



**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

## **COUNCIL OF THE ISLES OF SCILLY**

Town Hall, The Parade, St Mary's TR21 0LW  
Telephone: 01720 424455 – Email: [planning@scilly.gov.uk](mailto:planning@scilly.gov.uk)

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

### **REFUSAL OF PERMISSION FOR DEVELOPMENT**

**Application No:** P/22/009/COU **Date Application Registered:** 21st January 2022

**Applicant:** Mrs Carmen Stevens  
Appletree  
2 Matthews Field  
Church Road  
Hugh Town  
St Mary's  
Isles of Scilly  
TR21 0NA

**Proposal:** Change of use of one single (use class C3) dwelling to 3 units, including one ground floor flat (owners accommodation) and two (ancillary) self-contained flats for short let holiday accommodation, including new entrance porch to rear.

**Site Address:** Appletree, 2 Matthews Field Church Road Hugh Town St Mary's Isles of Scilly

In pursuance of their powers under the above act, the Council hereby **REFUSE** the above development for the following reason:

- R1 The proposal would result in the creation of 2 units of self-contained holiday let accommodation which, without a certificate of lawful use to demonstrate the property is a lawfully operating C1 guesthouse, would see the loss of a single family C3 dwellinghouse contrary to the requirements of Policy WC5(5) of the Isles of Scilly Local Plan (2015-2030). Whilst the change of use of a lawfully operating C1 guesthouse to self-catering is supported, any change of use of a C3 dwelling, that would result in the net gain of housing on the Isles of Scilly is supported only where this is to meet a local housing need.

#### **The Decision relates to the following documents and drawings:**

<b>Ref No:</b>	<b>Plan Type:</b>	<b>Date Received:</b>
TQRQM18053230328722	Location Plan (1:1250)	18/01/2022
TQRQM18053231917208	Block Plan (1:500)	21/01/2022
REF28MB/B8R1	Existing Site Plan (1:200)	21/01/2022
- -	First floor plan and Proposed and Kitchenettes and Porch (1:100)	18/01/2022
- -	Proposed side (south) Elevation (1:100)	18/01/2022
- -	Proposed rear (east) Elevation (1:100)	18/01/2022

**The following Policy of the Isles of Scilly Local Plan (2015-2030) is considered relevant to this decision:**

- Policy WC5(5) Visitor Economy and Tourism Accommodation

**Informative:**

1. In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and proactive manner, in accordance with paragraph 38 the National Planning Policy Framework 2021.
2. Please find attached notes on how to Appeal Against the Decision
3. This decision is not a determination under the Building Regulations.

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:** 15<sup>th</sup> March 2022



# 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](mailto:planning@scilly.gov.uk)

Dear Applicant,

As your application has been refused, this letter is to inform you of the process in which you can appeal against the decision made by the Local Planning Authority.

## Appealing Against the Decision

If you are aggrieved by the decision to refuse your application as detailed on your decision notice, you can appeal against this decision to 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 refused decision notice attached you must lodge an appeal within the following time periods:

- Householder Application - 12 weeks
- Planning Application – 6 months
- Listed Building Consent – 6 months
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Lawful Development Certificate – None (unless for LBC – 6 months)
- Other Types - 6 months

Note that these periods can change so you should check with the Planning Inspectorate for the most up to date list. You can obtain the appeal forms by calling 0303 444 5000 or submit an appeal through the Planning Portal <https://www.gov.uk/appeal-planning-inspectorate>

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

## Purchase Notices

Planning control is intended to regulate the development of land in the public interest. For this reason, planning decisions may conflict with the private interests of land owners. There is no entitlement to compensation for adverse planning decisions (except in limited circumstances). This is because owners usually have some continuing benefit from current uses. However, occasionally there may be no reasonably beneficial use for the land. In order to remedy this situation; an owner has the right, in certain circumstances, to serve a "purchase notice" requiring a local authority to purchase their interest in the land. Purchase notices will be considered by the Planning Inspectorate, although you are advised to contact the Planning Department if you wish to consider this option.

**Listed Buildings**

Please note that any unauthorised works to a listed building are considered to be a criminal offence. If you need further clarification of what type of works may require consent, please contact the department.

