

Council of the Isles of Scilly Delegated Planning Report Full Application

Application Number: P/24/053/FUL

UPRN: 000192001415

Received on: 10 July 2024

Valid on: 30 July 2025

Application Expiry date: 24 September 2025

Site notice posted: 30 July 2025

Site notice expiry: 20 August 2025

Applicant: Chris Jenkins

Site Address: Carn Friars Farm
Carn Friars
St Mary's
Isles of Scilly
TR21 0NZ

Proposal: Removal of derelict net tunnel structure and erection of new 9 meters wide x 18 meters long x 4.6 meters high to top of ridge agricultural shed.

Application Type: Planning Permission

Recommendation: PER

Summary Conditions

1. Standard Time Limit
2. Adherence to Plans
3. Materials as per Application Particulars
4. Agricultural Use
5. External Lighting
6. Hours of Operation for Construction Works
7. Submission of a Biodiversity Gain Plan (Statutory Condition)
8. Submission of a Habitat Management and Monitoring Plan (HMMP)
9. Submission of a Habitat Enhancement Completion Report
10. Submission of Habitat Monitoring Reports

Reason for Delegated Decision

No Councillor has requested that the application come to the Full Council. The decision defaults to the level of Delegated:

- Not a Councillor ✓
- Not a Senior Officer (or Officer with influence over planning Decisions) ✓
- No relation to a Councillor/Officer ✓
- Not Major ✓
- Not Council's own application ✓
- Not a departure from the Development Plan ✓
- Not Called in ✓

Lead Member Planning Agreed

Name: Cllr D Marcus | Date: 08/09/2025

Site Description and Proposed Development

Carn Friars Farm is located in the east of St Mary's, near the Higher Moors Site of Special Scientific Interest and Porth Hellick Down. To the north of Carn Friars Farm is the A3110 with Lunnon Farm beyond it, while to the immediate south, east and west are agricultural fields. The location of the derelict net tunnel structure that is proposed to be removed and replaced with a new timber clad agricultural shed (9m [width] x 18m [length] x 4.6m [height]) has been identified on the map below.



Certificate: B

Other Landowners: Duchy of Cornwall

Consultations and Publicity

The application has had a site notice on display for 21 days (30/06/2025 – 20/08/2025). The application appeared on the weekly list on 4th August 2025.

Consultee	Date Responded	Summary
Cornwall Environmental Consultants	21/08/2025	<i>“There are no objections on ecological grounds. If granted permission a standard BNG Condition will be required. The required Habitat Management Monitoring Plan (HMMP) should contain full details of how the proposed BNG enhancement will be achieved, managed and monitored.”</i>

Representations from Residents:

[0] letters of objection have been received.

[0] letters of support have been received.

[0] letters of representation have been received.

Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast
- Risk Impact Zone for SSSI

Planning Assessment

Design	YES OR NO
Would the proposal maintain the character and qualities of the area in which it is proposed?	Y
Would the proposal appear in-keeping with the appearance of the existing dwelling, street and area?	Y
Would the materials, details and features match the existing dwelling and be consistent with the general use of materials in the area?	Y
Would the proposal leave adequate garden area and green space to prevent the proposal appearing as an overdevelopment of the site and to ensure an adequate level of amenity?	Y
Is the parking and turning provision on site acceptable?	N/A
Would the proposal generally appear to be secondary or subservient to the main building?	N/A
Amenity	YES OR NO

Is the proposal acceptable with regard to any significant overlooking/loss of privacy issues?	Y
Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?	Y
Is the proposal acceptable with regard to any significant change or intensification of use?	Y
Heritage	YES OR NO
Would the proposal sustain or enhance the character and appearance of the Conservation Area?	Y
If within the setting of, or a listed building, a) Will the development preserve the character and special architectural or historic interest of the building? b) Will the development preserve the setting of the building?	N
Within an Archaeological Constraint Area	N
Other Impacts Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	N/A
Impact on protected trees a) Will this be acceptable b) Can impact be properly mitigated?	Y
Has the proposal been designed to prevent the loss of any significant wildlife habitats or proposes appropriate mitigation where this has been demonstrated to be unavoidable?	N/A
Does the proposal conserve and enhance the landscape and scenic beauty of the AONB?	Y
Are the Water connection/foul or surface water drainage details acceptable?	Y
If sited within a Critical Flood Risk Area (low lying land below the 5m datum) is the application accompanied by an acceptable Flood Risk Assessment?	N/A
Are there external lights	N
Protected Species	YES OR NO
Does the proposal include any re-roofing works or other alteration to the roof	N
Does the proposal include any demolition	Y
Does the proposal include tree or hedge removal	N
Is an assessment of impact on protected species required	N
Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements	Y

