

LAND AT LAWRENCES BROW, ST MARTINS

APP/20835/W/21/3287898

RESPONSE TO THE LOCAL PLANNING OFFICERS STATEMENT OF COMMON GROUND;

This is a response to the LPA decision refusing retrospective permission, for change of use of agricultural barn, to seasonal agricultural workers accommodation.

Firstly, the LPA in their latest statement of common ground state that they Agree that this application site is "remote"

The fact that the council make the statement that the application is " , "remote" then state that they "Agree", implies that I have made the statement myself that this site is remote.

They seem to be asking the questions then agreeing to the questions they put to themselves.

I have never stated, nor any resident local person would, that this is remote structure/site.

I have attached a plan of the surrounding area, highlighting the plethora of residential housing, school buildings, agricultural business premises, and holiday let businesses that entirely surround this site.

The council's position here is a deliberate mis representation of fact.

These properties exist to this day. Eleven are marked on the plan, all within 300 metres of my application.

The LPA themselves gave permissions to all of the developments marked on the plan, with the most recent being the Holiday Yurt business, owned by former Councillor Jonathan Smith, a work colleague of the past four years of the Local planning officer. Professionally, she should/would be aware of this recently approved holiday business, as she is also aware of the seven other Shepherds hut holiday and workers accommodations recently granted, along with the council's own statement of a Critical Housing situation.

In somewhat contradiction to the calamitous confusion of the council in this matter, is when the planning officer came for a pre hearing site visit to my application. I received a call from her, from some four hundred metres away, apparently lost, unable to find the site. I had to go to collect her and walk her to the site, not remote, but most certainly well concealed from sight.

This shows the LPA's complete lack of knowledge of this applications position, its relationship to its direct neighbouring environment, its place within the Island landscape in entirety, or any possibly stated effect that it has on any area of this landscape, or any influence or reflection in the community. This application is all but invisible from any position outside of the stated Holding boundary.

The decking mentioned, approximately 6m x 3.5m IS TOTALLY INVISIBLE FROM ANYWHERE, EXCEPT FROM INSIDE THE MAIN FIELD QUESTION. The wooden garden shed, 8ft x 6ft, which includes a solar shower and compost toilet is only partially visible due to complimentary landscape planting (see picture attached)

The concrete building itself had been previously used as accommodation for agricultural workers, since its erection for that use in 1937. It has never been connected to any utilities, indeed to this day it is completely self-sufficient, so therefore does not have a paper-trail of utility bills to show this.

This is commonly accepted local historical knowledge.

The site is accessible from all side, by all vehicles and pedestrian access, it is not in a flood risk area.

It is my understanding that the role of the Planning authority is to allow and enable developments which "Benefit the Community and Economy"

The LPA's position that this development is firstly remote, and secondly is a generic term of being "Harmful" is a direct contradiction of its role in the community.

The LPA sets out zero qualification, delineation, interpretation or justification of the term "Harm" to set its case out ?

Is it an opposition to the visual aspect of this application, for it cannot be hardly seen?

Is it because of the materials used in the erection of a wooden garden shed, or the laying of wooden decking?

Is it because of the consequence of allowing this application, will have detrimental effects on the Community ?

I would invite the LPA to accurately define how this application is harmful

The prevention of this application is in itself "Harmful" to the community in which I work, and live, its denial is damaging to the economy of that community and to the Landscape upon which that community depends "For its civilised existence".

The LPA claim that a case has not been demonstrated to justify the need of agricultural help.

A business plan was sent to the LPA and all Members, and some Officers prior to the planning meeting regarding the history of the Organic vegetable business. A plan of proposed extension and expansion of that business was sent to all Members, some officers and the LPA. A paper on Fernfuel Ltd was sent to all Members, some Officers and the LPA , again prior to the planning meeting.

I discussed The aims and objectives, in great detail, with the CEO of the Isles of Scilly Council, the Chair of the Isles of Scilly Council and one Member, long before the day of the planning meeting.

I fully expected the application to be passed Unanimously, and was extremely surprised and shocked when the application was refused. To me it was beyond belief, and to all residents of St Martins when told, given the precedents of applications approved in recent times.

The LPA should seek to approve applications which are beneficial, yet by a singular sweeping statement, claim that this very modest application is "harmful". I will expand later on my distaste and anger, at being labelled as harmful to the community, in which I have lived in for most of my life, in harmony.

For the moment , I will concentrate on the opposite of "harmful", which is the term "beneficial", which aptly applies to my application, to state my case here.

THE BENEFITS TO SUPPORTING THIS APPLICATION, as follows :

1. This will provide support for an existing Organic Vegetable and Fruit growing business which has been patronised for nearly thirty years, by residents and returning holidaymakers, who all rely on this Organic local bounty, with zero food miles, grown sympathetically on their doorstep. This, along with the other local agricultural growers, provide for a huge gap in the

market for produce which cannot be imported, or is imported from vast distances at considerable cost to quality and the effects of fuel miles on the wider environment. A business plan for the vegetable business, along with proposed plans for expansion on this site, given agricultural workers help, was sent to the LPA prior to application, these are also attached above.