**Re-submissions for Planning Permission**

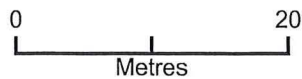
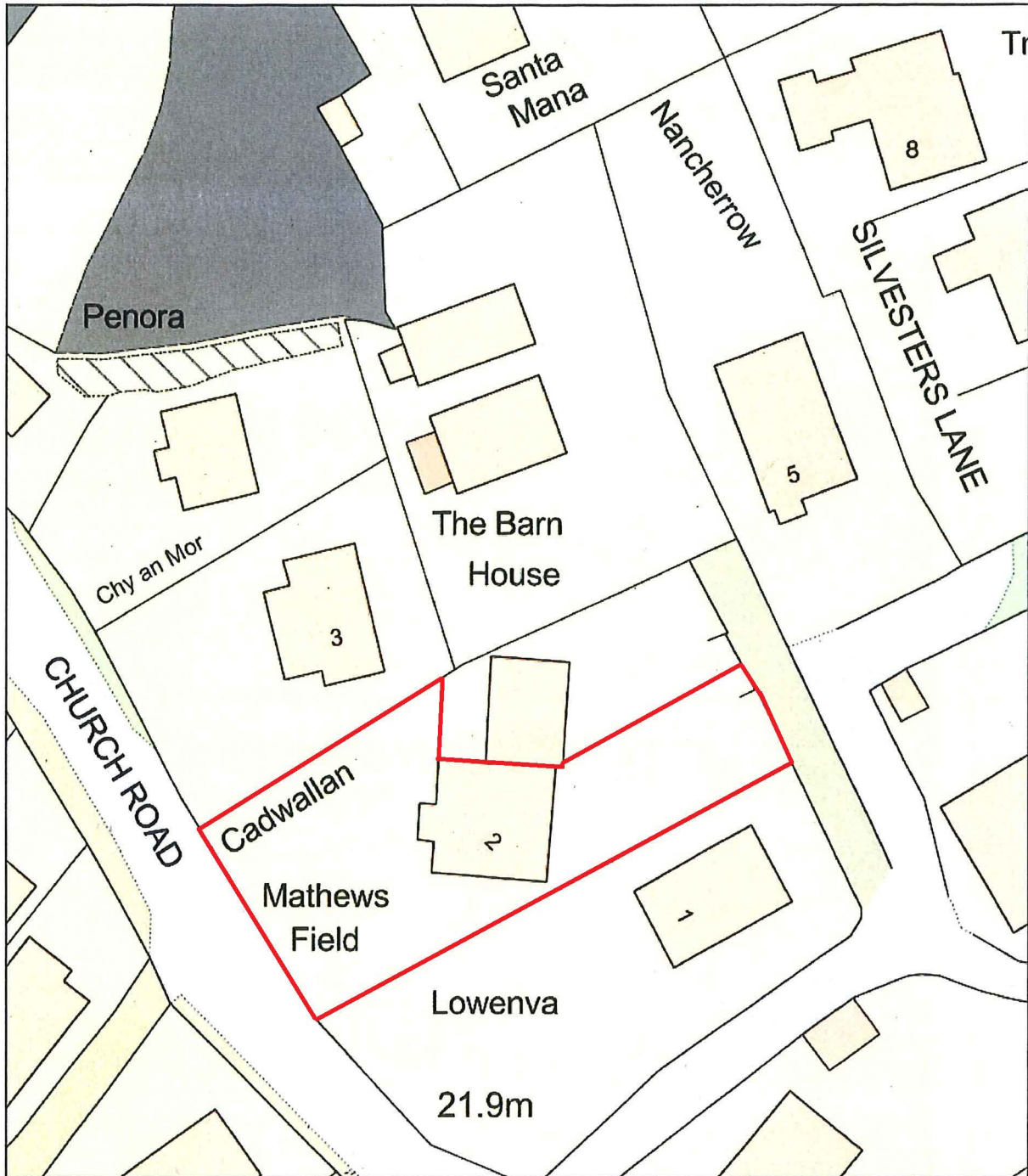
Under planning regulations, you are allowed to re-submit your application after a refusal without a fee, provided certain criteria are met. The re-submission must be within 12 months of the date of the original decision, the proposal must be on the same site and be similar to the previous application. Similarly, the application must be made by the same applicant. If you consider resubmitting your application, contact the Planning Department so we can explain where your application can be improved to be in accordance with local planning policy. In order for the Council reach a different decision, however you will need to address all of the previous reasons for refusal.

