. In reality, this local plan will be reviewed and revised well before the end of the plan period in 2030.

## 12. Who will be able to occupy new housing?

**Affordable homes** will be restricted to those who meet the qualifying criteria set out in the plan (see Policy LC2). This includes local people or people needing to locate to the islands for employment purposes, providing the property is their sole main residence.

**Open market homes** – will generally be restricted wherever appropriate for use as a ‘principal residence’ home, and therefore restricted to those who live in the property permanently, to ensure that they do not become second or holiday homes.

**Unrestricted open market homes** - with no occupancy restrictions will only be permitted where financial circumstances are demonstrated or environmental benefits arise.

## 13. Where will new homes be built under the new Local Plan?

We have identified sites around Old Town and Hugh Town. These are considered to be the most sustainable sites across the Isles of Scilly and were considered along with a range of sites as set out in the [Strategic Housing Land Availability Assessment \(SHLAA\)<sup>4</sup>](#).

There will always be sites that come forward outside of these ‘allocated sites’ and there is provision for these under a new ‘windfall’ policy. This is particularly relevant for Off-Islands where there are no identified housing sites. Windfall sites could come forward for custom or self-build projects for the community and would be restricted to the same qualifying criteria as affordable homes.

## 14. How quickly will be sites identified be built on?

It is unlikely that planning applications will be submitted for consideration until the new Local Plan is adopted (expected to be early 2020). That is not to say that applications could not be submitted before this date. The closer the plans gets to adoption the more weight it is given in terms of planning decisions. Applications could start to be submitted once the Draft Plan has been submitted to the Secretary of State (which is scheduled for Autumn 2019).

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<http://www.scilly.gov.uk/sites/default/files/document/planning/SHLAA%20Methodology%20and%20Site%20Assessments%20FINAL%202017.pdf>

The Council will have between 8 and 13 weeks, once an application has been submitted, to deal with a planning application for new homes. These will be determined at Full Council (public meetings held by the Council of the Isles of Scilly on a monthly basis). Should an application be approved then there is a period of 3 years to implement that permission before it lapses. Once an application has been implemented (that is when all pre-commencement conditions have been addressed and a material start has been made) then there is no time by which the development has to be complete.

Following its adoption the Council will have a statutory duty to review the Local Plan within 5 years. This is to ensure that the policies remain up to date and appropriate for the islands. Within 5 years the Council will review any development that has come forward and update the evidence base accordingly. This will determine whether the policies need to change to reflect any development that has been delivered.

### **15. Who will be building new homes?**

For the allocated housing sites this will be up to the landowner. The sites proposed to be allocated for housing in the draft Local Plan are either owned by the Council (the demolished former Secondary School site at Carn Thomas) or the Duchy of Cornwall. For windfall sites then this will be down to the landowner and any agreement reached with the person wishing to build.

### **16. Will I be able to build my own home under the new Local Plan?**

Yes – as with the current 2005 Local Plan there is provision that allows local people to come forward to build their own home. The main proviso would be the home is restricted to being occupied by qualifying persons, under Policy LC2, through a legal agreement (usually these are controlled by a Section 106 Planning Obligation) and the site would have to be well-related to an existing built up area. On St Mary's we've identified specific settlements where this would likely be considered acceptable as set out in Policy LC7. On the off-islands this would have to be well relates to existing built-up areas. The Council maintain a register of people who have indicated that they would like to Self-Build or customise their own home<sup>5</sup> and the plan makes provision, through its windfall policy, to permit such schemes to come forward. This will require the applicant to either own their own land or have an agreement with the landowner for such a development. As set out above, the occupancy of the home would be restricted to ensure it meets the communities housing needs, as is the case with the current 2005 Local Plan.

### **17. Why are sites at Telegraph/McFarlands Down no longer being considered?**

The Council considered a number of sites for future homes on the islands. These were all on St Mary's and where subject to assessment through the [SHLAA](#). Sites at Telegraph were included in this assessment but were considered to be less sustainable than sites at Hugh Town and Old Town. This is due to the proximity to places of employment, shops and facilities such as the school and medical services/community facilities. Development at Telegraph would likely increase private car ownership due to the remoteness to the above services whereas sites at Hugh Town and Old Town were all considered to be within easier walking/cycling distance and less likely to require occupants to own a car. Sites at Hugh

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<sup>5</sup> <http://www.scilly.gov.uk/planning/customself-build-register>

Town and Old Town are also closer to sewerage networks to enable infrastructure improvements to be made to these existing public infrastructure systems in a planned and strategic way.

In the future consideration could be given to 'windfall' developments in and around this area but in planning strategically, these sites were considered less sustainable overall.

**End**