TOWN & COUNTRY PLANNING ACT 1990:
SECTION 191 (as amended by Section 10 of the Planning & Compensation Act 1991)
Certificate of Lawful Use or Development - Existing Use or Development

Application Reference Number: PL/2023/07897
Decision Date: 21 December 2023

Applicant: Mr R Herman
C/O Home Plan Design Services, -, -, -, -, -, -

Particulars of Development: - Certificate of lawfulness for existing agricultural outbuilding.
At: Land off Stones Lane, Cricklade, Wilts, SN6 6JP

Wiltshire Council hereby certifies that on 19th December the operations described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule to this Certificate and edged red on the plan attached to this certificate would have been lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) for the following reason:

From the evidence provided (including a supporting planning statement and independent mapping sources) and on the balance of probability, the building shown on plans 23/2064/01, October 2023 and block plan received 3rd October 2023 and location plan 14th September 2023 has been constructed for agricultural purposes and has been in situ in excess of the four-year period specified in Section 171 B (2) of the Town and Country Planning Act 1990.

SCHEDULE 1: Certificate of lawfulness for existing agricultural outbuilding.

SCHEDULE 2: Land off Stones Lane, Cricklade, Wilts, SN6 6JP (plans 23/2064/01, October 2023 and block plan received 3rd October 2023 and location plan 14th September 2023)

Condition (1)
The residential paraphernalia currently in situ including the pergola and chimney shall be removed from the existing structure within 3 months of this notice.
Reason: In the interest of visual amenity and to ensure the building is used in relation to agriculture

Signed
Parvis Khansari - Corporate Director, Place

Notes -

1. This Certificate is issued solely for the purpose of Section 191 of the Town & Country Planning Act 1990 (as amended).

2. It certifies that the use or development specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and thus would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.

3. This Certificate applies only to the extent of the proposed use or development described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use or development which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

4. The effect of the Certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended. This states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change before the use is instituted or the operations begun in any manner relevant to determining such lawfulness.