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



**REFUSED**  
Council of The  
Isles of Scilly

# Block Plan



Plan Produced for: Todd and Carmen Stevens

Date Produced: 22 Feb 2018

Plan Reference Number: TQRQM18053231917208

Scale: 1:500 @ A4



RECEIVED

By Liv Rickman at 11:22 am, Jan 18, 2022

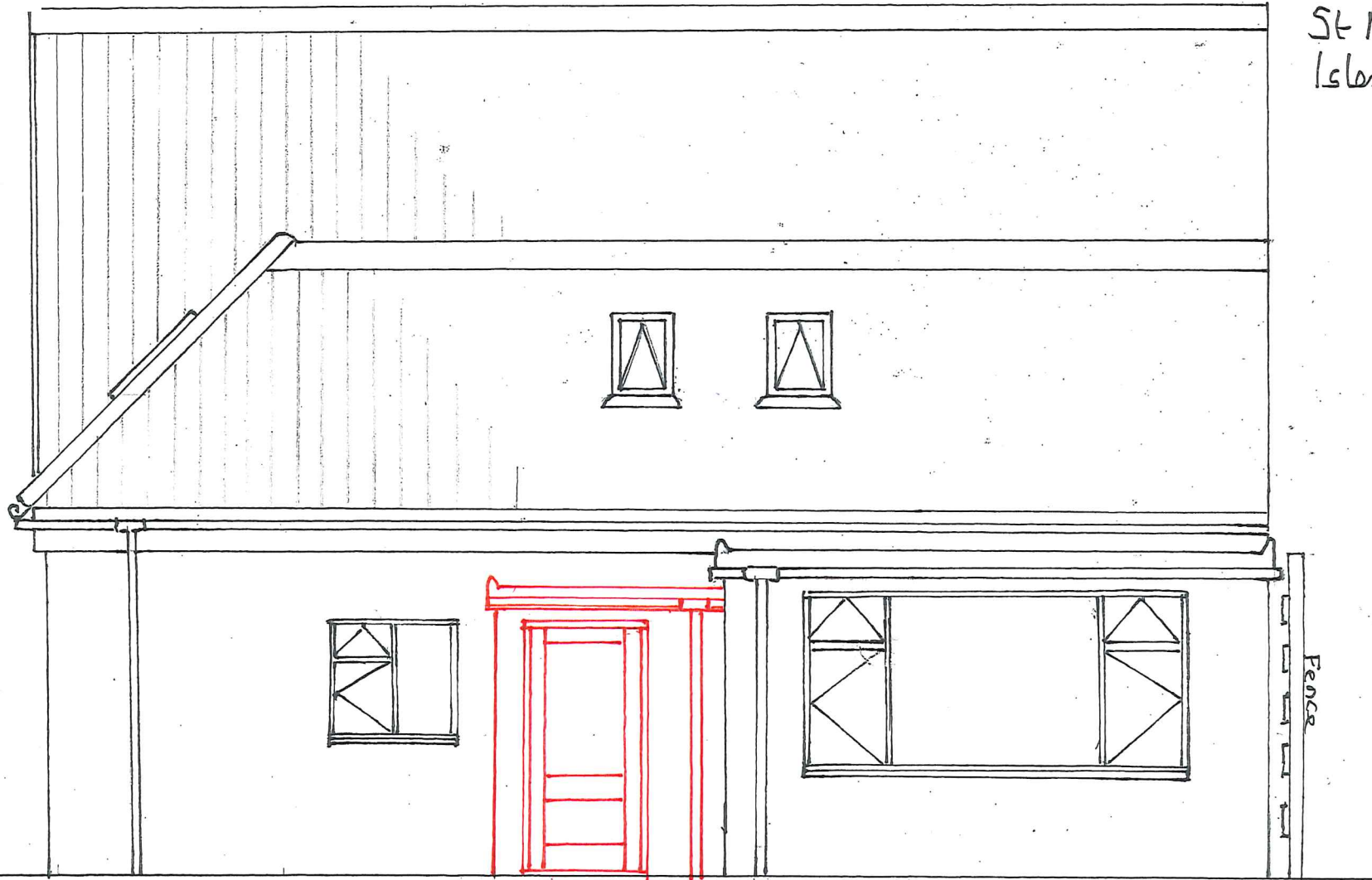


REFUSED  
Council of The  
Isles of Scilly

East Elevation

Scale 1:5

Mr & Mrs Steven  
2 Matthews Fca  
Church Road  
St Mary's  
Isles of Scilly



Hedge

Fence

Existing elevation with Proposed Porch shown in **Red ink**. This elevation is the same without the Porch as the existing back door currently occupies the same relative position - it is just 1.8m further back. See: ground floor Plan.



