



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

COUNCIL OF THE ISLES OF SCILLY

Town Hall, St Mary's TR21 0LW
Telephone: 01720 424455 – Email: planning@scilly.gov.uk

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2010

PERMISSION FOR VARIATION OF CONDITION(S)

Application No:	P/21/032/ROV	Date Application Registered:	12th April 2021
Applicant:	Paul Groves Topsail Customs House Lower Strand Hugh Town St Mary's Isles of Scilly TR21 0PS	Agent:	Ian Sibley Sibley's Chartered Surveyors Porthcressa St Mary's Isles of Scilly TR21 0JQ

Site address: Customs House Lower Strand Hugh Town St Mary's Isles of Scilly
Proposal: Variation of condition 4 of planning permission P/12/044 (change of use of commercial premises to holiday letting unit) to allow for the permanent residential use of "Topsail" by the transfer of the holiday letting restriction to "Spinnaker".

In pursuance of their powers under the above Act, the Council hereby **PERMIT** the above development to be carried out in accordance with the varied condition C4 below. **All other conditions, where they are capable of taking affect remain in place as per the decision notices P/12/044/FUL.**

P/12/044/FUL VARIED Condition C4:

C4 The first floor flat known as 'Spinnaker' as shown edged in RED on the approved plan 0421/01, Dated 05 April 2021 titled "Existing Floor Plans and Elevations" shall not be used otherwise than for the purpose of short let holiday accommodation. The flat Spinnaker shall not be occupied as a permanent dwelling and shall not be occupied by any one person for a period exceeding three months in any calendar year. The owner or operator shall maintain a register of occupants for each calendar year. This register shall be made available on request for inspection by any duly authorised officer of the Local Planning Authority.

Reason: To ensure that one flat is retained for holiday purposes, as justified in 2012 when losing a commercial unit and where the other two flats are already unrestricted and in accordance with Policy WC5 of the Isles of Scilly Local Plan (2015-2030) and to prevent the creation of an open market dwelling in accordance with Policy LC1 of the Isles of Scilly Local Plan (2015-2030).

Further Information

1. Please retain a copy of this notice together with approved Decision Notice P/12/044/FUL which includes all other conditions and informatives.

Signed:

Chief Planning Officer

Duly Authorised Officer of the Council to make and issue Planning Decisions on behalf of the Council of the Isles of Scilly.

DATE OF ISSUE: 27th May 2021



COUNCIL OF THE ISLES OF SCILLY

Planning Department
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW
☎0300 1234 105
✉planning@scilly.gov.uk

Dear Paul Groves

Please sign and complete this certificate.

This is to certify that decision notice: P/21/032/ROV and the accompanying conditions have been read and understood by the applicant: Paul Groves.

- I/we intend to commence the development as approved:** Variation of condition 4 of planning permission P/12/044 (change of use of commercial premises to holiday letting unit) to allow for the permanent residential use of "Topsail" by the transfer of the holiday letting restriction to "Spinnaker" at: Customs House Lower Strand Hugh Town St Mary'S Isles Of Scilly **on:**.....
- ~~I am/we are aware of any conditions that need to be discharged before works commence.~~
- ~~I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.~~

You are advised to note that Officers of the Local Planning Authority may inspect the project both during construction, on a spot-check basis, and once completed, to ensure that the proposal has complied with the approved plans and conditions. If the site is found to be inaccessible then contact details of the applicant/agent/contractor (delete as appropriate) are:

Name: **Contact Telephone Number:**

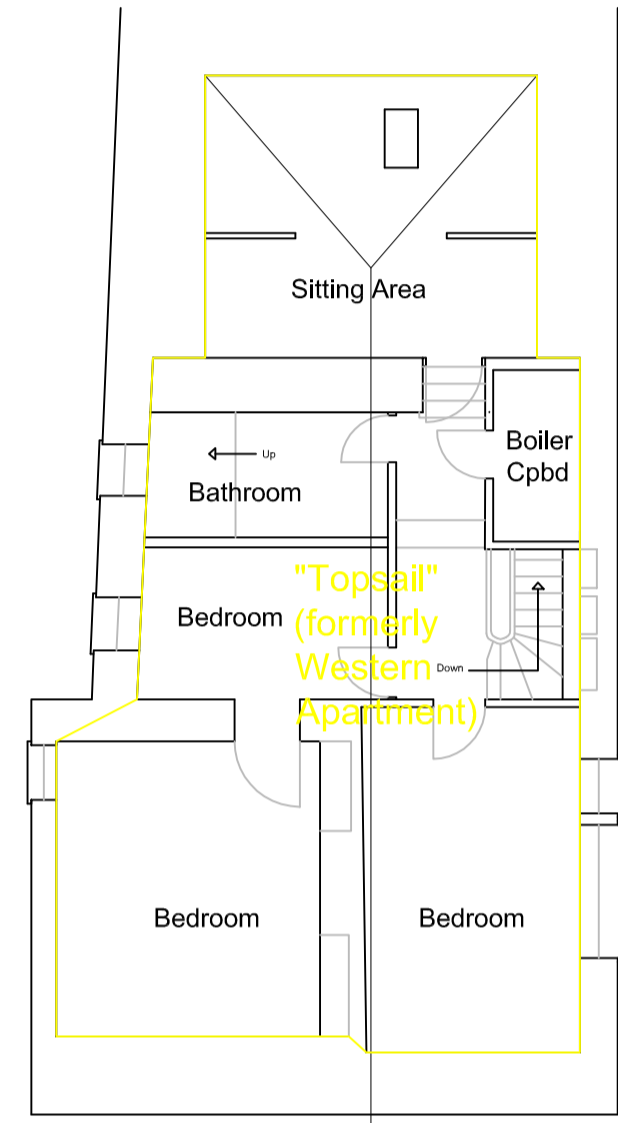
Print Name:

