



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 2015

PERMISSION FOR DEVELOPMENT

Application No: P/23/021/COU **Date Application Registered:** 27th March 2023

Applicant: Gavin Heald
Old Woman's House,
St Agnes,
Isles Of Scilly,
TR22 0PL

Site address: Land At Troy Town Farm Troy Town St Agnes Isles Of Scilly
Proposal: Change of use of agricultural land for the storage and operation of a mobile hot food catering trailer.

In pursuance of their powers under the above Act, the Council hereby **PERMIT** the above development to be carried out in accordance with the following Conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

C2 The development hereby permitted shall be carried out in accordance with the approved details only including:

- **Plan 1 Location Plan**
- **Plan 2 Block Plan**
- **Plan 3 Proposed Structure**
- **Plan 4 Proposed Structure Elevations**
- **Plan 5 Opening Times**
- **Plan 6 Planning Statement and Proposal**

These are stamped as APPROVED

Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policy OE1 and OE7 of the Isles of Scilly Local Plan (2015-2030).

C3 The use hereby permitted shall be carried out only by Gavin Heald for the purposes of the catering unit as Gav's Fish and Chips, as set out in the application and shall be discontinued on the date when Gavin Heald ceases to operate the catering unit on this land.

Reason: The operation of the use in a different way could lead to unacceptable impacts on the locality, and would need further assessment in accordance with Policies OE1 and OE7 of the Isles of Scilly Local Plan (2015-2030).

Further Information

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.

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: 22nd May 2023



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 Gavin Heald

Please sign and complete this certificate.

This is to certify that decision notice: P/23/021/COU and the accompanying conditions have been read and understood by the applicant: Gavin Heald.

1. **I/we intend to commence the development as approved:** Change of use of agricultural land for the storage and operation of a mobile hot food catering trailer at: Land At Troy Town Farm Troy Town St Agnes Isles Of Scilly **on:**.....
2. I am/we are aware of any conditions that need to be discharged before works commence.
3. 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. In the event that the site is found to be inaccessible then you are asked to provide contact details of the applicant/agent/contractor (delete as appropriate):

Name: _____ **Contact Telephone Number:** _____
And/Or Email: _____

Print Name:.....

Signed:.....

Date:.....

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



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 un-authorised 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
- 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 apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

You find more information on appeal types including how to submit an appeal to the Planning Inspectorate by visiting <https://www.gov.uk/topic/planning-development/planning-permission-appeals> or you can obtain hard copy appeal forms by calling 0303 444 5000.

Current appeal handling times can be found at: [Appeals: How long they take page](#).

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 (Option 1), via email buildingcontrol@cornwall.gov.uk or by post at:

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

Inspection Requests can also be made online: <https://www.cornwall.gov.uk/planning-and-building-control/building-control/book-an-inspection/>

