

Council of the Isles of Scilly Delegated Planning Report Other application

Application Number: P/24/009/FUL

UPRN: 000192001403

Received on: 6 February 2024

Valid on: 15 February 2024

Application Expiry date: 11 April 2024

Neighbour expiry date: 11 March 2024

Site notice posted: 21 February 2024

Site notice expiry: 13 March 2024

Applicant: Mr Matthew Rogers

Site Address: Lunnon Farm
Lunnon
St Mary's
Isles Of Scilly
TR21 0NZ

Proposal: Erection of new agricultural building 9 metres wide x 18 metres long x 4.7 metres to top of pitch.

Application Type: Planning Permission

Recommendation: Approval

Summary Conditions

1. Standard time limit
2. Adherence to plans
3. Materials as per application particulars
4. Agricultural use
5. Lighting
6. Hours of Operation for Construction Works

Reason for Delegated Decision

No Councillor has requested that the application come to the Full Council. The decision defaults to the level of Delegated:

- Not a Councillor ✓
- Not a Senior Officer (or Officer with influence over planning Decisions) ✓
- No relation to a Councillor/Officer ✓
- Not Major ✓
- Not Council's own application ✓
- Not a departure from the Development Plan ✓
- Not Called in ✓

Lead Member Planning Agreed

Name: Cllr Dan Marcus

Date: 01/03/2024

Site Description and Proposed Development

The application site is Lunnon Farm, a bulb and flower farm on the island of St. Mary's. The site primarily consists of a large agricultural barn and the residential dwelling of Lunnon Farm cottage. There are also several units of holiday accommodation associated with the farm to the west of the site. Access is via the existing track connecting Lunnon Farm to Carn Friars Lane.

Permission is sought for an additional agricultural barn on an area of hard standing north of the existing barn. The barn would be approximately 9m x 18.3m x 4.7m, would be constructed of a metal frame, would have a fiber cement shallow pitch roof and be clad with timber boards. The barn would remain open sided on the east elevation.

The barn would be used for the storage, grading and processing of bulbs.

Certificate: B

Other Land Owners: Duchy of Cornwall

Consultations and Publicity

The application has had a site notice on display for 21 days (20/02/2024 – 13/03/2024). The application appeared on the weekly list on 19th February 2024.

Consultee	Date Responded	Summary
Historic England	26.02.2024	No Comment.
Cornwall Archaeological Unit	21.02.2021	The HER notes that within 70m of the application site three Romano-

	<p>British cist graves have been recorded (MCO45369), and geophysical survey in the adjacent field (to the east) suggests further potential archaeological features.</p> <p>However, due to the limited proposed ground disturbance to create a level platform for the construction of the concrete pad, in this instance, we consider it unlikely that significant archaeological remains will be disturbed by groundworks. No archaeological mitigation is required, and therefore no archaeological condition is sought.</p>
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Representations from Residents:

Neighbouring properties written to directly:

Lunnon Cottage, Lunnon

Carn Friars Farm Cottage, Lunnon

[0] letters of objection have been received.

[1] letters of support have been received citing the reliance on the Lunnon Farm as a business, and the need to keep bulbs dry.

[0] letters of representation have been received.

Relevant Planning History:

P4270 - Conditional approval of planning permission to erect agricultural building. 17.09.1997

P.3447 - Conditional approval of planning permission for alteration and extension to two holiday flats at Lunnon Farm, St Mary's in accordance with the Scheme D of drawing Nos LFF1.C and LFF1.D. 10.11.1992

P.247 - Conditional approval of planning permission for a new agricultural building 15.04.1986

P.1943 - Conditional approval of planning permission for the reconstruction of bathroom to enlarged design at Lunnon Farm House, St Mary's 09.12.1980

Constraints:

- Conservation Area
- Area of Outstanding Natural Beauty
- Heritage Coast
- Historic Landscape Character Multiple (Spatial)

Planning Assessment

Design	YES OR NO
Would the proposal maintain the character and qualities of the area in which it is proposed?	Y
Would the proposal appear in-keeping with the appearance of the existing dwelling, street and area?	Y
Would the materials, details and features match the existing dwelling and be consistent with the general use of materials in the area?	N/A
Would the proposal leave adequate garden area and green space to prevent the proposal appearing as an overdevelopment of the site and to ensure an adequate level of amenity?	Y
Is the parking and turning provision on site acceptable?	N/A
Would the proposal generally appear to be secondary or subservient to the main building?	N/A

Amenity	YES OR NO
Is the proposal acceptable with regard to any significant overlooking/loss of privacy issues?	Y
Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?	Y
Is the proposal acceptable with regard to any significant change or intensification of use?	Y

