Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Certificate of Lawful Use or Development - Existing Use or Development

Application Reference Number: PL/2023/08176

Decision Date: 18 December 2023

Applicant:	Mr Shane Hayward Hayward Pool Bradford Leigh, Wiltshire, BA15 2RR
Particulars of Development:	Certificate of Lawfulness for existing use of Building as C3 holiday let including erection of building
At:	Hayward Pool, Bradford Leigh, Bradford on Avon, BA15 2RP

Wiltshire Council hereby certify that this application for a Certificate is hereby **REFUSED** for the following reasons (contained in the informative):

Refusal Reason(s): (1)

1 It has not been shown that the building has been occupied continuously without any significant break for the relevant period. In addition, the development described in the application description does not correctly describe the unlawful development. In this case the relevant period for immunity from enforcement action is ten years rather than four years because the unlawful development is not a Use Class C3 dwellinghouse. On this basis a Certificate of Lawful Development cannot be issued, because the relevant time period for immunity from enforcement action is ten years rather than four years.

Parvis Khansari - Corporate Director, Place

If the applicant is aggrieved by this decision an appeal may be lodged with the Secretary of State under the terms of Section 195 of the Town and Country Planning Act 1990. Appeals may be made on a form which is obtainable from the Planning Inspectorate via the Inspectorate website of Planning Portal –

www.planninginspectorate.gov.uk

www.planningportal.gov.uk/planning/appeals

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

A copy of the appeal documents should be sent direct to planningappeals@wiltshire.gov.uk.