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

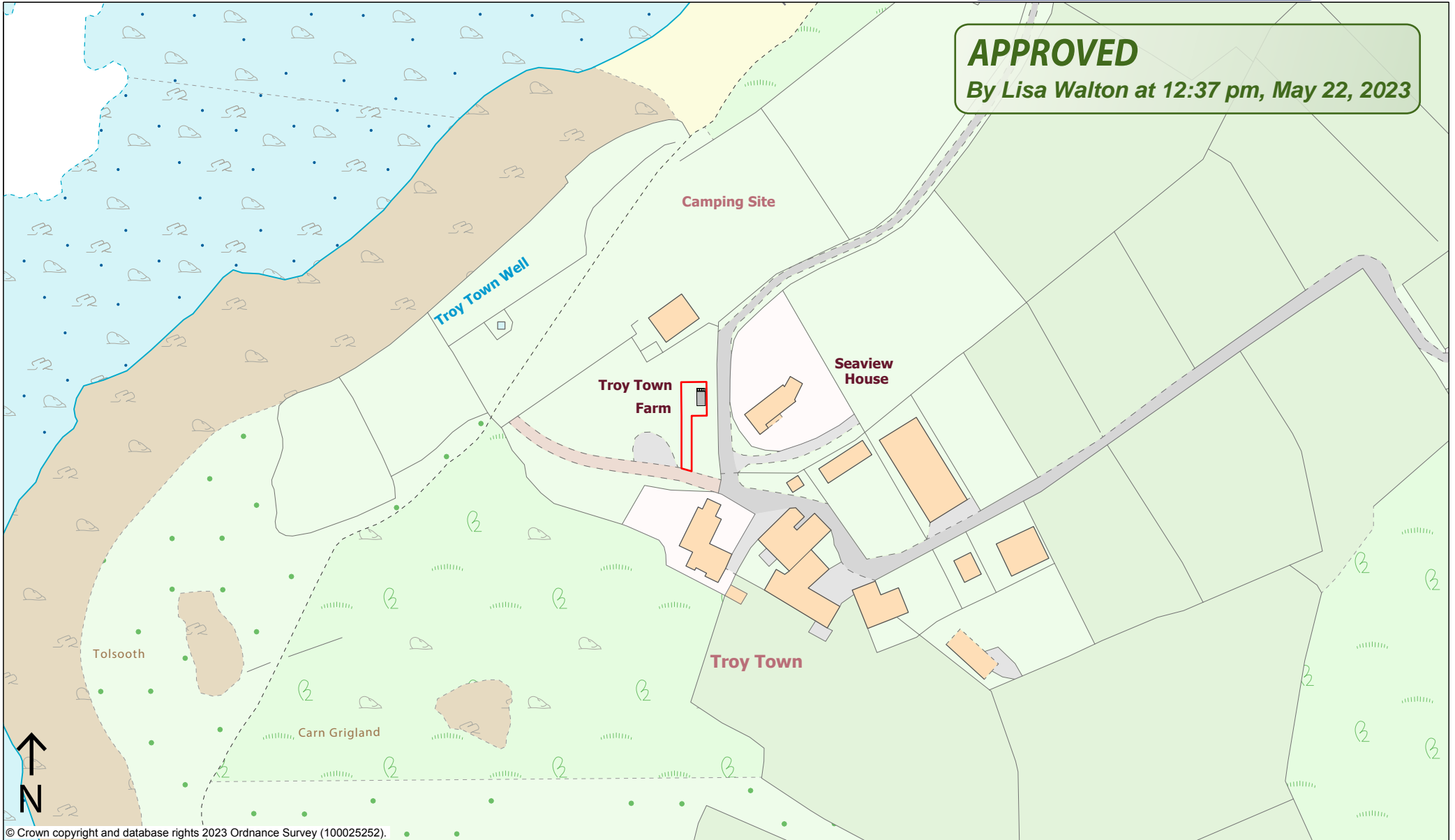
If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 08000831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

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.

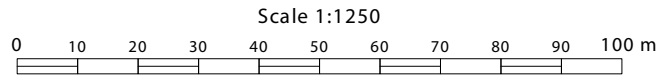
Location Plan

RECEIVED
By A King at 11:44 am, Mar 27, 2023

APPROVED
By Lisa Walton at 12:37 pm, May 22, 2023



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Projection: British National Grid
20 March 2023 19:46



