



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

COUNCIL OF THE ISLES OF SCILLY

Town Hall, St Mary's TR21 0LW
Telephone: 01720 424455 – Email: planning@scilly.gov.uk

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2015

PERMISSION FOR DEVELOPMENT

Application No: P/23/101/COU **Date Application Registered:** 21st December 2023

Applicant: Mr T Smith
Downs Farm
Downs
St Agnes
Isles of Scilly
TR22 0PL

Site address: Land at Downs Farm Downs St Agnes Isles of Scilly
Proposal: Change of use of land for the siting of 2 free standing shepherds huts with free standing balconies (AMENDED PLANS).

In pursuance of their powers under the above Act, the Council hereby **PERMIT** the above development to be carried out in accordance with the following 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: Block plan Amended, Received 30/01/2024

- **Plan 2: Proposed Shepherd Hut Plans, Drawing Number, TS FB 04 A, Dated 06/11/2023**
- **Plan 3: Balcony Plan, Received 04/01/2024**
- **Plan 4: Design, Access and Planning Statement, Received 21/12/2023**

These are 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 and OE7 of the Isles of Scilly Local Plan (2015-2030).

C3 The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area.

C4 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, as part of Downs Farm only 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).

C5 The hedging hereby approved shall be of a locally native species and shall be retained permanently, at height to reflect the hedging style on St Agnes, as such for the lifetime of the development.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character in accordance with Policy OE1 and OE7 of the Isles of Scilly Local Plan (2015-2030).

C6 The external lighting hereby approved shall be sensor-controlled and shall be retained permanently as such for the lifetime of the development.

Reason: To protect the amenities of the locality, including the amenities of neighbouring residential properties and to protect the amenities of this rural area and preserve the dark night skies of the Isles of Scilly and the St Agnes Cricket Pitch Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

C7 No construction plant and/or machinery shall be operated on the premises, as part of the implementation of this permission, before 0800 hours on Mondays through to Saturdays nor after 1800 hours. There shall be no works involving construction plant and/or machinery on a Sunday or Public or Bank Holiday.

Reason: In the interests of protecting the residential amenities of the islands.

Further Information

1. In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework 2023.
2. In accordance with the provisions of Section 96A of the Town and Country Planning Act which came into force on 1st October 2009, any amendments to the approved plans will require either a formal application for a non-material amendment or the submission of a full planning application for a revised scheme. Please discuss any proposed amendments with the Planning Officer. There is a fee to apply for a non-material amendment and the most up to date fee will be charged which can be checked here: https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
3. The applicant is reminded that as the proposal is to provide paying guest accommodation the Regulatory Reform (Fire Safety) Order 2005 applies, and the responsible person will be required to carry out a fire risk assessment to identify the risks and take reasonable measures to ensure people are safe from fire.
4. Registering for appropriate Business Rates/Council Tax: To ensure appropriate contributions, are made to fund services provided by or on behalf of the Council on the Isles of Scilly please ensure you contact the Council's Revenues Department: revenues@scilly.gov.uk.

Signed:



Chief Planning Officer

Duly Authorised Officer of the Council to make and issue Planning Decisions on behalf of the Council of the Isles of Scilly.

DATE OF ISSUE: 21st February 2024



COUNCIL OF THE ISLES OF SCILLY

Planning Department
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW
☎0300 1234 105
✉planning@scilly.gov.uk

Dear Mr T Smith

Please sign and complete this certificate.

This is to certify that decision notice: P/23/101/COU and the accompanying conditions have been read and understood by the applicant: Mr T Smith.

1. **I/we intend to commence the development as approved:** Change of use of land for the siting of 2 free standing shepherds huts with free standing balconies (AMENDED PLANS) at: Land At Downs Farm Downs St Agnes Isles Of Scilly **on:**
2. I am/we are aware of any conditions that need to be discharged before works commence.
3. I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.

You are advised to note that Officers of the Local Planning Authority may inspect the project both during construction, on a spot-check basis, and once completed, to ensure that the proposal has complied with the approved plans and conditions. In the event that the site is found to be inaccessible then you are asked to provide contact details of the applicant/agent/contractor (delete as appropriate):

Name: **Contact Telephone Number:**
And/Or Email:

Print Name:

Signed:

Date:

Please sign and return to the **above address** as soon as possible.



COUNCIL OF THE ISLES OF SCILLY

Planning Department

Town Hall, St Mary's, Isles of Scilly, TR21 0LW

☎01720 424455

✉planning@scilly.gov.uk

**THIS LETTER CONTAINS IMPORTANT INFORMATION
REGARDING YOUR PERMISSION – PLEASE READ
IF YOU ARE AN AGENT DEALING WITH IS ON BEHALF OF THE
APPLICANT IT IS IMPORTANT TO LET THE APPLICANT KNOW
OF ANY PRE-COMMENCEMENT CONDITIONS**

Dear Applicant,

This letter is intended to help you advance your project through the development process. Now that you have been granted permission, there may be further tasks you need to complete. Some aspects may not apply to your development; however, your attention is drawn to the following paragraphs, which provide advice on a range of matters including how to carry out your development and how to appeal against the decision made by the Local Planning Authority (LPA).

Carrying out the Development in Accordance with the Approved Plans

You must carry out your development in accordance with the stamped plans enclosed with this letter. Failure to do so may result in enforcement action being taken by the LPA and any un-authorised work carried out may have to be amended or removed from the site.

Discharging Conditions

Some conditions on the attached decision notice will need to be formally discharged by the LPA. In particular, any condition that needs to be carried out prior to development taking place, such as a 'source and disposal of materials' condition, an 'archaeological' condition or 'landscaping' condition must be formally discharged prior to the implementation of the planning permission. In the case of an archaeological condition, please contact the Planning Department for advice on the steps required. Whilst you do not need to formally discharge every condition on the decision notice, it is important you inform the Planning Department when the condition advises you to do so before you commence the implementation of this permission. Although we will aim to deal with any application to discharge conditions as expeditiously as possible, you are reminded to allow up **to 8 weeks** for the discharge of conditions process.

Please inform the Planning Department when your development or works will be commencing. This will enable the Council to monitor the discharge and compliance with conditions and provide guidance as necessary. We will not be able to provide you with any written confirmation on the discharge of pre-commencement conditions if you do not formally apply to discharge the conditions before you start works.

As with the rest of the planning application fees, central Government sets a fee within the same set of regulations for the formal discharge of conditions attached to planning permissions. Conditions are necessary to control approved works and development. Requests for confirmation that one or more planning conditions have been complied with are as follows (VAT is not payable on fees set by central government). More information can be found on the Council's website:

- Householder permissions - £43 per application
- Other permissions - £145 per application

Amendments

If you require a change to the development, contact the LPA to see if you can make a 'non material amendment' (NMA). NMA can only be made to planning permissions and not a listed building consent. They were introduced by the Government to reflect the fact that some schemes may need to change during the construction phase. The process involves a short application form and a 14 day consultation period. There is a fee of £43 for householder type applications and £293 in all other cases. The NMA should be determined within 28 days. If the change to your proposal is not considered to be non-material or minor, then you would need to submit a new planning application to reflect those changes. Please contact the Planning Department for more information on what level of amendment would be considered non-material if necessary.

