

Objection to Planning Reference P/15/060/FUL

Anita Bedford
6 Coastguard Bungalows
St Marys
Isles of Scilly
TR21 ONR

Planning and Development Department
Town Hall
St Marys
Isles of Scilly
TR21 0LW

August 12th 2015

Ref: Planning Reference P/15/060/FUL

I wish to make you aware of a number of strong objections I have with regard to the proposed development of the Tregarthen's Hotel site, planning reference **P/15/060/FUL**.

Introduction:

My concerns are evidence based from information freely available and itemized below for reference.

- Planning Policy Statement 21 Sustainable Development in the Countryside June 2010
- Human Rights Act
- National Planning Policy Framework 2012
- Infrastructure Plan- Part of the Strategic Plan for the Isles of Scilly May 2014
- A vision for Engaging the Island Communities in the Planning Process- consultation draft June-July 2015
- Summary of Contamination Risks and Liabilities- Argyll's Over-view report for the proposed development of Tregarthen's Hotel
- Ecological Appraisal and Bat Survey, Tregarthen's Hotel St Mary's, Isles of Scilly
- Design and Access Statement, Tregarthen's Hotel- Scott and Company, July 30th 2015
- Isles of Scilly Research Framework -SHERF Resource Assessment- Traditional post-medieval buildings- October 2011
- Right to Light- The Law Commission- Oct 2014
- Isles of Scilly Council- Planning and Infrastructure, Conservation Area- Character Statement 2015).
- DEFRA- Isles of Scilly Water Legislation Nov 2014
- Isles of Scilly- Area of Out-Standing Natural Beauty' Can Scilly's Exceptional Landscape support sustainable Island communities?

- Natural England- The Isles of Scilly NA 113
- Isles of Scilly- Area of Out-Standing Natural Beauty (AONB)- Caring for Scilly- Exceptional Landscape(Supporting Sustainable Island Communities)
- Defending Scilly- English Heritage- 2011
- A Heritage and Cultural Strategy for the Isles of Scilly- 2004
- Isles of Scilly- Area of Out-standing Natural Beauty- Historic Environment 2004
- 40 Year of the Isles of Scilly Conversation Area- 1975-2015 I.O.S Council
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- The Prescription Act 1832.

In my view there is some merit to the proposed development at the Tregarthen's Hotel site, especially the desire to up-grade the Hotel's facilities, improve the quay wall facing frontage and develop the area to the North-West of this property, however, there are some fundamental issues which I would like to bring to Councillors attention.

My interest in the proposed development is primarily personal, however, I also have wider community concerns.

In 2012 I purchased No 3 Garrison Hill (House). My family's heritage in regard to this property goes back many generations, the property next to it was a 'grace and favour house', as my Great-Great Grandfather worked as carriage man for the Duchy of Cornwall.

My Grand-father, Mr Jack Hartley Pender purchased No 3 Garrison Hill from the Duchy of Cornwall in 1950 and the property has remained in our family since that time.

I was born into No 3 Garrison Hill, lived there for long periods of my life and cared for both my parents whilst they lived there. I bought the property off my siblings with the aim of Den (my husband) and I restoring it to its 18th century heritage and run a small bed and breakfast (three guests) from the premises when we move into it.

My objections for the proposed planned developed of the Tregarthen's Hotel site are as follows:

1) Over shadowing/loss of light:

No 3 Garrison Hill faces north- it is a Grade 11 early 18th Century listed building, acknowledged for its example of an early Hugh town house. It was built towards the base of Garrison Hill, into a dip in the quarry, which prevents natural light from entering the small north facing (main windows). The location of the house in relation to the south, east and west side in regard to the natural topography of the land and the surrounding buildings also makes it difficult for any meaningful natural light to enter the building.

Objection to Planning Reference P/15/060/FUL

The small sash framed windows at the front of the building, which face north is the building primary source of natural light, for the ground and floor, as there are no windows in the south facing (back) walls.

The small sash windows and design of the front door cannot be changed or opened up to bring in more natural light

The ground floor rooms, and middle floor rooms can be exceptionally dark, as the only significant natural light comes at the end of the day from the north-north-west. When No 3 Garrison Hill was built Tregarthen's Hotel did not exist and natural light into the building was less impeded by any building directly opposite No 3 Garrison Hill.

