

From: Michael Bradbury
To: [Walton Lisa](#)
Subject: Re: P/19/064/FUL 21 Porthmellon Ind Estate (Extension of Time Request)
Date: 27 November 2019 14:37:02
Attachments: [image001.png](#)
[image002.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Hi Lisa

I confirm I am happy to extend the time limit as you suggested.

I will be back in touch with a full response shortly.

Regards

Mike

Mike Bradbury Design

Michael R Bradbury RIBA - Architect
Studio St Ives
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From: Walton Lisa <Lisa.Walton@scilly.gov.uk>
Date: Wednesday, 27 November 2019 at 10:08
To: M Design <mikebdesign@btinternet.com>
Subject: RE: P/19/064/FUL 21 Porthmellon Ind Estate (Extension of Time Request)

Dear Mike

Further to the recent communication on this application. I am writing to formally advise you that this application will be presented to Members for a decision on Tuesday 17th December 2019. The meeting is scheduled for 09:30am at the Old Wesleyan Chapel on St Mary's. Whilst

there is no public speaking permitted, you are able to attend to watch the proceedings. We do usually try and 'live stream' meetings to enable those who aren't able to get across to St Mary's but at present this technology is not working.

A site visit is planned for Members to see the site. This is to take place on the 13th December 2019 at 11:30am, and I have let the applicant know of this planned site visit, so he is able to be on hand and allow Members into the building. The meeting is to enable Members to see the site and not an opportunity to lobby members on the merits or otherwise of the proposal (this applies to any member of the public as well as the applicant). It is a purely to see the site in its current context.

As you are aware the application is due to be determined within 8 weeks, which would mean we should have reached a decision by the 11th December. As the meeting is not until the 17th December I would like to agree an Extension of Time with you to enable us to continue to keep this application open beyond this original 8 week date. I would propose this should be extended up to the 20th December 2020. This could be further extended if necessary but if you can confirm that currently you would be agreeable to this Extension of Time, then I will note this in our system.

Please do let me know, by reply, if the extension of time proposed is agreed by the applicant.

Many thanks
Lisa

From: Walton Lisa
Sent: 27 November 2019 09:50
To: 'Michael Bradbury' <mikebdesign@btinternet.com>
Subject: RE: P/19/064/FUL 21 Porthmellon Ind Estate

Dear Mike

Apologies just another quick follow-up. Planning history attached (P2497) to show the approved development subject to a temporary use of the access on to Telegraph Road. This was breached and enforcement action taken. This was subject to Appeal and the decision of the Council was upheld. The 2014 permission (P/14/032 also attached) to form a new point of access (which is the current access) was restricted in use by condition. Condition 6 limited use of this access to vehicles only for off-loading and loading materials only. It was not for general customer use or parking.

So whilst the case is made as to improving and existing access, through the raising of the level of the surface and centrally positioning and widening the access, the current access does only have a limited permitted use on to Telegraph Road, which will be significantly increased. I think this is the point of concern for my colleagues in considering this proposal. I will update you when there are more formal comments to consider.

Thanks
Lisa

From: Michael Bradbury <mikebdesign@btinternet.com>
Sent: 27 November 2019 07:58
To: Walton Lisa <Lisa.Walton@scilly.gov.uk>
Cc: Dryden Craig <Craig.Dryden@scilly.gov.uk>; Mark Wright
<wrightconstructioniosltd@gmail.com>
Subject: Re: P/19/064/FUL 21 Porthmellon Ind Estate

Hi Lisa

Thanks for your email. I will respond this afternoon if that is OK. Just off to a meeting.

Mike

Mike Bradbury Design

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From: Walton Lisa <Lisa.Walton@scilly.gov.uk>
Date: Tuesday, 26 November 2019 at 16:08
To: M Design <mikebdesign@btinternet.com>
Cc: Dryden Craig <Craig.Dryden@scilly.gov.uk>
Subject: RE: P/19/064/FUL 21 Porthmellon Ind Estate

Dear Mike

Thanks for getting back to me on the points raised. I have spoken to the Lead Member for Planning and Craig Dryden, who have both confirmed that in order to maintain a consistent approach we will require the FRA to support the proposal at this site. We recognise that most of the accommodation is elevated to first floor and as such the FRA will be proportionate to the risk, but without a reasonable assessment to support the application, we will be unable to recommend approval, even if all other issues were resolved. Notwithstanding this, and moving

forward, providing a FRA will be a validation requirement for developments in such areas (i.e. those area identified as being at risk of flooding which generally coincides with land at or below the 5m datum).

