



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:

Ms L Graham
Carnwethers
Carnwethers Country House
Pelistry
St Mary's
Isles of Scilly
TR21 0NX

Use/Development applied for:

Application for a certificate of lawfulness for existing use of 2 No. units, known as Poolside and Secret Garden, as holiday lets.

Location:

Carnwethers Country House
Pelistry
St Mary's
Isles of Scilly
TR21 0NX

Date of Application:

23rd February 2017

Application No:

P/17/0011/CLE

The Council of the Isles of Scilly hereby certify that on **23rd February 2017** the uses 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:

The use of the 2 No. Units of holiday letting accommodation, in conjunction with the wider use of the Carnwethers Country House site as part of a mixed use of this single planning unit, has subsisted for a period exceeding 10 years prior to the date of this application and is therefore lawful by virtue of the time limit set out in Section 171B(3).

Signed:

Senior Manager: Infrastructure and Planning

On behalf of the Council of the Isles of Scilly

Date: 21st March 2017

continued.....



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FIRST SCHEDULE

The use of the 2 No. units of holiday letting accommodation, known as Poolside and Secret Garden, as holiday letting accommodation as part of the overall mixed use of the Carnwethers Country House site, but not as the independent units of accommodation.

SECOND SCHEDULE

2 No. units of holiday letting accommodation, Carnwethers Country House, Pelistry lane, Pelistry, St Mary's, Isles of Scilly, TR21 0NX

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.