



## 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 TO VARY CONDITION

**Application No:** P/25/029/ROV **Date Application Registered:** 23 June 2025

**Applicant:** Julie Havlin  
Rowenruth  
Pungies Lane  
Telegraph  
St Mary's  
Isles Of Scilly  
TR21 0NS

**Site address:** Trelawney Church Street Hugh Town St Mary's Isles Of Scilly  
**Proposal:** Application to vary C4 of planning permission P/09/043/COU (Change of use of guest house (Use Class C1) to 3 self catering holiday flats plus owners accommodation (Use Class 3)) to be able to let the units as permanent full time accommodation as well as short term holiday lets

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

- R1 The proposed variation of Condition 4 of planning permission P/09/043 would result in the conversion of three short-term holiday letting units into three permanent residential dwellings. Two of the proposed units would fall significantly below the minimum internal space requirements set out in the Nationally Described Space Standards (NDSS), and the remaining unit would also fail to provide a demonstrably good standard of accommodation for permanent occupation for 2 people as proposed. The introduction of substandard permanent housing, particularly in a context of chronic housing need, would undermine the long-term objective of delivering high-quality, sustainable homes for the Isles of Scilly. The proposal would therefore conflict with Policy LC3(2) of the Isles of Scilly Local Plan (2015-2030), which requires that new housing provides a good standard of living accommodation, and with paragraph 135(f) of the National Planning Policy Framework (2024), which states that planning decisions should ensure developments create places that promote health and well-being through high-quality design and standards of amenity.

The Decision relates to the following documents and drawings:

**Ref No:**  
TQRQM21090122428458  
43736-DWG-001-Rev 01

**Plan Type:**  
Location Plan (1:1250)  
Existing Ground Floor Plan Flat 1

**Date Received:**  
19/03/2025  
23/06/2025

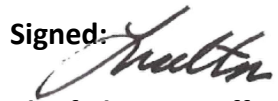
43736-DWG-002 -Rev 01	Existing First Floor Plan Flat 2	23/06/2025
43736-DWG-003- Rev 01	Existing Second Floor Plan Flat 3	23/06/2025
	Supporting Statement	13/03/2025
Email Communication	Confirmation on Nature of Proposed letting	10/07/2025

**The following Policies of the Local Plan (2015-2030) are considered relevant to this decision:**

- Policy LC3 Balanced Housing Stock
- Policy LC5 Removal of Occupancy Conditions

**PLEASE SEE ATTACHED NOTES FOR GUIDANCE ON MAKING AN APPEAL**

**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:** 31 July 2025



# 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 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](#).

## 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



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☎0300 1234 105

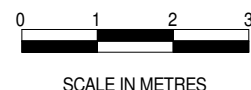
✉[planning@scilly.gov.uk](mailto:planning@scilly.gov.uk)

consent, please contact the department.

## **Re-submissions for Planning Permission**

If you consider resubmitting your application, contact the Planning Department so we can explain if or 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 by email: [planning@scilly.gov.uk](mailto:planning@scilly.gov.uk) for assistance.



SCALE IN METRES

REAR FLAT

LOUNGE  
14'11" x 13'3"  
4.55 x 4.05M

BEDROOM  
16'3" x 13'3"  
4.96 x 4.04M

KITCHEN/  
DINING  
ROOM  
12'2" x 8'10"  
3.72 x 2.70M

BEDROOM  
9'7" x 9'1"  
2.92 x 2.77M

LOUNGE  
14'8" x 10'1"  
4.46 x 3.08M

flat 2

**NOT APPROVED**

Existing First Floor  
1:100

**RECEIVED**

By Tom.Anderton at 1:35 pm, Jun 23, 2025

#### General Notes

All levels, heights, and dimensions to be verified on site where applicable and to be checked against drawings

Any errors, discrepancies, queries, or omissions to be brought to the attention of Harpr Surveyors Ltd immediately prior to the commencement of any work.

All work to be carried out in strict accordance with local authority requirements, national building regulations, and relevant standards.

Where applicable, contractors to locate and identify existing services on site and protect these from damage throughout the duration of the works.

