

# Council of the Isles of Scilly

## Delegated Planning Report

### Householder application

**Application Number:** P/25/092/HH

**UPRN:** 000192000494

**Received on:** 20 October 2025

**Valid on:** 27 October 2025

**Application Expiry date:** 22 December 2025

**Site notice posted:** 29 October 2025

**Site notice expiry:** 19 November 2025

**Case Officer:** TAnderton

**Applicant:** Toby Tobin-Dougan  
**Site Address:** Ganilly  
Higher Town  
St Martin's  
Isles Of Scilly  
TR25 0QL  
**Proposal:** Erection of wooden garden shed (4.9m (L) x 2.15m (H) x  
2.6m (W))  
**Application Type:** Householder

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**Recommendation: PERMIT**

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#### Conditions

- C1 | Standard Time Limit (3 Years)
- C2 | In accordance with the approved plans.
- C3 | Ancillary Use Only
- C4 | Details of External Lighting
- C5 | Hours of Construction

## 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: 12/12/2025

## Site Description and Proposed Development

Ganilly is a residential property located in the northwestern section of Higher Town on the island of St Martin's. To the northeast of Ganilly is the property's rear garden and then an agricultural field, while to the west is the property of Nor Nour and then Bleak House, which is a Grade II listed dwelling. To the south of Ganilly is the property's front garden. The proposal is to erect a wooden garden shed, measuring 4.9 meters in length, 2.15 meters in height and 2.6 meters in width, in the property's rear garden running adjacent to the hedge.



**Certificate:** B – Duchy of Cornwall

**Consultations and Publicity:**

The application has had a site notice on display for 21 days (29/10/2025 – 19/11/2025). The application appeared on the weekly list on Monday 03 November 2025.

**Consultation Responses:**

South West Water (SWW) requested the applicant relocate the shed due to its proximity to the water main. The applicant then demonstrated to SWW and the LPA that the shed would be 4.5m away from the pipe. As a result, SWW accepted the proposed location of the shed.

**Representations from Residents:**

[0] letters of objection or support have been received.

**Constraints:**

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast
- Grade II Listed Building (Bleak House) <40m

**Planning Assessment**

<b>Design</b>	<b>YES OR NO</b>
Would the proposal maintain the character and qualities of the area in which it is proposed?	Yes
Would the proposal appear in-keeping with the appearance of the existing dwelling, street and area?	Yes
Would the materials, details and features match the existing dwelling and be consistent with the general use of materials in the area?	Yes
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?	Yes
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?	Yes
Is the scale proposed in accordance with NDSS?	N/A
<b>Amenity</b>	<b>YES OR NO</b>
Is the proposal acceptable with regard to any significant overlooking/loss of privacy issues?	Yes

Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?	Yes
Is the proposal acceptable with regard to any significant change or intensification of use?	Yes
<b>Heritage</b>	<b>YES OR NO</b>
Would the proposal sustain or enhance the character and appearance of the Conservation Area?	Yes
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?	Yes
Within an Archaeological Constraint Area?	No
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?	N/A
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?	Yes
Are the Water connection/foul or surface water drainage details acceptable?	N/A
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?	No
<b>Protected Species</b>	<b>YES OR NO</b>
Does the proposal include any re-roofing works or other alteration to the roof?	No
Does the proposal include any demolition?	No
Does the proposal include tree or hedge removal?	No
Is an assessment of impact on protected species required?	No
Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements?	N/A
Are biodiversity enhancement measures required?	No
Is a condition required to provide biodiversity enhancement measures?	No

<b>Waste Management</b>	<b>YES OR NO</b>
Does the proposal generate construction waste?	No
Does the proposal materially increase the use of the site to require additional long-term waste management facilities?	No
Does the proposal include a Site Waste Management Plan?	No
Is a condition required to secure a Site Waste Management Plan?	No
<b>Sustainable Design</b>	<b>YES OR NO</b>
Does the proposal materially increase the use of the site to require additional sustainable design measures?	No
Does the proposal include any site-specific sustainable design measures?	Yes
Is a condition required to secure a Sustainable Design Measures?	No

**Principle of Development:** Policy LC8 of the Isles of Scilly Local Plan (2015-2030) provides support for residential extensions and alterations. The proposal is for a garden shed which would provide approximately 12.74sqm of floorspace incidental to the dwelling for the dry storage of garden and pottery equipment. The shed would not increase the habitable floorspace of the dwelling and would not introduce new self-contained accommodation. The proposal is therefore considered to accord with Policy LC8 of the Isles of Scilly Local Plan (2015-2030) and is acceptable in principle subject to the wider acceptability of the proposal.