**REFUSED**  
Council of The  
Isles of Scilly

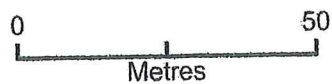
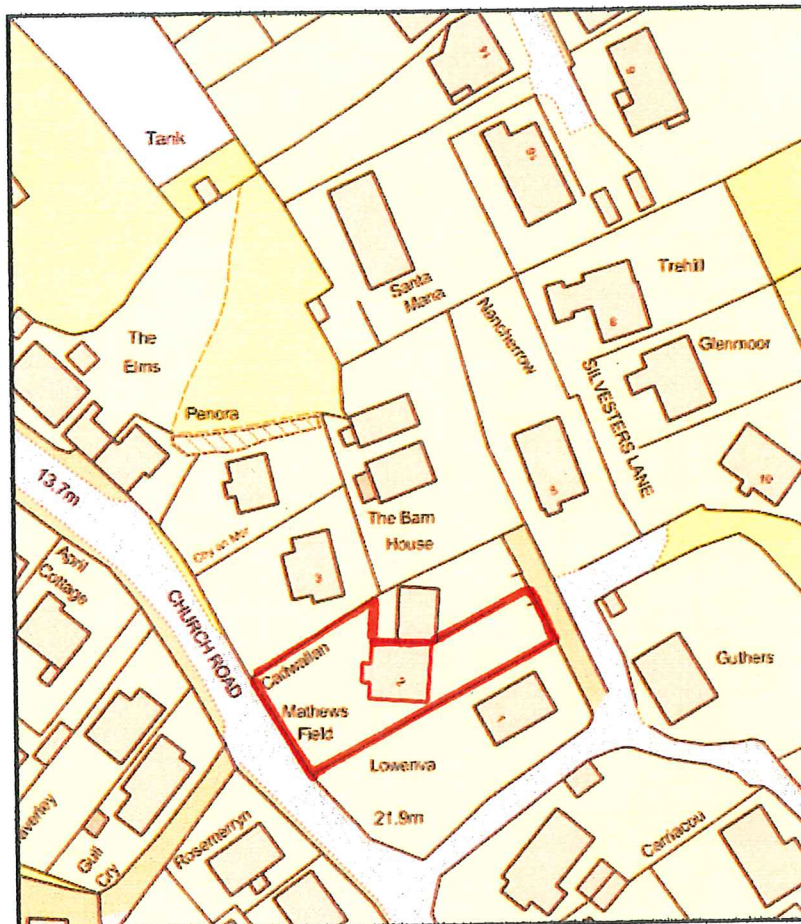
**RECEIVED**

By Liv Rickman at 11:07 am, Jan 18, 2022

**RECEIVED**

By Liv Rickman at 11:08 am, Jan 18, 2022

## 2 Matthews Field



Plan Produced for: **Todd and Carmen Stevens**  
Date Produced: **22 Feb 2018**  
Plan Reference Number: **TQRQM18053230328722**  
Scale: **1:1250 @ A4**