Are biodiversity enhancement measures required	Y
Is a condition required to provide biodiversity enhancement measures	Y
Waste Management	YES OR NO
Does the proposal generate construction waste	Y
Does the proposal materially increase the use of the site to require additional long-term waste management facilities	N
Does the proposal include a Site Waste Management Plan	Y
Is a condition required to secure a Site Waste Management Plan	N
Sustainable Design	YES OR NO
Does the proposal materially increase the use of the site to require additional sustainable design measures	Y
Does the proposal include any site specific sustainable design measures	Y
Is a condition required to secure a Sustainable Design Measures	N

Principle of Development

The Isles of Scilly Local Plan (2015-2030) aims to create a more competitive, diverse and resilient economy. To do this, Policy WC1 of the Isles of Scilly Local Plan (2015-2030) supports development proposals that strengthen, enhance and diversify the islands' economy, where they are appropriately designed, scaled and located.

Policy WC3 of the Isles of Scilly Local Plan (2015-2030) takes this one step further and requires proposals for employment development in the countryside to be of an appropriate activity and scale, and to demonstrate a functional and/or operational requirement.

The proposal seeks the erection of a new shed within the boundary of, and in association with, the existing agricultural business (the production of preserves, juices, cider and cider brandy) at Carn Friars Farm. As an existing business, the proposed countryside location is considered appropriate in this instance.

The provided 'Supporting Statement' states that the shed will be used to house and expand the Farm's current pressing and production equipment, provide space for packaging and stock, and under-cover storage for agricultural machinery.

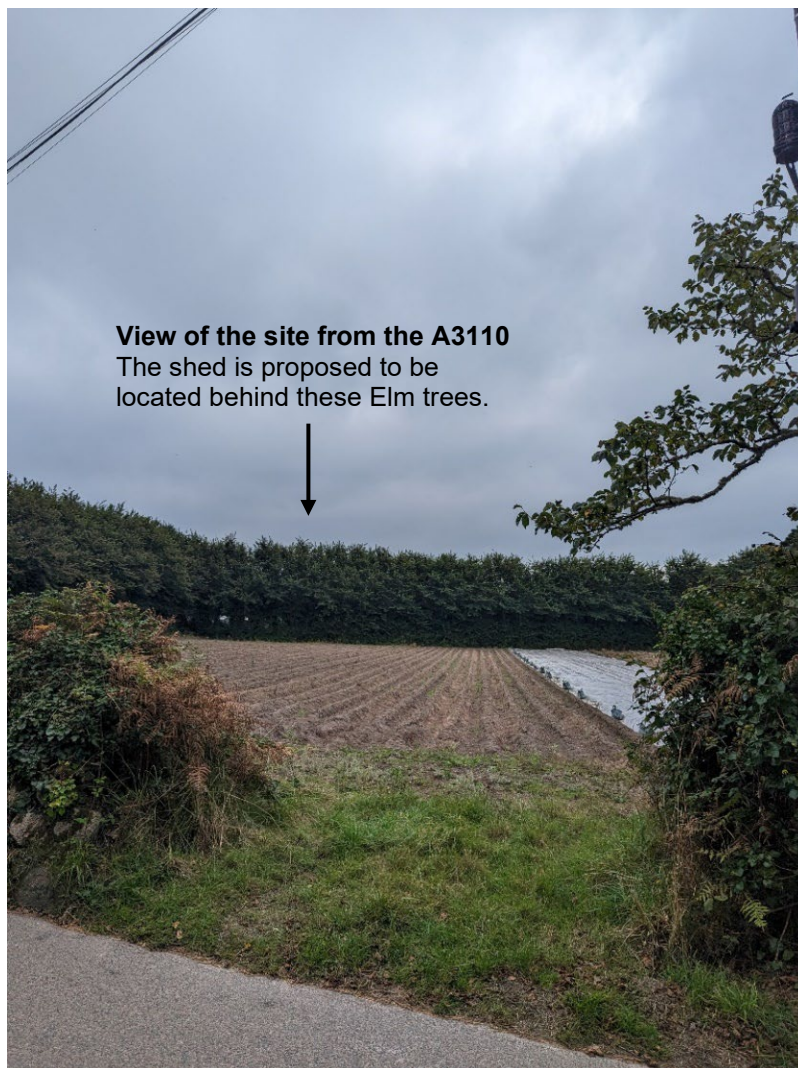
The proposal is considered to be acceptable in principle under Policies WC1 and WC3 of the Isles of Scilly Local Plan (2015-2030).

