

# Council of the Isles of Scilly Planning Application

Ref: P/21/045/COU

## Consultation Response

**Date:** 23<sup>rd</sup> August 2021

**Ref:** P/21/045/COU

**Site:** Land at Lawrence's Brow, Churchtown, St Martins

**Proposal:** 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.

You are being consulted on this application as you may wish to make comments before a decision is made. Should you wish to make any comments on this application, please complete the response form below and return to [planning@scilly.gov.uk](mailto:planning@scilly.gov.uk) by 14<sup>th</sup> September 2021 or by post to the Planning Department, Town Hall, The Parade, Hugh Town, St Mary's, Isles of Scilly TR21 0LW.

Link to application: <https://www.scilly.gov.uk/planning-application/planning-application-p21045cou>

I look forward to receiving your comments in due course. If I have not heard back from you by the 14<sup>th</sup> September 2021 then I will assume you have no comments to make.

**Consultee Name: Natural England**

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[Comments here](#)

Thank you for your consultation on the above retrospective application which was received by Natural England on 23 August 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

### **SUMMARY OF NATURAL ENGLAND'S ADVICE**

#### **NO OBJECTION**

Based on the plans submitted, Natural England considers that the development will not have significant adverse impacts on the Isles of Scilly Complex SAC, the Isles of Scilly SPA, or the St. Martin's Sedimentary Shore SSSI and has no objection.

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Natural England's further advice on designated sites/landscapes is set out below.

## **European sites - Isles of Scilly Complex SAC and the Isles of Scilly SPA**

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on these designated sites and has no objection to the development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

### **Landscape advice**

The development is for a site within a nationally designated landscape namely the Isles Of Scilly AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

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Date:02/09/2021