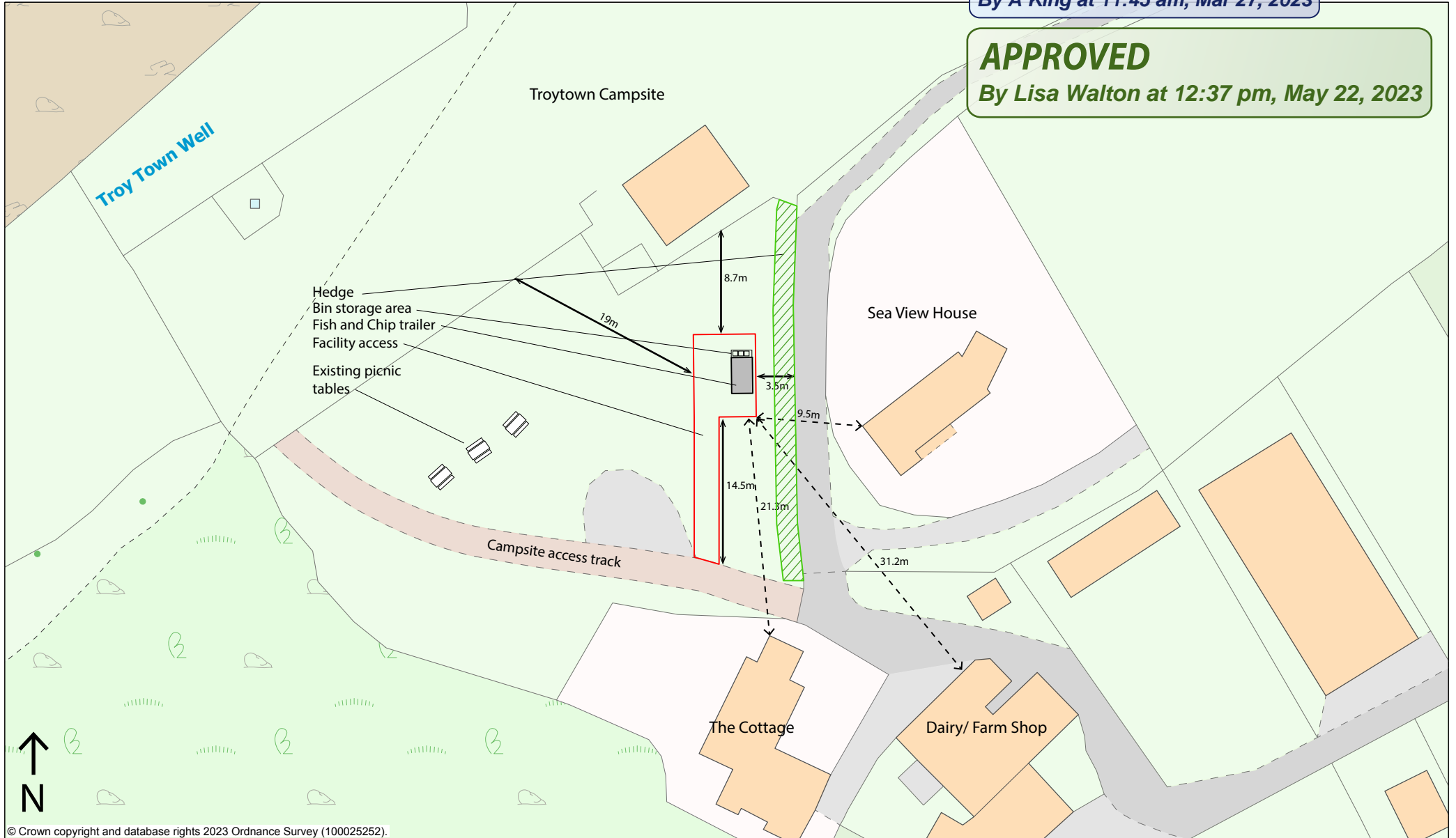
Block Plan

RECEIVED

By A King at 11:45 am, Mar 27, 2023

APPROVED

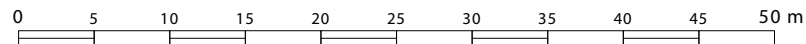
By Lisa Walton at 12:37 pm, May 22, 2023



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Scale 1:500



Projection: British National Grid
20 March 2023 19:49



Licensed Data

Proposed Structure

The structure proposed on the Troytown site is a 3.4m x 2m catering trailer. The image below in figure 1 shows a similar looking trailer.



Figure 1



Figure 2

The colour of the trailer won't be black, like in figure 1, but will be a blue colour, similar to the one in figure 2.

The chassis, frame and body of the trailer are made of galvanised steel. The trailer sides, which form its 'pod' like shape are made of glass fibre reinforced plastics. The trailer is CE approved and conforms with EU standards. As seen in figure 1, the trailer will have a large serving hatch along one side, and a door for entering the trailer at the rear.

Internally, the trailer will be designed to my needs. The plan is to have a three-pan Weston gas fryer located in the space adjacent to the rear door. Along the rear long sided wall will be a gas griddle, bain-marie, both supplied by Weston Catering, and upon entrance to the trailer, immediately on this rear wall will be a double sink for hand washing. There will also be prep and packing space. All surfaces will be stainless steel. See Figure 3 showing all the dimensions.

