



# IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

## COUNCIL OF THE ISLES OF SCILLY

Planning Department

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

01720 424455

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 Luke Thompson  
The Chalet  
R/O 6 Bay View Terrace  
St Mary's  
Isles Of Scilly  
TR21 0NE

**Agent:** Mrs Kathy Tasker  
36 Brookleigh  
Calverly  
Pudsey  
West Yorkshire  
LS28 5NX

**Use applied for:**

Application for a certificate of lawfulness for existing use of unit of accommodation known as The Chalet, as an independent unit of residential accommodation.

**Location:**

The Chalet  
R/O 6 Bay View Terrace  
St Mary's  
Isles Of Scilly  
TR21 0NE

**Date of Application:**

18<sup>th</sup> April 2019

**Application No:**

P/19/015/CLE

The Council of the Isles of Scilly hereby certify that on **18<sup>th</sup> April 2019** 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 chalet as a single independent planning unit, has subsisted for a continuous period exceeding 4 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: 20<sup>th</sup> June 2019**

continued.....



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#### **FIRST SCHEDULE**

The use of The Chalet as an independent unit of residential accommodation.

#### **SECOND SCHEDULE**

The Chalet, 6 Bay View Terrace Telegraph Road Porth Mellon St Mary's, TR21 0NE

#### **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.



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Date: 20/06/2019

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