I expect little thought was given to the gradual erosion of natural light from the development of Tregarthen's Hotel from the late 19th Century onwards. People were rarely informed of their Right to Light and therefore, objection to large buildings reducing your natural light was rare. The lack of natural light is not a subjective view- the picture provided with this section (source SHERF 2011) clearly shows how dark and in shadow the main living area in No 3 Garrison Hill is from the outside, this is before the twin turreted cottages are built.

When my grandparents lived in the house and then my father, they had their main seating close to bottom windows to try and catch what natural light filtered through, and the electric lights had to remain on, even on the sunniest of days.

No 3 Garrison Hill sits in a dip in the lower third of the hill. Tregarthen's Hotel is situated on the opposite side to my house and occupies the upper two thirds of the side of the hill. If you permit these houses to be built and the associated central buildings they will cast a shadow completely across the ground and first floor of our house and block out even more of the natural light.

The proposed plans do not give precise measurements of the proposed north and south cottages and the other raised work in the centre of the Tregarthen's site. Therefore, I measured unchanged fixture, for this purpose, the two granite entrance posts to Tregarthen's Hotel and scaled them up with the use of the proposed plans. The total heights of these two cottages alone will be nearly 20 feet. The glass sky light structure in the centre will be also be approx. 20feet in height. All these buildings will be joined, making one very large additional building complex at the main/present entrance to Tregarthen's Hotel and this will be clearly visible to people walking up to the Garrison Arch and down from it. The present iconic skyline and recognised view (ref: I.O.S Council Planning and Infrastructure 2015) will be irrevocably destroyed by what appears as an unnecessary addition to the Tregarthen's Hotel complex. The economic viability of the project is not dependent of these buildings, but if allowed to be built they will cause irreparable reduction in my natural light, privacy and vista from the top and bottom of Garrison Hill.

It is my understanding that your right to light is protected under common law in England and Wales by the Prescription Act 1832.

'A right to light may be acquired by anyone who has had uninterrupted use of something over someone else's land for 20 years without consent, openly and without threat, and without interruption for more than a year'. Therefore, it is illegal to build two houses only a few feet away from my front door, which will reduce any natural light coming into my house to an unacceptable low level.

Objection to Planning Reference P/15/060/FUL

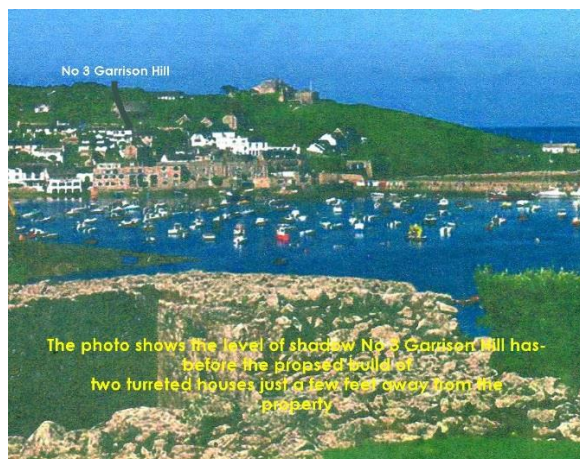
The proposal to build North and South Cottages so high and near my property is in my view an action for interference with a right to light and the reduction in the light previously enjoyed amounts to a nuisance. The nuisance arises if there is such a deprivation of light as to render the occupation of the house uncomfortable. The dominant owner (owner of No 3 Garrison Hill) is entitled to enough light to leave the property adequately lit for all ordinary purposes for which the property may reasonably be expected to be used.

I also believe that the proposed building of two houses at the entrance to Tregarthen's Hotel is at such an angle that the primary amenity area in the front of No 3 Garrison Hill would be severely overlooked from the top rooms of the new development, resulting in an invasion of our privacy. As previously stated- natural sun light tends to come into Garrison Hill from the west-north-west and the two proposed buildings will not only reduce the natural light at No 3 Garrison Hill to an acceptably low level, but also cast a shadow on what light there is, both in the front patio area and inside the house. I have attached photos in the appendix of my letter to try and demonstrate this.

