



## DESIGN & ACCESS STATEMENT

[INCLUDING FLOOD RISK ASSESSMENT & STATEMENT OF SUSTAINABLE DESIGN MEASURES (SDM)]

FOR: CONSTRUCTION OF A NEW ACCESSIBLE DWELLING FOR HOLIDAY LETTING PURPOSES

AT: LAND OPPOSITE MEN-A-VAUR, CHURCH ROAD, ST MARY'S, ISLES OF SCILLY, TR21 0NA.

ON BEHALF OF: SELLECK NICHOLLS LTD.

DOCUMENT REF NO: 2792.Design & Access Statement-v4

ISSUE DATE: July 2020

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Fig 1: Aerial view of Hugh Town, St Mary's with application site centre highlighted.

## **CONTENTS**

- 1. INTRODUCTION**
- 2. SITE AND SURROUNDINGS**
- 3. DEVELOPMENT PROPOSAL SUMMARY**
- 4. PLANNING HISTORY**
- 5. PLANNING POLICY CONTEXT & CONSIDERATIONS**
- 6. PRINCIPLE OF DEVELOPMENT**
- 7. NEIGHBOUR PRIVACY AND AMENITY**
- 8. LOCAL GREEN SPACE AND BIODIVERSITY**
- 9. ADEQUACY OF ACCESS TO SERVE THE DEVELOPMENT**
- 10. DESIGN & SUSTAINABLE DEVELOPMENT STATEMENT**
- 11. STATEMENT OF SUSTAINABLE DESIGN MEASURES (SDM)**
- 12. SITE WASTE MANAGEMENT PLAN (PROVISIONAL)**
- 13. DISABILITY & NATIONAL SPACE-STANDARD STATEMENT**
- 14. INFRASTRUCTURE IMPACT ASSESSMENT**
- 15. FLOOD RISK ASSESSMENT**
- 16. VENTILATION AND EXTRACTION STATEMENT**
- 17. LIFETIME HOMES STATEMENT**

## **1. INTRODUCTION**

CAD Architects are acting as agents for Andrew Selleck in relation to the proposed construction of a new dwelling on land to the rear of Men-a-vaur, Church Road, St Mary's.

The development proposal represents the culmination of an extended design review process which has taken into account the conclusions of earlier planning application, appeal and pre-application enquiry processes for development on the site.

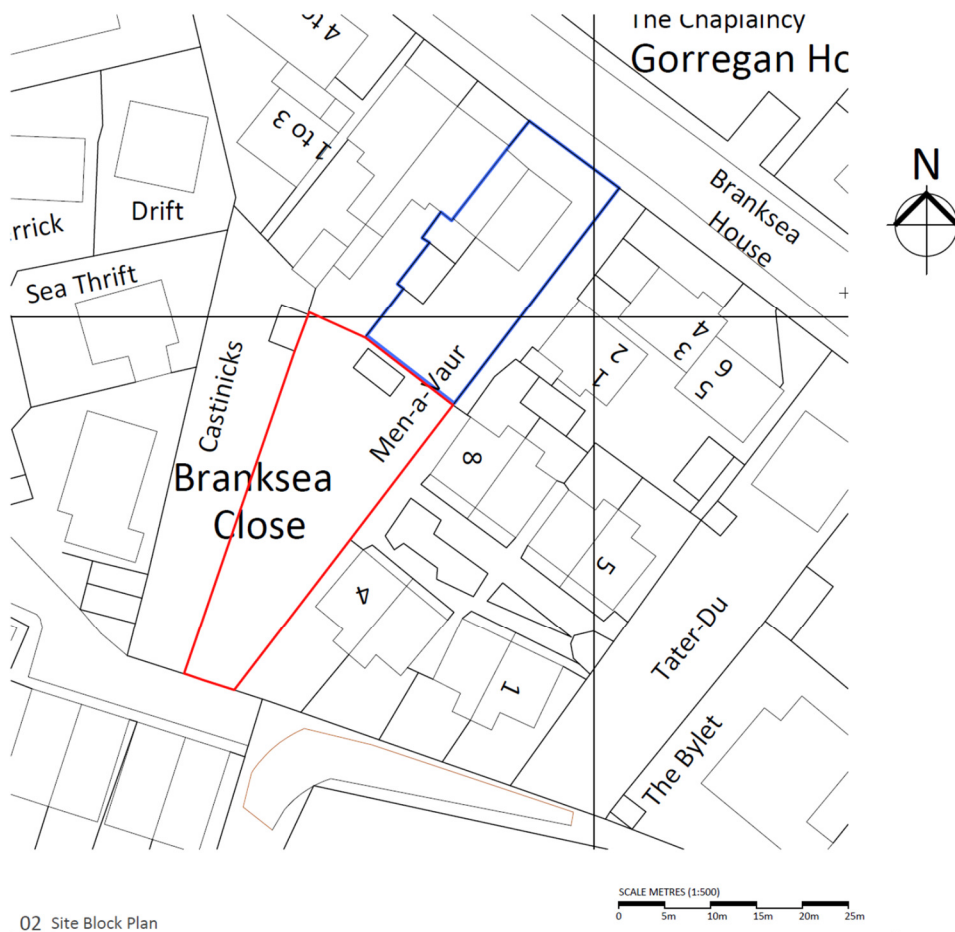
This Statement sets out the main planning considerations and justifications for the development proposal and should be read in conjunction with the latest versions of accompanying planning drawings and other supplementary supporting documents.

## 2. SITE AND SURROUNDINGS

### LOCATION

The application site (or 'the site'), comprising approximately 0.05ha, is located within the central urban area of Hugh Town, St Mary's.

The site constitutes a backland plot, falling as it does within the rear garden of the property known as Men a Vaur – the principal (front) elevation of which addresses the southern side of Church Road.



**Fig 2:** Site location plan showing relationship with surrounding roads and buildings. Application site outlined in red.

To the east, Men a Vaur is abutted by Branksea Close – a late C20 cul-de-sac backland development connected to Church Road with a northeast-southwest service road.

To the south, Men a Vaur is abutted by Ram's Valley – a service road extended from the rear of Church Street (adjoining the west end of Church Road) to serve a cluster of C20 dormer bungalows and later pairs of two storey houses introduced in back land plots around the junction of Church Street and Church Road.