In assessing the space proposed for the new access and 9 car parking spaces. I am still waiting for Highway colleagues to respond formally to the TAN and I will update you if that raises any points to clarify. I note that the dimensions shown for each space appear to be below the size for a standard vehicle and measure 2.1m 4.4m. This does not allow space for doors to open or loading or unloading. I also note there is no 'disabled space' or disability friendly access (which is acknowledged in the D&A statement), given the steps shown on the pedestrian access from Telegraph Road. I note that it is identified as suitable for ambulant disabled persons. In order to provide wheelchair/pushchair friendly access could this be corrected to be a gentle slope? I think it will be important to address this if possible.

Can you confirm the surfacing of the car park. If it is intended to raise the internal car parking area, then presumably it will need surfacing. I would like to ensure this is either permeable in nature (but firm enough to ensure vehicles don't 'church' up the surface) or have a surface water flow to a soakaway point. Are you able to confirm this?

Further to my earlier email in relation to the proposal to condition the occupancy of both accommodation units to the operation of the business. I do understand that Mark as the owner/applicant currently lives in the existing flat and as such it would not seem too onerous to tie the occupation of this flat to the business. It would have a long-term benefit of securing a net gain of 2 units of staff accommodation with the business as it expands. Clearly Mark is making the point that there are no options to recruit staff, similar to the arguments made by many business owners, and by creating two units that are provided with such a large-scale business, would be seen as a positive part of the proposal.

Also coming back to consistency. All applications for new residential accommodation are assessed against the Nationally Described Space Standards and our emerging policies of the submitted Local Plan require new residential schemes to align with these minimum standards. I note that whilst the existing flat, reduced to a 2-bed apartment, will be around 20% above the minimum, the smaller flat is around 20% below this minimum. This is of course the minimum for 4 people sharing, which could be the case, but even with the number of people reduced to 3 the size of this flat is still 10% below the minimum. As we have no control over how many people will end up living/sharing this accommodation I can only go on the maximum number of people that could be residing here, which in both cases is 4 persons. It would appear that these space standards could be achieved by changing the split to have one of the rooms from the larger unit given over to the smaller unit. I would advise you that a recent application for residential use on the Industrial Estate (P/19/055/FUL) was recently refused for 3 reasons. This included the fact that the space provided was similarly below the NDSS and the FRA, that was provided, was found to be inadequate. I wonder if you're able to address this issue?

Finally I wonder if you're able to comment on the applicant's assessment of 'demand' for the large-scale retail outlet proposed, or is it largely speculative? What type of retail specifically is proposed? I understand from speaking to Mark at a recent visit to the site, that some element of 'building supplies' will continue to be provided but it appeared to be largely food retail. Is it proposed to be bulky goods/cash & carry arrangement, or is this general 'supermarket' arrangement as a competitor to the Co-operative foodstore? I think it would be useful to

understand this to balance out the issues of losing the industrial B8 storage, which will be a direct result of the change of use. Loss of industrial space on the Industrial Estate has to be justified.

The above are issues I consider should be addressed in formally assessing this application. They are also likely to be questions raised by members either during the planned site visit (of which Mark is aware) on 13th December at 11:30am or during the Full Council meeting. In order to finalise on the recommendation we will need answers/explanations or amended plans. I can understand the push-back on the FRA as a significant additional cost. It may be that if we can be satisfied largely with the proposal (including addressing the above issues) sufficiently to recommend a confident balanced approval, then this could include a recommendation to members requesting that they give subsequent delegated authority to make the decision pending the FRA and any amendments required to address any issues that report recommends. That would give more certainty to the 'go-ahead' of the project before committing additional funds, if that makes sense?

Alternatively I can agree an Extension of Time and allow more time and take the application to Members in January 2020.

If you can let me know as soon as possible.





Analysis of predicted still water levels for 2105 taken from the Shoreline Management Plan (SMP2), show complete inundation of the site (A) with the proposed access and egress route cut-off by flood waters. Levels do not take account of wave action and overtopping and as such flooding in the area is likely to be more frequent and of greater consequence than this current data suggests.