The present legislation states that the owner of a building with windows that have received natural daylight for 20 years or more is entitled to forbid any construction or other obstruction that would deprive him or her of that illumination. In my view the proposed building of two new houses impacts on my right to enjoy the front garden amenities, which if I recall correctly is a breach of my human rights under Protocol 1, Article 1, of the Human Rights Act, which states that 'a person has the right to peaceful enjoyment of all their possessions which includes their home'.



One



Two

Picture one: Shows the poor level of light reaching No 3 Garrison Hill and shadow falling across main living area of the house. The building of two, two storey cottages a few feet from No 3 Garrison Hill will cause a nuisance and is in breach the law which protects the owner's Right to Light (Source: SHERF 2011)

Picture 2: Shows the very poor level of natural light which is available to No 3 Garrison Hill and the level of shadow it has. The level of natural light will be significantly reduced if permission is given to build two turreted cottages the short distance away from No 3 Garrisons Hill (Source: Defending Scilly- English Heritage 2011)

Ground floors- middle of the day, 4 electric lights on, no curtains at the window and front door open- rooms still remain dark



2) Ground Stability and drainage:

The proposed plans include a data based study from Argyll. The report from Argyll Environmental (Jan 22nd 2015) suggest that the proposed development of the Tregarthen's Hotel site had a sensitivity rating of moderate to high. With reference to Environment Agency data and the data provided on the areas of Special Scientific Interest and Special Area of Conservation. It was concluded that "the Tregarthen's site was to have a moderate to high environmental sensitivity".

Environmental Damage Regulations 2009 (EDR): The Tregarthen's site is in close proximity to a potentially sensitive receptor set out in the EDR. Therefore, before any further consideration is given to the proposed planning application an investigation is indicated to identify what potential environmental damage could result from the development.

Argyll's report was written via accessing data bases, not undertaking ground work on the site, however, the report recommend potential liabilities identified under Part 2A of the Environmental Protection Act 1990 and the Water Resources Act 1991 and suggests a more detailed assessment is required.

Argyll's report, which was commissioned by the owner of the Tregarthen's Hotel site, statement indicates that a number of issues were identified and were likely to result in significant cost liabilities under Relevant Legislation and these liabilities require a more accurate assessment.

I believe the report is of concern- the area of the proposed development is a recognised conservation area of historical importance to the Isles of Scilly. How can the plans for this development be passed without more rigorous independent Environmental and Archaeological impact assessment being undertaken?

3 Impact on the isles of Scilly Conservation Area.

There are a number of documents in circulation which refer to the 'special', 'unique', 'sensitive' and the 'need to protect character of the isles of Scilly'.

The Isles of Scilly Council are in the process of drafting an Isles of Scilly Conservation Area Character Statement (2015).

The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local Authorities to designate as conservation areas "any areas of special architectural or historic interest the character or appearance of which is desirable to preserve or enhance".

The Isles of Scilly Local Authority have committed themselves to:
"Protecting the islands' unique and precious environment, whilst ensuring a strong, sustainable and dynamic community, is a continual challenge for the Local Planning Authority. The challenge is to strike the right balance between protecting and enhancing the high quality environment, whilst ensuring the islands communities and economy are sustained through, for example, the provision of affordable housing, local employment opportunities and adequate social and physical infrastructure, including the management of its water, sewerage and waste". (Isles of Scilly Council- Planning and Infrastructure, Conservation Area- Character Statement 2015).

The Isles of Scilly Council's planning and Infrastructure consultation document identified the view from the Garrison Arch down through Garrison Hill as an important view and panorama. This view has been used in the Tourist Information brochure in years gone by and enjoyed and photographed by thousands of visitors and locals alike. The view up from the bottom of Garrison Hill to the Grade 1 Scheduled 16th Century Arch is also iconic. In the last few days I have observed many people looking down from and up towards the Garrisons Hill, many stopped mid-way to take photographs and again at the top of the hill, to enjoy the view over Hugh Town.

If permission is given for the two cottages to be built either side of the Tregarthen's entrance gate- at approx. 20 feet high and the extension to the middle section of the Hotel, including the raised glass sky-light this will ruin and change forever a much enjoyed vista and one of the iconic town views on St Mary's. I refer again to the Planning (Listed Buildings and Conservation Areas) Act 1990, which imposes a duty on local Authorities to designate as conservation areas "any areas of special architectural or historic interest the character or appearance of which is desirable to preserve or enhance".