2. This will also provide secure accommodation for a new renewable, fossil-free, fuel company which as mentioned before in detail, will improve Biodiversity, the landscape, the economy, employment, lower the carbon footprint here, and later on the Mainland, and visually improve the local vista. A paper on this renewable fuel business **Fernfuel Ltd** was also sent to the LPA officer, and all Council members (including the CEO) prior to this application.
3. (I received no response from any member of the council regarding this new renewable fuel , whatsoever. I received no response from the Lead Member for Environment and Climate control. I received no response from the Officer for Environment and Climate affairs, I received no response from the LPA officer, or any questions pertaining to the new fuel business, or the existing agricultural business.) Given the very public rhetoric and statements made of late, by the Council of the isles of Scilly regarding matters of climate, environment and carbon footprint, I find this lack of response to my new business, to be appalling, especially given the favourable responses I have had by HRH Prince Charles, Tim Smit, Dale Vince, The Wildlife Trust, RSPB, Radio 4 Farming Today, Radio Scilly and Exeter University. Radio \$ Farming today, recorded my trial production live, in July of 2021, and repeated in Cop26 week , as a shining example of a new fossil-free fuel. I have attached the audio above.
4. With the exception of the LPA officer, no members made a site-visit to my application and relied solely on her report when voting on the application. The LPA officer, after finding the site, had a cursory look at one of my polytunnels, did not walk the rest of the site and apart from the concrete building, asked no questions regarding my agricultural production for the past thirty years or so , or present or future plans whatsoever.
5. This application will benefit local employment. It will provide local seasonal employment for both those working and growing Organic vegetables and fruit, and those working sowing and growing addition crops, and the harvesting and processing of those crops, and Bracken, to produce renewable fuel briquettes. This was not considered by the LPA.
6. It will help provide training and education in agricultural growing practices, such as, General Organic agriculture, No Dig practices, Hugelkultur, production of Bio-char. Agricultural equipment driving/control, Harvesting, Briquette making, marketing and advertising, accountancy, customer care. This was not questioned by the LPA on their site visit, or subsequently.
7. It will utilise land, which if left abandoned, would be quickly taken over by Invasive species such as Bracken, Gorse, Bramble, this would diminish and deplete biodiversity. The very act of successional growing a series of varying crops on ground is a huge benefit to the environment providing food, water and housing for insects, birds and mammals. Attached above are examples of housing for birds incorporated in the replacement Barge-Boards, which provide sixteen additional nest box homes for a variety of birds and an automatic water supply which they have all come to rely on. The LPA officer was shocked to see a brood of four swallow chicks, above her head, chirping from the barge boards, and pointed them out to me, That is what I was writing to you about, I replied! None of this is subsequently approved of, by the LPA.
8. It utilises a building to provide seasonal accommodation which could remain abandoned to the elements. This building whilst contributing to the employment and economy of the Community, is not a drain on any resources, and as recommended by the Local Plan in many

places, is Off-grid, dealing with its own supply of harvested water, Solar electricity and deals with its own recyclables/compost, and composts its own human occupier output. This is seemingly not being approved by the LPA, massively contradicting the Local Plan. The majority of local sewage here on Scilly is either discharged into the ground, untreated, by Septic tanks, which historically have been shown to contaminate local drinking water, or discharged untreated into the sea. One Third of all Potable water on the main Island of St Marys, has to be provided by desalination. The roof-harvested water here, for showering purposes, is managed, monitored and maintained on a regular basis. Attached above are the results of the latest water test results from 8th June 2022 , showing a count of Zero Coliforms.

9. The Environment Agency has recently stated that they require No Environmental Impact assessment, regarding the application.

I have found this whole experience onerous and distasteful.

The LPA has been more than unreasonable in their approach to this application and **I wish to apply for a full repayment, for costs, for the delay and considerable costs implications that has been incurred by myself.**

I have lived on st Martins for most of my life and am passionate about my home, my environment and my Community.

I have grown Organically here al of my life, and never burdened the Landscape.

As an employee of st martins Hotel for five years, I not only worked as maintenance operator, maintaining and managing the infrastructure, machinery and manager of the Water supply, because of my local knowledge, I was also employed to create an itinerary of Historical walking for the guests, foraging local wild food sources and fishing with the guests. I love this landscape, and would do nothing to harm it.

I was invited 32 years ago, by Cornwall's Senior Archaeologist, Charles Johns, to help excavate a tar deposit on Higher town beach, where we excavated the second oldest Domestic cow's tooth in the UK , 2030 BC.

Subsequently Charles Johns has invited me on two recent digs on st Martins, because of my experience of local flint tool finds. At Old quay we unearthed 7600 flint tools and a prehistoric settlement. I am soaked with the local History and landscape here, and I find it wholly distasteful and Criminal to be stated to be "Harmful" to a place I love so dearly, and have cherished and protected in any way I could.

Indeed I feel as though I have committed a crime here, I feel attacked and Criminalised, this has had a big impact on me in every aspect and had severe effects on my mental health.

I have found the LPA's approach to this application be onerous, aggressive, entirely misplaced, unprofessional, biased, error ridden, and lacking in fact or qualification.

This one whole year delay with my planning application has literally cost me a year.

It has set back my plans for development, diversification and expansion of my Organic vegetable growing business, and it has literally put back my first year's production of commercial fuel briquettes a Whole Season. By now I should have sowed three acres of Organic linseed, This has to wait until next spring now, I should have already purchased equipment, hired agricultural help, and be spending time concentrating writing marketing plans for both businesses, not sitting writing tens of thousands of words to appeal against a terribly wrong decision by the LPA.

I wish no one to suffer, the way I have suffered through this whole sordid exercise. The LPA seemingly are desperately throwing everything they can at my application, in the desperate attempt, to make some of their influence stick.

Once I have pressed "send" for this response I will have sent;

41 e-mails

With 49 attachments, both written and imagery

I will have Written **18,758 words,** the time taken to consider and write this appeal has been considerable, all in response to an unreasonable and appalling decision.

My first published book (of four) contained 58,000 words.

I am now asking to apply for costs in this matter.

The time, expense and considerable impetus and energy, taken away from both businesses has indeed been Harmful to me, certainly not to this Area of Outstanding Natural Beauty, in which I have lived for 32 years, without inflicting "harm".

I wish for these huge inconveniences to be taken account of, when considering this appeal.

Kindest regards

Toby Tobin-Dougan