To the west the site is abutted by the garden of Rosvean House – the eastern unit of a late Victorian pair of semi-detached villas.



## ACCESS

Independent access to the site is obtained via Church Road and Branksea Close to the southeast. The access route is accessible to service vehicles (e.g. bin lorries – fig 3) for approximately half its length, reducing to approximately 1.8m for the length of the development site.



**Fig 3:** Dust cart accessing Branksea Close, to East side of Men-a-Vaur (July 2018)



**Fig 4:** Royal Mail accessing Branksea Close, to East side of Men-a-Vaur (2020)

## **SURROUNDING DEVELOPMENT CHARACTER**

Whilst there are occasional historic elements (e.g. the pair of Rosvean House & Corregan House), the development character surrounding the site is dominated by C20 dwellings, including a mixture of detached and semi-detached properties. All dwellings are generally of a modest scale and a mix of single and two storey forms. Many dwellings, including those of Branksea Close, occupy 'backland' locations with no direct vehicular access.

## **DESIGNATIONS**

The site lies within the overarching Isles of Scilly Conservation Area and AONB designations.

Despite falling within these designations, the relatively small scale of the development proposal, coupled with its publicly discrete backland situation, surrounded by a predominance of 20th century ad-hoc infill development means it will have a negligible impact on the special interest of either designation. This view is supported by similar LPA reactions to both previous development proposals on the site (notably of larger scale than now proposed) and recent pre-app discussions with the Applicant.

### **3. DEVELOPMENT PROPOSAL SUMMARY**

The development proposal seeks planning permission for the construction of a 'storey-and-a-half', detached, room-in-the-roof bungalow style residential property for holiday letting purposes, specifically designed to enable occupation by disabled and mobility impaired guests alongside their families or carers.

The proposal has been designed to achieve Building Regulations Part M3 standards – a level of accessibility suitable for full time, independent occupation by a disabled resident – and incorporates level access to all ground floor and garden areas as well as provision for the installation of an internal lift between ground and first floor to allow mobility impaired guests to access bedrooms and family members at first floor level.

The site layout includes access and amenity surfacing and associated landscaping following the removal of a greenhouse and small number of trees. The development is to be complemented by a planting and soft landscaping scheme designed to encourage biodiversity and create an attractive garden to be enjoyed by staying guests.

The building itself is to be constructed in the predominant local style of a symmetrical duo-pitched roof over rendered walls. The proposal includes however measures to elevate the dominant non-locally distinctive material palette of surrounding modern development, through the use of a natural slate roof covering and the use of timber boarding to selected wall areas.

Externally, level-access decked areas are provided against the house to accommodate outdoor seating and dining for users of all mobility levels. These areas, and entrance points to the house are connected to the site's entry point off of Branksea Close with inclusive-access surface incorporating suitable gradients for wheelchair users.

## 4. PLANNING HISTORY

### SUMMARY

The following summarises planning applications related to the site as listed on the LPA's Online Planning Register:

- **P/15/066/FUL [Withdrawn]** Change of use from HMO (Use Class C4) to Hostel (sui generis) with associated internal alterations
- **P15/067/FUL [Withdrawn]** Construction of new block to provide hostel accommodation (sui generis) use for staff accommodation [Withdrawn]
- **P/15/068/FUL [Withdrawn]** Construction of new block to provide hostel accommodation (sui generis) use for staff accommodation [Withdrawn]
- **P/18/090/FUL [Refused]** Construction of two semi-detached residential properties for holiday letting purposes, specifically designed to enable occupation of groups including mobility impaired guests, incorporating ground floor wet room ensuite bedroom accommodation and level access to all ground floor and garden areas (Amended Title)
- **PP/Z0835/W/19/3225058 (APPEAL RELATED TO P/18/090/FUL) [Dismissed]**

### REFUSAL & APPEAL

Application P/18/090/FUL, refused in March 2019, proposed the erection of two 'disabled friendly' semi-detached dwellings for holiday use. Whilst the scheme was recommended for approval by Planning Officers, it was refused at Committee by Councillors.