The erection of two houses, with pitched roofs directly opposite and just 12feet away from No 3 Garrison Hill's front step will detract from the prominent visual quality of a listed 18th century town house and be out of keeping with the Garrison Hill area.

The Isles of Scilly Local plan is still undecided, with the consultation period only just ending on July 24th- therefore, at this time, there is no relevant evidence to suggest that the proposal to develop Tregarthen's Hotel site, is environmentally sustainable and will meet the long term needs of a sustainable community.

However, National Government Planning Policy Statements refers to the Government's 'commitment to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas. A high level of protection should be given to the most valued townscapes.

The area of Garrison Hill, the Bank, and Mermaid Inn- towards the quay is an area of historical interest, 15 properties and/or buildings are recorded of such significance that they are 'listed'. (SHERF 2011)

Hugh Town a historic street and area- with a high number of important and listed buildings- from the Post Office to the quay is an historic area, with many buildings of special historical interest. The Tregarthen's development, although not without some merit, includes 10 additional houses which will have a significant impact on the historic character of the area, as the new buildings in the north-west and south-east facet of the building are very large and not in keeping with the small, granite cottages and buildings adjacent to new build.

It is my understanding that the Local Planning Authority are required to balance the demand of housing provision with the need to avoid town 'cramming'. The appropriateness of re-using land in an existing built up area will depend upon social, environmental and economic characteristics of the site and local area. The Tregarthen's Hotel proposal is so large it allows very little space for sympathetic landscaping and is an over development of the site either side of the hotel.

This area of Hugh Town is already densely built up and the proposal to increase the building foot print of Tregarthen's Hotel by over 30% has not been justified in the planning application. Opposition to the Tregarthen's Hotel project is not anti the need to develop the hotel- my objection is the large scale of the proposed development and negative impact it will have on this sensitive area, the existing dwellings and the visual amenity of the area. Both new building complexes are not in keeping with the character of the main Tregarthen's building. The north-west development area has significant potential for high grade tourist accommodation which reflects the historic Garrison Wall, Battery, quay wall and granite fisher-men's type cottages.

I strongly question the developers belief that building two separate houses at Tregarthen's Hotel entrance, (North And South Cottage) each nearly 20 foot high, is sympathetic to any of the existing buildings. Also suggesting the north and south cottages are for people with disabilities is questionable, re: their inaccessible location for people with mobility issues. In my view if the developers are genuine in their desire to facilitate accommodation for people with disabilities then the area around the undeveloped north-west side of the hotel is ideal, as the access is via a recently tarmacked smooth and reasonably level surface, which could accommodate a mobility aid.

The proposed development by reason of its size, depth, width, height and massing would have an unacceptably adverse impact on the amenities of the properties adjacent to the site and the surrounding area- could potentially have a visually overbearing impact on a historical and conversation area.

The plans suggest that the site access proposals are not in accordance with acceptable standards and would lead to potentially safety hazards. The quay car park is busy public parking area, for the quay workers, boat-men, people shopping and local parking.

The large structural development of Tregarthen's Hotel, both to the side and upwards will create conflicts between the visitors using the hotel facilities, especially those using mobility and/or electric carts and local car users.

There does not appear to be restrictions as to whether the new development on the north-west aspect of the site area could be available to purchase as separate homes, which could further impact on an already over full car park.

4 Water and Sewerage:

Ref: Infrastructure Plan for the Isles of Scilly (May 2014)

If the plans are passed in their present form it will put considerable strain on an already critical water and sewage system in this area. The application for the plans clearly states they expect the new development to be installed on the central sewage system.

Self-catering accommodation, by their very nature have a higher consumption of the Island's most precious resource- water. Self-catering accommodation, usually have washing machines and dishwashers, both of which use high levels of water.

Considerable investment is required in the water and sewerage infrastructure on St Mary's- one of the most at risk areas is referred to as the 'Mermaid Run'- adjacent to the Tregarthen's Hotel redevelopment site. The Isles of Scilly Council have estimated that £15million is required to address all the water and sewerage issues on the Islands and it is stated in the Isles of Scilly own Infrastructure Plan (2014):

"Without these capital and revenue improvements it is unlikely that Defra, the Drinking Water Inspectorate and the Environment Agency will support further development on these islands'.