Heritage	YES OR NO
Would the proposal sustain or enhance the character and appearance of the Conservation Area?	Y
If within the setting of, or a listed building, a) Will the development preserve the character and special architectural or historic interest of the building? b) Will the development preserve the setting of the building?	N
Within an Archaeological Constraint Area	N
Other Impacts	
Does the proposal comply with Highways standing advice such that it does not adversely affect highway safety?	
Impact on protected trees a) Will this be acceptable b) Can impact be properly mitigated?	N/A
Has the proposal been designed to prevent the loss of any significant wildlife habitats or proposes appropriate mitigation where this has been	N/A

demonstrated to be unavoidable?	
Does the proposal conserve and enhance the landscape and scenic beauty of the AONB	Y
Are the Water connection/foul or surface water drainage details acceptable?	N/A
If sited within a Critical Flood Risk Area (low lying land below the 5m datum) is the application accompanied by an acceptable Flood Risk Assessment?	N/A
Are there external lights	N

Protected Species	YES OR NO
Does the proposal include any re-roofing works or other alteration to the roof	N/A
Does the proposal include any demolition	N
Does the proposal include tree or hedge removal	N
Is an assessment of impact on protected species required	N
Has an assessment been provided that adequately assesses the site and includes mitigation, enhancement and timing requirements	N
Are biodiversity enhancement measures required	N
Is a condition required to provide biodiversity enhancement measures	N

Waste Management	YES OR NO
Does the proposal generate construction waste	Y
Does the proposal materially increase the use of the site to require additional long-term waste management facilities	N
Does the proposal include a Site Waste Management Plan	Y
Is a condition required to secure a Site Waste Management Plan	N

Sustainable Design	YES OR NO
Does the proposal materially increase the use of the site to require additional sustainable design measures	Y
Does the proposal include a any site specific sustainable design measures	Y
Is a condition required to secure a Sustainable Design Measures	N

Principle of Development: The Isle of Scilly (IoS) Local Plan aims to support applications that support the working community.

Policy WC1 supports proposals that strengthen, enhance and diversify the islands' economy where they are appropriately sited and of an appropriate design and scale.

Policy WC3 aims to support employment sites across the inhabited islands which support the island economy and provide local job opportunities. WC3 requires proposals for employment development within the countryside to be of an activity and scale appropriate to a countryside location, and to demonstrate a functional and/or operational requirement for this location.

The proposal seeks the erection of a new agricultural barn within the boundary of and in association with the existing flower / bulb business at Lunnon Farm. As an existing agricultural business, the proposed countryside location is considered appropriate in this instance.

The submitted details outline that the barn would be used to house 'bulb grading line and equipment' and has been designed at a scale to accommodate this. In addition, the proposal would support the continued operation and growth of the business and allow the processing of bulbs in wet weather extending employment opportunities on the site. The proposal is therefore acceptable in principle under WC1 and WC3. The wider acceptability of the proposal comes to the siting, design, scale and accordance with relevant policies within the Local Plan.

Design and Siting: Policy SS2 outlines proposals should demonstrate high quality design that respects the character of the site and existing townscape, landscape and seascape. Proposals should demonstrate an appropriate scale, density, layout, height, mass and use of materials. In addition, WC1 requires proposals to be appropriately sited and of an appropriate design and scale.

The barn would have timber-clad walls, a corrugated cement fiber roof and would be open on one side. This is a typical agricultural design characteristic of the rural setting of the site and would be reflective of the existing barn on the site which is also timber clad. The scale of the proposed barn is also typical for an agricultural barn and is considered proportional to the proposed function. The barn would be sited on an existing area of hard standing within Lunnon Farm. This siting is considered to relate well to the existing barn on site both physically and functionally. In addition, the siting is well enclosed and would not be clearly visible from the public realm.

In summary, the design of the proposed barn is considered acceptable and in accordance with SS3 and WC1.

Neighbour Amenity: IoS Policy SS2 and WC3 require proposals to safeguard residential amenities. The barn is proposed centrally within Lunnon Farm and would not be in the immediate vicinity of any residential dwellings with the exception of the Lunnon Farm cottage to the southwest.

Therefore, the proposal is not considered to have any significant impacts on the adjacent properties including overlooking, overshadowing unreasonable noise and disturbance. As such, the proposal accords with these policies.

Archaeology and Historic Environment Impacts: Policy OE7 requires that great weight is given to the conservation of the islands' irreplaceable heritage assets including the conservation areas, listed buildings, Scheduled Monuments and Archaeological Site.

The application site is of potential archaeological interest due to the three Romano-British cist graves within 70m of the site and a geophysical survey in the adjacent field (to the east) suggesting further potential archaeological features. The County Archaeologist has been consulted and has raised no objection due to the limited ground disturbance. The officer has therefore advised that no archaeological mitigation is required, and therefore no archaeological condition is sought.

The proposal would also be sited within the conservation area, however, is well enclosed and typical of the established agricultural setting. The proposal is therefore considered to conserve the character or appearance of the conservation area. The proposal is therefore considered to accord with OE7.