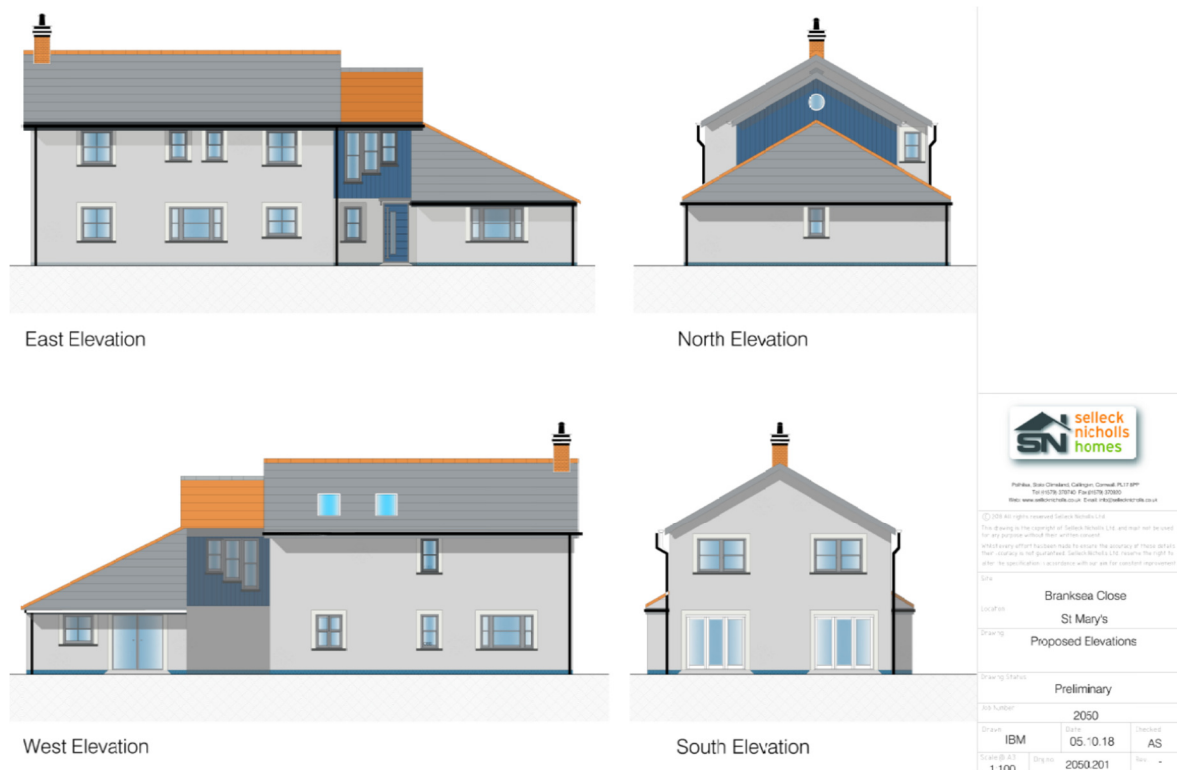


Fig 5: Refused Planning Scheme P/18/090/FUL



Three reasons for refusal were given, namely:

*R1. The proposed development by reason of the close proximity to existing neighbouring properties on Branksea Close is considered to give rise to significant overlooking contrary to the guidance set out in the Isles of Scilly Design Guide. This Supplementary Planning Document requires development to be designed to minimise overlooking of existing neighbouring properties.*

*R2. The proposed development would result in the loss of greenspace and biodiversity habitat, which is not compensated for in the application, contrary to the requirements of emerging Policy OE2 of the Draft Isles of Scilly Local Plan 2015-2030 and paragraph 170 (d) of the National Planning Policy Framework, 2018.*

*R3. The proposed development would provide up to 12 bedspaces of holiday letting accommodation that would be served by an access road that is inadequate for service vehicles, number of pedestrians and the proximity of that access to other properties.*

A subsequent appeal of this refusal (PP/Z0835/W/19/3225058) effectively dismissed reason R3 (concerns over access).

However, concerns over adverse impact to the privacy of neighbouring properties within reason R1, specifically via overlooking from proposed first floor windows, were upheld by the Inspector, who also raised the issue of 'perceived' overlooking.

Concerns over potential adverse biodiversity impacts on the site within reason R2 were also upheld by the Inspector.

On the basis of the above, the appeal was dismissed.

#### **POST-APPEAL PRE-APP**

The dismissal of appeal PP/Z0835/W/19/3225058 triggered a development review process culminating in the submission of the current proposals.

In the interim, a concept scheme for a detached dormer-bungalow style dwelling was submitted as part of pre-application enquiry to the LPA in January 2020. The concept scheme sought to address the appeal's two upheld reasons for refusal.

The pre-app response determined that concerns over adverse biodiversity impacts (reason R2) could be addressed through the inclusion of measures to deliver a biodiversity net gain.



**Fig 6:** Pre-app Scheme, submitted January 2020

The pre-app response suggested that roof dormers included in the concept scheme would continue to cause concerns in respect of overlooking and/or perceived overlooking of neighbouring properties.

The pre-app also responded to the Applicant's query over the policy weight afforded to the provision of disabled access holiday accommodation. The pre-app response highlighted the added weight which might be afforded to disabled provisions meeting relevant policies of the emerging Isles of Scilly Draft Local Plan 2015-2030

### POST PRE-APP

The submitted proposals have been designed to address both the factors upon which the appeal was dismissed and the concerns and recommendations of the 2020 pre-app referenced above.

## 5. PLANNING POLICY CONTEXT & CONSIDERATIONS

### INTRODUCTION

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be taken in accordance with the Development Plan unless material considerations indicate otherwise.

The content of the Development Plan varies by location as it includes policies found within local-level documents (e.g. Local Plans at county level and Neighbourhood Development Plans at district level) reflecting local issues and needs in the context of the national-level planning policy in place at the time.

The 2019 National Planning Policy Framework ('The NPPF') represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application – including its presumption in favour of development (paragraph 14).

### DEVELOPMENT PLAN

The Development Plan context for the proposed development is the adopted **Isles of Scilly Local Plan (2005)** of which the following policies are particularly relevant:

- **Policy 1 – Environmental Protection**
- **Policy 2 – Sustainable Development**
- **Policy 4 – Economic Development**

As the development plan is adopted it should, in accordance with Section 70(2) of the Town and Country Planning Act 1990, be given full weight during decision making.

However, pre-application discussions for the proposed development held with in early 2020 identified the LPA's intention to also place great weight on relevant policies within the Emerging Isles of Scilly Draft Local Plan 2015-2030 in their consideration of any forthcoming application, following the Plan's public examination and subsequent submission to the Secretary of State in September 2019. The following policies within the Draft Local Plan are particularly relevant due to the nature of the proposal and the site's recent planning history:

- **Policy LC3 - Balanced Housing Stock**
- **Policy OE2 - Biodiversity and Geodiversity**
- **Policy WC5 - Visitor Economy and Tourism Developments**
- **Policy SS1 - Principles of Sustainable Development**
- **Policy SS2 - Sustainable Quality Design and Place-Making**

## **CONCLUSION**

Taking into account the site's recent planning history, the relevant planning policy context and all other material issues, the main planning considerations for the determination of this application are as follows:

- The principle of development
- The impact of the development on the privacy and amenity of adjoining occupiers
- The impact of the development on local green space and biodiversity
- The adequacy of access to serve the development
- The design and sustainability of the development

These issues are analysed in detail in the following sections of this document including, where relevant, references to the design evolution process which has taken place since the refusal of application P/18/090/FUL.



## 6. PRINCIPLE OF DEVELOPMENT

The main basis of policy support for the principle of the proposed development, as new tourist accommodation, is derived from Policy 4 of the adopted Isles of Scilly Local Plan (2005) and Policy WC5 of the Emerging Isles of Scilly Draft Local Plan 2015-2030.

### **ISLES OF SCILLY LOCAL PLAN (2005), POLICY 4: ECONOMIC DEVELOPMENT**

Policy 4 sets out the basis of policy support as follows:

*To promote employment and economic activity by providing opportunities for businesses to support viable communities. Proposals based on the existing economic base of tourism, agriculture and fishing, as well as the distinctiveness of the islands, will be supported in the following cases:*

The policy then goes on to list 5 examples where development will be supported, the following two of which are relevant to the submitted development proposal:

*(a) where such development contributes to the further diversification and essential modernisation of the islands' economy; or*

*(b) where it demonstrably improves the quality of existing tourist accommodation, including that of managed camping sites, or potentially extends the length of the tourist season; or*

The proposal offers the provision of a disabled-friendly holiday let facility suitable for occupation by disabled users either in isolation, with a carer or in a group.