The seriousness of this statement cannot be ignored- safe water standards and efficient sewerage management are essential to life and until the water and sewerage infrastructure is fit for purpose and sustainable, large developments such as one proposed at the Tregarthen's site will be unacceptable.

If there are to be any large new building developments on St Mary's then I would argue that the most essential development are local housing (possibly at the old school site) and a nursing care home (possibly on the Hospital site).

5 Need to avoid town cramming and maintain high way safety

The Tregarthen's site and adjacent areas is probably one of the most built up areas in Hugh town- there are virtually no green spaces, with buildings in very close proximity to each other. The Heritage and Cultural Strategy for the Isles of Scilly states: "The quality of the natural built environment of the islands is the key to the future of Scilly and must be the driving consideration behind decisions. Without co-ordinated land management the natural and historic environment will deteriorate making the islands less attractive to visitors. Opportunities for heritage regeneration need to be developed, together with potential enhancement of the built-up environment".

There is a significant opportunity to build some exceptional tourist accommodation on the north-west corner of the hotel and renovate the front which faces the sea wall. The present plans for the north-west site in my view fails to enhance the natural and historic environment of this area and potentially could make this iconic area less attractive to everyone, not just visitors.

6 Economic argument:

It is positive for the islands that someone has invested in what they see as a potentially robust economic future in tourism. Developers always inform the decision makers (Councillors), the Council Officers and public the grand total of investment, in terms of employment and money. The selling point.

This needs to be viewed in perspective.

Within the Isles of Scilly year on year small business and some larger ones like Lynonness, St Mary's Hall and Star Castle invest in their business and therefore tourism. Rarely if ever is there a public announcement about how much money small guest house owners, shops, camp-sites and cafes invest in their business, so visitors and therefore, the economy benefits. I am not devaluing the investment of the owner of Tregarthen's Hotel- I am attempting to put the investment into context.

I spend all my wages every month on paying for and renovating No 3 Garrison Hill. My husband, a qualified carpenter and electrician spends all his free time undertaking the work. We have on four occasions used qualified local tradesman to undertake work in areas which require a different level of expertise. Putting this investment and all the small businesses investment into the islands into perspective, is an attempt to say, yes £5million over 4 years is a welcome investment, however, so is the silent investment of all the small business owners and traders.

Jobs: The supporting statement to persuade the Isles of Scilly Council to pass the development plans for the Tregarthen's Hotel site uses the prospect of 40 jobs- Some will be permanent, all year round positions. Today I counted 15 permanent unfilled job vacancies on St Mary's- some of these are at Park House, the School, Town Hall, St Mary's Hospital, Adult Social Care and the Co-op.

There are also an equal number of hotel, bar, pub, restaurant, cleaning and guest house seasonal unfilled seasonal vacancies.

Some Hotel work can be lowest paid forms of employment, especially those with 'live in jobs'. The potential for spending their disposal income in the local community is low- they have their meals provided, work long hours and many of the non-resident employees use their seasonal work to save very hard so they can spend their savings on a long vacations, world travel and/or visiting their families.

I expect the redevelopment of the Tregarthen's Hotel will create a few more permanent jobs, however, the employment market is not in a recession on these isles- to my knowledge there are many excellent employment and career opportunities and unfilled permanent job vacancies. An economist may argue that a buoyant employment market enables workers to be paid higher wages- the down side to this as any economist will tell you, is that higher wages, although initially of benefit to the employee, ultimately has an inflationary influence- the wage bill for the majority of employers have to raise local pay rates to enable them to attract staff. This increased cost is passed onto the consumer, which makes your hotel accommodation and service industries, which our economy is dependent upon, more expensive and less competitive in a highly competitive global market.

7 Proposed plans:

The plans at this stage do not give a full and truthful picture of the impact of the proposals. There are a lot of drawings and words, which do not give information, scale/measurements necessary to allow Councillors to make an informed decision. The sketches show a clean nice and tidy development, but omits perspective, actual impact and objectivity.