**RECEIVED**

By Liv Rickman at 11:13 am, Jan 18, 2022

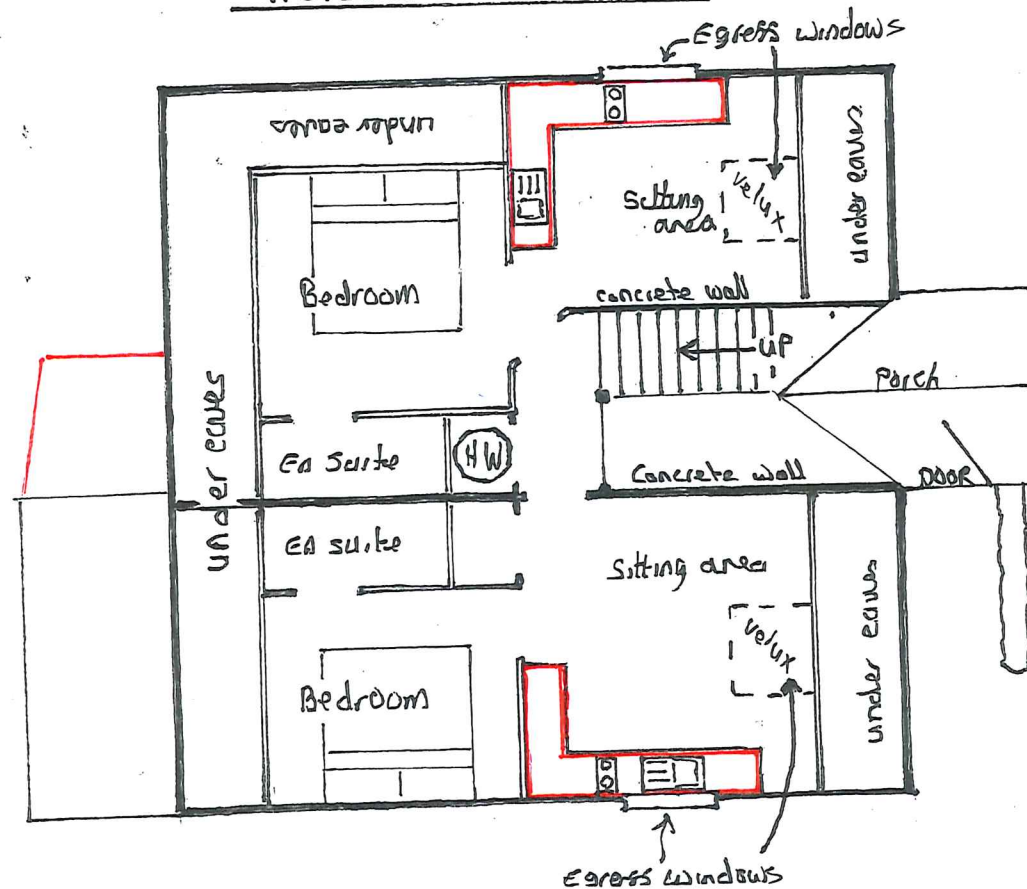


REFUSED  
Council of The  
Isles of Scilly

Mr & Mrs Stevens  
2 Matthews Field  
St Mary's  
Isles of Scilly  
First floor Plan & Proposed kitchenettes  
Scale - 1:100