Signed:

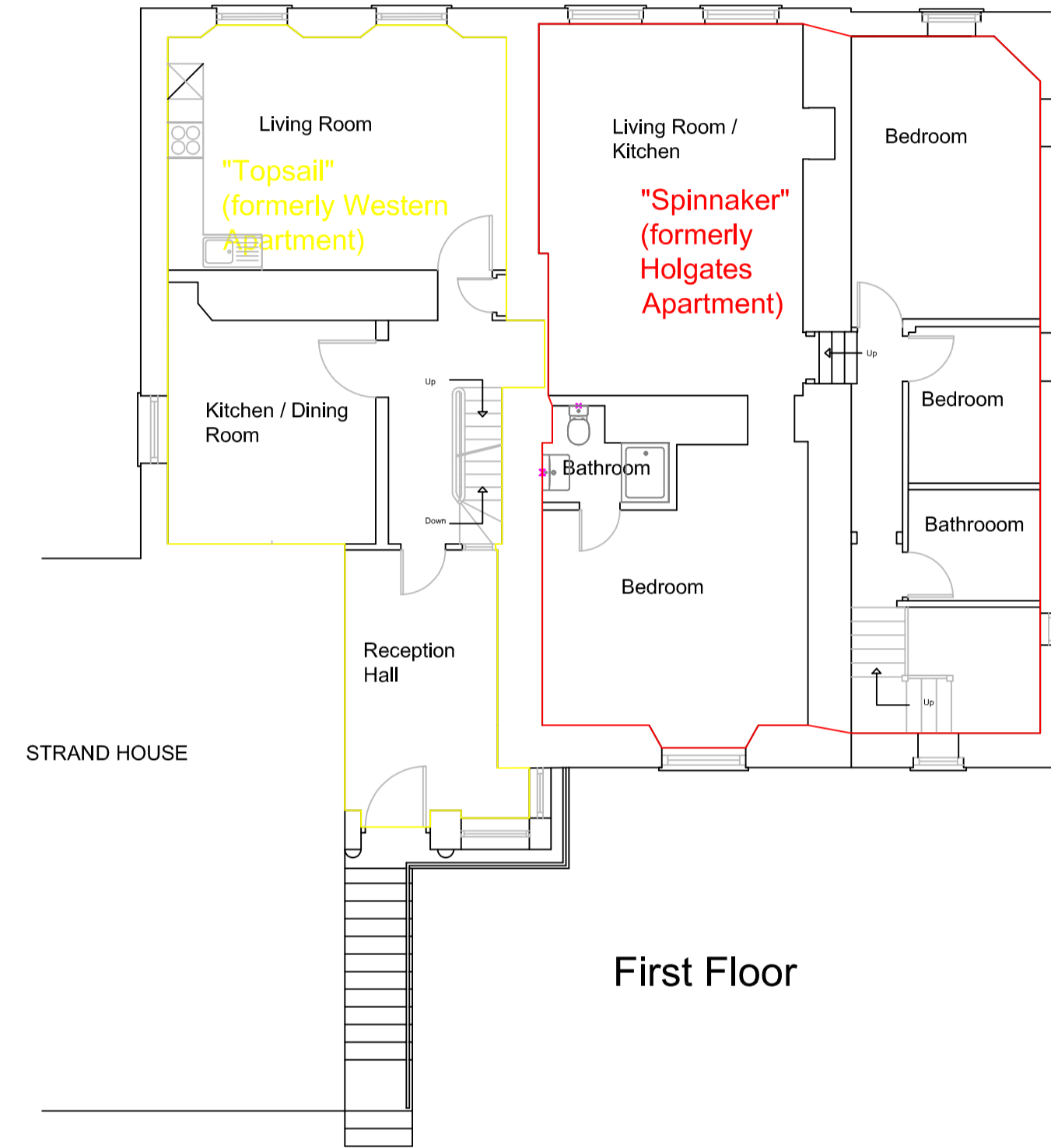
Date:

Please sign and return to the **above address** as soon as possible.

