

King, Andrew

Subject: Planning Application Representation; P/16/021
Attachments: Duchy Planning01.jpg

From: Alan & Glen Davis
Sent: 28 March 2016 17:09
To: Planning
Cc: Derek Thomas MP
Subject: Planning Application Representation; P/16/021

Dear Sirs,

We wish to make a Representation against Planning Application P/16/021.

Whilst no doubt the remodelling will improve the property, the increase in bulk and roof height will make the building more prominent when viewed from parts of St Mary's.

The Duchy of Cornwall has an exemption of the Garrison in the Leasehold Reform Acts, denying long residential leaseholders the right to enfranchisement. The basis of this exemption is that enfranchisement will be refused so as to safeguard the special/historic interest of the Garrison. There is no doubt whatsoever that the increase in roofline of 1.5m will have a visual impact on St Mary's and thus change the special/historic interest landscape of the Garrison.

The Duchy of Cornwall wants it both ways, preventing others acquiring the right to enfranchisement on the basis of special/historic interest, but at the same time, allowing itself to alter the special/historic interest landscape of the Garrison.

The Prince's Council requested the enfranchisement exemption from Ministers, this being granted without any consultation with those effected. This Planning Application demonstrates that control over the special/historic interest of the Garrison is in the hands of the Council of the Isles of Scilly and other bodies and not the Duchy, although the Duchy maintains otherwise.

Therefore, the application should be refused on the basis that the application is inconsistent with the 1967 Leasehold Reform Act, the 1993 Leasehold Reform Act and the Commonhold and Leasehold Act 2002 and the special and the unique exemption granted to the Duchy of Cornwall for the Garrison. The Leasehold Reform Acts were to provide social justice and to end feudal land tenure.

If the building is to be remodelled, then for natural justice and fairness to prevail, the work should be carried out within the existing roofline.

Kind Regards
Alan & Glen Davis

Ps If it will assist in your deliberations, we have considerable amounts of correspondence and information on this issue which we can make available.

Gunners Well
The Garrison
St Mary's
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4th December 2002

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See Andrew

Mr A Davis, Gunners Well, Garrison, St Mary's
Isles of Scilly, TR21 OLS

Thank you for your letter of 12th November. I attach a copy of my letter of 7th August for reference. In it you will see I have given the reason that the Garrison is an historic part of the Islands history and architecture and it is for that reason that we seek to keep its integrity in tact. The situation is not dissimilar to the position that applies to the National Trust, where an area identified either of special architectural or historic interest or adjoining houses of such special interest would be safe guarded and their surroundings managed for the preservation of the amenity of such premises.

I very much hope that this answers the points raised.

With kind regards,

W R A Ross



W R A Ross
Secretary