This drawing must not be scaled. Only figured dimensions shall be followed.

This drawing is not for construction purposes and is for design purposes only. Only drawings marked "For Construction" shall be used for construction.

#### Disclaimer

Although every accuracy has been ensured, the survey conducted on the site had its limitations at the time of survey. Due to the condition and level of belongings present at the time of survey, a greater level tolerance will need to be applied to these drawings.

Please see the disclosed images as reference to the condition of the property at the time of survey.

#### Copyright Reserved

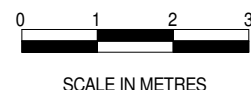
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Trelawney  
Church St  
St Mary's  
Isles of Scilly  
TR21 0JT



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info@harprsurveyors.co.uk  
tel: 01726 254220

			Drawn:	H Price	Project ID:	HARPR-43736
			Approved:	J Havlin	Project Name:	Trelawney
			Date:		Existing Floor Plan	
01	First Issue	12/06/2025	Scale:	1 : 100		
Rev:	Description of issue / revisions made	Date	Original:	A4	Drawing Number:	43736-DWG-002
					Rev:	01



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Trelawney  
Church St  
St Mary's  
Isles of Scilly  
TR21 0JT

**NOT APPROVED**



Existing Ground Floor  
1:100

**RECEIVED**

By Tom.Anderton at 1:35 pm, Jun 23, 2025



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			Drawn:	H Price	Project ID:	HARPR-43736		
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01	First Issue	12/06/2025	Scale:	1 : 100				
Rev:	Description of issue / revisions made	Date	Original:	A4	Drawing Number:	43736-DWG-001	Rev:	01

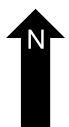
# Trelawney



**NOT APPROVED**

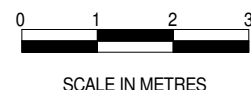


0 50  
Metres



Plan Produced for: Clive Humphrey  
Date Produced: 31 Mar 2021  
Plan Reference Number: TQRQM21090122428458  
Scale: 1:1250 @ A4

**RECEIVED**  
By Tom.Anderton at 7:58 am, Mar 19, 2025



SCALE IN METRES

#### General Notes

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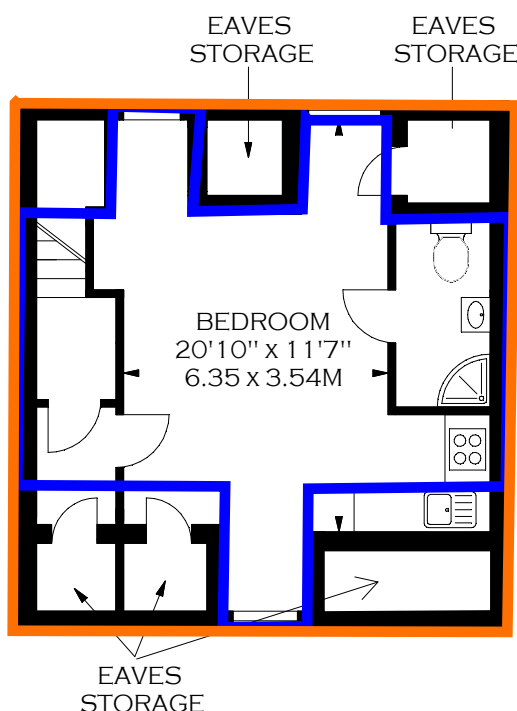
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Trelawney  
Church St  
St Mary's  
Isles of Scilly  
TR21 0JT



USABLE SPACE ABOVE  
1500MM HEADROOM

FLAT 3

EAVES  
STORAGE

BEDROOM  
20'10" x 11'7"  
6.35 x 3.54M

**NOT APPROVED**

Existing Second Floor  
1:100

**RECEIVED**

By Tom.Anderton at 1:35 pm, Jun 23, 2025



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			Drawn:	H Price	Project ID:	HARPR-43736
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			Date:		Existing Floor Plan	
01	First Issue	12/06/2025	Scale:	1 : 100		
Rev:	Description of issue / revisions made	Date	Original:	A4	Drawing Number:	43736-DWG-003
					Rev:	01