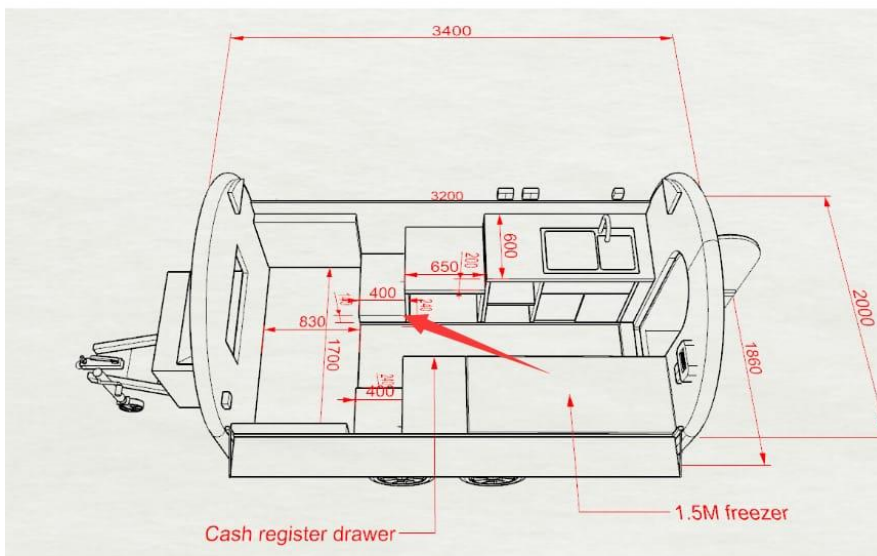


Figure 3

There will be stainless steel work surfaces in the area in front of the serving hatch. Underneath these will be a fridge and freezer meaning fresh and frozen food can be stored on the premises whilst trading. On the work surface above the fridge and freezer will be a display fridge. This will be for displaying a small amount of fresh fish to sell, and for also displaying a limited number of pre-made rolls/sandwiches to sell over lunch hours.

The majority of the equipment (fryer, griddle and bain-marie) will be gas powered. However, some of the utilities, including the fridge, freezer and internal lighting will be powered electrically. This will require hooking up to a power source from the toilet/shower block on the campsite. The two 19kg propane gas bottles needed to power the trailer will be stored in a gas safe box over the hitch area on the outside of the trailer.

Regarding ventilation and extraction. Due to the large serving hatch, this will provide great ventilation, allowing cooking smells to move freely through the air. This will avoid a build-up of unwanted smells that could linger and cause unpleasant odours. Along with this, an extraction system will be put in place above the frying range and griddle. This will be a canopy extraction system, which will help deal with grease build up within the trailer, and any foul smells. Due to the extraction system, and openness of the trailer, I do not expect any unwanted odours to be produced by the trailer.

