



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

REFUSAL OF 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: **15th July 2016**

Application No: P/16/070/CLE **SPLIT DECISION**

The Council of the Isles of Scilly hereby certify that on **15th July 2016** the use of the land 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 NOT PROVEN TO BE LAWFUL** within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended) for the following reasons:

The Local Planning Authority considers that on the balance of probability and based on the evidence provided, the use of land as an independent unit of residential accommodation, including the use of the chalet, had not subsisted for a period exceeding 10 years and therefore was not lawful by virtue of a lack of compliance with the limits set out in Section 171B(3).

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

On behalf of the Council of the Isles of Scilly

Date: 25th January 2017

continued.....



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FIRST SCHEDULE

Use of the land as an independent unit of residential accommodation, including the use of the use chalet. (Amended description).

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. If you are aggrieved by the decision of your Local Planning Authority to refuse your application for a Certificate of Lawful Use or Development, then you can appeal to the Secretary of State under Section 195 of the Town and Country Planning Act 1990.
3. If you want to appeal you must do so within six months of the date of this notice, using a form which is only obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.
4. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.