Appealing Against the Decision

If you are aggrieved by any of the planning conditions attached to your decision notice, you can appeal to have specific conditions lifted or modified by the Secretary of State. All appeal decisions are considered by the Planning Inspectorate – a government department aimed at providing an unbiased judgement on a planning application. From the date of the decision notice attached you must lodge an appeal within the following time periods:

- Householder Application - 12 weeks
- Planning Application – 6 months
- Listed Building Consent – 6 months
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Lawful Development Certificate – None (unless for LBC – 6 months)
- Other Types - 6 months

Note that these periods can change so you should check with the Planning Inspectorate for the most up to date list. You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

You find more information on appeal types including how to submit an appeal to the Planning Inspectorate by visiting <https://www.gov.uk/topic/planning-development/planning-permission-appeals> or you can obtain hard copy appeal forms by calling 0303 444 5000.

Current appeal handling times can be found at: [Appeals: How long they take page](#).

Building Regulations

With all building work, the owner of the property is responsible for meeting the relevant Planning and Building Regulations. Building Regulations apply to most building work so it is important to find out if you need permission. This consent is to ensure the safety of people in and around buildings in relation to structure, access, fire safety, infrastructure and appropriate insulation.

The Building Control function is carried out on behalf of the Council of the Isles of Scilly by Cornwall Council. All enquiries and Building Control applications should be made direct to Cornwall Council, via the following link [Cornwall Council](#). This link also contains comprehensive information to assist you with all of your Building Control needs.

Building Control can be contacted via telephone by calling 01872 224792 (Option 1), via email buildingcontrol@cornwall.gov.uk or by post at:

Building Control
Cornwall Council
Pydar House
Pydar Street
Truro
Cornwall
TR1 1XU

Inspection Requests can also be made online: <https://www.cornwall.gov.uk/planning-and-building-control/building-control/book-an-inspection/>

Registering/Altering Addresses

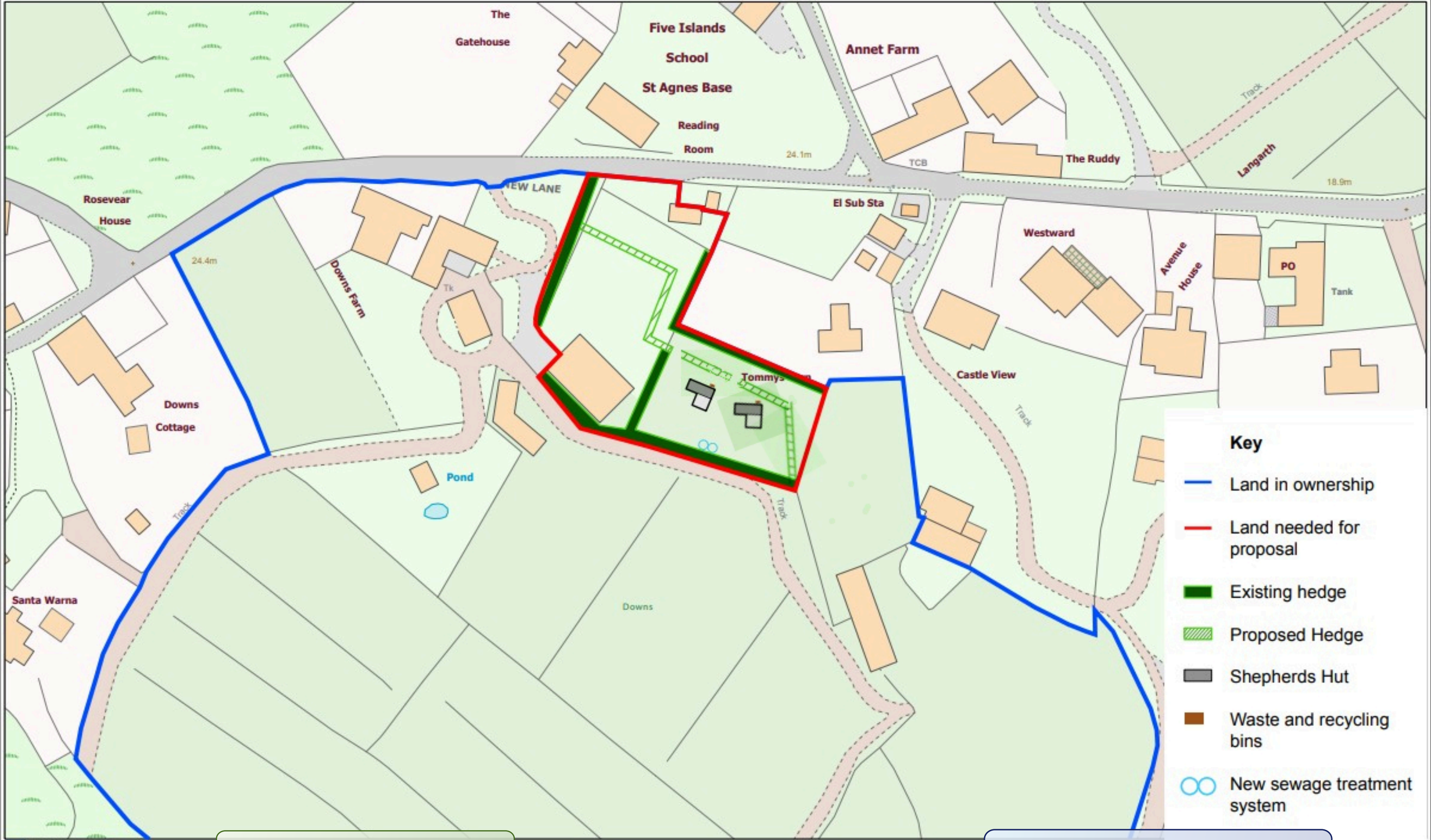
If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

Connections to Utilities

If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 08000831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.