Design & Siting

Policies OE1 and SS2 of the Isles of Scilly Local Plan (2015-2030) require proposals to respect the character of the site, conserve and enhance the landscape, and demonstrate an appropriate scale, density, layout, height, mass and use of materials.

The proposed shed would have timber-clad walls, a corrugated cement fibre roof and sliding doors on the northeast gable. These are typical agricultural design characteristics and would be reflective of the existing roadside shed at Carn Friars Farm as well as the sheds on neighbouring farms. The scale of the proposed shed is also typical for an agricultural building, and it is considered proportional to the proposed function. The siting is well enclosed by Elm trees, as shown by the photograph below, and it is judged that the shed will only be visible from the public realm during late autumn and early winter.

The design and siting of the proposed shed is considered acceptable and in accordance with Policies OE1 and SS2 of the Isles of Scilly Local Plan (2015-2030).



Sustainable Design & Waste Management

Policies SS2 and OE5 of the Isles of Scilly Local Plan (2015-2030) aim to promote sustainable design and require proposals for the construction of new buildings to be

supported by Sustainable Design Measures and a Site Waste Management Plan.

The Sustainable Design Measures for the proposal have been included in the applicant's 'Supporting Statement'. The measures include the use of roof lights to help reduce electricity costs, rainwater harvesting for irrigation and wash-down purposes, and the dry storage of machinery to protect it from degradation. These details are considered to be sufficient to accord with Policy SS2 of the Isles of Scilly Local Plan (2015-2030).

A Site Waste Management Plan (SWMP) has been provided and details the expected waste types, estimated volumes and management methods. The SWMP also address the waste minimisation measures that would be undertaken and the waste management objectives that would underpin the development. The Plan is acceptable and judged to accord with Policies SS2 and OE5 the Isles of Scilly Local Plan (2015-2030).

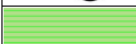
Biodiversity Net Gain

Policy SS2 of the Isles of Scilly Local Plan (2015-2030) requires development to avoid harm to biodiversity and to deliver net gain where possible. It supports the retention and enhancement of existing habitats and explicitly seeks to prevent net loss of biodiversity. Under the Environment Act 2021, all developments above 25 square metres, are required to deliver a minimum of 10% Biodiversity Net Gain, which must be maintained for at least 30 years.

The submitted Biodiversity Net Gain Plan and Metric confirms that the development will achieve 10.5% net gain-on-site, thereby meeting the statutory requirement under the Environment Act 2021 and Policy SS2 of the Isles of Scilly Local Plan (2015-2030). The gain is primarily delivered through the enhancement of hedgerows and the planting of trees, as shown on the pre-development (left) and post-development (right) maps below.

Onsite Habitat Plan | Symbology

All symbology based on UKHAB recommendations.

