

Council of the Isles of Scilly Delegated Planning Report Other application

Application Number: P/21/023/COU
Received on: 12 March 2021
UPRN: 000192002802
Application Expiry date: 21 May 2021
Neighbour expiry date: 19/04/2021
Consultation expiry date: 19/04/2021
Site notice posted: 29 March 2021
Site notice expiry: 19 April 2021

Applicant: Mr & Mrs Watts
Site Address: Land At Parting Carn Farm
Parting Carn Lane
Parting Carn
St Mary'S
Isles Of Scilly

Proposal: Change of use of land for the siting of two self-contained glamping pods for visitor accommodation.

Application Type: Change of Use

Recommendation: PERMIT

Summary Conditions:

1. Standard time limit
 2. Adherence to plans
 3. Hours of Operation for Construction Works
 4. Short-term holiday let use only
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Reason for Delegated Decision

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

- Employed by Council but not in a position to influence planning decisions ✓
- Not Major ✓
- Not Council's own application ✓
- Not a departure from the Development Plan ✓
- Not Called in ✓

Lead Member Planning Agreed

Name: Dan Marcus

Date: 31/03/2021

Site Description and Proposed Development

Parting Carn Farm is located to the north of Old Town and to the east of Hugh Town on St Mary's, it comprises multiple buildings of various periods. There are extensive belts of mature Elm Trees around the site. The farming focuses on chickens for eggs and livestock including beef cattle. There is also farm diversification of green waste composting.

The camping/glampting pods are proposed to be located within the field that slopes down in a south-easterly direction between Parting Carn Lane and Old Town Lane. The site is adjacent to existing farm buildings and the pods will be located between to an existing Nissan hut style building on the north side of the field, currently used for chickens. The plan includes a new foul sewage within the site as well as landscaping to ensure screening for both the pods and to reduce the impact on the wider landscape. There is an existing field access direct from Parting Carn Lane, to the north of the site.

The site is reasonably visible in views particularly on approach from the south, along Old Town Lane and from the east, along Parting Carn Lane. The applicants have provided a detailed landscaping scheme, which also seeks to enhance the biodiversity through native planting and species that encourage wildlife.

Certificate: B

Other Parties notified: Yes

Consultations and Publicity

The application has had a site notice on display for 21 days (29/03/2021 – 19/04/2021). The application appeared on the weekly list on 29th March 2021. Due to the nature of the proposal a number of consultations have been required. These have been listed below including responses.

Consultee	Date Responded	Summary
Cornwall Fire and Rescue	06/04/2021	Compliance with Building Regulations for Fire Safety is required
South West Water	31/03/2021	No objection
Archaeological Impact Advice	12/04/2021	No objection, no archaeological impact identified

Representations from Residents:

Neighbouring properties written to directly:

- **Ground Floor Flat, Parting Carn**
- **Top Floor Flat, Parting Carn**
- **Parting Carn Cottage,**

[0] letters of objection have been received and include the following points:

[0] letters of support have been received and include the following points:

[0] letters of representation have been received.

Relevant Planning History:

No planning history relevant under the 2005 Local Plan or the adopted 2015-2030 Local Plan.

Constraints:

Historic Landscape Characters: (1) Farmland: modern enclosures (post 1908), excluding bulb strips. (2) Settlements.

Listed Building: No

Scheduled Monument: No

Policies:

WC5 Visitor Economy and Tourism:

(1) Proposals for new or upgraded tourism development will be permitted where they: a) make a positive contribution to creating a sustainable, diverse and modern tourism economy; 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.

Planning Assessment

Design	YES OR NO
Would the proposal maintain the character and qualities of the area in	y

which it is proposed?	
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?	n/a
Is the parking and turning provision on site acceptable?	y
Would the proposal generally appear to be secondary or subservient to the main building?	y

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/a
Within an Archaeological Constraint Area	n
Other Impacts	y
Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	
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?	y
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	n
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	n
Are biodiversity enhancement measures required	y
Is a condition required to provide biodiversity enhancement measures	n

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	y
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

Analysis: Located in a sustainable farm site, the style of buildings are relatively quirky but would appear low in the landscape, particularly when the existing and proposed landscaping matures. The buildings are sustainable in terms of construction and will be sited in a location that would not have a harmful impact upon the wider landscape, in accordance with the Local Plan.

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 approval. 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 ✓
<i>Policy SS1 Principles of Sustainable Development</i>	✓
<i>Policy SS2 Sustainable quality design and place-making</i>	✓
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	
<i>Policy OE1 Protecting and Enhancing the landscape and seascape</i>	✓
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	
<i>Policy WC5 Visitor Economy and Tourism Developments</i>	✓

Info Requirements	Submitted (LVC)	Not Submitted	Condition Required
Site Waste Management Plan	✓		No
Sustainable Design Measures	✓		No
Biodiversity Enhancement Measures:	✓		No

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.

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, dated 23 Mar 2021**
- **Plan 2 Site Plan, dated 20 Mar 2021**
- **Plan 3 Proposed Elevations and Floor Plans**
- **Plan 4 Proposed Site Layout View**
- **Design and Access Statement**
- **Site Waste Management Plan**
- **Landscaping Plan**

These are signed and 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 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 Garrison Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

C4 All works involving machinery required in connection with the implementation of this permission shall be restricted to between 0800 and 1800 hours Monday to Saturdays. There shall be no works involving machinery on a Sunday or Public or Bank Holiday.

Reason: In the interests of protecting the residential amenities of neighbouring properties.

C5 All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the appearance of the area and in accordance with Policies SS1(1) e) SS2(1) a) and OE1 of the Isles of Scilly Local Plan (2015-2030).

C6 The development hereby permitted shall not be used otherwise than for the provision of short-let holiday accommodation. The two self-contained glamping pods shall not be occupied as permanent dwellings and shall not be occupied by any persons for a period exceeding 28 days in any calendar year. The owner or operator shall maintain a register of occupants for each calendar year, in accordance with Data Protection requirements. This shall be made available on request for inspection by any duly authorised officer of the Local Planning Authority.

Reason: To ensure that the development is occupied as holiday accommodation in accordance with Policy WC5 of the Isles of Scilly Local Plan (2015-2030).

Print Name:	Lisa Walton	20/05/2021
Job Title:	Chief Planning Officer	
Signed:		
Authorised Officer with Delegated Authority to determine Planning Applications		