Block Plan 1:500



Key

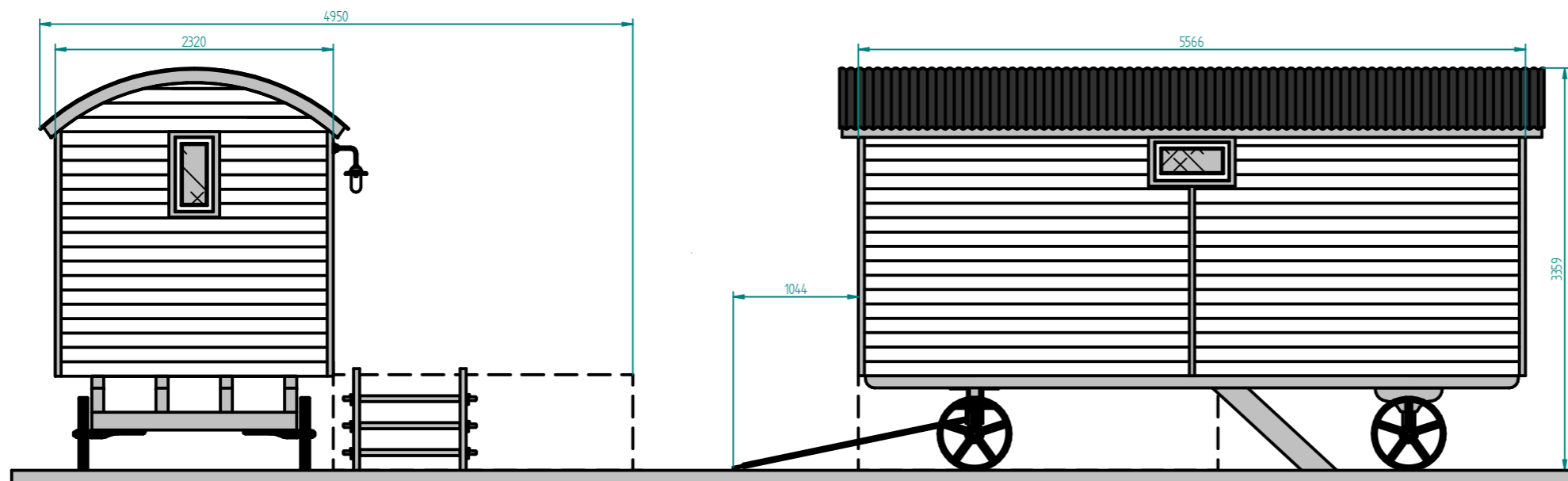
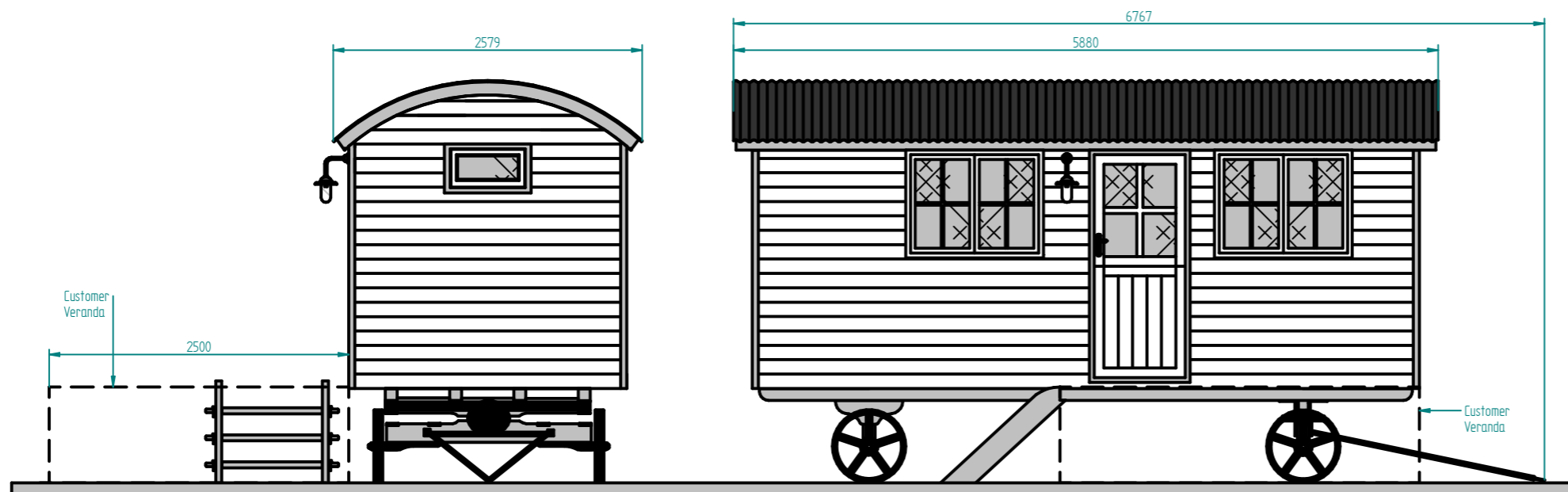
- Land in ownership
- Land needed for proposal
- Existing hedge
- ▨ Proposed Hedge
- Shepherds Hut
- Waste and recycling bins
- ∞ New sewage treatment system

APPROVED
By Lisa Walton at 4:12 pm, Feb 20, 2024

RECEIVED
By Liv Rickman at 11:34 am, Jan 30, 2024

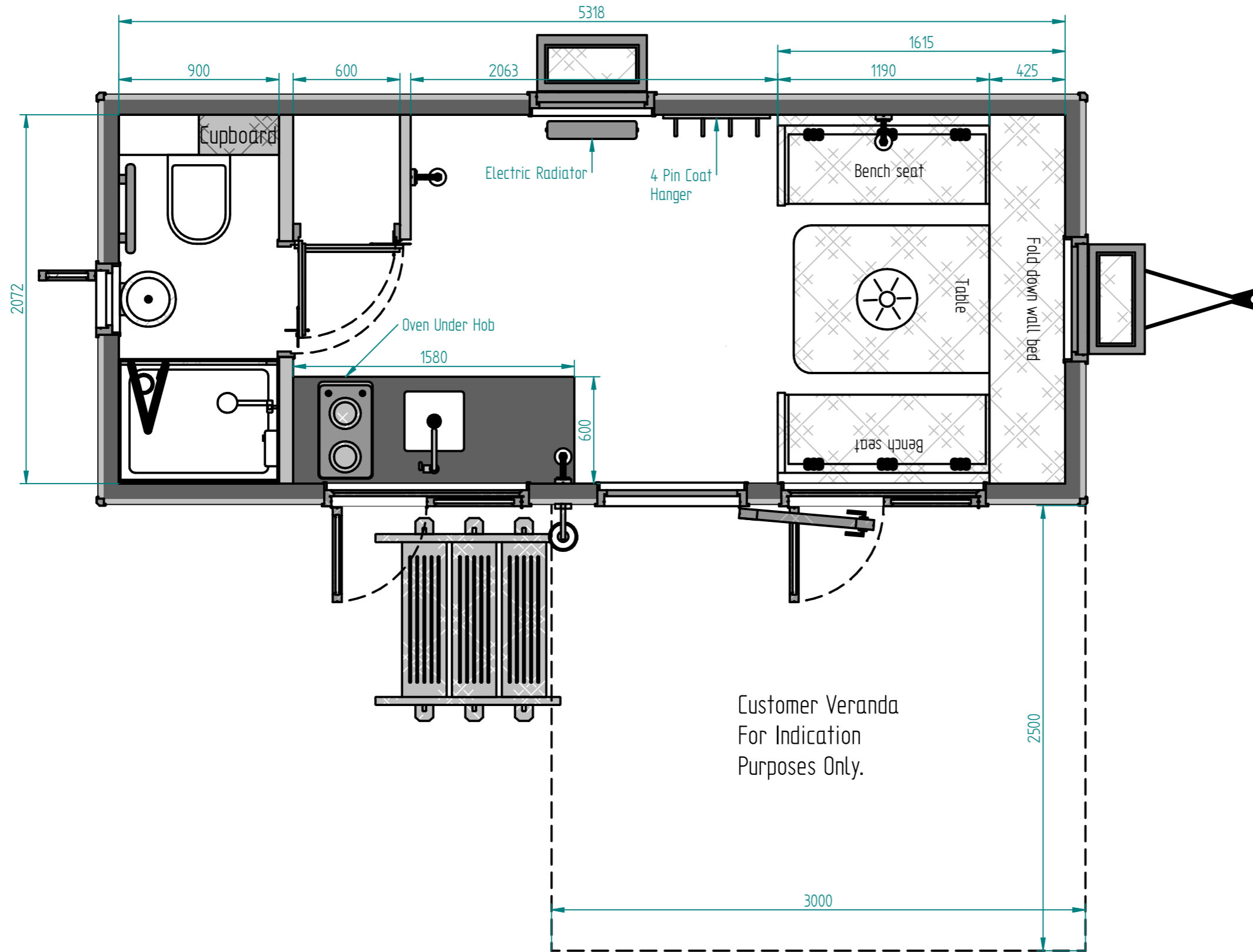
RECEIVED
By A King at 9:44 am, Dec 21, 2023

