



COUNCIL OF THE ISLES OF SCILLY

Planning Department

Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW

☎0300 1234 105

✉planning@scilly.gov.uk

APPENDIX A: POSSIBLE CONDITIONS

FOR

APPEAL AGAINST REFUSAL OF PLANNING PERMISSION

AT

LAND AT LAWRENCES BROW, ST MARTIN'S ISLES OF SCILLY TR25 0QL

REFUSED ON 24TH SEPTEMBER 2021

APPEAL REFERENCE: APP/Z0835/W/21/3287898

22nd March 2022

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 APPEAL

TOWN AND COUNTRY PLANNING (HEARINGS AND INQUIRIES

PROCEDURE) (ENGLAND) (AMENDMENT) RULES 2013.

In the event that the Inspector is minded to grant permission, it is respectfully suggested that, without prejudice to the Council's decision, the following conditions be imposed:

- C1 The occupation of the dwelling shall be limited to a person employed by the applicant, for the purposes of working on the applicants tenanted/leased land for agricultural purposes on a seasonal basis, between April and October on any year, as part of his stated business [Business Name: Toby Tobin-Dougan] only.**

Reason: The use of the building for long-term occupation, other than for agricultural purposes on a seasonal basis in connection with the applicant's business, would be inadequate in terms of the size of the building and would be contrary to Policy LC3(1) and LC4 (2) a) of the Isles of Scilly Local Plan (2015-2030).

- C2 Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order) no extensions (Part 1 Class A), dormer windows (Part 1 Class B), alterations to the roof (Part 1 Class C), curtilage buildings (Part 1 Class E), flues or chimneys (Part 1, Class G), means of enclosure (Part 2 Class A) shall be erected or constructed without first obtaining planning permission.**

Reason: In the interests of protecting and retaining an appropriate scale and character in keeping with the wider Conservation Area and scenic beauty of the AONB and to accord with Policies SS2, SS3 and OE1 of the Isles of Scilly Local Plan (2015 – 2030).

- C3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended), (or any order revoking or re-enacting that Order) prior to installation, details of any external lighting shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the agreed details.**

Reason: To protect the amenities of the locality, including those of neighbouring residential properties and to protect this rural area and preserve the dark night skies of the Isles of Scilly and the St Martin's Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

- C4 The seasonal use of the building as habitable agricultural workers accommodation, hereby permitted, shall cease and the building reverted back to being an agricultural storage building once the applicant's tenancy of the land ceases. This shall include the removal of all ancillary structures and equipment placed on the land and building to facilitate its use as habitable accommodation, within 6 months of the applicants use of the land ceasing.**

Reason: The use of this building has been converted for a specific purpose in connection with the applicants use of the land only.

- C5 From the first occupation of the building, hereby approved, the hedges along the field boundaries, shall be maintained at a minimum height of 2m, as shown by the green line on the attached plan. The dunes along the south west boundary, as identified by a blue line on the attached plan, shall not be altered in any way, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of both safeguarding the visual amenities of the wider landscape and to ensure the land remains protected from coastal waters and tidal ingress.

- C6 Within 28 days of the date of this permission the applicant shall provide details of a neutral paint finish for any elements of the building currently painted in a blue finish. These details shall be submitted to and approved in writing by the Local Planning Authority. Within a 56 days of the details being agreed the elements finished blue shall be finished as agreed by the details of this condition and retained as such thereafter.**