As outlined in the 'DISABILITY PROVISION & SPACE STANDARD STATEMENT' section of this document, St Mary's is severely lacking in holiday accommodation with any wheelchair accessible facilities, let alone with accessible self-contained living facilities, private gardens and space for companions.

In respect of Policy 4 paragraph (a), the proposal helps support the diversification and modernisation of the islands' economy by providing a unique accommodation facility on St Mary's capable of encouraging more people of differing mobility levels to stay on the islands rather than day-trip, helping to increasing their net-spend, to the benefit of local facilities and services.

This economic benefit is potentially amplified by the family scale of the accommodation, which encourages larger groups to stay for longer periods. Given the rarity and comfort of the intended facility, it seems reasonable to assume that demand will persist year-round, helping to delivering local economic benefits outside of the traditional tourism season, in accordance with the aims of Policy 4 paragraph (b).

## **EMERGING ISLES OF SCILLY DRAFT LOCAL PLAN 2015-2030, POLICY WC5 - VISITOR ECONOMY AND TOURISM DEVELOPMENTS**

Policy WC5 of the Emerging Isles of Scilly Draft Local Plan 2015-2030 addresses Visitor Economy and Tourism Developments and as such as has similar aspirations to the relevant sections of Policy 4 of the current Local Plan as discussed above.

Policy WC5 of the emerging Isles of Scilly Local Plan states that:

*(1) Proposals for new or upgraded tourism development will be permitted where they:*

*a) make a positive contribution to the provision of high quality sustainable tourism on the islands; and*

*b) are located in sustainable and accessible locations; and*

*c) are appropriate to the site and its surroundings in terms of activity, scale and design; and*

*d) do not result in an unacceptable impact on the environment or residential amenities, in accordance with other relevant policies in the Local Plan; and*

*e) in the case of conversions, do not result in the loss of homes that would otherwise be available for permanent occupation, unless there are wider public benefits demonstrated to offset the loss of permanently available homes.*

*(2) Proposals for tourism developments will be particularly encouraged subject to a) – e) above, and where it is demonstrated that they would:*

*f) extend the tourism season and increase productivity and wages in tourism;*

*g) support the promotion and interpretation of the islands' heritage; and*

*h) provide a viable and appropriate use for under-used buildings where they can be converted and are worthy of retention, and in accordance with Policy SS3.*

As set out in the relevant sections of this report, the submitted proposals comply with all pertinent clauses of Paragraph 1 (a, b, c and d) of Policy WC5.

In addition, the proposals meet the requirements of clause f of Paragraph 2, for the reasons set out in discussion of Policy 4 of the current Local Plan.

### **CONCLUSION**

for the reasons set out above, and the absence of objections to the principle of the development in either the refusal of P/18/090/FUL or its subsequent appeal, it is considered the principle of the development is acceptable in policy terms.

## **7. NEIGHBOUR PRIVACY AND AMENITY**

### **OVERLOOKING & PERCEIVED OVERLOOKING**

In appeal decision PP/Z0835/W/19/3225058, relating to a two storey proposal complete with first floor windows, the Inspector upheld refusal concerns relating to adverse impacts on the residents of neighbouring properties at Branksea Close. In response, the submitted proposals take a 'room in the roof' bungalow form.

In response to pre-app advice from the Isles' Planning Officer, the proposals omit originally intended dormers to avoid concerns regarding potential overlooking or perceived overlooking of neighbouring properties.

For the same reason, windows have not been included in the gable walls at the eastern and western ends of the proposed roof space accommodation.

### **NOISE & DISTURBANCE**

In appeal decision PP/Z0835/W/19/3225058, the Inspector dismissed concerns over potential issues of noise and disturbance for neighbouring properties within refusal P/18/090/FUL, thus:

*"...the proposal would result in an increase in footfall of pedestrians passing the rear garden of No 8 Branksea Close in order to access the appeal site. The same route is already used by all occupants of Branksea Close to achieve access to their properties.*

*Whilst the appeal proposal would represent an increase in the number of people using the path alongside No 8, given the urban context of the site and its lawful use, the existing arrangements for occupants of Branksea Close and the modest amount of accommodation proposed, I do not consider that this aspect in itself would result in unacceptable noise and disturbance which would harm the living conditions of the occupiers thereof."*

The development now proposed is of the same residential nature as proposed in the above-mentioned appeal case but includes less accommodation. As such, the potential noise and disturbance impacts of the development remain acceptable in policy terms.

To help lessen noise and disturbance to neighbouring properties resulting from guest arrivals and departures, the front entrance of the proposed dwelling has been located away from the elevation facing Branksea Close.

### **SCREENING**

The proposal includes for the installation of timber fencing on the site-side of the existing planted eastern boundary treatment in order to enhance the privacy of the occupants of both the proposed development and neighbouring properties at Branksea Close.

## 8. LOCAL GREEN SPACE AND BIODIVERSITY

### POLICY CONTEXT

Policy 1 of the Isles of Scilly Local Plan relates to environmental protection and seeks to protect statutorily-protected plant or animal species and locally important biodiversity habitats, thus:

*“To ensure that all relevant future development proposals respect and protect the recognised quality of the islands' natural, archaeological, historic and built environment, they will be permitted only where, as applicable, they:*

*...(e) Protect a statutorily-protected plant or animal species and the wildlife, geological and geomorphological interest and features of designated Sites of Special Scientific Interest; and locally important biodiversity habitats, species and landscape features;*

Policy 1 predates the current NPPF which states at paragraph 170 that development should contribute to and enhance the natural and local environment, including sites of biodiversity or geological value. The NPPF's requirements are more onerous than the development plan policy 1, with the effect of limiting the weight that can be ascribed to it, with precedence passing to the NPPF.