APPROVED
By Lisa Walton at 4:12 pm, Feb 20, 2024



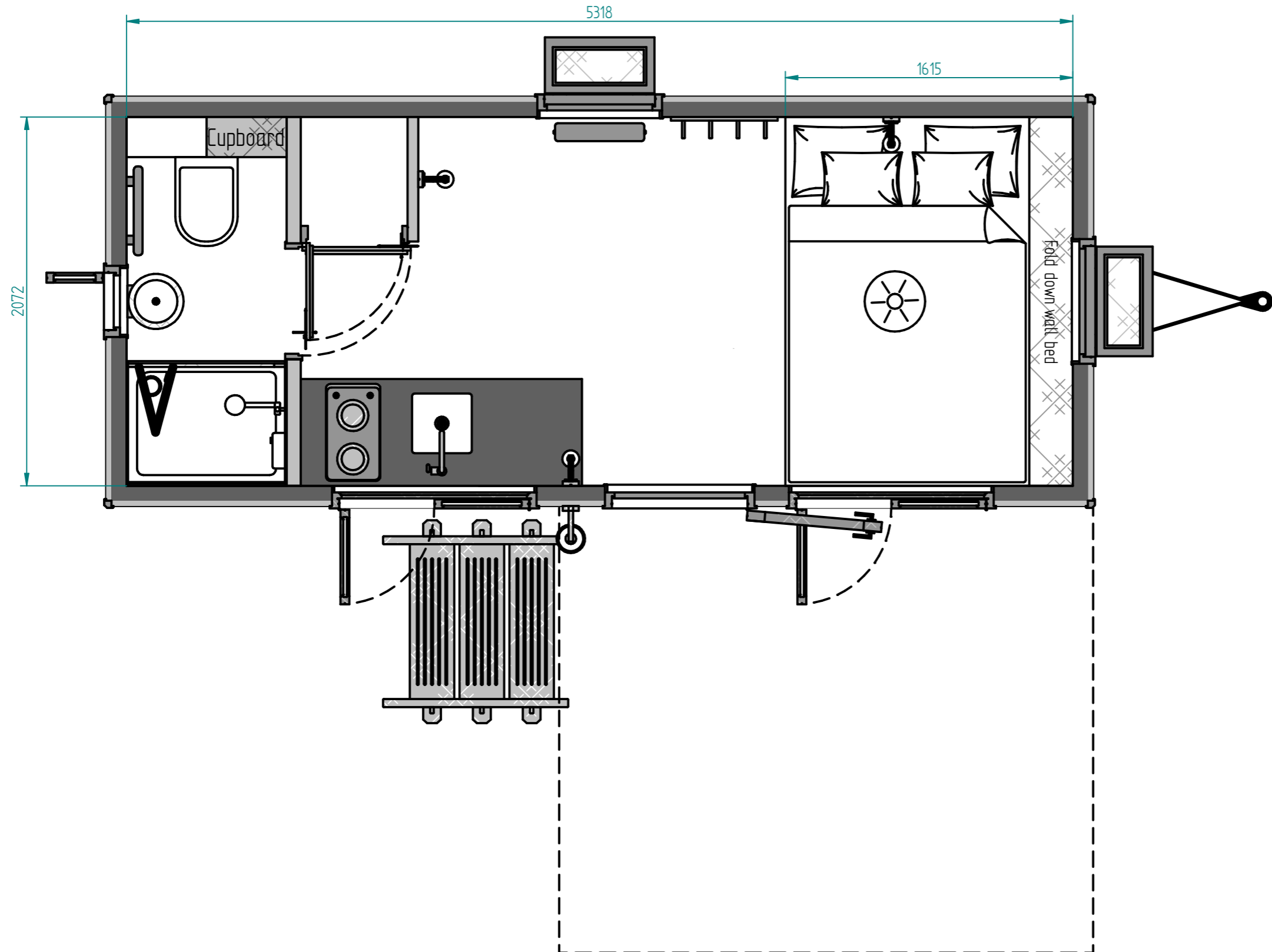
ALL Intellectual Property Rights In These Drawings And Designs Remain At All Times The Property Of Blackdown Shepherd Huts.

DWG NO	TS FB 04 A	DWG Name	Tom Smith	SIZE	A3
Author	Ross	DATE :	06/11/2023		
UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN MILLIMETERS ANGLES *XX° 2 PL *XXX 3 PL *XXXX		SCALE :	1 : 50	SHEET :	1



ALL Intellectual Property Rights In These Drawings And Designs
Remain At All Times The Property Of Blackdown Shepherd Huts.