The agent's supporting letter states that, *'the proposed new works have taken advantage of the lie of the land and have been kept to a modest scale with roof lines designed to enhance the view.....the principal entrance off Garrison Hill whilst acknowledging that it is very much out of sight to the majority of visitors. A secondary entrance is being provided on the north elevation in the form of a two-storey art deco style entrance utilising the existing steps from the harbour'*

The scale is not modest, the lie of land and location of No 3 Garrison Hill in relation to Tregarthen's Hotel and the proposed works will cause a significant loss of natural light and prevent the normal expected enjoyment and use of No 3 Garrison Hill, especially on the first two floors rooms, which will become even darker than they are now. The proposed plans for the building at the main Garrison Hill entrance will not be out of site and will have a high visual impact for anyone walking either up or down Garrison hill.

There is no justification, economic or otherwise to support the need for the two turreted cottages at the entrance to Tregarthen's Hotel and the extension to the central area of the complex. The two cottages not visually acceptable or disability accessible. They will be totally out of character with the historic surrounding of the hotel entrance and Garrison Hill, which the Isles of Scilly Planning department should protect under the Planning Act 1990.

The central development to the Hotel and additional turreted cottages will not only create an illegal nuisance to my husband's and mine quality of life but will have a negative visual impact in the Garrison Hill/Garrison Arch area and looking towards the frontage of Tregarthen's Hotel from the sea wall.

Although I have not accessed the north-west side of the Tregarthen's site (private property), the plans as shown suggest that the number flats proposed at the north-west end of the site also seems excessive for the size of the area and again they lack the character of the setting of their surroundings.

To my knowledge, based on the literature reach I have undertaken, the area under the Garrison Battery and Garrison Hill is of national historical and archaeological importance especially in the role this area played in defending a perceived threat to the Isles in the 16th, 17th and 18th centuries. Long before this time the Garrison Hill area was an important pre-history site, for our Neolithic ancestors. A study is required into the historical importance of this whole area, but more especially at the site of the north-west proposed development site to ensure the Island's ancient history is not lost to modernism.

On a more modern practical note, there is also no guarantee that these flats will not be sold onto the open market, probably as second homes- this will do little for the severe lack of affordable homes on St Marys.

8 Strategic Goals 5 and 6 – Natural England- The Isles of Scilly NA113

The strategic goals state the following: *'Encouraging understanding of the need to protect and sensitively manage the natural features of the Islands to the benefit of the present and future generations'*.

'All sections of the community to work in partnership in order to maximise the efficient use of available resources to achieve strategic goal'.

'Long standing interdependence of people's quality of life, the economy and natural environment will continue and we will need to remain vigilant of the future change',

There are key words in these statements and some are well worth repeating- **'protect... benefit of the present and future generation... all sections of the community to work in partnership... efficient use of available resources and interdependence of people's quality of life, the economy and natural environment will continue and we will need to remain vigilant of the future change'**,

I am not opposed to the improvement of the visitor experience in regard to the development of the Tregarthen's Hotel, there is an opportunity for the owners to work in partnership with the community to meet the future economic needs of the islands within the available resources and natural environment we all share, interdependently with each other.

However, the proposed plans are poorly argued, lack essential detail and objectively to the consequences of their impact to the local infrastructure and in context of their historical and cultural setting.

It is not acceptable to say that the proposals will have 'minimal impact to adjacent properties and the slope of the roof is modest'. The impact is not modest to No 3 Garrison Hill, it is potentially an illegal nuisance- the impact to the iconic area of Garrison Hill and the Arch may be immeasurable.

The NA113 Isles of Scilly strategic document further discusses the valuable vegetation, habitat, both land and marine and the competing demands on protecting some of the most important natural vegetation like the Isles of Scilly Elms trees, the last known place in the UK not affected by Dutch Elm disease and the rare lichen and shore line species on the Islands. The Garrison Hill area, and north-west quay wall are on the boundary of this important nature area and the strategic document states that, 'only permitted development on coast that is sustainable within the framework of the Shoreline Management Plan'.

There appears to be no mentions of the potential influence of the projected rise sea levels and ground swell- the latter I believe is relevant to the north-west development.

Summary

This proposed plans to redevelop the Tregarthen's site is a large project and therefore, requires considerable consideration- hence this lengthy letter.

There are merits to the proposals- the redevelopment of the sea facing aspect of the building and staff area. It probably makes good economic sense to turn this area into additional high grade hotel accommodation and move staff to alternative accommodation.

There may be merit in some tasteful development of the north-west area of the hotel site. The proposed plans for development on this site appear not to be in keeping with the historical and cultural surroundings on the Garrison Wall, Battery quay wall and nearby granite cottages.