Policy OE2 of the Emerging Isles of Scilly Local Plan ('Biodiversity and Geodiversity') is generally in alignment with the NPPF, requiring biodiversity net gains, thus:

*“Development will be required to conserve, protect and, restore and provide measurable net gain to biodiversity. All development must ensure that the importance of habitats, designated sites and species are taken into account; they must also incorporate appropriate measures to avoid and mitigate the disturbance of sensitive wildlife sites and habitats, provide opportunities for enhancement wherever possible, and minimise the impacts of invasive non-native species through the lifetime of the development.*

### BIODIVERSITY ASSESSMENT

A Preliminary Ecological Assessment (PEA) of the site was undertaken by Ecological Surveys Ltd in November 2019 (see submitted application documents).

The PEA concluded “The proposed residential development site is considered to be of low ecological value due to the presence of mainly non-native species in an abandoned garden.”

The report did however observe the potential for trees and shrubs on site, as well as a derelict greenhouse and shed, to provide suitable habitat for nesting birds.



## MITIGATION AND ENHANCEMENT

In respect of Policy 1 of the adopted Local Plan, which is largely superseded by the NPPF and emerging Local Plan, a PEA study has determined the biodiversity of the site is 'low' and thus arguably outside the reach of the policy.

However, due the limited weight of the Policy as result of the more onerous requirements of the later NPPF (and the emerging Isles of Scilly Local Plan Policy OE2 (Biodiversity and Geodiversity)) it is necessary to consider the proposals in the context of NPPF paragraph 170, requiring mitigation and enhancement of any affected biodiversity.

The proposal includes measures to mitigate adverse ecological impacts of the development, as detailed in the submitted PEA. These measures include:

- Removal of Invasive, Non-native Species
- Removal of Dumped Rubbish/Garden Waste
- Soft-felling of the Ivy-clad Pear Tree
- Removal of Woody Species, along with the Greenhouse and Shed
- Planting of New Trees and/or hedges to replace trees lost to development [controllable via planning condition as part of a planting and landscaping scheme]

In addition to the above, and as detailed in the submitted PEA, construction works will be carried out in accordance with a bespoke Construction Management Man taking account of the following aspects:

- A Construction Exclusion Zone to the southern edge of the site
- Covered Trenching and Capped Pipework
- Artificial Lighting Strategy

The proposals include the biodiversity enhancement measures recommended in the PEA, namely the provision of:

- 1No. Bat tube
- 1No. Bird nesting box
- 1No. Bee brick

## 9. ADEQUACY OF ACCESS TO SERVE THE DEVELOPMENT

### PLANNING HISTORY

LPA concerns over the adequacy of access to the proposed development were addressed by the Inspector during their determination of the appeal of the refusal of the previous application on the site (P/18/090/FUL) thus:

*19. The appeal site would be accessed via a pedestrian path which runs alongside No 8 Branksea Close. The pathway is generally level from the main highway with some small areas of uneven surfacing. I note that a part of the path is narrower than appears on the plan due to a fenced area and planted flowerbed.*

*20. Notwithstanding some of the more minor aspects about the condition of the path, from the evidence it would appear that it is capable of accommodating a refuse service vehicle. There would appear to be no reason why the same type of service vehicle could not collect refuse from the appeal site if it were sited in such a way as not to obstruct the path itself.*

*21. The consultation response of Cornwall Fire and Rescue indicates that there should be vehicle access for a pumping appliance to within 45m of all points within the dwelling house. However, it is noted that at least half of the properties in Branksea Close are more distant from a suitable vehicular access point than 45 metres. Not all of the proposed development would be within 45 metres of the kerbside where it is presumed a pumping appliance would park. This aspect may be a shortcoming of the proposal. However, to the extent that this aspect is covered by other legislation and that I am dismissing the appeal for other reasons, this matter is not determinative in this appeal.*

In response to the latter point, it should be noted that the standard the 45 metre pumping unit distance limit requested by the Cornwall Fire and Rescue service is only fractionally exceeded from kerbside on Church Road, by approximately 5 metres – substantially less than some parts of Branksea Close.

It is suggested that further consultation with the Fire and Rescue Service during the determination of the submitted application be used as a mechanism for determining the strategy that would be applied by the service in the event of a fire at Branksea Close to establish if the same approach can be adopted for the proposed development site.

Investigation of alternative access routes for fire service vehicles, e.g. via Ram's Valley to the south is also recommended.

## 10. DESIGN & SUSTAINABLE DEVELOPMENT STATEMENT

### POLICY CONTEXT

Policy 2 of the adopted Isles of Scilly Local Plan ('Sustainable Development') addresses sustainable development and design measures thus;

*Development will be permitted in situations where a proposal would, where practicable and appropriate, contribute to the sustainability of the islands' environment, economy or local communities through:*

*(a) Conserving or enhancing the landscape, coastline, seascape and existing buildings of the islands through appropriate design including siting, layout, density, scale, external appearance (i.e. details and materials) and landscaping;*

*(b) Ensuring or facilitating the re-use of previously developed land and existing buildings for the economic, social and environmental benefit of the islands and local communities taking into account any environmental designations set out in Policy 1; and*

*(c) Utilising natural resources efficiently in the design, construction and future use of land and buildings, including where appropriate, energy conservation and the use of renewable sources of energy generation, minimising the consumption and discharge of water and waste and by securing the recovery and re-use of suitable building materials.*

In respect of design, Paragraph 24 of the local plan - text immediately succeeding Policy 2 – suggests new development should “positively reinforce the special and distinct qualities of the islands’ environment, in accordance with the Isles of Scilly Design Guide.”

Paragraph 26 of the Local Plan states that in order to promote sustainable development on the islands, development proposals should utilise natural resources more efficiently in their design, construction and future use.

Policy SS1 of the emerging Local Plan, ('Principles of Sustainable Development') builds upon Policy 2 and adds detail to help emphasise the various facets of sustainable development defined by the NPPF which was devised in the intervening period, including “generating and sustaining economic activity”.

