



The Planning Inspectorate

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Ms Lisa Walton
The Planning Department
Isles of Scilly Council
Old Wesleyan Chapel
Garrison Lane
St. Marys
TR21 0JD

Your Ref: P/21/045/COU
Our Ref: APP/Z0835/W/21/3287898
Date: 12 April 2022

Sent by email: planning@scilly.gov.uk

Dear Ms Walton

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (SI 571/2017) ('THE EIA REGULATIONS')

Appeal by: Mr Toby Tobin-Dougan (Fernfuel Ltd)

Site Address: Land at Lawrences Brow, St. Martin's, Isles Of Scilly, TR25 0QL

I refer to the above appeal. The Secretary of State has considered the application in accordance with Regulation 14 (1) of the above Regulations.

The development proposed, namely, an application for change of use to seasonal agricultural workers accommodation, falls within the description at 10(b) of Schedule 2 to the above Regulations. In the opinion of the Secretary of State, having taken into account the criteria in Schedule 3 to the above Regulations, the proposal would not be likely to have significant effect on the environment for the following reasons:

The Proposal relates to a retrospective application for the change of use of barn to seasonal agricultural workers accommodation including the erection of a WC/solar shower block and connected decking for use by occupants.

The Proposed Development is located approximately 28m from the boundary of three designated sites including the Isles of Scilly Special Area of Conservation (SAC), Isles of Scilly Special Protection Area (SPA), and St. Martin's Sedimentary Shore Site of Special Scientific Interest (SSSI). Considering the nature and scale of the Proposed Development, and lack of impact pathways, significant effects are not likely to occur.

The Proposed Development is located within the Isles of Scilly Area of Outstanding Natural Beauty (AONB) and has potential to impact the landscape features and character of the AONB. Considering the scale and nature of the Proposed Development, no significant effects are likely to occur.

Given the nature and scale of the Proposed Development and the nature of the receiving environment it is considered that, while there may be some impact on the surrounding area as a result, it would not be of a scale and nature likely to result in significant environmental impact.

EIA is not required.

Accordingly, in exercise of the powers conferred on the Secretary of State by Regulations 14(1) and 7(5) of the above Regulations, the Secretary of State hereby directs that this development is not Environmental Impact Assessment (EIA) development.

Under regulation 28(1) of the above Regulations, the relevant planning authority must take steps to secure that this screening direction is placed on the part of the Planning Register which relates to the application in question. I would be grateful if you could do so to ensure that the Secretary of State's view is publicly available.

(This direction does not affect any duties of the appellant under other legislation, including The Conservation of Habitats and Species Regulations 2017.)

Yours sincerely

Louis Saunderson

Louis Saunderson
EIA and Land Rights Advisor
(Signed with the authority of the Secretary of State)

cc: Mr Toby Tobin-Dougan (Fernfuel Ltd)

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<https://acp.planninginspectorate.gov.uk/>