Such a large development in both these areas, raises the question whether the water and sewerage infrastructure can this. DEFRA's own report does not support such developments until essential infrastructure work is carried out. (Ref: report from DEFRA 2014).

My objections primarily relates to the proposal to build two large cottages (north and south) at the main entrance to Tregarthen's Hotel from the Garrison Hill and the associated central building next to these cottages.

From a personal level, the proposal to build up-wards an out-wards in this area is potentially illegal, as it will reduce further what limited natural light which comes into No 3 Garrison Hill. It will make the rooms on the ground and first floors of No 3 Garrison Hill unacceptably dark and leave the property inadequately lit for all ordinary purposes for which the property may reasonably be expected to be used.

I also object to the development on the Garrison Hill side. The Garrison Hill and Garrison Arch area is of historical and cultural importance, the Isles of Scilly own planning strategic documents recognise the view looking down from the Garrison Arch towards the town as one of the most important town panorama and views on St Mary's.

Building up-wards and out-wards at the Garrison hill entrance to the hotel will negatively impact on the culturally and sensitive conservations area and potentially breach the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local Authorities to protect any areas of special architectural or historic interest the character or appearance of which is desirable to preserve or enhance.

Councillors only have to look at the award winning Hell Bay Hotel on Bryher to see an example of a hotel entrance sensitive to the environment and their surroundings. The owners have not built high buildings to make a statement and block out the light- the development is in keeping within sensitive area the Hell Bay Hotel occupies. Tregarthen's Hotel occupies no less a sensitive site and the entrance and middle area of the building does not need to be built up to make a statement and reduce the adjacent properties right to light.

The owner has failed to make a sound economic argument to build up-wards and out-wards in these areas. The supporting statement states that by moving the staff to alternative accommodation away from the hotel and then redevelop this area with an increase in room numbers, which will improve the quality of their product will improve the economic return from the Hotel. There is no evidence to support the owner's contention that he needs to build two cottages and additional building at the Garrison entrance to the Hotel. The less than plausible reason re: disability access is very questionable, as such accommodation could be provided in the main hotel site or in new buildings to the north-west.

The development to the north-west of the hotel, which are essentially flats, are a separate issue to the improvements to the hotel frontage and change of use of the present staff quarters. This could be potentially sold off as independent open market housing, which would do nothing for the lack of permanent housing requirements on St Mary's.

The research required to justify the extensive development in the north-west area has not been proven- either ecologically or environmentally. There is the potential to increases the stresses on a sensitive conservation area, a site of scientific interest and an area of out-standing natural beauty.

I urge Councillors to reject the plans to build two cottages and further extend the central area of Tregarthen's Hotel at the Garrison Hill entrance to the Hotel. The reason for this I have objectively explained, using the Isles of Scilly Council planning strategy and strategic documents.

Objection to Planning Reference P/15/060/FUL

In recent years Councillors twice turned down a planning request to turn the unused shop space above the Pilots Gig restaurant into a one-bedroom flat- one of the reasons for this would be an increased strain on the already oversubscribed water and sewerage infrastructure in this area. However the owner of a Tregarthen's Hotel proposes a significantly more ambitious build a few hundred yards away at the Garrison Hill entrance, which would put a greater strain of the utilities services.

I also reiterate that these proposed buildings breach the law on my right to light which is presently protected under common law in England and Wales by the Prescription Act 1832.

I would also urge Councillors to defer the plans to develop the north-west area of the Tregarthen's Hotel site and until a more comprehensive study is undertaken into the environmental and historical implications such an extensive new build could generate.

I again remind Councillors of their strategic development goal- 'protect... benefit of the present and future generation... all sections of the community to work in partnership... efficient use of available resources and interdependence of people's quality of life, the economy and natural environment will continue and we will need to remain vigilant of the future change'.

Thank you for your time in reading this very lengthy letter- it has taken me considerable time to research all the relevant legislation and local policies pertaining to developments in sensitive areas.

I am happy to show Councillor around No 3 Garrison Hill, if you would find this helpful to inform your decision.

I understand I can make a personal representation to the planning meeting in regard to the Tregarthen's site proposals. I therefore request to provide personal representation when these plans are put forward for you to consider.

Yours sincerely

Anita Bedford