Colour Code	Habitat Description
	Vegetated garden
	Developed land; sealed surface
	Modified grassland
	Urban rural tree
	Other neutral grassland
	Artificial unvegetated, unsealed surface
	Intensive orchards
	Line of trees
	Enhanced Area (Overlay)



The submitted Gain Plan, Development Maps, Statutory Metric and Preliminary Ecological Appraisal have been reviewed by Cornwall Environmental Consultants (CEC) on behalf of the Local Planning Authority. CEC had no objections on ecological grounds but noted the need for a condition requiring a Habitat Management Monitoring Plan, which should contain full details of how the proposed net gain would be achieved, managed and monitored.

With the aforementioned condition in place, the proposal is judged to accord with Schedule 7A of the Town and Country Planning Act and Policy SS2 of the Isles of Scilly Local Plan (2015-2030).

Dark Skies

Policy OE4 of the Isles of Scilly Local Plan (2015-2030) seeks to protect Scilly's Dark skies by limiting external light pollution to lighting which is essential for safety, security or community reasons. The proposal does not include any external lighting and is therefore considered to accord with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

Recommendation: The proposed agricultural shed is considered acceptable in principle and in detail and it is recommended that planning permission is granted.

EIA: Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

Proactive working: In accordance with guidance within the National Planning Policy Framework the Council has worked in a positive and creative way and has concluded

that the application is acceptable. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy: Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 2021, the development plan for the Isles of Scilly comprises the Isles of Scilly Local Plan 2015-2030.

The relevant development plan policies that have been taken into consideration are set out below:

Isles of Scilly Local Plan, 2015-2030

Policy	Tick if Used ✓
Policy SS1 Principles of Sustainable Development	✓
Policy SS2 Sustainable quality design and place-making	✓
Policy OE1 Protecting and Enhancing the landscape and seascape	✓
<i>Policy OE4 Protecting Scilly's Dark Night Skies</i>	✓
Policy OE5 Managing Waste	✓
Policy WC1 General Employment Policy	✓
Policy WC3 New Employment Development	✓

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

Considerations under Human Rights Act 1998 and Equalities Act 2010: The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report. In discharging their functions, must have “due regard” to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

Recommended Conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- C2 The development hereby permitted shall be carried out in accordance with the approved details only including:**
- Plan 1 Location Plan, received 29th July 2025, reference: PP-13220678v4.
 - Plan 2 Proposed Block Plan, received 29th July 2025, reference: TQRQM24191084358165.
 - Plan 3 Proposed Plans, received 24th July 2024, reference: 1441.
 - Plan 4 Supporting Statement, received 24th July 2024.
 - Plan 5 Biodiversity Gain Plan, received 24th July 2025.
 - Plan 6 Statutory Biodiversity Net Gain Metric, received 24th July 2025.
 - Plan 7 BNG Pre & Post Development Plan & Map, received 24th July 2025.
 - Plan 8 Preliminary Ecological Appraisal, received 24th July 2025.
 - Plan 9 Site Waste Management Plan, received 11th September 2025.
- These are stamped as APPROVED**
Reason: For the clarity and avoidance of doubt and 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 and OE7 of the Isles of Scilly Local Plan (2015-2030).
- C3 The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.**
Reason: To safeguard the appearance of the building and the character of the area.
- C4 The agricultural barn, hereby permitted, shall be used solely for agricultural**

activities associated with Carn Friars Farm and shall not be used or occupied separately or severed thereafter.

Reason: To safeguard the amenities of the local area and to ensure that the outbuilding is used only in connection with the existing dwelling.

- C5 In the event external lighting is required as part of the use of the agricultural shed, hereby approved, prior to installation, details of an external lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority. Any external lights shall be dark sky approved only, used with appropriate timer or sensor controls and be downlit or cowed. Thereafter the lighting shall be installed in accordance with the agreed details only.**

Reason: To protect the amenities of the locality, including those of neighbouring residential properties and to protect the amenities of this rural area and preserve the dark night skies of the Isles of Scilly in accordance with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

- C6 No construction plant and/or machinery shall be operated on the premises, as part of the implementation of this permission, before 0800 hours on Mondays through to Saturdays nor after 1800 hours. There shall be no works involving construction plant and/or machinery on a Sunday or Public or Bank Holiday.**

Reason: In the interest of protecting the residential amenities of the islands.