Policy SS2 of the emerging Local Plan, 'Sustainable Quality Design and Place-Making' emphasises the role of good design in the delivery of sustainable development. The policy states that new development must be of a high-quality design before setting out a number of ways in which it should contribute to the islands’ distinctiveness and social, economic and environmental elements of sustainability. Of the extensive list set out in this respect, the following are considered relevant to the submitted development proposal:

*a) respecting and reinforcing the character, identity and local distinctiveness of an area whilst not stifling innovation, and with the scale, density, layout, height, mass and materials responding positively to the existing townscape, landscape and seascape setting;*

*c) making efficient use of the land whilst respecting the character of the site and surrounding area and neighbouring land uses;*

*d) safeguarding the amenity of individuals and properties by creating a high-quality environment that addresses issues of privacy, overlooking, overshadowing, overbearing impacts and unreasonable noise and disturbance;*

*g) providing opportunities for achieving measurable net gains in biodiversity by ensuring that natural and semi-natural features are created and enhanced as integral elements of the design, through the provision of features such as bird and bat boxes, and by incorporating measures that support the removal of any threats to the islands' biodiversity;*

*h) promoting physical activity by incorporating Sport England Active Design principles wherever appropriate;*

*k) minimising the consumption of resources by requiring sustainable construction and design*

## **SUSTAINABLE DESIGN ANALYSIS**

The development site's position within a relatively densely developed domestic setting on the edge Hugh Town - the largest settlement on the Isles of Scilly and its administrative centre with the most complete set of facilities – makes it a highly sustainable location for new development on the islands, suitable for exclusive use of sustainable modes of transport.

The proposal makes efficient use of redundant domestic curtilage and thus avoids the development of a greenfield site. The nature of the development, as a single dwelling, is in keeping with the domestic character of the site and its immediately surrounding residential context.

The scale, density, layout, height, mass and materials of the proposal respond positively to the surrounding development pattern by adopting different aspects from nearby buildings and combining them in a new but complementary design form which accommodates not only the very specific spatial requirements of modern Part M accommodation but also supports the incorporation of sustainable design features.

This respectful and humble design approach to meeting a specific housing need helps avoid the jarring visual disruption of the existing development arrangement that might have been caused by the pursuit of an overtly contemporary form.



The proposal is of a similar footprint scale to neighbouring buildings and is substantially lower than its immediate two-storey neighbours. The proposal's simple gable-to-gable 'room-in-the-roof' form, with gables facing east and western boundaries, helps ensure the proposal does not have an unacceptable overshadowing or overbearing effect on the site's closest neighbours at Branksea Close.

As detailed elsewhere in this document, the proposals have been carefully designed to avoid and minimise adverse impacts on the amenity of immediate neighbours – addressing both actual and perceived factors identified in earlier planning application and appeal processes.

In terms of biodiversity, the site has been subject to a pre-development ecological assessment to provide a baseline for a strategy to both avoid harm and measure enhancement. The proposals include enhancement measures alongside mitigation measures which can be detailed and managed via planning conditions to ensure they are coordinated with associated works on the site not typically part of planning applications for developments of this scale – including planting or soft landscaping schemes and general garden design.

In accordance with Sport England Active Design principles, the proposed dwelling, which stands close to the island road and cycle network, includes secure cycle parking. Generous amenity space around the dwelling provides ample space for safe and private external exercise, including informal play spaces for children residing in the house.

Additionally, the proposed dwelling will be policy compliant as a new holiday letting unit will require the support of local employment and will provide additional demand to local commercial tourist facilities. By providing an accessible unit – the dwelling is most likely to provide a holiday let with a use over an extended tourist season where facilities are likely to be quieter and mobility impaired visitors more comfortable. Additionally, by promoting the island to a wider visitor base, in accordance with the equality act, the proposal is considered to support the promotion of the islands' heritage to a wider audience.

The proposal minimises the consumption of resources in its construction and occupation through the measures listed in the below SDM (Statement of Sustainable Design Measures) required by Policy SS2 of the emerging Local Plan.

Waste generated during the project's various construction processes will be processed in accordance with the Site Waste Management Plan (SWMP) required by Policy SS2 of the emerging Local Plan. A provisional SWMP has been provided below, to be finalised via planning condition during the technical design phase.

Achieving the above whilst delivering a new facility meeting a specific local economic need (specifically the provision of St Mary's first purpose-built Building Regulation compliant disabled-access holiday

accommodation, of a scale appropriate for solo, couple or group/family occupation, to support the diversification of the tourism industry and extension of the traditional seasonal model) is considered to represent a successful example of sustainable development.

## **11. STATEMENT OF SUSTAINABLE DESIGN MEASURES (SDM)**

### **INTRODUCTION**

The proposal incorporates key sustainable features and renewable technologies to minimise the consumption of energy and water for operational use and to reduce carbon dioxide emissions brought about by the construction and subsequent occupation of the proposed dwelling.

### **ENERGY & RESOURCE USE MEASURES**

The operational energy and resource use of the dwelling will be limited through the following measures:

- Air source heat pump (ASHP) will be provided and linked to a solar store to minimise energy wastage.
- Photovoltaic Panels will be provided to reduce the proposed dwelling's electricity demand.
- Solar Hot Water will supplement the ASHP for the heating of water- minimising the use of electricity (powering the ASHP) as much as reasonably practical.
- Natural Ventilation (Passive stack effect) will be maximised by the inclusion of openable roof windows in the first floor landing. This will naturally ventilate the dwelling, allowing the heating and cooling to be carefully managed.
- Solar Gain will be maximised on the principal south elevations.
- Natural light will be maximised within ground and first floor accommodation, reducing energy demand for lighting.
- Despite the above, low energy LED light fittings throughout the dwelling the minimise energy consumption in use.
- Potable water use will be minimised to less than 125 litres per person per day. Controlled fittings and flow restrictors will be utilised to achieve this requirement.
- Rainwater harvesting will be maximised on the site through the use of water butts – providing a useful resource for external use and minimising potable water use.
- Use of Sustainable Urban Drainage Systems in respect of excess surface water.

- Provision of vermin-proof waste and recycling storage within the proposed garden.
- Provision for kerbside waste and recycling collections alongside the gated access on the eastern boundary

### **CONSTRUCTION PRINCIPLES**

The proposed dwelling will be sustainably constructed using the following principles:

- Timber frame construction (built to suit the dwelling on site).
- High standards of air tightness.
- Efficient building fabric with high thermal credentials & careful detailing.
- Lifecycle analysis of materials in view of minimising future construction waste.