DWG NO	TS FB 04 A	DWG Name	Tom Smith	SIZE	A3
Author	Ross	DATE :	06/11/2023		
UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN MILLIMETERS ANGLES *XX° 2 PL *XXX 3 PL *XXXX		SCALE :	1 : 25	SHEET :	2

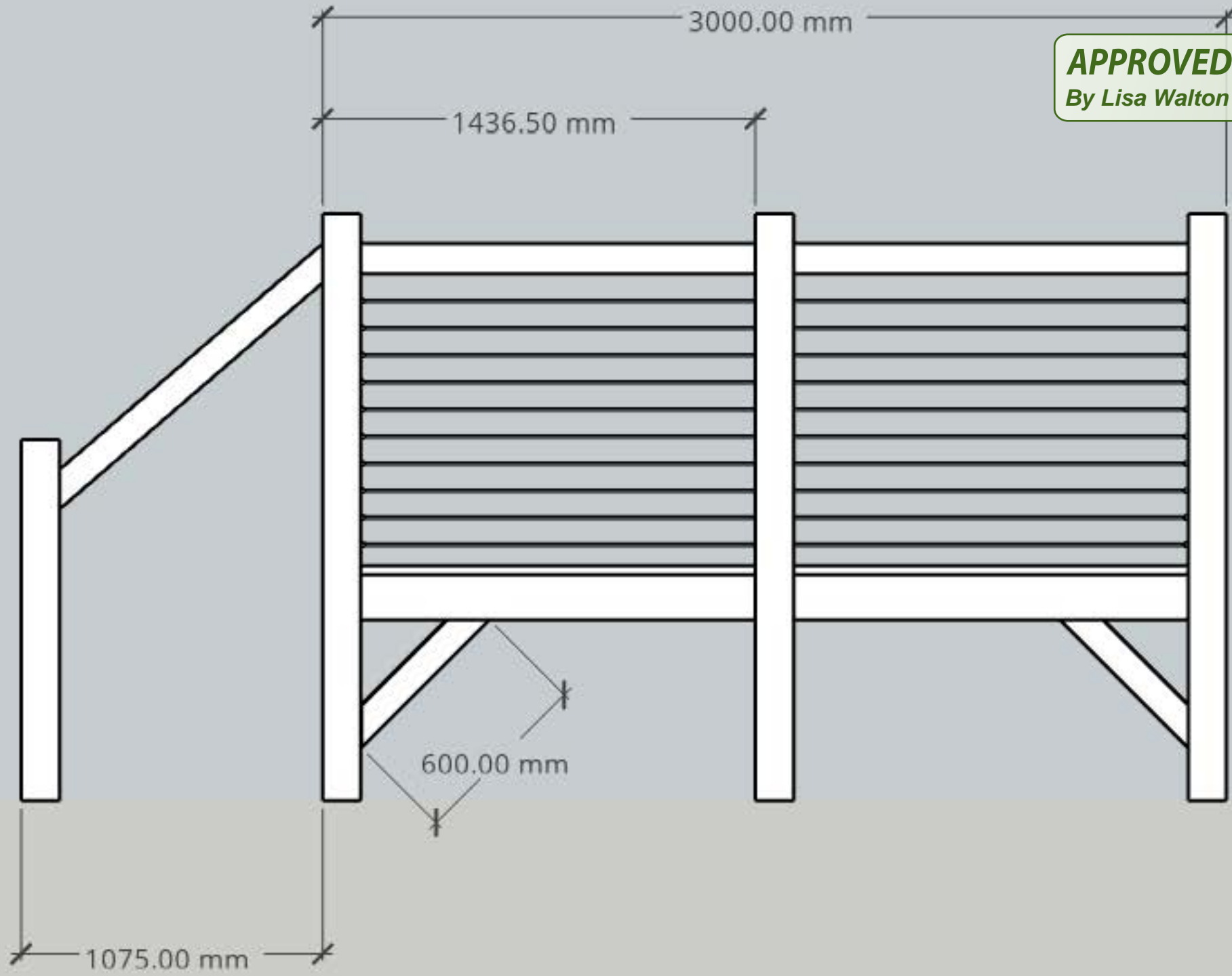


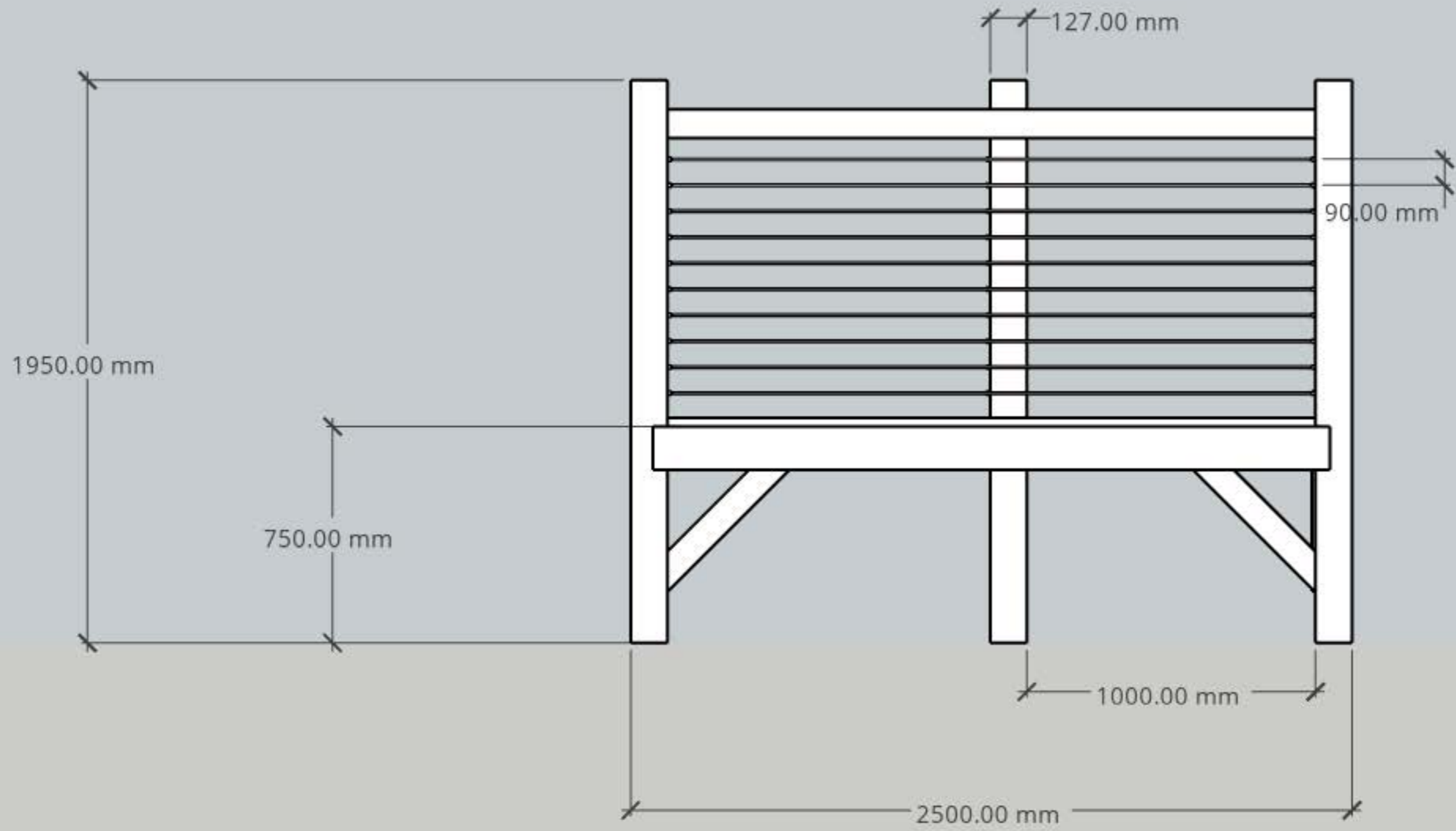
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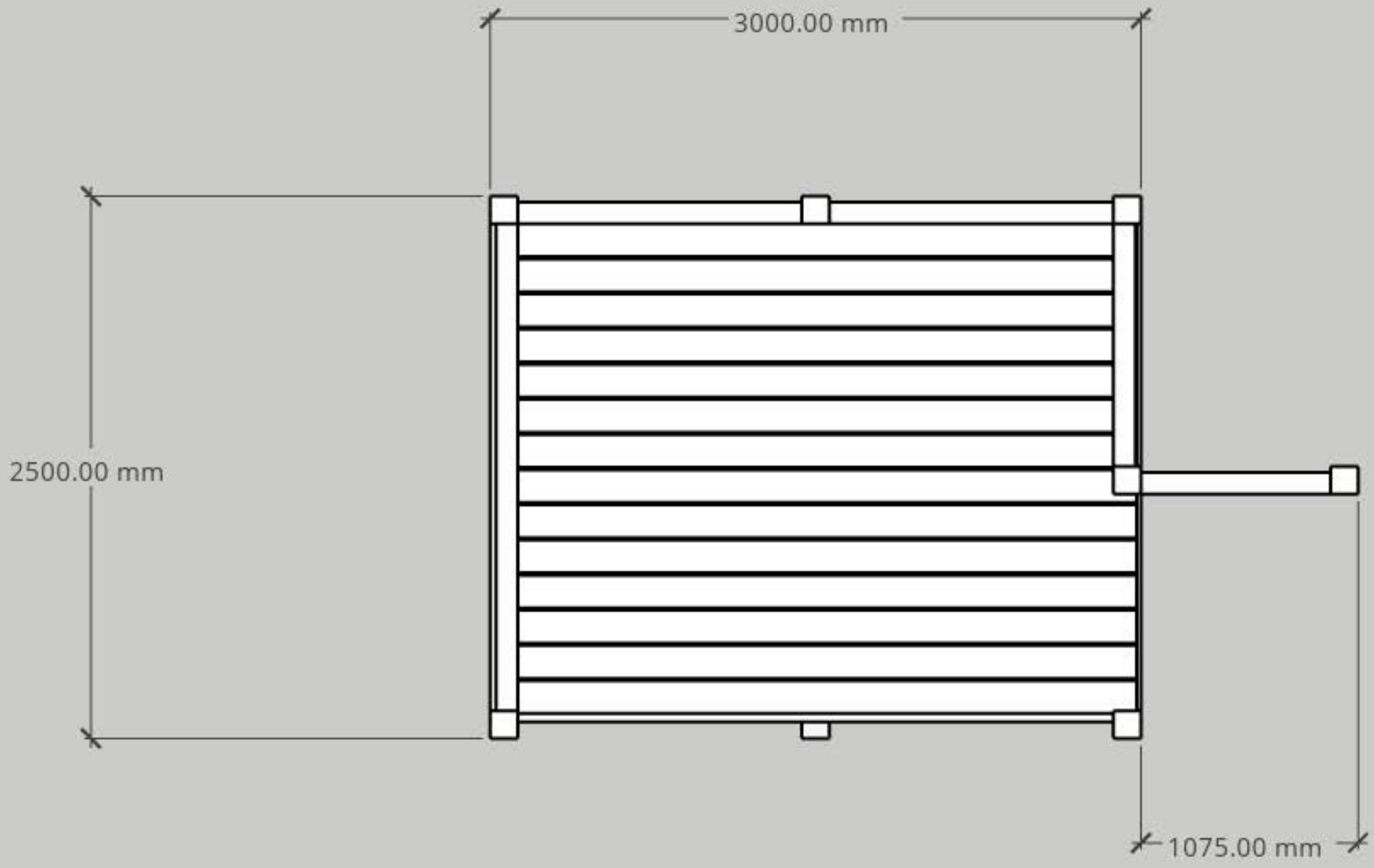