**Design & Sitting:** Policies SS2, OE1 and LC8 of the Isles of Scilly Local Plan (2015-2030) require proposals to demonstrate an appropriate scale, density, layout, height, mass and use of materials, and to respect the character of the site and conserve and enhance the landscape, seascape and scenic beauty. Policy LC8 also requires proposals to be subservient in relation to the existing building and not result in the overdevelopment of the site.

The proposed shed is relatively large in the context of its location in the corner of Ganilly's back garden. However, it would remain subservient to the main dwelling and would not constitute overdevelopment of the site as a whole. Furthermore, the shed is not considered to be unduly prominent within the public realm, owing to the visual screening provided by the boundary hedge to the north and the dwelling itself to the south.

The design of the shed, including the use of horizontal shiplap timber cladding, is considered to be in keeping with the character and appearance of the Conservation Area. Accordingly, the proposal is found to accord with Policies SS2, OE1, and LC8 of the Isles of Scilly Local Plan (2015–2030).

**Residential Amenity:** Policies SS2 and LC8 of the Isles of Scilly Local Plan (2015-2030) require proposals to safeguard residential amenities. The proposed shed is not judged to have any significant overbearing impact on the neighboring property of Nor Nour. As such, the proposal is found to accord with Policies SS2 and LC8 of the Isles of Scilly

Local Plan (2015-2030).

**Biodiversity Net Gain & Sustainable Design Measures:** As the application is a householder application, it is exempt from the statutory 10% net gain in biodiversity. In light of this, the addition of two bird boxes on the south elevation of the shed is a very welcome addition to the proposal, as is the installation of the guttering and a water butt for rainwater harvesting.

**Dark Skies:** Policy OE4 of the Isles of Scilly Local Plan (2015-2030) states that development proposals that include external lighting will only be permitted where it can be demonstrated that the lights are essential for safety, security or community reasons and where details have been provided of attempts to minimise light pollution. The proposal does not include any external lighting, however, to protect the amenities of the locality, including the amenities of neighboring residential properties, a condition requiring any external lighting to be approved by the local planning authority approval will be attached. With this condition in place, the proposal is considered to accord with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

**Summary:** The proposal accords with Policies LC8, SS2, OE1 and OE4 of the Isles of Scilly Local Plan (2015-2030) and it is recommended that 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 for planning permission to be granted. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004. This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

**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 SS3 Re-use of Buildings	
Policy SS4 Protection of retailing, recreation and community facilities	

Policy SS5 Physical Infrastructure	
Policy SS6 Water and Wastewater Management	
Policy SS7 Flood Avoidance and Coastal Erosion	
Policy SS8 Renewable Energy Developments	
Policy SS9 Travel and Transport	
Policy SS10 Managing Movement	
Policy OE1 Protecting and Enhancing the landscape and seascape	✓
Policy OE2 Biodiversity and Geodiversity	✓
Policy OE3 Managing Pollution	
<i>Policy OE4 Protecting Scilly's Dark Night Skies</i>	✓
Policy OE5 Managing Waste	✓
Policy OE6 Minerals	
Policy OE7 Development affecting heritage	
Policy LC1 Isles of Scilly Housing Strategy to 2030	
Policy LC2 Qualifying for Affordable Housing	
Policy LC3 Balanced Housing Stock	
Policy LC4 Staff Accommodation	
Policy LC5 Removal of Occupancy Conditions	
Policy LC6 Housing Allocations	
Policy LC7 Windfall Housing:	
Policy LC8 Replacement Dwellings and Residential Extensions	✓
Policy LC9 Homes in Multiple Occupation	
Policy WC1 General Employment Policy	
Policy WC2 Home based businesses	
Policy WC3 New Employment Development	
Policy WC4 Alternative Uses for Business/Industrial land and buildings	
Policy WC5 Visitor Economy and Tourism Developments	

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.

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**Print Name:** Lisa Walton

**15/12/2025**

**Job Title:** Chief Planning Officer

**Signed:**



Authorised Officer with Delegated Authority to determine Planning Applications

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