



COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department

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Isobel Brown
Tredavoe Cottage
Lower Strand
Hugh Town
St Mary's
Isles Of Scilly
TR21 0PS

14th July 2017

Dear Isobel Brown

PLANNING REFERENCE

P/17/054/FUL

DEVELOPMENT PROPOSED:

Change of use of land to provide a fixed trading site for use by mobile food and beverage business as per the Council's fixed trading policy.

LOCATION:

Land At Lower Strand, Lower Strand, Hugh Town, St Mary's.

Thank you for your comments on the above application, these comments where they relate to planning issues will be considered when determining the application.

Any decision relating to the application can be obtained from the Planning Department or viewed online at www.scilly.gov.uk.

In response to the specific questions you have raised:

1. The Local Planning Authority writes to any neighbour who shares a boundary with the application site, or is within 4 metres. To catch anyone else (not written to directly) we also put a site notice in a public location within the vicinity of the site, which has to be in place for a period of 21 days. The application would also be advertised on the weekly list in the Town Hall notice board, following receipt. On this occasion there were no properties sharing a boundary or within 4 metres of the site. We took the decision to write to those properties we considered would be most directly affected by the use of the land as a 'fixed trading site'.
2. The licensing of fixed trading sites is not an issue for the consideration of a planning application. I have forwarded this question on to the licensing department, who will respond to you separately on this. Planning is specifically about the use of the land as proposed. I am not aware of the status of the license of the burger van specifically. The application is to change the use of this site for the purposes of 'fixed trading' only. Our understanding is that if approved the Licensing Department will invite expressions of interest for traders to use any site that benefits from Planning Permission. The assessment of a planning application includes issues such as the impact upon residential amenity, highway safety and the wider impact of the change of use of the land on the character of the area.
3. The application is for a change of use of land for 'fixed trading'. The Local Planning Authority, who are considering this application, are not the applicants. I have forwarded this question on to the applicant (the Licensing Department for the Council of the Isles of Scilly) for a response.
4. Again the local planning authority are considering the application as submitted. We have no remit on which to refuse to determine any planning application that is submitted. In this case

the applicant is the Licensing Department at the Council and not the Local Planning Authority. The Local Planning Authority has a statutory duty to fully consider, assess and determine any valid application it receives, following a statutory consultation, including public consultation, on behalf of the Council. Once we have considered any representation where material planning considerations are raised, any consultation responses then a recommendation will be made to Full Council, who then determine the application. The timescale at present is to make a recommendation on this application, following the 21 day consultation period and take a report to members. The application will be debated by Members on the 17th August.

Under the provisions of the Local Government (Access to Information) Act 1985 you should be aware that any comments you make are not confidential and may be read by any person who so wishes.

Yours sincerely

The Planning Department
Council of the Isle of Scilly