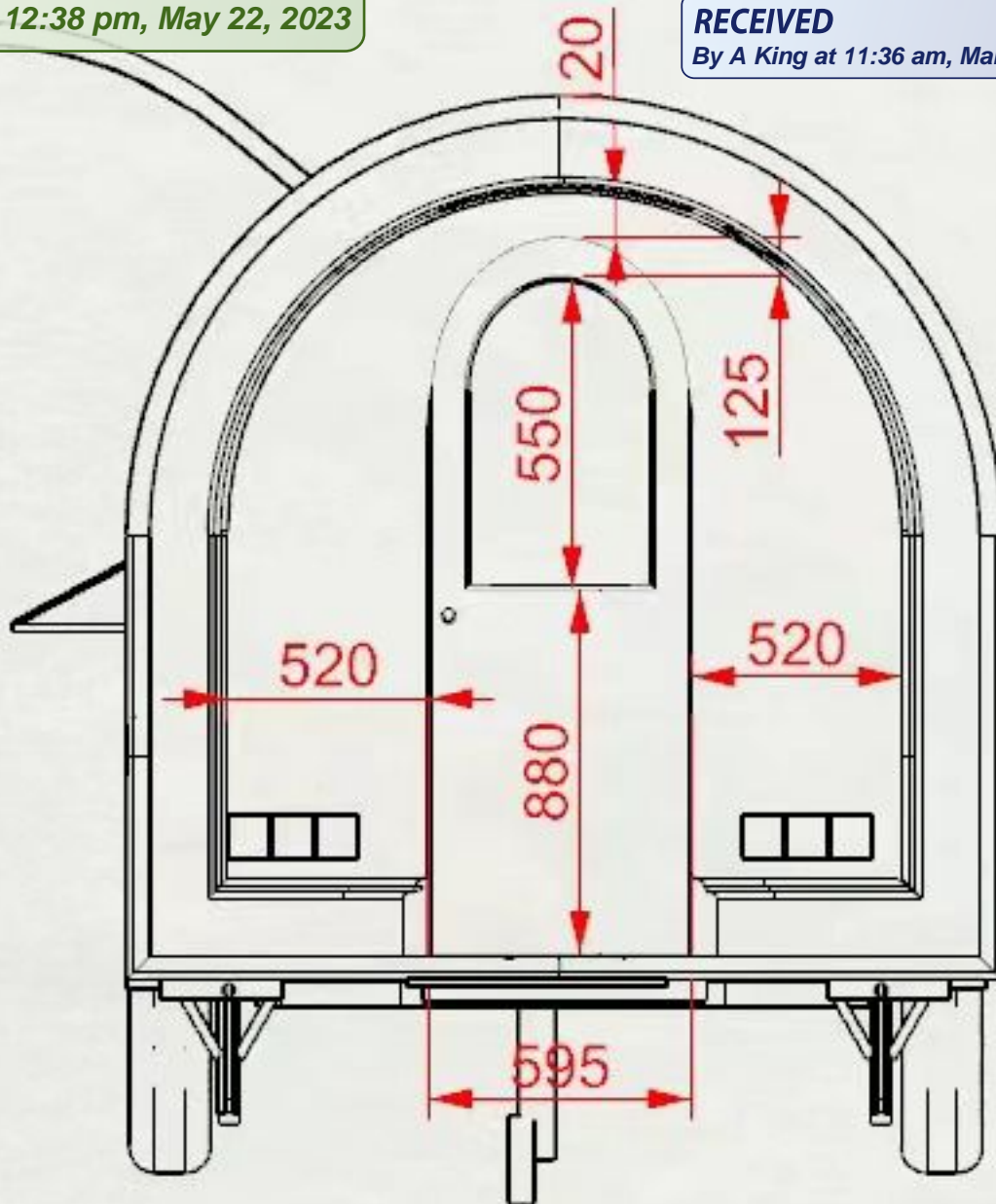
The trailer has been carefully designed, taking advice from EHO officer, Michael Coates. It is key to have a premises that is compliant and suitable for prepping and cooking food products.