From: Michael Bradbury <mikebdesign@btinternet.com>

Sent: 25 November 2019 17:11

To: Walton Lisa <Lisa.Walton@scilly.gov.uk>

Cc: Mark Wright <wrightconstructioniosltd@gmail.com>; Michael Bradbury <mikebdesign@btinternet.com>

Subject: Re: P/19/064/FUL 21 Porthmellon Ind Estate

Good afternoon Lisa

Thank you for your email. I have forwarded it to Mark and have just discussed the contents with him. I can respond as follows:

1. First Floor Residential Use: As you will appreciate from your recent site visit, Mark and his partner currently live in the large first floor residential apartment. Mark would like to continue living in the main flat as he has invested so much of his time and effort in creating really comfortable accommodation. The new smaller 2-bedroom flat will become a 2-bedroom staff flat for some of his work-force. The residential accommodation at the moment is part of the property owned by the Wright Group. There is certainly no intention to rent for holiday purposes, sell or in any way dispose of either apartment. I am not aware of any formal agreement, restricting the use of the current flat but the clear understanding is that the residential use will be associated with the business
2. Flood Risk Assessment: I was disappointed to hear from Mark Williams at the EA this morning that he is insisting on the preparation of a Flood Risk Assessment. As a back-up plan I have been keeping Jan Clark of EAD Solutions informed on developments and email

correspondence. I have just spoken to him to see if he can offer any helpful advice or response by the end of this week. He informed me that the EA normally take 2-3 weeks to issue their flood data. However, his colleague, Tim Sullivan has been working on projects on Scilly recently and may already have some information that can be used if needed. Jan and I both feel that the request for a FRA is unreasonable given the fact that the residential use is existing, the entrance/exit is existing and the general means of escape from the Business Park to higher ground is existing. It may well be that a concise Flood Risk Report stating some of this information can be submitted in the very tight timescale. As Mark has just pointed out to me, we are making some positive improvements to improve flood risks such as reinforcing the roadside boundary and introducing permeable surfaces.

3. Address: I gather there has been some confusion in the past over numbering at the Business Park and that the property appears as both 21 and 22 on different plans. Would it be simpler if we just removed 'number 22' from planning documents and just referred to the application site as 'Wright Construction'?

Mark is really hoping that we can keep to the planning programme and does not want to delay the application unless we absolutely have to.

I will give you a call tomorrow after I have spoken to EAD Solutions again.

Regards

Mike

Mike Bradbury Design

Michael R Bradbury RIBA - Architect
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From: Walton Lisa <Lisa.Walton@scilly.gov.uk>

Date: Monday, 25 November 2019 at 15:06

To: M Design <mikebdesign@btinternet.com>

Subject: P/19/064/FUL 21 Porthmellon Ind Est

Dear Mike

I am in the process of writing up the committee report the Scillonia Building Supplies. This is not a straightforward or easy report to set out, so I am not currently in a position to formalise or confirm the recommendation. Can I ask whether the changes to the single residential flat, which includes a small first floor extension, to form x2 two-bedroom flats, would both be for 'staff accommodation' purposes? So I note in the D&A statement you refer to the current 'open market' 3-bedroom flat, into a two-bedroom apartment and a 2-bedroom staff flat. Can I ask whether it is anticipated that we would seek to secure both flats and tie-them to the business? This would be an important point to make in my report. If it not anticipated that they would both be restricted in occupancy can I ask whether Mark would be prepared to accept occupancy restrictive conditions in order to avoid a refusal? As I said I'm not in a position to confirm the recommendation but I would like to understand this particular point.

In relation to the recent response from the EA, I would confirm that we will require a FRA to demonstrate the flood risk issues have been addressed and I don't think the benefits of the proposal outweigh the need for this information. I would like to understand whether there is an intention to provide this information and if so how long you anticipate getting this submitted. If this is unlikely to be by the end of this week then unfortunately I will not be able to finalise the report in time for December Meeting. In this event I would suggest the application is either withdrawn or we agree a further extension of time to enable it to be presented to the Full Council meeting in January (my report deadline for that meeting would be the 10th January) so that would give you a further month.

Just to confirm also – Mark Wrights' in Unit 21 Porthmellon Industrial Estate, according to our systems in the Council, but all the documents submitted refer to Unit 22 (which on our system is Parrs Engineering).

Look forward to hearing from you shortly.

Regards

Lisa

Lisa Walton *MRTPI*

Senior Planning Officer

Council of the Isles of Scilly

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