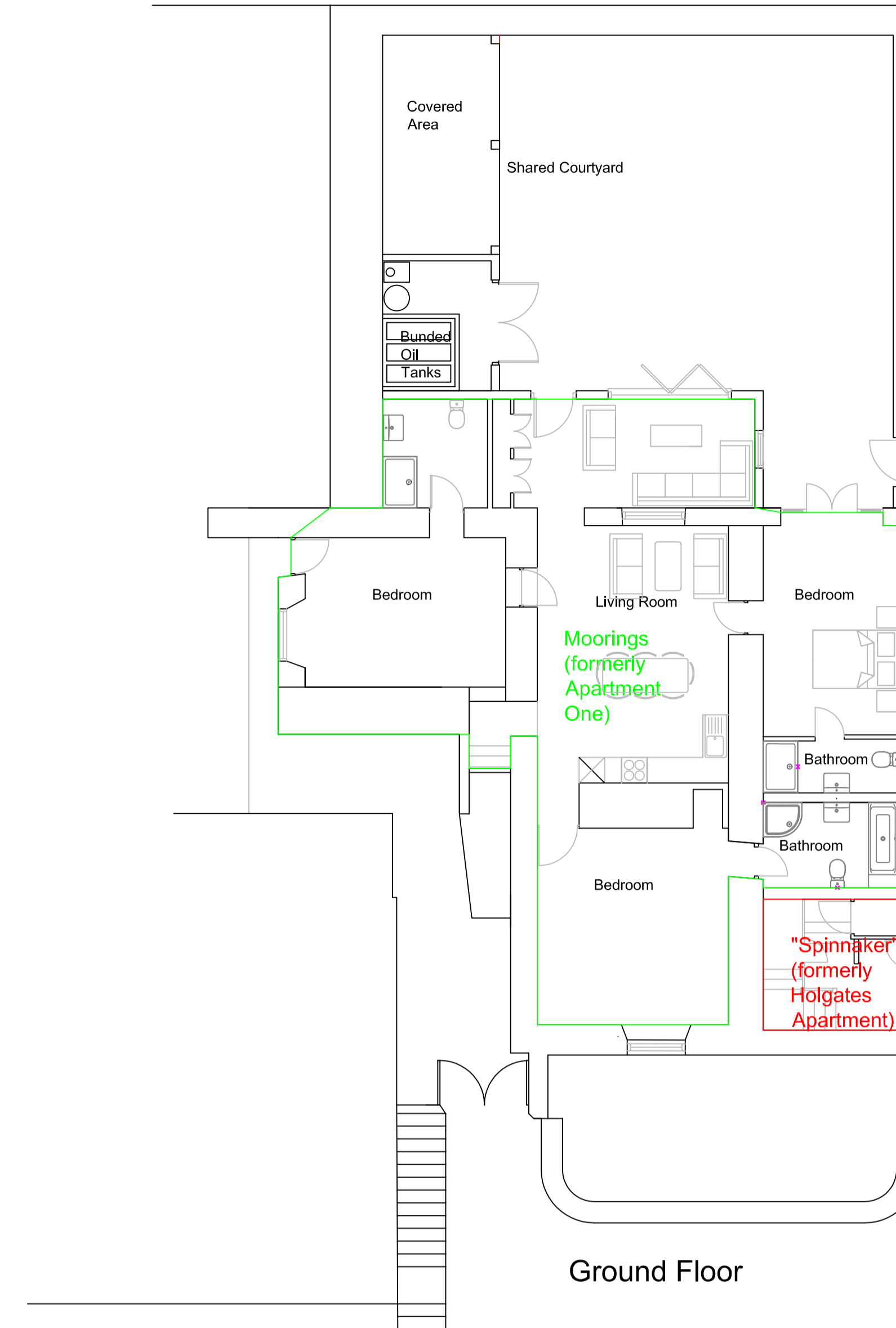
Plan for Condition C4



Second Floor



First Floor



Ground Floor



North Elevation



East Elevation

S:\DATA\ISLAND ARCHITECTS\Downloads\Logo.jpg

Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies are to be reported immediately.

Notes:

No.	Date	Revision

RECEIVED
By Tom Anderton at 9:02 am, Apr 09, 2021

Removal of existing rear extension, replacement with new extension, re-configuring internal accommodation and other improvements.