Dark Skies: Policy OE4 seeks to protect Scilly's Dark skies by limiting external light pollution to lighting which is essential for safety, security or community reasons. The proposal does not include any external lighting with the potential to produce light pollution. In addition, the barn would be agricultural and primarily used within daylight hours. The proposal is therefore considered to accord with EO4.

Sustainable design and waste management: IoS Policy SS2 aims to promote sustainable design and requires that proposals for the construction of new buildings submit a statement of Sustainable Design Measures (SDM) and a Site Waste Management Plan (SWMP).

A SDM has been submitted within the application. This outlines that the barn would be integrated with the existing rainwater harvesting system on the site which consists of three 5,000-litre tanks to be used for irrigation. In addition, machinery within the barn is to be connected to the existing power supply which is supported by solar panels. In addition, a SWMP has also been submitted. This outlines that no demolition or significant engineering works are required and any unused or wasted materials will be re-used elsewhere on site.

These details are considered sufficient to accord with SS2.

EIA: Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

Proactive working: In accordance with guidance within the National Planning Policy Framework the Council has worked in a positive and creative way and has concluded that the application is acceptable for planning approval/imposed conditions to enable the grant of planning permission.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy: Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 2021, the development plan for the Isles of Scilly comprises the Isles of Scilly Local Plan 2015-2030.

The relevant development plan policies that have been taken into consideration are set out below:

Isles of Scilly Local Plan, 2015-2030

Policy	Tick if Used ✓
Policy SS1 Principles of Sustainable Development	✓
Policy SS2 Sustainable quality design and place-making	✓
Policy SS3 Re-use of Buildings	
Policy SS4 Protection of retailing, recreation and community facilities	
Policy SS5 Physical Infrastructure	
Policy SS6 Water and Wastewater Management	
Policy SS7 Flood Avoidance and Coastal Erosion	
Policy SS8 Renewable Energy Developments	
Policy SS9 Travel and Transport	
Policy SS10 Managing Movement	
Policy OE1 Protecting and Enhancing the landscape and seascape	
Policy OE2 Biodiversity and Geodiversity	
Policy OE3 Managing Pollution	
<i>Policy OE4 Protecting Scilly's Dark Night Skies</i>	✓
Policy OE5 Managing Waste	
Policy OE6 Minerals	
Policy OE7 Development affecting heritage	✓
Policy LC1 Isles of Scilly Housing Strategy to 2030	
Policy LC2 Qualifying for Affordable Housing	
Policy LC3 Balanced Housing Stock	
Policy LC4 Staff Accommodation	
Policy LC5 Removal of Occupancy Conditions	
Policy LC6 Housing Allocations	
Policy LC7 Windfall Housing:	
Policy LC8 Replacement Dwellings and Residential Extensions	
Policy LC9 Homes in Multiple Occupation	
Policy WC1 General Employment Policy	✓
Policy WC2 Home based businesses	
Policy WC3 New Employment Development	✓
Policy WC4 Alternative Uses for Business/Industrial land and buildings	
Policy WC5 Visitor Economy and Tourism Developments	

Info Requirements	Submitted (LVC)	Not Submitted	Condition Required
Site Waste Management Plan	✓		No
Sustainable Design Measures	✓		No

Biodiversity Enhancement Measures:		✓	No
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Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

Considerations under Human Rights Act 1998 and Equalities Act 2010: The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report. In discharging their functions, must have “due regard” to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

Recommended 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 Location Plan, received 15.02.2024
 - Plan 2 Proposed Block Plan, received 15.02.2024

- **Plan 3 Proposed East and West Elevations 1-100, received 06.02.2024**
- **Plan 4 Proposed East and West Elevations Dimensioned, received 06.02.2024**
- **Plan 5 Proposed North and South Elevations, received 06.02.2024**
- **Plan 6 Floor Plan, received 15.02.2024**
- **Plan 7 Design and Access Statement, received 06.02.2024**
- **Plan 8 Agricultural Justification, received 06.02.2024**
- **Plan 9 Landscaping Scheme, received 15.02.2024**
- **Plan 10 Site Waste Management Plan, received 06.02.2024**
- **Plan 11 Sustainable Design Measures, received 06.02.2024**

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 agricultural barn, hereby permitted, shall be used solely for agricultural activities associated with Lunnon Farm and shall not be used or occupied separately or severed thereafter.**


Reason: To safeguard the amenities of the local area and to ensure that the outbuilding is used only in connection with the existing dwelling.

- C5 In the event external lighting is required as part of the use of the agricultural building, hereby approved, prior to installation, details of an external lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority. Any external lights shall be dark sky approved only, used with appropriate timer or sensor controls and be downlit or cowled. Thereafter the lighting shall be installed in accordance with the agreed details only.**

Reason: To protect the amenities of the locality, including those 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 Garrison Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Submission Draft Isles of Scilly Local Plan (2015-2030).

- C6 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.

Print Name: Lisa Walton
Job Title: Chief Planning Officer
Signed: 

15/04/2024

Authorised Officer with Delegated Authority to determine Planning Applications