& Rear Porch

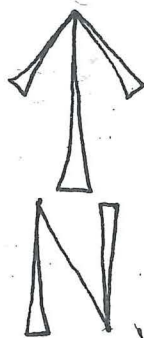
Proposed first floor Plan







**REFUSED**  
**Council of The**  
**Isles of Scilly**



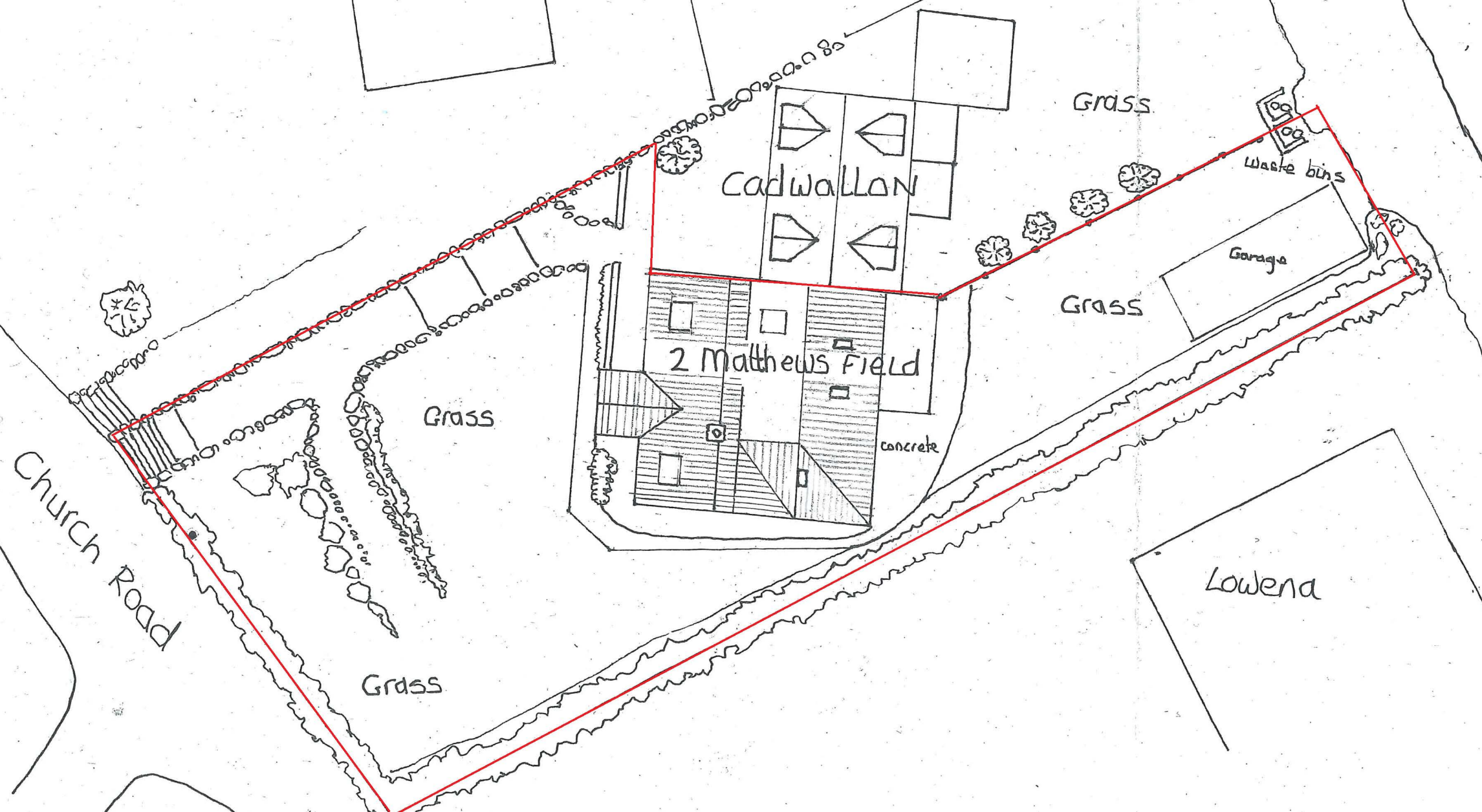
The Barn House

Westward Lodge

Mr & Mrs Stevens  
Existing Site Survey/Plan  
2 Matthews Field  
St Mary's  
Isles of Scilly  
Drawn by Todd Stevens 2018  
Ref 28MB/B8R1 Existing  
Scale 1:200 @ A2

**RECEIVED**

By A King at 9:45 am, Jan 21, 2022



**RECEIVED**

By Liv Rickman at 11:21 am, Jan 18, 2022

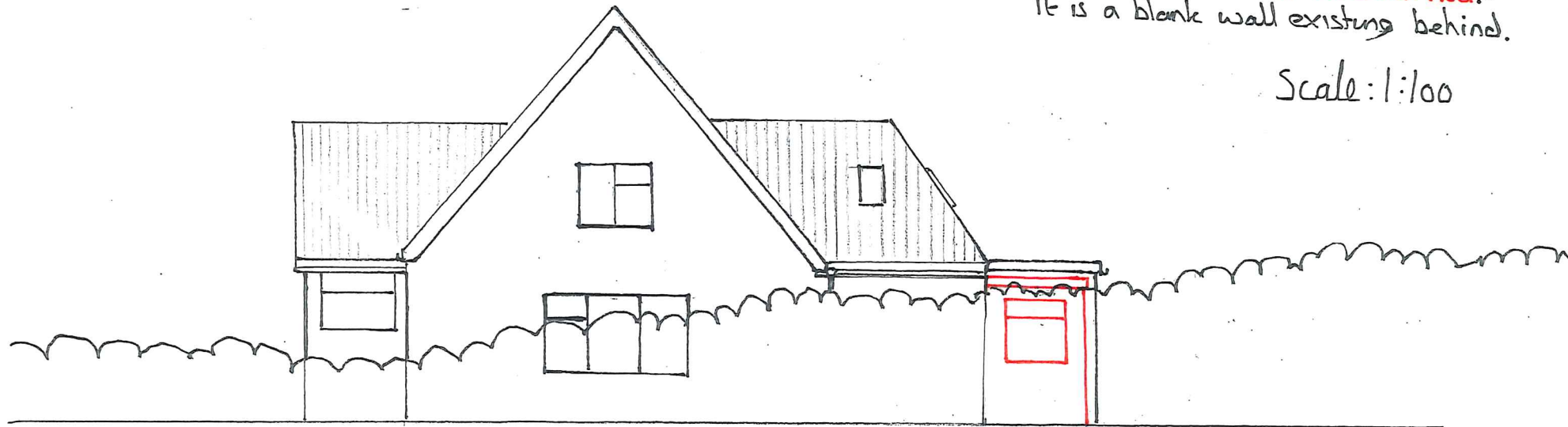


**REFUSED**  
**Council of The**  
**Isles of Scilly**

Mr & Mrs Stevens  
2 Matthews Field  
Church Road  
St Mary's  
Isles of Scilly

Existing elevation-shown  
with - **proposed rear porch in red.**  
It is a blank wall existing behind.

Scale: 1:100



South elevation (Partially obscured by hedge)  
as shown.