
From: [REDACTED]
Sent: 04 September 2021 23:15
To: Planning (Isles of Scilly)
Subject: P/21/045/COU Objection

Good afternoon,

I write to object to planning application P/21/045/COU for retrospective permission for development on land at Lawrence's Brow, St. Martin's.

[REDACTED]

My objections to the application are on the following grounds:

1. Previous refusal of permission.

Around 3 or 4 years ago, the applicant applied for permission to build a yurt and associated structures on the same site. Permission was refused on that occasion, primarily on the basis of visual impact on the landscape within an AONB. This current development has a similar visual impact to the previous proposal, but on this occasion is a permanent structure rather than temporary.

2. Unsafe structure:

From the applicant's own photographs, it is clear that the shuttered concrete building is in an extremely poor state of repair, with large cracks right through the walls indicating full structural failure. Since the original building was a small agricultural store, built on sand (within the sand dunes) and without foundations, this is not unexpected. The building is clearly not structurally safe for occupation by humans.

3. Fire:

A response has been received from CFRS as a statutory consultee. The comments from CFRS are in the form of a standard brief comment of advice, rather than a consideration of the specific application in hand. However, one standard comment in their response states the requirement for access for a pumping appliance to within 45m of the property.

A very quick question to the St Martin's IOSFRS station confirms that the island fire tractor cannot get within approximately 100m of the property. This puts the application in contravention of the stated requirement.

4. Bats:

The applicant states that there were not and never had been bats resident in the building prior to development. My own personal experience is of watching a healthy number of bats feeding along Lawrence's beach in the vicinity of the shed at twilight on several occasions over the years - at least one of which was a guided bat walk. Although bats have a large range and it is not possible to determine their roosts from watching them feed, there is a strong likelihood that the derelict shed in question was a roost for at least a number of the bats. Sadly, since this is a retrospective application, the damage to any roost has already been done. A cynical perspective could be that work was deliberately carried out prior to a retrospective application in order to avoid the need for a bat survey. On a positive note, if retrospective permission is refused and the shed ordered to be returned to its original form and use, bats are highly likely to return within a couple of seasons.

5. Evidence provided in application:

The applicant has made many impressive claims in support of his application, most notably about the size, scale, scope and future of his business. However, he has offered little or no evidence for these claims, which I believe leaves the application very shallow. As a local resident with many years of observation of the matter, I would ask that no decision is made before detailed evidence is sought on the scale and feasibility of the claimed agricultural business and the size and value (if any) of sales to other island businesses that is claimed.

6. Risk of improper use.

The applicant is applying for accommodation for an agricultural worker. I believe that there is a significant risk that this development may actually be visitor accommodation “by the backdoor”. Already in 2021, the applicant has on at least one occasion moved into the development in order to accommodate visitors in his own house. Given that visitor accommodation would generate cash for the applicant way in excess of that to be expected from half an acre of garden and an agricultural worker, and that there has been a previous attempt to secure visitor accommodation on the site by the applicant, this risk is cogent and significant.

7. Untrue and misleading statements:

Reading through the applicants various submissions, the range and quantity of statements that are either untrue or misleading is striking. It is paramount that the decision makers in this process are at least aware of the scale of this duplicity, or at best seek out the evidence and truth for themselves. The following are only a selection of the most egregious examples:

- The building in question has only ever been an agricultural store and has never been lived in within living memory.
- The window and door in the development are not a “like for like” replacement. The shed has had no doors or windows for as long as anyone can remember, and had only evidence of simple ‘barn’ doors in the past.
- It is not true that the roof of the original building collapsed during a storm in 2020. The pictures provided of a collapsed roof structure were taken during the rebuilding process. The materials had been on-site for this project since very early 2020, if not autumn 2019.
- The applicant has not had previous employees on an agricultural business.
- This development is not screened from view by pittosporum hedges. In a similar way to the failed yurt application, this development can be clearly seen from a wide arc of St Martin’s; roughly from the church right through to the island hall.

Yours Sincerely