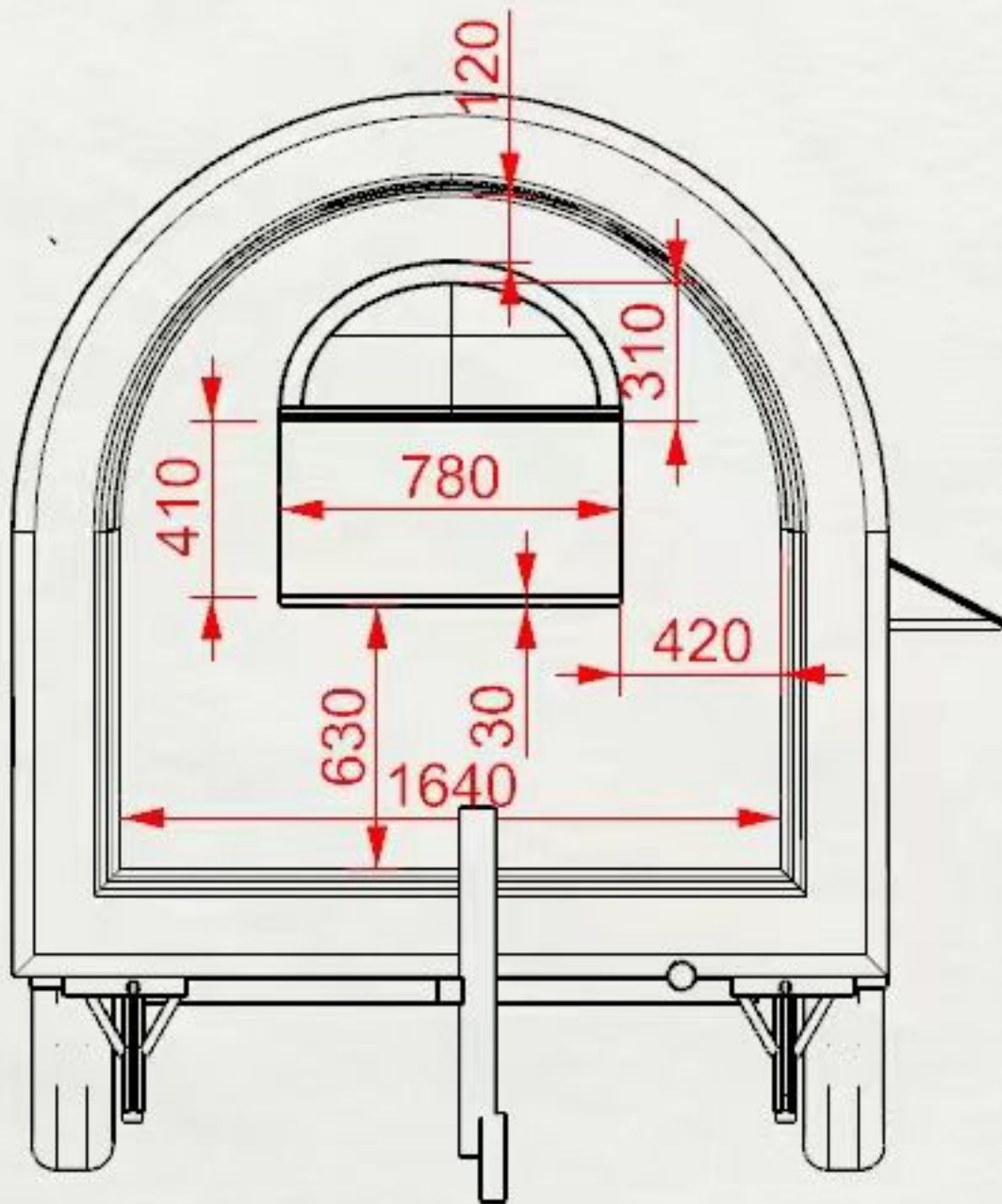
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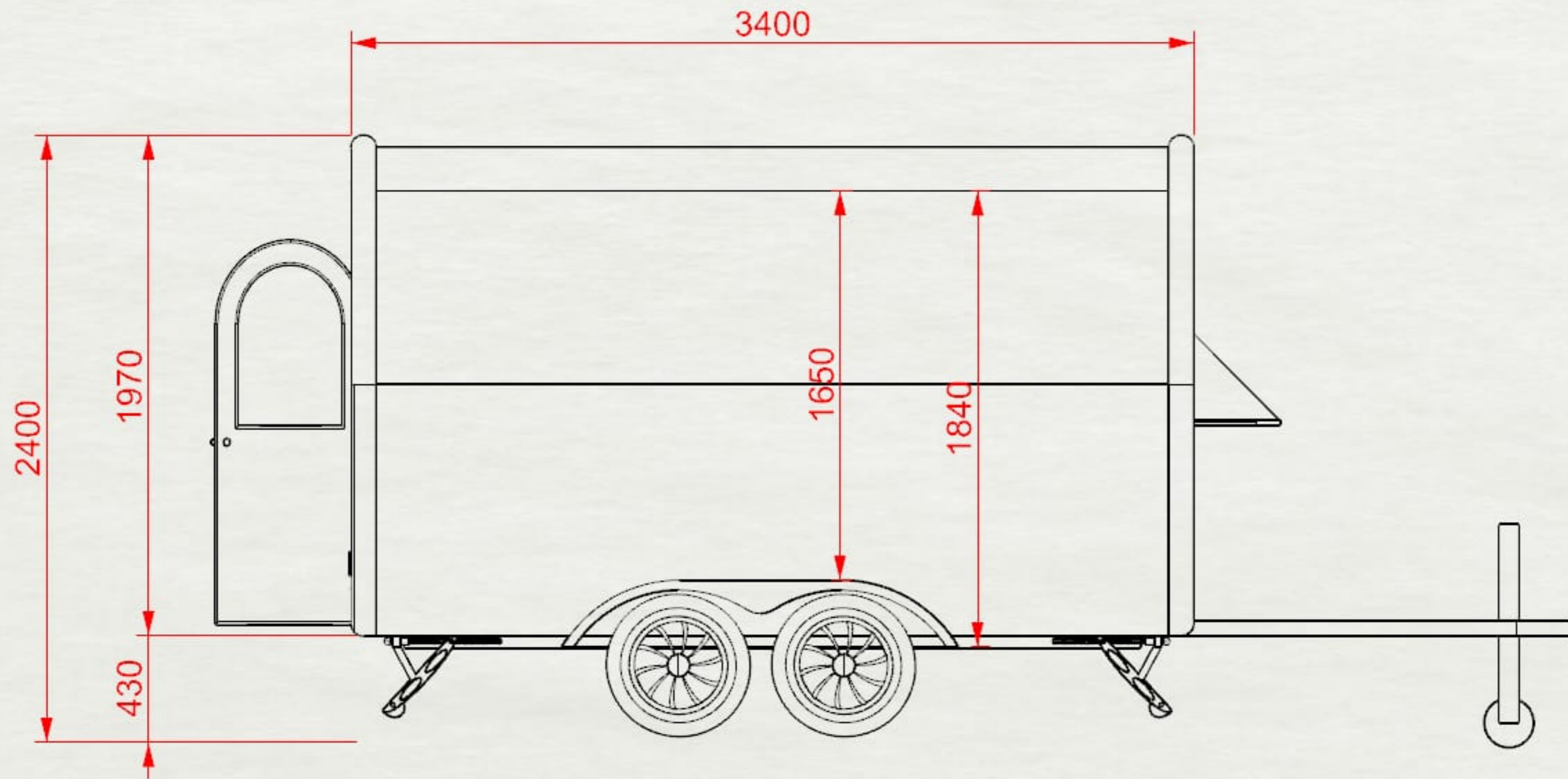
By Lisa Walton at 12:38 pm, May 22, 2023

