



COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department

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Delegated Report

Application Number: P/14/056/CLE
Recommendation: PER/DEL
Date: 18th December 2014
8 Week Target: 25/12/2014
Site Address: Glenmoor Cottage, Higher Town,
Island: ST MARTINS
Development Proposed: Lawful development certificate for use of dwelling as a dwelling with a self-contained holiday let.

Planning Assessment:

The Site

Glenmoore Cottage is a former private residential dwelling located in Higher Town on St Martins.

Description of Development

This application is for a Certificate of Lawfulness for an Existing Use of the existing dwelling house with a self-contained holiday flat. Documentation, including a letter from the Duchy of Cornwall dated to 1987 for the operation of the property at a Guest House. Solicitor letters also accompany this dated 2001, 2002 and 2004. In addition details of Accounts for the period demonstrate that the property has been used for paying guests during this period. This indicates that a guesthouse and bed and breakfast use had been established from 1987. A letter to support its current self-catering use has been submitted. This letter is from a neighbouring property and states that from the period 2001 to 2014 the property was used on a self-catering basis. A letter from an employee states that she has worked at Glenmoor Cottage since 1996 and that in 2001 the accommodation was converted to create a self-catering apartment within the property and that this has continued to the present. A former employee has also written in support of the above.

Background and Relevant History

In 1963 an application was submitted for an extension of the kitchen and the lounge (P0429). This was approved. In 1976 an application was refused (P1565) for the rebuilding of the back porch. In 1977 an application was permitted for the rebuilding of the rear porch (P1620). IN 1986 an application was made to the change the use from residential to Class I (shop) to part of the rear of the dwelling (P2486). In 2000 an application was permitted for a first floor extension to provide improved accommodation (P4866).

The planning history suggests the history submitted by the applicant to support the certificate is accurate..

Assessment

In considering a Certificate of Lawfulness for an Existing Use, the legal issues rather than planning merits of a case must be assessed. It is considered that based on the supporting documentation accompanying

the application, that there is sufficient evidence to indicate that the that the premises have been used as living accommodation with a self-contained holiday flat for more than 4 years. In reaching this conclusion, account has been taken of the submitted evidence and the planning history.

Conclusion

On the basis of the above assessment it is considered that the property has been used as stated in the application for a continuous period of more than 4 years up to the present.

Signed: L WALTON

Date: 18/12/2014

Lisa Walton

Senior Officer: Planning & Development Management