



**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: Mulciber Ltd
Lunnon Farm
St Mary's
Isles of Scilly
TR21 0NZ

Agent: Mr Christopher Tofts
Stephens Scown LLP
Osprey House
Malpas Road
Truro
TR1 1UT

Existing Use Applied for: Lawful development certificate for use of Pendrathen Quarry as an inert and excavation-waste recycling facility.

Location: Pendrathen Quarry
Pendrathen
St Mary's
Isles of Scilly

Date of Application: 19/10/2015

Application No: P/15/088/CLE

The Council of the Isles of Scilly hereby certify that on **19th October 2015** the use 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:

On the basis of the available evidence the Council is satisfied that **Pendrathen Quarry, Pendrathen, St Mary's, Isles of Scilly** has been used as an **inert and excavation-waste recycling facility** for a period exceeding ten years prior to the date of the application.

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

On behalf of the Council of the Isles of Scilly

Date: 25th November 2015

continued.....



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FIRST SCHEDULE

Lawful development certificate for use Pendrathen Quarry as an inert and excavation-waste recycling facility.

SECOND SCHEDULE

Pendrathen Quarry, Pendrathen, St Mary's, Isles of Scilly

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.