RECEIVED

By A King at 11:36 am, Mar 27, 2023







RECEIVED

By Liv Rickman at 9:31 am, Mar 23, 2023

Hours of Opening

APPROVED

By Lisa Walton at 12:39 pm, May 22, 2023

Sunday – 11.30am-14.30pm, 17.45pm-20.30pm

Monday – CLOSED (potential of an evening opening 17.45pm-20.30pm)

Tuesday – 17.45pm-20.30pm (potential of daytime opening 11.30am-2.30pm)

Wednesday – 11.30am-14.30pm

Thursday – CLOSED

Friday – CLOSED

Saturday 8.30am-10am – breakfast bacon for campers. (Not confirmed, just an idea.)

Bank Holidays – If the bank holiday falls on a day I intended to open, I will be open.

When starting at 11.30am, I would expect to start prepping on site from 10am to open. I anticipate closing checks, cleaning, etc to take 1 hour. So, when closing at 20.30pm, I'd anticipate a 21.30pm finish at the latest. During this period I would close the serving hatch to minimise noise and light pollution at that time in the evening.

RECEIVED

By Liv Rickman at 9:30 am, Mar 23, 2023

APPROVED

By Lisa Walton at 12:39 pm, May 22, 2023

Gav's Fish and Chips

Opening Statement and Proposal

Gav's Fish and Chips will be a takeaway food business, selling a high quality, locally sourced product. The planning application is being made for a small catering trailer (3.4m x 2m), and this trailer is solely for the use of my business, Gav's Fish and Chips. The intension is to open part way through the 2023 summer season, with plans of opening from early April through to late October in future years.