## 12. SITE WASTE MANAGEMENT PLAN (PROVISIONAL)

### PROJECT SUMMARY

The works include the clearance of an existing garden plot ('the site') to the rear of Men A Vaur, Church Road, St Mary's followed by the erection of a detached dwelling.

All works are contained within the boundaries of the site although some operations, such as the erection of new fencing, might require some working from a shared access road.

### PROJECT START DATE & DURATION

TBC

### PERSON RESPONSIBLE FOR THE MANAGEMENT OF WASTE

Principal Contractor [TBC]

### THIRD PARTY WASTE HANDLING (OFF ISLANDS):

Third parties, receiving imported waste from the islands, will be required to provide documentary evidence of their license to handle, transport and dispose of waste and provide consignment notes for each consignment of waste received for final disposal including tonnages removed.

### OBJECTIVES

- To take all reasonable steps to ensure that waste management controls are observed.
- To minimise the amount of waste generated and maximise the amount of waste reused and recycled.
- To re-use as much waste as possible on-site. Where reuse on-site is not possible to identify the most appropriate waste management option in line with the waste hierarchy.
- To manage waste as close as possible to the site location.

### RESPONSIBILITIES

The Principal Contractor is responsible for the implementation of the SWMP - duties include but are not limited to:

- Ensuring waste is managed on site according to the SWMP.
- Ensuring all staff and sub-contractors understand their duties in relation to the SWMP.
- Ensuring correct records and documentation is kept.
- The 'Site Waste Coordinator' is the point of contact for all staff, contractors and waste contractors in relation to the SWMP and waste management issues.
- All contractors' staff and operatives working on site are responsible for adhering to the principles of the SWMP. This includes attending training as specified and following arrangements for the movement and segregation of waste on site.



## 13. DISABILITY & NATIONAL SPACE-STANDARD STATEMENT

### **NATIONALLY DESCRIBED SPACE STANDARDS (TECHNICAL HOUSING STANDARDS, MARCH 2015)**

NDSS require new dwellings to provide the floor areas set out in the NDSS as a minimum.

The NDSS highlight a potential conflict between the NDSS and Part M ('Access to and use of buildings') of the Building Regulations, which has its own requirements in respect of space, thus:

*"The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households."*

### **NDSS, PART M & THE EMERGING ISLES OF SCILLY LOCAL PLAN**

NDSS is referenced in Policy LC3 'Balanced Housing Stock' of the emerging Isles of Scilly Local Plan alongside references to Part M of the Building Regulations.

Policy LC3 reads as follows:

*1) All new residential development must contribute towards the creation of sustainable, balanced and inclusive island communities by ensuring an appropriate mix of dwelling types, sizes and tenures, taking account of the existing and future housing needs of the community, imbalances in the housing stock, and viability and market considerations.*

*(2) All new homes must offer a good standard of accommodation by being constructed in accordance with the Nationally Described Space Standards (Technical Housing Standards) (or any replacement standards);*

*(3) All homes will be encouraged to be accessible and adaptable in accordance with Building Regulations Requirement M4(2) or any successor regulations.*

*(4) Wheelchair users' homes will be encouraged to be constructed in accordance with Building Regulations Requirement M4(3) or any successor regulations, and will be encouraged where a specific local need for a wheelchair-adaptable or accessible home is identified.*

*(5) All affordable homes permitted under LC6 and LC7, including custom/self-build, must be affordable by size and type to local people and will remain so in perpetuity,*

*(6) All affordable homes will be subject to a condition removing permitted development rights in respect of extensions, to ensure they remain of a size that meets the affordability needs of the islands.*

## SCHEDULE OF DEVELOPMENT FLOOR SPACE

	No of Storeys/ floors	No of Bedrooms	No of related persons living in the property	Calculation of internal useable Floor space (m <sup>2</sup> )
Existing	0	0	0	0
Proposed	2	4	8 (upto)	150

### DEVELOPMENT-RELEVANT NDSS SPACE STANDARDS (GROSS INTERNAL FLOOR AREA)

- 4 Bedroom, 7 Person = 115m<sup>2</sup> + 3m<sup>2</sup> storage
- 4 Bedroom, 8 Person = 124m<sup>2</sup> + 3m<sup>2</sup> storage

### LOCAL ACCESSIBILITY & SPACE STANDARDS NEED: ST MARY'S

Policy LC3 (4) of the emerging Isles of Scilly Local Plan suggests that Wheelchair users' homes will be encouraged "where a specific local need for a wheelchair-adaptable or accessible home is identified".

Research (the findings of which are attached as an appendix) has been undertaken by the Applicant to determine local availability of accessible accommodation for holiday letting purposes. The research concluded a demand for family-friendly wheelchair accessible accommodation on St Mary's. The only known wheelchair accessible room on the island is located in the Atlantic Inn, although its availability is not widely publicised.

### PRE-APPLICATION FEEDBACK AND ISLES OF SCILLY LOCAL PLAN/NDSS/PART M CONFLICT

Pre-application advice (PA-20-000 dated 13th February 2020) in respect of amendments to the refused development P/18/090/FUL stated:

*"Policy LC3 requires all new residential development to meet certain standards, including aligning with the minimum space standards as set out in the Nationally Described Space Standards (NDSS) and no more than 10% above as a maximum. You will be required to set out the number of floors, the number of bedrooms and the maximum number of potential occupants, as part of the submission. As this is specifically aimed at 'disabled persons' who may be using a wheelchair, you would be encouraged to ensure the development meets the higher Building Regulations (Part M4(3))."*

The proposed dwelling will meet the minimum gross internal floor area specified within the NDSS. However, due to the floor area required to achieve Building Regulations Part M4(3), as encouraged by the pre-app response and Policy LC3(4), the relevant NDSS will be exceeded by more than the suggested 10% allowance (it should however be noted that the 10% threshold referenced in the pre-app response could not be found in the September 2019 Local Plan submission draft).

During further informal pre-app discussions in April 2020, the Islands' Planning Officer advised that demonstrable compliance with Building Regulations Part M4(3) standards would outweigh concerns over an apparent policy conflict relating to exceeding the 'NDSS +10%' threshold referenced during the earlier pre-app discussion, provided the case for such accommodation were to be made under Emerging Local Plan Policy WC5 'Visitor Economy and Tourism Developments'. The case for this accommodation has therefore been made within the 'principle of development' section of this document which addresses compliance with Policy WC5 and its Adopted Local Plan forerunner, Policy 4.