Former H.M. Customs House
St Marys
Isles of Scilly

DRAWING TITLE
Existing Floor Plans & Elevations

CLIENT
Paul Groves

Dwg. No. 0421/01 File No.

1:100 @ A1

Controlled by IS Designed by

Drawn by IS Checked by

05 April 2021 Office ISLES OF SCILLY

APPROVED
By Lisa Walton at 9:13 am, May 27, 2021

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COUNCIL OF THE ISLES OF SCILLY

Planning Department

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

☎01720 424455

✉planning@scilly.gov.uk

**THIS LETTER CONTAINS IMPORTANT INFORMATION
REGARDING YOUR PERMISSION – PLEASE READ
IF YOU ARE AN AGENT DEALING WITH IS ON BEHALF OF THE
APPLICANT IT IS IMPORTANT TO LET THE APPLICANT KNOW
OF ANY PRE-COMMENCEMENT CONDITIONS**

Dear Applicant,

This letter is intended to help you advance your project through the development process. Now that you have been granted permission, there may be further tasks you need to complete. Some aspects may not apply to your development; however, your attention is drawn to the following paragraphs, which provide advice on a range of matters including how to carry out your development and how to appeal against the decision made by the Local Planning Authority (LPA).

Carrying out the Development in Accordance with the Approved Plans

You must carry out your development in accordance with the stamped plans enclosed with this letter. Failure to do so may result in enforcement action being taken by the LPA and any unauthorised work carried out may have to be amended or removed from the site.

Discharging Conditions

Some conditions on the attached decision notice will need to be formally discharged by the LPA. In particular, any condition that needs to be carried out prior to development taking place, such as a 'source and disposal of materials' condition, an 'archaeological' condition or 'landscaping' condition must be formally discharged prior to the implementation of the planning permission. In the case of an archaeological condition, please contact the Planning Department for advice on the steps required. Whilst you do not need to formally discharge every condition on the decision notice, it is important you inform the Planning Department when the condition advises you to do so before you commence the implementation of this permission. Although we will aim to deal with any application to discharge conditions as expeditiously as possible, you are reminded to allow up to **8 weeks** for the discharge of conditions process.

Please inform the Planning Department when your development or works will be commencing. This will enable the Council to monitor the discharge and compliance with conditions and provide guidance as necessary. We will not be able to provide you with any written confirmation on the discharge of pre-commencement conditions if you do not formally apply to discharge the conditions before you start works.

As with the rest of the planning application fees, central Government sets a fee within the same set of regulations for the formal discharge of conditions attached to planning permissions. Conditions are necessary to control approved works and development. Requests for confirmation that one or more planning conditions have been complied with are as follows (VAT is not payable on fees set by central government). More information can be found on the Council's website:

- Householder permissions - £34 per application
- Other permissions - £116 per application

Amendments

If you require a change to the development, contact the LPA to see if you can make a 'non material amendment' (NMA). NMA can only be made to planning permissions and not a listed building consent. They were introduced by the Government to reflect the fact that some schemes may need to change during the construction phase. The process involves a short application form and a 14 day consultation period. There is a fee of £34 for householder type applications and £234 in all other cases. The NMA should be determined within 28 days. If the change to your proposal is not considered to be non-material or minor, then you would need to submit a new planning application to reflect those changes. Please contact the Planning Department for more information on what level of amendment would be considered non material if necessary.

Appealing Against the Decision

If you are aggrieved by any of the planning conditions attached to your decision notice, you can appeal to have specific conditions lifted or modified by the Secretary of State. All appeal decisions are considered by the Planning Inspectorate – a government department aimed at providing an unbiased judgement on a planning application. From the date of the decision notice attached you must lodge an appeal within the following time periods:

- Householder Application - 12 weeks
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Other Types - 6 months

You can obtain the appeal forms by calling 0303 444 5000 or submit an appeal through the Planning Portal <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

Building Regulations

With all building work, the owner of the property is responsible for meeting the relevant Planning and Building Regulations. Building Regulations apply to most building work so it is important to find out if you need permission. This consent is to ensure the safety of people

in and around buildings in relation to structure, access, fire safety, infrastructure and appropriate insulation.

The Building Control function is carried out on behalf of the Council of the Isles of Scilly by Cornwall Council. All enquiries and Building Control applications should be made direct to Cornwall Council, via the following link [Cornwall Council](#). This link also contains comprehensive information to assist you with all of your Building Control needs.

Building Control can be contacted via telephone by calling 01872 224792, via email buildingcontrol@cornwall.gov.uk or by post at:

Building Control
Cornwall Council
Pydar House
Pydar Street
Truro
Cornwall
TR1 1XU

Registering/Altering Addresses

If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

Connections to Utilities

If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 08000831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.