The application is being made for a small parcel of land located just off the road from Troytown Farm shop down to the Campsite. Here, fresh, locally caught pollock will be battered and served with chips, along with other seafood options, such as Lobster and Mackerel. All seafood will be purchased locally from fishermen Jacob Burns and Ross Hicks of Gwendra Fishing. Aswell as fish, locally reared meat will also be served; Downs Farm Beef Burgers and Troytown Pork. The long-term goal is to have a food business which serves solely St Agnes produce – potatoes from Westward Farm, salad items from Tamerisk Farm, and meat products from Gwendra Fishing, Downs Farm and Troytown Farm.

The proposed parcel of land located on Troytown Farm current use is Agricultural. Although for a while now it hasn't actually been literally used for farming – no crops are grown here, and the cattle hasn't grazed this land. Currently it's running a little wild, with camping and farm equipment being stored here, along with kayaks and punts. So, the introduction of a commercial food business will help provide the land with a purpose again, enhancing peoples experience of St Agnes.

The trailer itself is discussed in further detail within the document attached 'Proposed Structure'. But, to touch briefly on the set up, and how a high-quality product will be served, here are a few details. The trailer will be a pod style, with 1 large serving hatch along the long front wall. There will be two 19kg propane gas bottles situated in a secure, gas safe box just by the hitch at the front of the trailer. The gas will power the majority of equipment within the trailer – 3 pan fryer and hot storage, griddle, and bain-marie. During service the trailer will also be hooked up to an electricity source run from the 'toilet block' located on the campsite. This will power the fridges, freezer, internal lights, and a few other small appliances within the trailer.

People love fish and chips by the sea. Visitors *and locals* will be able to see Jacob and Ross out in the Gwendra (SC10) *and Helgi Mor (SC18) during the day* fishing round *Annet, the Western Rocks and right out towards Bishop Rock Lighthouse*. Then, come the evening, they will be able to sample the catch for their dinner, *overlooking the fishing grounds that their meal has been caught from*. This, from my experience of working in the *Shop and Post Office for over 5 years*, is what so many visitors are looking for and what St Agnes is crying out for. There are many people who ask where they can buy/eat local fish, and on St Agnes, there is nowhere. This is the market I am looking to fill.

Pre Covid, St Agnes had a pub that was open seven days a week for food and drink, Coastguards Café open six days, High Tide Restaurant three nights a week, and Covean Café, open for drinks and cakes two days a week. Going even further back Covean and Coastguards were both run full- time as Cafes. Now, the only options for visitors are the pub, which has been closed on Tuesday evening and all day Wednesday and Coastguards Café which is still open six days (closed Sundays). From my experience just over the past 2 years working in the shop many day visitors are highly disgruntled and disappointed at the lack of amenities on St Agnes. This feeling has also been felt by the visitors staying on the island, and then even more so the locals whose businesses are therefore being affected by fewer day visitors, and then also the café and pub who would get overrun at times and simply cannot deal with it due to there not being the eatery options like on other off islands.

A new food outlet on St Agnes, offering fresh ideas and serving local produce is of great need, and will help to retain current visitors staying on the island who may have been getting 'bored' of what is on offer, or simply just hoping for fresh ideas to enhance their holiday experience. Along with this, many more people today are looking to purchase local produce, so being able to get this on St Agnes is a great reason for someone to want to either stay on the island, or just visit for the day. Over time, I would expect the number of day trippers to increase and reach levels of the past. When visitors hear of a new offering on another island, they often want to try it for themselves, and it would be my intention to serve such a high quality, fresh produce, that I could potentially retain a lot of these customers. If all these aspects can increase the number of people visiting St Agnes, this can only do great things for the local economy.

Since the plans were released to the locals of St Agnes a huge amount of support has been provided. Some of this support has come in the form of written letters, which can be seen in the file attached, 'Letters of Support'. Aswell as the locals, conversations have been had with The Turks Head, Coastguards Café, and with Rosie Felton at Covean who does pizza two nights a week. All these food businesses have come forward to me personally giving their support, and we have had positive conversations together looking at how our businesses can work positively together.