## **14. INFRASTRUCTURE IMPACT ASSESSMENT**

### **SURFACE WATER**

Rain & surface water will be re-used, where possible, with the remainder discharged to on site infiltration soakaways – reducing reliance on the island’s mains drainage infrastructure.

### **FOUL WATER**

Foul sewerage will be discharged to the existing mains sewer located adjacent to the application site. Past pre-application discussions with Eddie Williams (16th July 2018) have indicated no known capacity issues with the drainage infrastructure. Later, at the Full Council meeting at which application P/18/090/FUL was refused, it was accepted that there remained capacity for the development in the existing sewerage system despite recent temporary issues.

To achieve a satisfactory connection to the existing sewerage system, the Applicant will require the approval of the statutory undertaker. This approval process will naturally need to reflect the condition and capacity of the system as it is found at the point that the development is to be delivered - and as such it is considered a more appropriate mechanism for agreeing the precise design of the means of connection than potentially unnecessary or unduly onerous planning conditions prescribing theoretical solutions.

To allow the LPA to maintain and demonstrate planning control over matters of waste water disposal on the islands it would be appear appropriate for any forthcoming planning consent to be subject to a condition requiring written details of the sewer connection agreement made with the statutory undertaker to be submitted to the LPA prior to the commencement of the development’s principal groundworks.

## 15. FLOOD RISK ASSESSMENT

The site is located in flood zone 1 and is therefore not at risk of flooding.

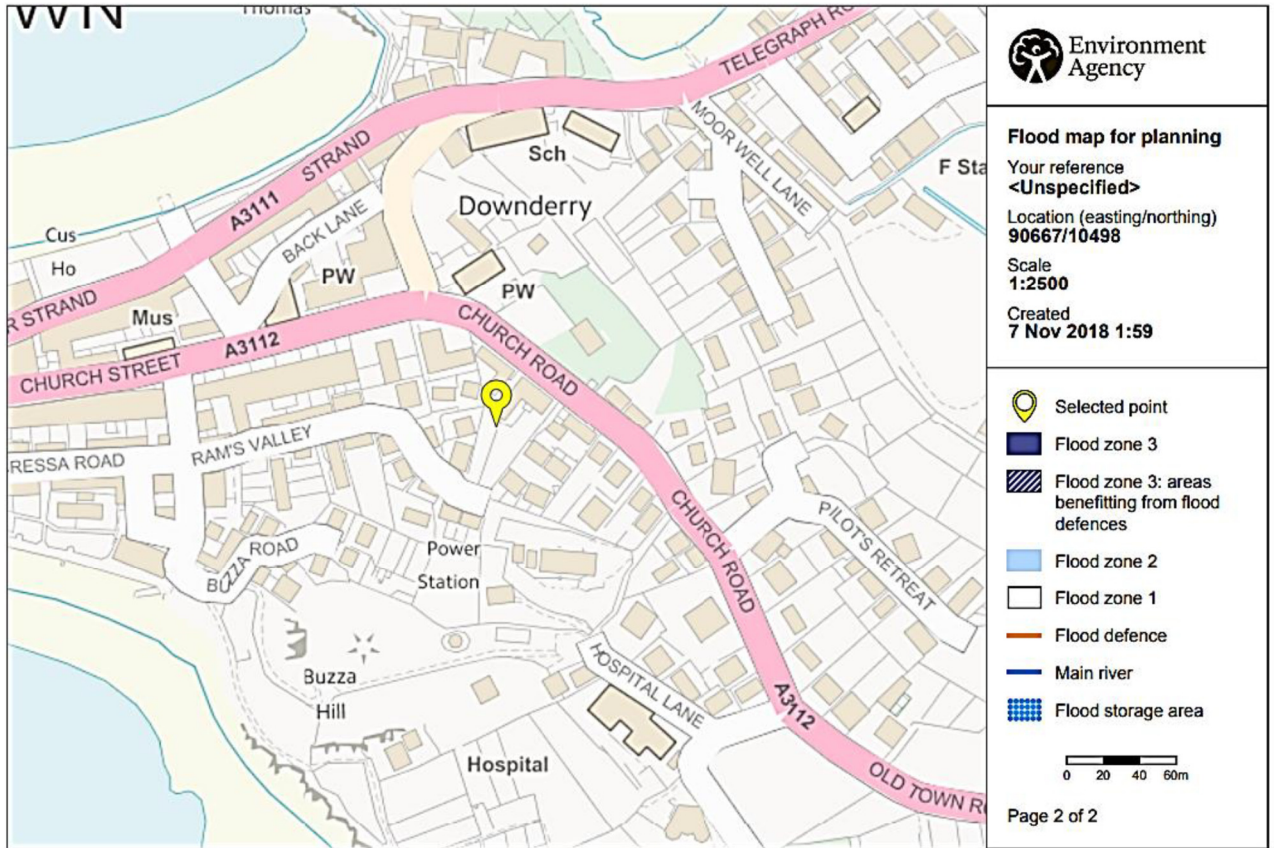


Fig 7: Environment Agency 'Flood Map for Planning' extract.

## **16. VENTILATION AND EXTRACTION STATEMENT**

Domestic ventilation and mechanical extraction will be provided for the proposed dwelling. Mechanical extracts will be sourced to achieve the minimum flow rates required by building regulations and will be sourced as 'low noise' or 'silent' where possible.

In addition to the above, vent terminals will be carefully positioned to avoid any impact on neighbouring amenity.

## **17. LIFETIME HOMES STATEMENT**

The proposed dwelling has been designed to coordinate with building regulation M4(3) standards which are believed to override and exceed the 16 point requirements of Lifetime Homes.

With the exception of on-site of parking provisions, all remaining 15 points of the Lifetime Home criteria can be achieved as part of the proposal.

Furthermore, Lifetime Home points 9 and 10, requiring temporary provisions for a ground bedroom and an accessible bathroom, are exceeded by providing rooms and facilities requiring suitable for accessible use.

**End.**