DWG NO	TS FB 04 A	DWG Name	Tom Smith	SIZE	A3
Author	Ross	DATE :	06/11/2023		
UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN MILLIMETERS ANGLES #XX° 2 PL #XXX 3 PL #XXXX		SCALE :	1 : 25	SHEET :	2 . 1

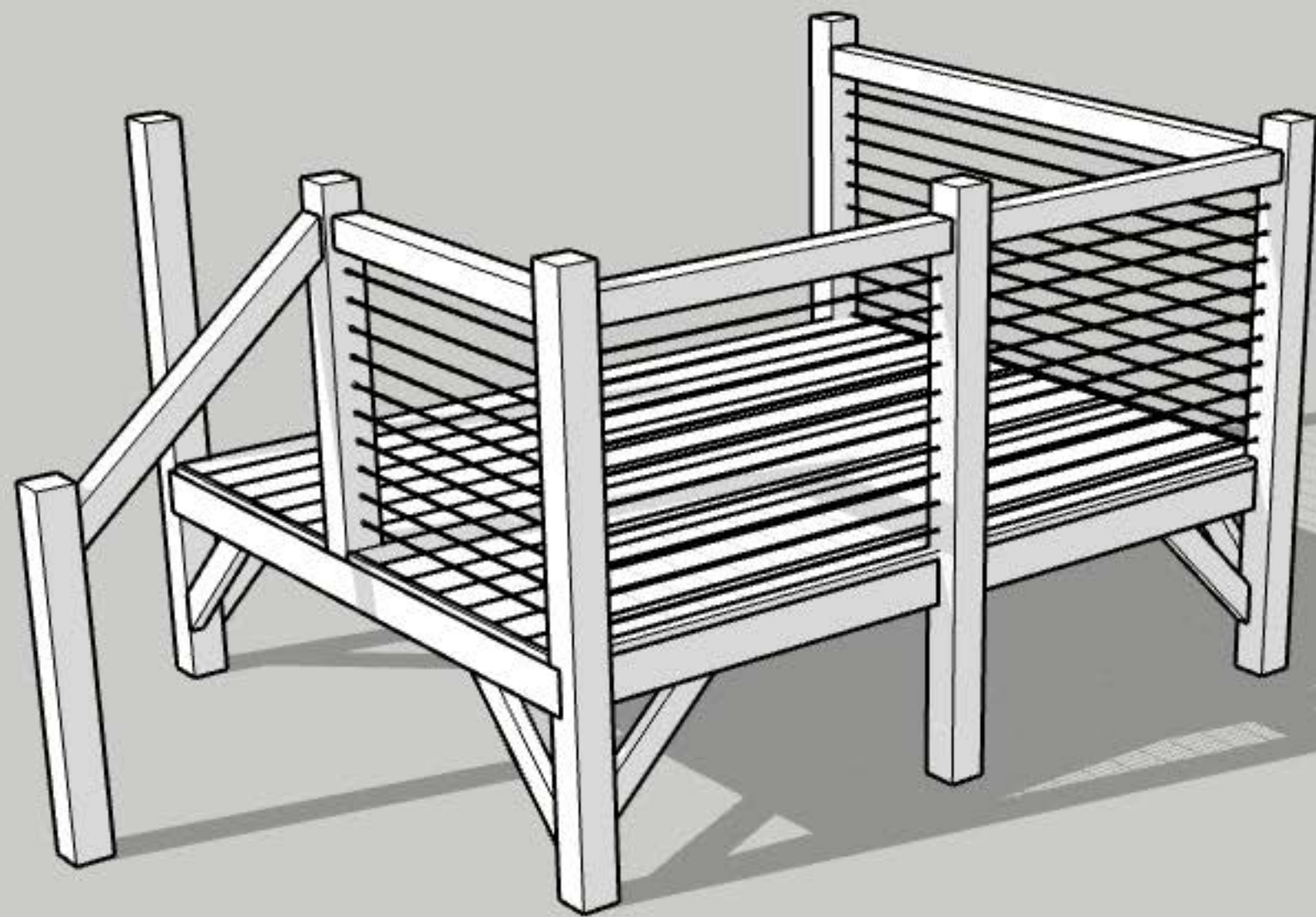
RECEIVED
By A King at 3:40 pm, Jan 04, 2024

