



**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY  
COUNCIL OF THE ISLES OF SCILLY**

Planning & Development Department  
Town Hall, The Parade, St Mary’s, Isles of Scilly, TR21 0LW  
01720 424350  
planning@scilly.gov.uk

Town and Country Planning Act 1990  
Section 191 as amended by Section 10 of the Planning and Compensation Act 1991  
Town and Country Planning [General Development Procedure] Order 1995: Article 24

**DECISION ON APPLICATION FOR CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

**Applicant:** Mr TJ Hiron  
Clowdisley  
Golf Club Lane  
St Mary's  
Isles of Scilly  
TR21 0NF

**Use/Development applied for :** Application for a certificate of lawfulness for existing use of a building as a dwelling (use Class C3)

**Location:** Land to the rear of Ropewalk  
Porthloo  
St Mary's  
Isles of Scilly  
TR21 0NF

**Date of Application:** 15<sup>th</sup> July 2016

**Application No:** P/16/0070/CLE **SPLIT DECISION**

The Council of the Isles of Scilly hereby certify that on **15<sup>th</sup> July 2016** the structure described in the First Schedule to this certificate in respect of the land specified in the Second Schedule and as shown edged red on the plan attached to this certificate was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended) for the following reasons:

On the basis of the available evidence the Council is satisfied that the physical structure of the chalet (but not the use of the chalet) at Land to the Ropewalk, Porthloo, St Mary’s, Isles of Scilly, TR21 0NF has been substantially complete for a period exceeding 4 years prior to the date of the application and is therefore lawful by virtue of the time limit set out in Section 171B(1).

**Signed:**  **Senior Manager: Infrastructure and Planning**

On behalf of the Council of the Isles of Scilly

**Date: 25th January 2017**

continued.....



# IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

## COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department  
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW  
☎01720 424350  
✉[planning@scilly.gov.uk](mailto:planning@scilly.gov.uk)

### Town and Country Planning Act 1990

Section 191 as amended by Section 10 of the Planning and Compensation Act 1991

Town and Country Planning [General Development Procedure] Order 1995: Article 24

### **DECISION ON APPLICATION FOR CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

#### **FIRST SCHEDULE**

The physical structure of the chalet (but not the use of the chalet) (Amended Title).

#### **SECOND SCHEDULE**

Land to the rear of Ropewalk, Porthloo, St Mary's, Isles of Scilly, TR21 0NF

#### **NOTES**

1. This certificate is issued solely for the purpose of section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.