STATUTORY PRE-COMMENCEMENT CONDITION: Submission of a Biodiversity Gain Plan

- C7 Prior to commencement of development, hereby approved, a Biodiversity Gain Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate how the development will achieve at least 10% biodiversity net gain, and include:**

- Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat.
- The pre-development biodiversity value of the onsite habitat.
- The post-development biodiversity value of the onsite habitat.

The development shall be carried out in accordance with the approved Biodiversity Gain Plan.

Reason: To ensure the delivery of biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act, and Policy SS2 of the Isles of Scilly Local Plan (2015-2030).

PRE-COMMENCEMENT CONDITION: Submission of Habitat Management & Monitoring Plan

- C8 Prior to the first use of the development, hereby approved, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:**

- i. A non-technical summary.

- ii. The roles and responsibilities of the people or organisations delivering the HMMP.
- iii. The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan.
- iv. The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the first use of the development.
- v. The monitoring methodology and frequency in respect of the created or enhanced habitat.
- vi. Provision for the identification, agreement and implementation of contingencies and/or remedial actions where the results from monitoring show that the conservation aims and objectives of the HMMP are not being met.

The approved HMMP shall be implemented in full and maintained in accordance with the agreed schedule.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and Policy OE2 of the Isles of Scilly Local Plan (2015-2030).

PRE-FIRST USE CONDITION: Submission of Habitat Enhancement Report

- C9** Prior to the first use of the development hereby permitted, a completion report, evidencing the completed habitat enhancements set out in the approved Habitat Management and Monitoring Plan, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and Policy OE2 of the Isles of Scilly Local Plan (2015-2030).

POST-COMPLETION CONDITION: Submission of Habitat Monitoring Reports

- C10** Habitat monitoring reports shall be submitted to and approved in writing by the Local Planning Authority in accordance with the methodology and frequency specified in the approved Habitat Management and Monitoring Plan. The reports shall include (where the results from monitoring show that conservation aims and objectives of the HMMP are not being met) any contingencies and/or remedial action for agreement. Any agreed contingencies or remedial action shall thereafter be implemented in accordance with the approved details.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and Policy OE2 of the Isles of Scilly Local Plan (2015-2030).

Further Information

1. **COMMENCEMENT NOTICE:** Under Section 93G of the Town and Country Planning Act 1990 (as amended), this decision notice informs you that a 'commencement notice' must be served on the Local Planning Authority - subsections (2) and (3) are set out below:
 (2) Before the development is begun, the person proposing to carry it out must give a notice (a "commencement notice") to the local planning authority specifying the date on

which the person expects the development to be begun.

(3) Once a person has given a commencement notice, the person:

- may give a further commencement notice substituting a new date for the date previously given, and
- must do so if the development is not commenced on the date previously given

The notice should be provided to the Local Planning Authority a minimum of seven (7) days before the development commences.

Failure to provide the commencement notice could lead to the Local Planning Authority serving notice on them to require information to be provided, and if that is not provided within 21 days, they will be guilty of an offence, as below:

(5) Where it appears to the local planning authority that a person has failed to comply with the requirements of subsection (2) or (3)(b), they may serve a notice on any relevant person requiring the relevant person to give the authority such of the information prescribed under subsection (4)(a) as the notice may specify.

(7) A person on whom a notice under subsection (5) is served is guilty of an offence if they fail to give the information required by the notice within the period of 21 days beginning with the day on which it was served.

(9) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

PLEASE NOTE: The requirement under Section 93G of the Town and Country Planning Act 1990 (as amended) is separate from any requirements under the Community Infrastructure Levy Regulations 2010 (as amended) or any requirements for serving notices secured through the signed Section 106 Legal Agreement.

2. **BUILDING CONTROL:** This decision is not a determination under the Building Regulations. Please ensure that all building works accord with the Building Regulations and that all appropriate approvals are in place for each stage of the build project. You can contact Building Control for further advice or to make a building control application: buildingcontrol@cornwall.gov.uk.

Print Name: Lisa Walton

15/09/2025

Job Title: Chief Planning Officer

Signed:



Authorised Officer with Delegated Authority to determine Planning Applications
