



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

COUNCIL OF THE ISLES OF SCILLY

Town Hall, The Parade, St Mary's TR21 0LW
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Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2010

REFUSAL OF PERMISSION FOR DEVELOPMENT

Application No: P/19/055/FUL **Date Application Registered:** 20th September 2019

Applicant: Mr Ian Sibley
Porthcressa
St. Mary's
Isles of Scilly
TR21 0JQ

Site: Sibleys Fuel and Marine Storage 28 - 29 Porthmellon Industrial Estate St Mary's Isles of Scilly

Proposal: Change of use of part of Bay One into two bedroom staff accommodation.

In pursuance of their powers under the above act, the Council hereby **REFUSE** the above development for the following reasons:

- R1** The proposal will result in unacceptable adverse impacts on the residential occupants as well as having a constraining effect on the wider industrial estate by virtue of the proximity of the proposed residential use to adjoining neighbouring industrial uses. Existing neighbouring land uses and buildings have the potential to cause unrestricted noise, dust, vibration, smell, fumes, smoke, soot, ash or grit. The proposal will therefore result in a conflict of land uses which are not compatible to be closely related to one another and would cause unacceptable impacts on the amenity of both land users contrary to Policy 2 of the adopted Isles of Scilly Local Plan (2005), Policies SS2, SS3 (2)(d) and Policy WC4 (a) and (d) of the Submission Draft Isles of Scilly Local Plan (2015 to 2030) and paragraph 121(a) of the National Planning Policy Framework (2019).
- R2** In addition the concerns set out in reason 1, above, the size of the proposed dwelling does not comply with the Nationally Described Space Standards, which together with a lack of outdoor amenity space and proximity of other industrial units, would provide for a low standard of living conditions to the future occupants contrary to Policy LC3 of the Submission Draft Isles of Scilly Local Plan (2015-2030) and paragraphs 117, 123(c) and 180 of the National Planning Policy Framework (2019).
- R3** The proposed change of use of an industrial building from an existing 'general industrial use', classed as 'less vulnerable' in the Environment Agency's 'Flood Risk Vulnerability Classification', to a 'residential use', classed as 'more vulnerable' in an area that will be affected by extreme sea level rises in the future, is considered unacceptable without revisions to the proposal to ensure future users of the development will not be placed in danger from flood hazards throughout its lifetime.

The proposal is therefore contrary to emerging Policy SS7 of the Submission Draft Isles of Scilly Local Plan (2015-2030) and paragraphs 148, 150, 155 and 163 of the National Planning Policy Framework 2019.

Signed  **Senior Manager Infrastructure and Planning**

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