APPROVED
By Lisa Walton at 4:12 pm, Feb 20, 2024









Full Planning Application – Downs Farm, St Agnes, TR22 0PL.

Opening Statement

Our proposal is for the change of use from agricultural to allow the placement of two Shepherd Huts with free standing balconies. In a field that's use is "rough grazing" on Downs Farm next to a barn erected in 2018 Planning application: P/17/113. One initially, with the second to be installed within 5 years of application. We have chosen a small family run company based in Somerset, who make their huts from high quality sustainable materials. With an oak exterior, hard wood doors and windows and insulated with sheep's wool, they are beautifully hand crafted and made to last.

We took the farm on in March 2020, pre 2020 the farm income was from two holiday lets. When we took on the farm, we were thankful to take on one of the original holiday lets, consequently the farm income halved. The current farm tenancy is an AHA and will soon change over to a FBT which has a much higher rent.

Over the last 4 years we have set up Downs Farm Charcuterie. We rear 100% grass fed cattle, send to slaughter and make Air-Dried Beef and Salami from the meat, as a way of generating more income. Sadly due to increasing costs, the business isn't as profitable as we would have liked.

The purpose of the huts is to provide comfortable, high-quality accommodation to holiday makers, to help generate much needed income to the farm. In a way that causes the least impact possible to the landscape and environment.



(Similar setup to proposed design)

Design and Access Statement

The Shepherd Huts are 5.3m x 2m made from oak feather edge planks, painted hardwood doors and windows, insulated with sheep wool, with a black corrugated tin roof.

Balconies, which will be made from oak sourced from Jo Sawmill in Penryn will be 3m x 2.5m. Like the Shepherd Huts the balconies will be completely free standing. Giving the huts a greater living space, a table and chairs will be situated on the balconies.

The reason we chose this particular site for the Shepherd's huts is because its current use is rough grazing only, it is difficult to farm due to an already existing borehole, rock and lack of accessibility for tractors and machinery.

Access to the huts will be through the farm (shown on location plan), we will plant hedges to mark the access to visitors, the access will run around the edge of rough grazing fields. Therefore, we will still have access to run the cows through for grazing.

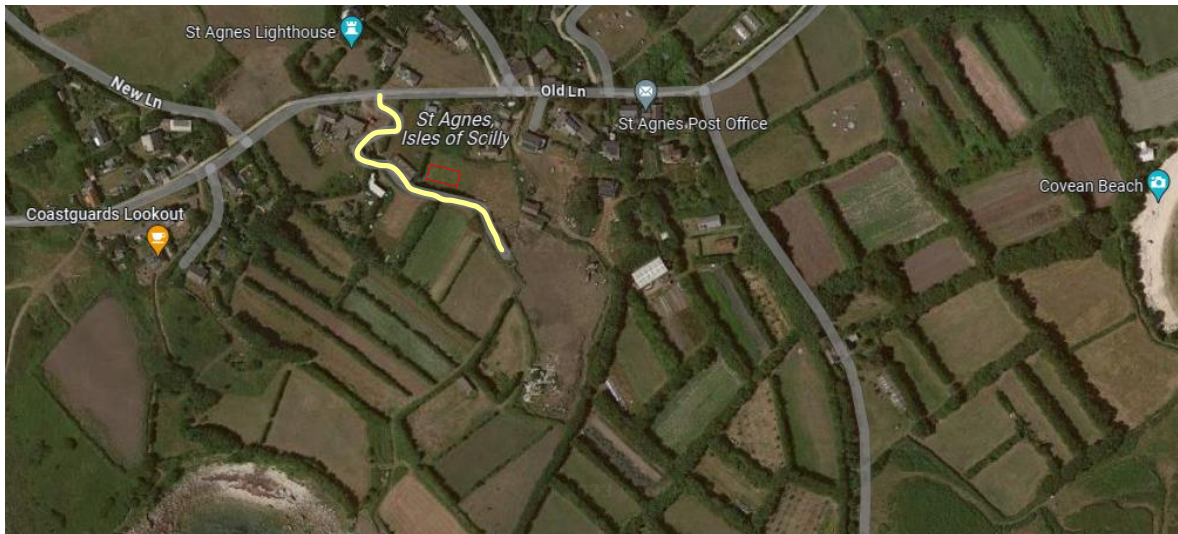
The huts will not be visible from the roads on St Agnes, when walking around the coastal footpath up past the wishing well is the only place there is a possibility of them being visible. The black roof will blend nicely into the nearby surroundings matching the other dark roofs on properties on St Agnes. We are placing them far enough down the field that they will have the least visual impact.



Proposed Site



Proposed Site Field (image taken from Magic Maps)



Proposed field and hut location (the road highlighted in yellow is not a road, I am not sure why it is showing to be on google maps) the proposed field is not visible from any road.

Site Waste Management Plan

The waste and Recycling bins will be situated behind the Shepherd huts (as highlighted on drawings).

Rubbish will be emptied at changeovers and disposed of at the waste and recycling point on St Agnes; recycling will be sorted into council commercial waste and recycling bags.

Scheme of Sustainable Design Methods

Rain water harvesting: we plan to utilise the water harvesting system installed this year by the council by having a separate water intake for the toilet which will use water from this system. The water tanks are on the back of the barn adjacent to the proposed site so only feet away from where the huts will be situated.

Fresh water supplied to the hut will be from our borehole and is treated by our own UV and filter treatment system. With the huts being small and having minimal amenities in comparison to a larger holiday let like setup, water consumption will be minimal.

The waste water and sewage system we will install is a Vortex Sewage Treatment plant. They house a 30watt pump which annually uses very little electricity. We will build a box around the tank to minimise noise coming from the pump system.