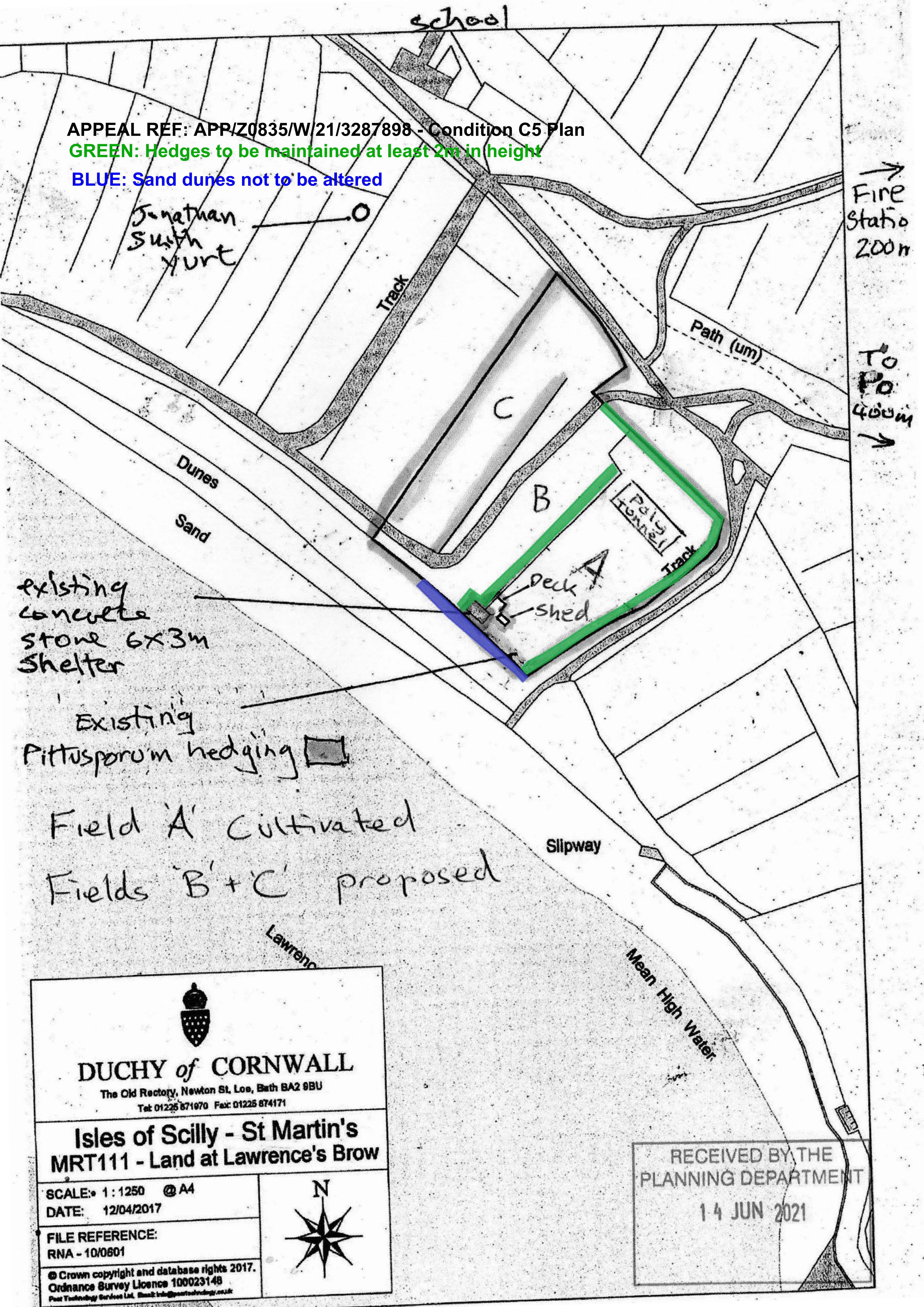
Reason: In the interests of the character and appearance of the Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policy OE1 of the Isles of Scilly Local Plan (2015 – 2030).

Lisa Walton *MRTPI*
Chief Planning Officer
Council of the Isles of Scilly

APPEAL REF: APP/Z0835/W/21/3287898 - Condition C5 Plan

GREEN: Hedges to be maintained at least 2m in height

BLUE: Sand dunes not to be altered



DUCHY of CORNWALL

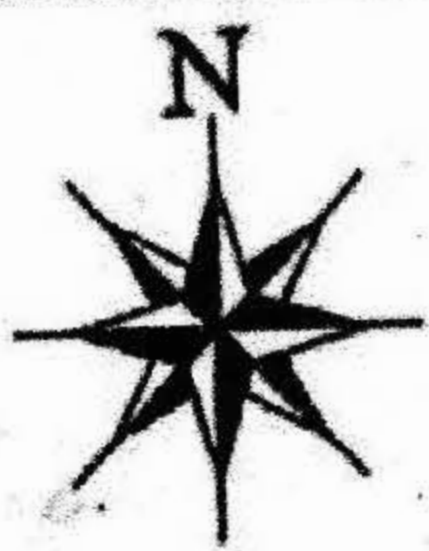
The Old Rectory, Newton St. Loos, Bath BA2 9BU
Tel: 01225 871070 Fax: 01225 874171

Isles of Scilly - St Martin's
MRT111 - Land at Lawrence's Brow

SCALE: 1:1250 @ A4
DATE: 12/04/2017

FILE REFERENCE:
RNA - 10/0801

© Crown copyright and database rights 2017.
Ordnance Survey Licence 100023148
Plot Technology Services Ltd. Email: info@plottechnology.co.uk



RECEIVED BY THE
PLANNING DEPARTMENT
14 JUN 2021