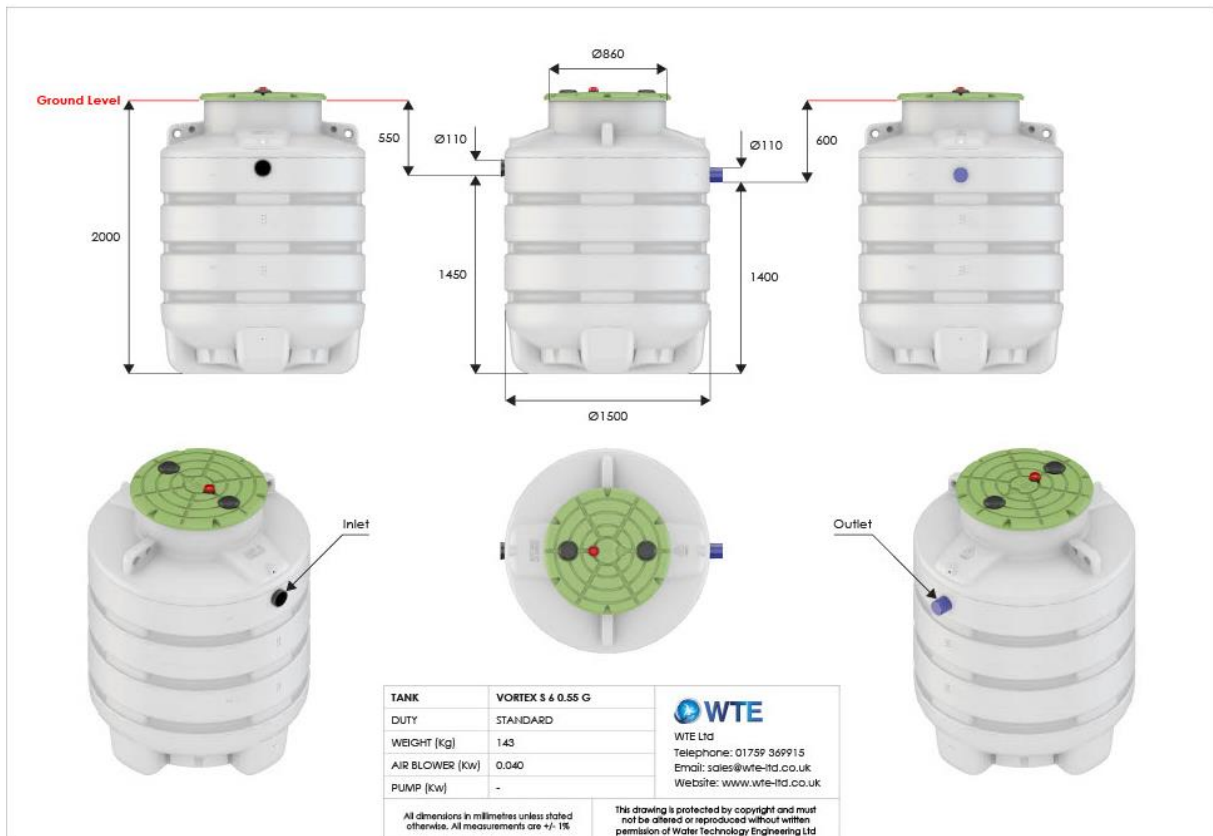


Figure 1: Vortex tank, inlet for waste water and excrement.

Tree Survey

Currently the site has two pittosporum hedges running along the southerly and westerly sides of the field. The hedges will not be impacted in anyway throughout the project.

We will plant 2 more hedges along the northerly and easterly side of the huts to give privacy to occupants and neighbours. We will also plant a hedge between the two huts and an additional small hedge where the rainwater harvesting tanks are on the back of the barn.

Current and proposed hedges are shown on location plan.

Fire Safety & Emergency services

There will be a wide enough means of entry for the fire and ambulance vehicles to easily access the site the huts will be situated.

The huts will be far enough apart that the spread of fire from one hut to another would not be an issue. The huts are situated feet away from the new water harvesting system which has attachment for use by the fire brigade to access water quickly and efficiently.

Archaeological Assessment

The site is an area of archaeological interest, this is why we are proposing a project that requires little ground work and is not a permanent structure. The Shepherd huts require no foundations and very minimal ground work. Huts and proposed decking are both free standing and removable, causing the least possible disruption to the landscape.

We erected a barn in 2018 adjacent to the proposed site which was in the same area, we had a full archaeological assessment done which I have included a copy of. This project involved large scale

groundworks and nothing was found during the assessment, we hope it can be taken into consideration with this application

Community Involvement statement

Included are statements from the following:

- John Peacock (councillor and owner of St Agnes Boating)
- Ross Hicks (Gwendra Fishing)
- Nell Cameron (Owner St Agnes Post Office)
- Lou Simmonds

Environmental Statement

The proposed site is "very rough grazing" for cattle and has been since the cattle were introduced on the farm 10 years ago. Previous to this the field was disused for 15 years when Toms parents stopped flower farming 25 years ago. It would be good to see the field have a purpose again, one that will benefit the farms income.

Infrastructure Impact Assessment

The fresh water system we will use for the huts is already existing, we have our own borehole and UV/filter treatment setup which we will add the huts onto.

We plan to install a Vortex sewage treatment plant for the waste water and effluent, we have spoken with several people on St Agnes who have recently installed these systems for their homes and holiday accommodation and they come highly recommended.

We will use an already existing soak away.

There is an electricity supply to the barn adjacent to the proposed site that we will take supplies from to service the huts.

Wildlife Survey and Report

No hedging/trees will be impacted by the project, the addition of new hedging will provide more places for nesting birds during breeding season. No works will be carried out during breeding season as to avoid any impact this may have (March – August).

We plan to plant apple trees in the gardens of both huts and will specifically source plants for borders that are bee friendly (we all know how important our little bee friends are). The grounds surrounding both huts will be grassed and mowed regularly

Bat Survey

No existing structures are being demolished/altered, we have completed a bat survey and have found lots of bats present in the area the huts are going to be situated. We will install two bat nesting boxes to a tree in the field below the proposed site.

Noise Assessment

The hut itself is run from electricity so the absence of a generator will mean the unit will not make any noise.

We will build a box around the new sewage treatment plant as a noise barrier so that you cannot hear the pump running.

We will remind guests to be mindful of noise levels, and deal with noise complaints promptly. Though I have faith that this is an unlikely issue.

Light Assessment

The Huts are situated in a field below nearby properties, they will not impact on sunlight/daylight. If anything, sunlight for the above properties will improve as we plan to bring down the height of current hedging slightly to improve the views to the property. The new hedges planted will be kept short; high enough to give the privacy required but not too high that it will affect light.

External Illumination Assessment

The Huts will have only one exterior downward facing light, which will be on the side of the building that faces away from any neighbouring properties.

As the field is below neighbouring properties the hut and exterior light will not be visible, especially once hedge growth is established.



Actual Light for reference.